

INFORMARE

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PS

privind participarea la reuniunea Comisiei pentru probleme economice și dezvoltare a A.P.C.E. și la prima parte a Sesiunii ordinare a A.P.C.E. (Londra, 18-19 ianuarie 2008; Strasbourg, 21-25 ianuarie 2008)

În perioada 18-19 ianuarie 2008, la Londra, au avut loc lucrările Comisiei pentru probleme economice și dezvoltare a A.P.C.E., la care, din partea Camerei Deputaților, au participat domnii deputați Relu Fenechiu și Cezar Preda, din partea Senatului, domnii senatori Mircea Mereuță și Radu Berceanu, membri ai Delegației Parlamentului României la A.P.C.E., precum și doamnele Nadia Ionescu și Mihaela Drăghici, secretarele Delegației Parlamentului României la A.P.C.E.

În prima zi a lucrărilor membri Comisiei au efectuat o vizită la sediul Băncii Angliei, unde a avut loc un schimb de opinii cu Guvernatorul Băncii, domnul Mervyn King și cu alți înalți oficiali.

Totodată, pe agenda reuniunii Comisiei s-a aflat și dezbateră raportului parlamentarului portughez Maximiano Martins, privind „Banca Europeană pentru Reconstrucție și Dezvoltare și dezvoltarea economică în Europa centrală și de est”. La dezbateră a participat și domnul Jean Lemierre, Președintele BERD.

Domnul Holger Muent, înalt oficial bancar, a realizat o prezentare a activităților BERD desfășurate în Ucraina și a strategiei de țară, adoptată în septembrie 2007, iar domnul Paul-Henri Forestier o prezentare a activităților BERD în Caucazul de Sud.

În cea de a doua zi de reuniune a Comisiei au fost dezbătute mai multe rapoarte, printre care: „Realizarea potențialului maxim al educației de tip e-learning”, „Dezvoltarea durabilă și turismul: către o creștere a calității”, etc.

În perioada 21-25 ianuarie 2008, la Strasbourg a avut loc prima parte a sesiunii ordinare a A.P.C.E., la care, din partea Camerei Deputaților, au participat doamna deputată Minodora Cliveti și domnul deputat Cezar Preda, membri ai Delegației Parlamentului României la A.P.C.E.

a. Prima zi a Sesiunii a fost consacrată alegerii președintelui și vicepreședinților Adunării, precum și Birourilor comisiilor permanente de specialitate.

În urma unui nou acord politic între grupurile parlamentare din A.P.C.E. s-a convenit ca pentru următorul mandat de 1 an, cu posibilitatea de prelungire, președinția A.P.C.E. să fie preluată de Grupul Socialist.

APROBAT
În sesiunea Biroului permanent al
Camerei Deputaților
din data de 20.02.2008
Nr. 169

Astfel, în funcția de **președinte al A.P.C.E. a fost ales parlamentarul spaniol Lluís Maria de Puig**, până în momentul alegerii președinte al Grupului Socialist din cadrul A.P.C.E.

Parlamentarii români, membri ai delegației Parlamentului României la A.P.C.E., au fost aleși vicepreședinți în patru din cele zece comisii ale A.P.C.E., doi dintre aceștia devenind și prim-vicepreședinți a două din cele mai puternice grupuri politice din cadrul A.P.C.E., astfel:

- doamna deputată **Minodora Cliveti** a fost aleasă în funcțiile de **prim-vicepreședintă a Grupului Socialist și de vicepreședintă a Comisiei pentru probleme sociale, sănătate și familie**;
- domnul senator **Gyorgy Frunda**, șeful delegației Parlamentului României la A.P.C.E., a fost ales în funcțiile de **prim-vicepreședinte al Grupului Popularilor Europeni Creștin-Democrați și de vicepreședinte al Comisiei de monitorizare**;
- domnul deputat **Cezar Preda** a fost ales în funcția de **vicepreședinte al Comisiei de mediu, agricultură și probleme locale și regionale, și desemnat raportor pe probleme de migrație**;
- domnul senator **Dănuț Ungureanu** a fost aleas în funcția de **vicepreședinte al Comisiei de regulament**;

De asemenea, Grupul Socialist l-a desemnat pe domnul deputat Mihai Tudose reprezentant în cadrul Comisiei de Monitorizare.

Din modificările mai semnificative survenite în conducerea celorlalte comisii permanente semnalăm alegerea în funcția de președinte al Comisiei pentru probleme juridice și drepturile omului a parlamentarei germane Herta DÄUBLER-GMELIN și alegerea în funcția de președinte al Comisiei pentru probleme sociale, sănătate și familie a parlamentarei britanice Christine McCAFFERTY.

b. În discursul inaugural, **noul președinte al Adunării, domnul Lluís Maria de Puig** a mulțumit colegilor pentru alegerea sa, precizând că va acționa pentru consolidarea a ceea ce au făcut predecesării săi și a prezentat câteva din obiectivele care trebuie avute în vedere, cu prioritate, în perioada următoare:

- intensificarea relațiilor cu Parlamentul European pe problemele actualelor provocări: încălzirea globală, dialogul intercultural, educația, migrația - cu elementele sale pozitive și negative;
- o mai mare deschidere internațională a Consiliului Europei și A.P.C.E., în special cu vecinii - țările din Asia și cele din Africa de Nord.

Totodată, domnul **Lluís Maria de Puig** a precizat că dorește să-și plaseze mandatul de doi ani "sub semnul unei Europe a cetățenilor", întrucât

apreciază că “rolul A.P.C.E. este de a-și aduce contribuția la dezvoltarea unei Europe create pentru europeni de către europeni”.

c. Printre numeroasele personalități ale vieții politice internaționale, care s-au adresat plenului Adunării, la această primă parte a sesiunii ordinare 2008, s-au aflat: **dl. Robert Fico**, Prim-Ministrul Slovaciei, **dl. Ferenc Gyurcsány**, Prim-Ministrul Ungariei, **dl. Bamir Topi**, Președintele Albaniei, **dl. Mikhail Saakashvili**, președintele Georgiei, **dl. Frans Timmermans**, ministrul olandez al afacerilor europene, **dl. Abdelaziz Ziari**, Președintele Adunării Naționale a Algeriei.

În discursul său, domnul **Robert Fico**, Prim-ministrul Slovaciei, a invitat Consiliul Europei la accelerarea activităților și concentrarea asupra locurilor unde poate fi cel mai de folos. Recunoscând că, Curtea Europeană a Drepturilor Omului și sistemul său judiciar reprezintă un mare câștig, a afirmat că, în opinia sa, „succesul autentic ar fi dacă nu ar exista motive pentru nici un cetățean să se adreseze Curții de la Strasbourg și atunci când ar face-o, să fie doar o excepție”. Domnia sa a adăugat că „Soluția stă în prevenirea cazurilor de violare a drepturilor omului și o eficiență îmbunătățită a remedierilor legale naționale. Este vital să fie pus în aplicare Protocolul 14 al Convenției Europene a Drepturilor Omului”.

Adresându-se plenului Adunării, domnul **Frans Timmermans**, Ministrul olandez al afacerilor europene, a subliniat importanța A.P.C.E. în promovarea dialogului, respectului față de drepturile omului și diversitate. Domnul Frans Timmermans a accentuat asupra necesității de a situa cât mai sus pe agendă drepturile omului, invitând Consiliul Europei să preia conducerea în acest domeniu, în strânsă cooperare cu Uniunea Europeană și OSCE.

Cu ocazia cuvântării rostite în plenul Adunării, domnul **Ferenc Gyurcsány**, Prim-Ministrul Ungariei, s-a referit la situația din Kosovo, precizând faptul că Europa trebuie „să împiedice Serbia să se autoizoleze”, și la relația Uniunii Europene cu Rusia, țară considerată „primordială și necesară în stabilitatea Balcanilor și a continentului”, precum și la reforma economică din Ungaria.

În prima zi a lucrărilor, la sfârșitul dezbaterii privind Raportul activităților desfășurate de Biroul Adunării și Comisia Permanentă, A.P.C.E. a adoptat două rapoarte privind alegerile parlamentare din Federația Rusă și alegerile prezidențiale din Georgia. În primul caz, raportorul belgian Luc Van den Brande a afirmat că, „în timp ce alegerile Dumei din 2007 au fost în mare măsură libere, din punctul de vedere al opțiunilor variate de vot, ele nu au fost în mod sigur corecte”. În cel de al doilea caz, raportorul maghiar Mátyás Eörsi a apreciat, în privința alegerilor prezidențiale din Georgia, că

acestea au fost, în esență, conforme angajamentelor asumate în relația cu Consiliul European, în același timp accentuând că neajunsurile au relevat unele provocări ce trebuie urgent făcute cunoscute Consiliului European.

d. Adunarea Parlamentară a dezbătut o serie de rapoarte și a adoptat un set de recomandări venite din partea membrilor delegațiilor parlamentare ale țărilor membre.

Printre numeroasele teme de dezbatere prezente pe agenda de lucru a acestei sesiuni s-au aflat:

- **Progrese privind statutul viitor al provinciei Kosovo;**
- **Încălzirea globală și dezastrele ecologice;**
- **Protecția mediului în regiunea Arctică;**
- **Consiliul de Securitate al ONU și listele negre ale Uniunii Europene**
- **Disparația de nou-născuți în vederea adopțiilor ilegale**
- **Cooperarea transfrontalieră;**
- **Supravegherea video a spațiilor publice.**

e. Vom detalia, în continuare, o parte din temele de dezbatere mai semnificative:

- **Progrese privind statutul viitor al Kosovo**

Raportul parlamentarului britanic Lord Russell-Johnston amintește de eșecul negocierilor din cadrul Consiliului de Securitate al ONU, dar și faptul că Uniunea Europeană a ezitat să ia o poziție clară în această situație, faptul conducând la o posibilă declarație unilaterală a independenței Kosovo.

Pozițiile exprimate în timpul dezbaterii raportului au fost diferite. Astfel, liderii grupurilor politice s-au pronunțat pentru continuitate și flexibilitate în dialog, unii parlamentari care au intervenit în dezbatere s-au exprimat împotriva acceptării declarației unilaterale de independență, alții s-au exprimat pentru independența Kosovo ca „o soluție dictată de mersul vremurilor și evenimentelor”, sau pentru „o independență limitată, supravegheată”.

Parlamentarii români au apreciat dialogul drept o cale înțeleaptă pentru o rezolvare fără conflict a situației din Kosovo, doamna deputată Minodora Cliveti propunând un amendament, care a fost inclus în rezoluția

adoptată de plenul APCE. Acesta se referă la faptul că autoritățile zonei, dar și cele internaționale trebuie să aibă în vedere problematica refugiaților.

În urma dezbaterilor, APCE a adoptat cu 104 voturi pentru și 35 împotrivă o Rezoluție și o Recomandare pe marginea raportului, în care se specifică clar „necesitatea găsirii unei soluții cu respectarea legislației internaționale”, ceea ce ar însemna că acele organizații care au atribuții directe cu privire la statele Europei să continue dialogul.

Este de amintit faptul că APCE susține inițiativa Uniunii Europene, care a anunțat că va mai trimite o misiune în Kosovo, în luna martie, în încercarea de a așeza la masa tratativelor părțile implicate. În documente se exprimă, totodată, speranța că Serbia va renunța la o serie de măsuri care ar putea conduce la autoizolare.

- **Încălzirea globală și dezastrele ecologice**

Raportorul britanic Alan Meale atrage atenția, în raportul său privind Încălzirea globală și dezastrele ecologice, asupra faptului că Europa nu poate rămâne indiferentă la schimbările climatice care conduc la încălzirea planetei, determinând catastrofe ecologice tot mai frecvente, și ale căror efecte sunt dezastruoase pentru mediul natural și oameni.

În urma dezbaterii raportului, plenul Adunării a adoptat o recomandare și o rezoluție prin care statele membre ale Consiliului Europei și cele cu statut de observator sunt invitate să-și coordoneze activitatea la nivel european și mondial și să integreze problema schimbărilor climatice în politicile lor sectoriale, urmărindu-se, în special, amenajarea teritoriului, problema rezervelor de apă, ocupațiile și politicile agricole.

Prin cele două documente adoptate sunt încurajate proliferarea tehnologiilor noi, în special a surselor curate de energie și a celor recuperabile și viabilizarea cooperării internaționale în acest domeniu, atât între țările industrializate, apreciate a fi principalele responsabile de emisiile de gaze cu efect de seră, dar și între acestea și țările în curs de dezvoltare, care sunt cele mai atinse de catastrofele naturale provocate de încălzirea climatică.

- **Consiliul de Securitatea al ONU și listele negre ale Uniunii Europene**

În deschiderea dezbaterii, parlamentarul elvețian Dick Marty a declarat că „nedreptatea este cel mai bun aliat al terorismului” și că „aceasta trebuie, de asemenea, combătută”.

În raport se afirmă, încă de la început, că terorismul „poate și trebuie combătut eficace prin mijloace care respectă drepturile omului și primordialitatea legii” și, totodată, se solicită instituirea unor proceduri de control asupra statului care recurge la blocarea de fonduri suspecte că ar finanța acțiuni teroriste.

Între normele minimale raportorul identifică, în virtutea principiului primordialității dreptului, obligația de avizare și informare a suspectului în legătură cu acuzațiile ce i se aduc și deciziile luate împotriva sa, posibilitatea de a se folosi de drepturile fundamentale de a fi ascultat și de a-și putea asigura, convenabil, o apărare, de a putea sesiza o instanță independentă și imparțială pentru a contesta și a modifica rapid sau anula decizia de restrângere a dreptului, dar și de a fi despăgubit în cazul violării nejustificate a drepturilor sale.

„Procedura listelor negre trebuie să fie în principiu limitată în timp”, mai menționează raportorul, care subliniază că „este inadmisibil ca diverse persoane să rămână pe o listă neagră timp de mai mulți ani, în condițiile în care autoritățile de urmărire penală, după o lungă anchetă, nu au descoperit împotriva lor nimic care să mențină restricțiile”.

Raportorul cere ca înscrierea unei persoane pe lista neagră să nu poată fi făcută până nu se cunosc toate motivele pentru care ea a devenit suspectă.

Proiectul de rezoluție adoptat cu privire la noul raport al parlamentarului elvețian Dick Marty, cheamă statele membre ale Consiliului Europei să-și utilizeze influența de care se bucură pe lângă ONU sau Uniunea Europeană în scopul „ameliorării procedurilor de aplicare a sancțiunilor în cele două instituții”, în conformitate cu recomandările sale și „să încurajeze tribunalele naționale și europene de a pune la dispoziția victimelor căile de recurs necesare”.

În ceea ce privește Recomandarea 1801 (2007) a A.P.C.E., privind Detențiile secrete și transferurile ilegale de deținuți care implică state membre ale Consiliului Europei: cel de al doilea raport, Comitetul de Miniștri al Consiliului Europei a formulat un răspuns în care amintește existența obligațiilor prevăzute de Convenția Europeană pentru Protecția Drepturilor Omului, conform căreia cea mai potrivită reacție la alegațiile serioase de grave încălcări ale drepturilor omului este reprezentată de investigațiile prompte și eficiente, capabile să conducă la identificarea pedepselor celor responsabili pentru orice acte ilegale. Totodată, reamintește că, potrivit jurisprudenței Curții Europene a Drepturilor Omului, responsabilitatea statului parte pentru încălcarea materială a dispozițiilor Convenției nu poate să rezulte exclusiv din acțiunea directă a autorităților sale, ci și din eșuarea îndeplinirii obligațiilor pozitive ale acestora de

prevenire a încălcării drepturilor omului pe teritoriul lor, sau de conducere a unei investigații independente și imparțiale privind alegații substanțiale de astfel de încălcări ale drepturilor omului.

Totodată, în răspunsul formulat, Comitetul de Miniștri subliniază că, în tratarea unor subiecte sensibile precum alegațiile privind detențiile secrete și transferurile ilegale de deținuți între state, doar informațiile provenite din surse fiabile trebuie luate în considerare și utilizate în documentele oficiale.

- Dispariția de nou-născuți în vederea adopțiilor ilegale

Raportarea elvețiană Ruth Vermont Mangold denunță în raportul său fenomenul adopțiilor ilegale de nou-născuți din Europa, precum și existența unui veritabil trafic cu copiii, apreciind că traficul de nou-născuți este rezultatul absenței regulilor de drept în materie și a lipsei de rigoare a procedurilor. Raportul face referire la România, Bulgaria, Moldova și Ucraina.

Parlamentarii participanți la dezbaterile pe marginea raportului au condamnat ferm utilizarea circuitelor alternative ce încurajează dispariția de nou-născuți prin intermediul adopțiilor ilegale în Europa. Raportarea a denunțat traficul intens cu copiii din Moldova sau Ucraina.

În ceea ce privește informațiile referitoare România, au fost eliminate orice alte referiri negative ale situației din România, ulterioare adoptării moratorului privind adopțiile internaționale.

În finalul dezbaterilor, plenul A.P.C.E. a propus aplicarea de proceduri stricte, permanente, care să vizeze asigurarea urmăririi post adopții și de întărire a efectului de cooperare interstatală prin intermediul acordurilor bilaterale, recomandând statelor membre să nu facă modificări în dreptul familiei și în dreptul penal pentru a evita traficul copiilor și, în special, adopțiile ilegale.

Totodată, plenul A.P.C.E. a recomandat, prin vot unanim, revizuirea Convenției de la Haga, din 29 mai 1993, privind protecția copiilor și cooperarea în materie de adopții internaționale, în sensul armonizării legislațiilor în acest domeniu și 'flexibilizării' regulilor în materie de adopții, veghind la respectarea drepturilor copiilor.

Doc. 11507
23 January 2008

Euro-Mediterranean: call for a Council of Europe strategy

Motion for a recommendation
presented by Mr Badré and others

This motion has not been discussed in the Assembly and commits only the members who have signed it

1. Cooperation between countries on either side of the Mediterranean is of crucial importance both in ensuring the sustainable economic development of that region's countries and in fostering their security and stability.
2. Cooperation along such lines has been substantially stepped up by the European Union which, as of 1995, established, under the "Barcelona process", a Euro-Mediterranean partnership (Euromed) pursuing three objectives: definition of a common area of peace and stability through the reinforcement of political and security dialogue; the construction of a zone of shared prosperity through an economic and financial partnership and the gradual establishment of a free-trade area; the rapprochement between peoples through a social, cultural and human partnership aimed at encouraging understanding between cultures and exchanges between civil societies. This gave Euro-Mediterranean relations an institutional framework, complemented by the setting up of the Euro-Mediterranean Parliamentary Assembly (EMPA) in 2004. In addition, the southern Mediterranean countries are also concerned, in various respects, by the European neighbourhood policy. Finally, on 23 October 2007, in Tangiers, the President of the French Republic, Mr Nicolas Sarkozy, delivered an address on the plan for a Mediterranean Union, which rekindled the debate on relations between the two shores of that sea.
3. The Council of Europe would benefit from adopting such a policy in order to make the Mediterranean an area of dialogue and cooperation guaranteeing peace, stability and prosperity. By adopting a "Mediterranean strategy" the Council of Europe, in line with its tasks, would help to propagate democratic values, the rule of law and respect for human rights, beyond the frontiers of Europe.
4. It is true that the Council of Europe has already forged relations with the countries on the southern shore of the Mediterranean. In particular, the Assembly is examining questions concerning that region, through the activities of its committees or by participating in the inter-parliamentary conferences of the Mediterranean and Black Sea basins.
5. The partnership between the Council of Europe and the Mediterranean countries would benefit, however, from being deepened and institutionalised, so that regular and concrete dialogue is maintained on common problems, such as water management, intercultural and inter-faith dialogue or migration. Moreover, the Assembly could develop its relations with the national parliaments of the Mediterranean States. Such a policy would help develop the Council of Europe's external relations, but should naturally be coordinated with the initiatives carried out by the European Union under Euromed or its European neighbourhood policy.

6. To this end, the Assembly invites the Committee of Ministers to study the ways and means of placing relations between the Council of Europe and the countries of the Mediterranean region on a formal footing.

*Signed*¹:

BADRÉ Denis, France, ALDE
ABURTO BASELGA Fátima, Spain, SOC
ALAY FERRER Vicenç, Andorra, SOC
BARTUMEU CASSANY Jaume, Andorra, SOC
BATET LAMAÑA Meritxell, Spain, SOC
BLANCO GARCÍA Jaime, Spain, SOC
Brigitte BARÈGES, France, NR
CLIVETI Minodora, Romania, SOC
CORTAJARENA ITURRIOZ Elvira, Spain, SOC
COUSIN Alain, France, EPP/CD
DURRIEU Josette, France, SOC
FARRÉ SANTURÉ Joan Albert, Andorra, ALDE
GARCÍA PASTOR Eva, Andorra, ALDE
GROSSKOST Arlette, France, EPP/CD
HUNAUULT Michel, France, EDG
KARAMANLI Marietta, France, NR
KONEČNÝ Albrecht, Austria, SOC
LEGENDRE Jacques, France, EPP/CD
Mana BLATNIK, Austria, SOC
MEREUȚĂ Mircea, Romania, ALDE
MIGNON Jean-Claude, France, EPP/CD
MUTTONEN Christine, Austria, SOC
NEUGEBAUER Fritz, Austria, EPP/CD
POZZO di BORGO Yves, France, NR
PREDA Cezar Florin, Romania, EPP/CD
SCHIEDER Andreas, Austria, SOC
WURM Gisela, Austria, SOC

¹

SOC: Socialist Group
EPP/CD: Group of the European People's Party
ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democratic Group
UEL: Group of the Unified European Left
NR: not registered in a group

Provisional edition

Disappearance of newborn babies for illegal adoption in Europe

Recommendation 1828 (2008)¹

1. The Parliamentary Assembly first recalls its Recommendation 1443 (2000) on "International adoption: respecting children's rights", in which it pointed out that international adoption should be the very last option. It also reiterates that all children have rights and that international adoption should enable them to find a mother and father while retaining those rights and not enable foreign parents to satisfy their desire for a child at any price. The Assembly thus restates the principle that there should be no right to parenthood.
2. The Assembly nevertheless notes that countries still have different constraints and laws relating to adoption and that children are increasingly traded on a real market governed by money, to the detriment of poorer countries.
3. The Assembly condemns the increasingly prevalent practice of using parallel circuits and traffic, as well as all the ensuing dealings and psychological and economic pressures. Such practices were made easier when eastern borders were opened up, with pregnant women from east European countries travelling west in order to give birth and then put their children up for adoption.
4. The Assembly emphasises that such practices have been all the easier for the absence in some countries of strict rules on registration, with cases very frequently arising in which failure to declare the birth of children has made it easier for them to be sold abroad. The Assembly notes that this lack of a strict regime has given rise to a real trade in children, with the poorest countries suffering the consequences, and it firmly condemns all practices designed to sell or steal newborn babies, as well as all other forms of trafficking of children in general.
5. In this context, the Assembly mentions the example of the particularly tragic events which occurred in several countries where some newborn babies having disappeared immediately after birth, the authorities told the mothers that their babies had been stillborn, whereas they had actually been sold and taken abroad.
6. While bearing in mind the fact that international adoption should be considered only if there are no national solutions, the Assembly nevertheless regrets that some countries have large numbers of children living in institutions.
7. The Assembly therefore wishes a single area to be created within which the rules are the same, in order to avoid disparities arising which would be against the interests of the child, and it wishes governments to introduce a monitoring procedure involving regular post-adoption reports.
8. The Assembly therefore recommends that the Committee of Ministers ask the governments of member states to:

¹ *Assembly debate* on 24 January 2008 (7th Sitting) (see Doc. 11461, report of the Social, Health and Family Affairs Committee, rapporteur: Mrs Vermot-Mangold). *Text adopted by the Assembly* on 24 January 2008 (7th Sitting).

- 8.1. sign and ratify the United Nations Convention against Organized Transnational Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197);
- 8.2. sign and ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Abuse (CETS No. 201) and the future Convention on Adoption (revised), once it is adopted by the Committee of Ministers and opened for signature and ratification;
- 8.3. revise the Convention on the International Adoption of Children, bearing in mind children's interests and rights, in order to bring about harmonisation in this sphere and an easing of the adoption rules;
- 8.4. use all available means to step up their co-operation to combat the trafficking of children and to eradicate organised criminal or other illicit networks, and to condemn without any exception the abuses committed in the field of international adoption;
- 8.5. take the necessary steps to set up bilateral agreements relating to international adoption, in accordance with the provisions of relevant international legal instruments, above all the United Nations Conventions on the rights of the child;
- 8.6. ensure that persons wishing to make international adoptions are eligible and suitable to adopt, to provide them with compulsory training of an appropriate nature, to ensure that foreign children who are adopted are monitored, particularly psychologically, and to implement a monitoring system involving regular post-adoption reports;
- 8.7. lay down strict rules on the setting up of specialist child adoption agencies;
- 8.8. take the necessary steps to give adopted children the right to know their origins at the latest when they reach the age of majority;
- 8.9. implement the Council of Europe strategy for the promotion of sexual and reproductive health and rights;
- 8.10. set up family planning services available to all.
9. The Assembly also recommends that the governments of member states which have not yet done so:
 - 9.1. amend family and penal law in order to prevent and punish any trafficking of children and illegal adoption;
 - 9.2. take all possible steps to make it compulsory and free of cost for births to be declared at the registry office or with another responsible authority and to provide every child with a personal identity document;
 - 9.3. systematically allow fathers and/or close family members to be present during delivery;
 - 9.4. make provision for mothers' right to withdraw their consent for adoption, within a reasonable time, while safeguarding the interests of the child.
10. The Assembly more particularly recommends the authorities of the countries concerned to:
 - 10.1. reopen the cases of newborn babies which have disappeared;
 - 10.2. conduct investigations, with the assistance of neutral experts, into the disappearance of newborn babies.
11. The Assembly wishes to reconsider this question in the near future, in order to evaluate the changes and legislative amendments made at that stage.

Doc. 11482
7 January 2008

Parliamentary Governance of Migration and Integration

Motion for a resolution
presented by Mrs Cliveti and others

This motion has not been discussed in the Assembly and commits only the members who have signed it

1. Migration is a transversal issue that is treated in many policy areas. In cases of armed conflict there can be considerable forced migration, resulting in people becoming refugees or internally displaced. Such situations call for humanitarian aid and for the processing of asylum applications for the granting of refugee status. Poor living conditions and a lack of prospects for the future force people to leave their homes to seek better opportunities elsewhere. This is the driving force for labour migration, both legal and illegal. The question is dealt with through labour policy measures, but also through border control and return policies/agreements on return. Development aid and co-development policies are important policy areas to reduce migration pressures by attacking the root causes of migration.
2. European countries are receiving an important number of migrants, which implies creating a policy framework for the integration of those migrants or refugees granted the right to stay in their new host country. Policies regarding housing, schooling, health-services, access to the legal system, social policies, pensions and labour policies are all dealing with migrants according to the competence of each policy area. Policies will also need to address the problem of irregular migrants, their return when relevant, their human and social rights, including the situation of children and other family members.
3. Most European countries have experienced a transit from being emigration countries to becoming transit countries and then destination countries for migratory movements. Several of these countries have developed special mechanisms for keeping links between migrants from their country (of origin) as part of Foreign Policy. In many cases strong emphasis is given to circular migration. Participation in the political life in the country of origin through the participation in elections is a common feature. Many countries also try to attract scientists and different professionals to return to the country of origin in order to benefit from these peoples' experiences for the benefit of domestic development.
4. Environmental degradation and natural or man-made disasters represent new powerful push factors for migratory movements. Environmental policies as well as disaster prevention and humanitarian aid are at stake.
5. The European population is ageing, whereas the fertility rate has been falling far below replacement rates in most European countries. Europe's declining and ageing population will not allow our societies to sustain present economic activities, and certain activity sectors or professions are already in strong demand for foreign personnel. Europe therefore needs migrants to sustain its economy and cover the employment needs of certain sectors and professions.
6. Many other examples could be given on the implications for different policy areas of the specific conditions that need to be taken into account for migrants and refugees.

7. Parliamentary governance of population, refugee, migration and integration issues therefore demands a coordinating structure to make sure that different policy areas are informed about each others policies as applied to migration and integration, so that these policies can be harmonised and coordinated. This challenge has been taken up at the international intergovernmental level by the creation in 2006 of the Global Migration Group, bringing together all major UN-organisations in an effort to better coordinate actions and policies regarding migrants, refugees and population issues, in particular in the context of migration and development. The similar response to the complex issues of population, migration, refugee and integration policies has been initiated in the European Commission by creation a joint working group among several Commissioners working with different aspects of this problem area.

8. The Parliamentary Assembly therefore recommends to parliaments in the member states to improve the treatment and governance of policies regarding migration, asylum, integration and population by creating a coordinating structure for these questions, either in the form of a Committee or in another manner.

*Signed*¹:

CLIVETI Minodora, Romania, SOC
AGRAMUNT Pedro, Spain, EPP/CD
BARTOŠ Walter, Czech Republic, EDG
GADZINOWSKI Piotr, Poland, SOC
GJUL Gunn Karin, Norway, SOC
GREENWAY John, United Kingdom, EDG
HANCOCK Michael, United Kingdom, ALDE
IFRIM Mircea, Romania, NR
IWIŃSKI Tadeusz, Poland, SOC
ØSTERGAARD Morten, Denmark, ALDE
VERMOT-MANGOLD Ruth-Gaby, Switzerland, SOC

¹ SOC: Socialist Group
EPP/CD: Group of the European People's Party
ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democratic Group
UEL: Group of the Unified European Left
NR: not registered in a group

Doc. 11495
21 January 2008

AGENDA
of the first part of the 2008 Ordinary Session

(21-25 January 2008)

**adopted by the Assembly
on 21 January 2008**

Monday 21 January 2008

8 a.m. Bureau of the Assembly

9.30 a.m. Political groups

- 11.30 a.m. 1. **Opening of the first part of the 2008 Ordinary Session**
(by the oldest member in the Chair: Mr Miguel Barceló Pérez (Spain, EPP/CD))
- a. Examination of credentials (Doc. 11488)
 - b. Election of the President of the Assembly
 - c. Election of the Vice-Presidents of the Assembly
 - d. Appointment of members of committees (Commissions (2008) 1)
 - e. Request(s) for current affairs debate or debate under urgent procedure
 - f. Adoption of the Agenda
 - g. Adoption of the minutes of the meeting of the Standing Committee (23 November 2007, Bratislava)
2. **Progress report of the Bureau of the Assembly and the Standing Committee (Doc. 11490 Parts I and II + Addendum)**
Rapporteur: Mr René van der Linden (The Netherlands, EPP/CD)
- Observation of the parliamentary elections in the Russian Federation (2 December 2007) (Doc. 11473)
Rapporteur of the Ad Hoc Committee of the Bureau: Mr Luc Van den Brande (Belgium, EPP/CD)
- Observation of the presidential election in Georgia (5 January 2008) (Doc. 11496)
Rapporteur of the Ad Hoc Committee of the Bureau: Mr Mátyás Eörsi (Hungary, ALDE)
- Debate

1 p.m. **End of the sitting**

2 p.m. Committees

- 3 p.m. 1. **Address by Mr Robert FICO, Prime Minister of Slovakia**
Questions
2. **Address by Mr Frans TIMMERMANS, Minister for European Affairs of the Netherlands**
Questions*
3. **Progress report of the Bureau of the Assembly and the Standing Committee (Doc. 11490 Parts I and II + Addendum) (continued)**
Rapporteur: Mr René van der Linden (The Netherlands, EPP/CD)
- Observation of the parliamentary elections in the Russian Federation (2 December 2007) (Doc. 11473)
Rapporteur of the Ad Hoc Committee of the Bureau: Mr Luc Van den Brande (Belgium, EPP/CD)
- Observation of the presidential election in Georgia (5 January 2008) (Doc. 11496)
Rapporteur of the Ad Hoc Committee of the Bureau: Mr Mátyás Eörsi (Hungary, ALDE)
- Debate continued and vote

5 p.m. **End of the sitting**

5 p.m. Political groups

* One question from each political group.

Tuesday 22 January 2008

8.30 a.m. Committees

10 a.m. 1. Election of judges to the European Court of Human Rights (Doc. 11446 rev. and Addendum)
(from 10 a.m. to 1 p.m. and from 3 p.m. to 5 p.m.)

2. Developments as regards the future status of Kosovo (Doc. 11472)
Rapporteur of the Political Affairs Committee: Lord Russell-Johnston (United Kingdom, ALDE)
Rapporteur of the Committee on Legal Affairs and Human Rights (for opinion) (Doc.): Mr Pieter Omtzigt (The Netherlands, EPP/CD)
Deadline for tabling amendments: Monday 21 January at 4 p.m.

Debate

12 noon 3. Address by Mr Ferenc GYURCSÁNY, Prime Minister of Hungary
Questions

1 p.m. End of the sitting

2 p.m. Committees

3 p.m. 1. Election of judges to the European Court of Human Rights (Doc. 11446 rev. and Addendum) (continued) (from 3 p.m. to 5 p.m.)

2. Communication from the Committee of Ministers to the Parliamentary Assembly presented by Mr Ján KUBIŠ, Minister for Foreign Affairs of Slovakia, Chairperson of the Committee of Ministers
Questions (Doc. 11497)
(Written Questions must be tabled by Monday 21 January at 4 p.m. at the latest)

3. Communication from Mr Terry DAVIS, Secretary General of the Council of Europe, on the state of the Council of Europe
Questions

4. Developments as regards the future status of Kosovo (Doc. 11472) (continued)
Rapporteur of the Political Affairs Committee: Lord Russell-Johnston (United Kingdom, ALDE)
Rapporteur of the Committee on Legal Affairs and Human Rights (for opinion) (Doc.): Mr Pieter Omtzigt (The Netherlands, EPP/CD)
Deadline for tabling amendments: Monday 21 January at 4 p.m.

(Debate possibly continued)

Vote on a draft resolution

Vote on a draft recommendation

6 p.m. 5.a. Global warming and ecological disasters (Doc. 11476)
Rapporteur of the Committee on the Environment, Agriculture and Local and Regional Affairs: Mr Alan Meale (United Kingdom, SOC)
Deadline for tabling amendments: Monday 21 January at 4 p.m.

5.b. Protection of the environment in the Arctic Region (Doc. 11477)
Rapporteur of the Committee on the Environment, Agriculture and Local and Regional Affairs: Mr Vladimir Grachev (Russian Federation, EDG)
Deadline for tabling amendments: Monday 21 January at 4 p.m.

Joint debate

Vote on a draft recommendation (Doc. 11476)

Vote on a draft resolution (Doc. 11477)

8 p.m. End of the sitting

Wednesday 23 January 2008

8.30 a.m. Political groups

10 a.m. 1. [Possibly 2nd round] Election of judges to the European Court of Human Rights (Doc. 11446 rev. and Addendum) (from 10 a.m. to 1 p.m.)

2. United Nations Security Council and European Union blacklists (Doc. 11454)
Rapporteur of the Committee on Legal Affairs and Human Rights: Mr Dick Marty (Switzerland, ALDE)

Deadline for tabling amendments: Tuesday 22 January at 10.30 a.m.

Debate

Vote on a draft resolution

Vote on a draft recommendation

12 noon 3. Address by Mr Bamir TOPI, President of Albania
Questions

1 p.m. End of the sitting

2 p.m. Committees

3 p.m. 1. External relations of the Parliamentary Assembly

1.a. Strengthening co-operation with the Maghreb countries (Doc. 11474)
Rapporteur of the Political Affairs Committee: Mrs Josette Durrieu (France, SOC)
Deadline for tabling amendments: Tuesday 22 January at 3.30 p.m.

Statement by Mr Abdelaziz ZIARI, President of the National People's Assembly of Algeria

1.b. The situation in the Republics of Central Asia (Doc. 11460)
Rapporteur of the Political Affairs Committee: Mr Murat Mercan (Turkey, EPP/CD)
Deadline for tabling amendments: Tuesday 22 January at 3.30 p.m.

1.c. The Council of Europe and its Observer States – the current situation and a way forward (Doc. 11471)

Rapporteur of the Political Affairs Committee: Mr David Wilshire (United Kingdom, EDG)
Rapporteur of the Committee on Legal Affairs and Human Rights (for opinion) (Doc.): Mr Pieter Omtzigt (The Netherlands, EPP/CD)
Deadline for tabling amendments: Tuesday 22 January at 3.30 p.m.

Joint debate

Votes on a draft resolution and a draft recommendation (Doc. 11474)

Votes on a draft resolution and a draft recommendation (Doc. 11460)

Votes on a draft resolution and a draft recommendation (Doc. 11471)

2. Procedural guidelines on the rights and responsibilities of the opposition in a democratic parliament (Doc. 11465 rev.)

Rapporteur of the Committee on Rules of Procedure, Immunities and institutional Affairs: Mr Karim Van Overmeire (Belgium, NR)

Deadline for tabling amendments: Tuesday 22 January at 3.30 p.m.

Debate

Vote on a draft resolution

7.30 p.m. End of the sitting

Thursday 24 January 2008

8.30 a.m. Committees

- 10 a.m. 1. **Disappearance of new-born babies for illegal adoption in Europe (Doc. 11461)**
Rapporteur of the Social, Health and Family Affairs Committee: Mrs Ruth-Gaby Vermot-Mangold (Switzerland, SOC)
 Deadline for tabling amendments: Wednesday 23 January at 10.30 a.m.

Debate
 Vote on a draft recommendation

2. **The need to preserve the European sport model (Doc. 11467)**
Rapporteur of the Committee on Culture, Science and Education: Mr José Luís Arnaut (Portugal, EPP/CD)
 Deadline for tabling amendments: Wednesday 23 January at 10.30 a.m.

Statement by Mr Michel PLATINI, President of the Union of European Football Associations (UEFA)

Debate
 Vote on a draft resolution

1 p.m. **End of the sitting**

2 p.m. Committees

- 3 p.m. 1. **Address by Mr Mikheil SAKASHVILI, President of Georgia**
 Questions

2. **Honouring of obligations and commitments by Georgia (Doc.)**
Co-rapporteurs of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee): Mr Mátyás Eörsi (Hungary, ALDE) and Mr Kastriot Islami (Albania, SOC)
 Deadline for tabling amendments: Wednesday 23 January at 3.30 p.m.

Debate
 Vote on ...

3. **Draft additional protocol to the Convention on Human Rights and Biomedicine concerning genetic testing for health purposes (Doc. 11440 + Doc. 11466)**
Rapporteur of the Committee on Culture, Science and Education: Mr Wolfgang Wodarg (Germany, SOC)
Rapporteur of the Committee on Legal Affairs and Human Rights (for opinion) (Doc.): Mr Holger Haibach (Germany, EPP/CD)
 Deadline for tabling amendments: Wednesday 23 January at 3.30 p.m.

Debate
 Vote on a draft Opinion

6.30 p.m. **End of the sitting**

6.30 p.m. Joint Committee

Friday 25 January 2008

8.30 a.m. **Bureau of the Assembly**

- 10 a.m. 1. **Transfrontier co-operation (Doc. 11475)**
Rapporteur of the Committee on the Environment, Agriculture and Local and Regional Affairs: Mr Ivan Popescu (Ukraine, SOC)
Deadline for tabling amendments: Thursday 24 January at 10.30 a.m.

Debate

Vote on a draft recommendation

2. **Video surveillance of public areas (Doc. 11478)**
Rapporteur of the Committee on Legal Affairs and Human Rights: Mr Yuri Sharandin (Russian Federation, EDG)
Deadline for tabling amendments: Thursday 24 January at 10.30 a.m.

Debate

Vote on a draft resolution

Vote on a draft recommendation

3. **Constitution of the Standing Committee**

12 noon **Closure of the first part of the 2008 Ordinary Session**

AS/SecDel (2008) OJ 1 rev
17 January 2008

Meeting of Secretaries of National Delegations

Draft agenda

*of the meeting to be held on
Monday 21 January 2008 at 10 am
at the Council of Europe, room 11*

1. Presentation of the draft order of business of the 2008 First Part-Session (ACALSES1.2008_2)
2. Meetings of the Standing Committee in 2008
Paris 14 March 2008 (subject to confirmation)
Stockholm 30 May 2008
3. Other business
Modifications of the Assembly's Rules of Procedure
Use of the Assembly's Extranet
Request by the Interpretation Services
PACE Parliamentary assistance programmes in 2008
European Conference of Presidents of Parliaments – 22-23 May 2008
4. Date and place of the next meeting

To Secretaries of National Delegations
This document is also the convocation to the meeting

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D 08(2008)
24.01.2008

Statement by

Michel PLATINI

President of the
Union of European Football Associations
(UEFA)

on the occasion of the
first part of the 2008 Ordinary Session
of the Council of Europe Parliamentary Assembly

(Strasbourg, 21-25 January 2008)

President of the Parliamentary Assembly of the Council of Europe, Lluís Maria de Puig;
 Rapporteur for the Committee on Culture, Science and Education, José Luis Arnaut;
 Members;
 Ladies and gentlemen;

First of all, may I say what an experience it is for me, a humble free-kick taker from Lorraine, to stand in front of this distinguished assembly – you make a formidable defensive wall!

Last November in Brussels, I was disappointed to have to attend a conference on violence in sport. Of course, it would have been better if such a subject did not need to be discussed, as football should be a game that is synonymous only with joy, brotherhood and interaction, a simple pleasure based on healthy values. But unfortunately, it was clear that, in view of the circumstances, this debate was necessary.

Today, on the other hand, it is perfectly natural for me to be participating in this discussion here in Strasbourg. It is natural because I am here to support the efforts of the Parliamentary Assembly of the Council of Europe to safeguard the European model of sport.

I would like to begin by stressing how similar the Europe of the Council of Europe is to that of UEFA. It is a Europe which stretches from the Atlantic to the Ural, a Europe that is constantly evolving and a Europe that is forward-looking.

And it is the future that we are concerned with, the future which is embodied by young Europeans, a future of democracy and respect for human rights, in which everyone will be able to fulfil their potential while upholding these essential values that are defended by the Council of Europe.

European sport has always been a powerful catalyst for social and cultural integration. By virtue of my own origins, I myself, like tens of millions of Europeans, am a product of this tremendous intermixing of peoples which is the very essence of the Europe in which we live. I was shaped through and thanks to sport, and now I am trying to repay that debt by actively supporting these values that we hold dear.

I would like to pay tribute right away to the excellent work carried out by José Luis Arnaut and the Committee on Culture, Science and Education.

Today you have in front of you a report on the European model of sport which clearly identifies the problems, suggests appropriate solutions and opens up future possibilities that are totally plausible.

Two key aspects make the European model of sport both unique and completely fair:

- the solidarity between the different levels of European sport,
- and the openness of competitions thanks to the system of promotion and relegation.

Any attempt to undermine these two elements would sound the knell of the fundamental relationship that exists between sport and society in our continent.

But this European model of sport cannot be reduced to these two basic principles, to these two vital principles that have been identified and defended so well in the Council of Europe report.

It is also characterised by other elements which make it a model that perfectly conveys our values and ideals:

Contrary to certain generally accepted ideas, sport in Europe is based almost exclusively on voluntary work.

99% of sports clubs and organisations in Europe are non-profit-making and form part of a pyramid-shaped structure that guarantees democratic and transparent functioning.

And it is these volunteers and European sports organisations which maintain this fragile balance and allow the values of sport to be passed on perpetually.

It is this **European** model of sport which contributes in its way to safeguarding local, regional and national **identity** – as well as to friendship and relationships between peoples and nations.

All of these **elements** also have to continue to be defended strongly and with conviction in the future.

As the report **points** out so well, the federations and national associations are the guarantors of this model of **sport** because they alone are able to sustain this social and educational link.

In recent **years**, we have witnessed a kind of explosion of sectoral and corporate interests at both league and **club** levels in all team sports that are played professionally.

These **initiatives**, which often attract enormous media coverage, are designed to benefit one element, **particularly** if it is powerful and the rich, rather than the mass. Attempts are **made** to reduce a discipline into a show, to demean a sport in order to convert it into a product.

It is becoming more important to make a profit than to win trophies.

I have, on **many** occasions, condemned the harmful influence of money, where making a profit becomes the sole objective of all sports organisations.

My detractors, none of whom are disinterested parties, have tried to caricature me as football's version of Robin Hood or as a follower of barroom philosophising.

I am therefore particularly pleased to note that this report of Mr Arnaut shares my concerns about these issues and insists that the federations should continue to be the key feature of a form of organisation providing a guarantee of sporting cohesion and participatory democracy.

Grassroots sport is a vital cog in the process of social and cultural integration. Millions of children from all parts of the world have become and continue to become European by kicking a ball around a muddy pitch in our towns or countryside before going to school.

Of course, the society in which we live has many problems which I have no need to describe to you, coming into direct contact, as you do, with everyday realities in your respective constituencies.

Unfortunately, but quite naturally, these problems are reflected in sport, particularly football, since it is by far the most popular sport and attracts the most media attention.

I mentioned violence at the start of my speech but, as the report explains so clearly, society has also passed other scourges on to the world of sport: money-laundering, match-fixing, illegal betting, racism and xenophobia and doping, not to mention child trafficking.

The list is long but it enables us to identify all the areas in which close cooperation between sports bodies and public authorities is both necessary and unavoidable.

And let us not be afraid to admit that some of these evils are linked to the over-commercialisation of sport.

Sport sometimes becomes a magnifying mirror, glaringly reflecting phenomena that society has tried to brush under the carpet.

But grassroots sport is an extraordinary catalyst for ethnic intermixing and integration: football in particular is a welcoming, protecting and integrating sport.

The millions of volunteers involved in our sport every weekend are making a contribution to civic education. They are not just refereeing, they are not just coaching, they are not just driving our children from A to B, they are helping them to become responsible citizens who respect the values of our Europe.

Sadly, racism and xenophobia remain part of our society, and sport can be affected just like any other social phenomenon.

UEFA, an organisation of which I am honoured to be the president, is working relentlessly on a day-to-day basis to eradicate these problems with the help of NGOs.

We are often confronted by organised extremist groups which usually have no connection with football but use the popularity of our sport for extremely reprehensible ends. In our dealings with them and anyone who distorts the spirit of sport, we are and will remain ruthless and uncompromising on football pitches and in our stadiums.

I would now like to mention the subject of specificity. I must say that this is dealt with superbly in this Council of Europe report.

Let us try to refocus the debate for a few moments.

Realistically, Europe's main sports authority has for years been the European Commission's Directorate General for Competition. Competition law was starting to replace the laws of football and the application of the offside rule was becoming an abuse of a dominant position...of the defender, I suppose.

But joking aside, by treating professional sport as a kind of commercial activity, it is quite clear that all sporting activity was ultimately being viewed through the terribly distorting prism of competition law.

The European Court of Justice has, on many occasions, set itself up as the supreme disciplinary body of sport, making the mistake that the United States Supreme Court has always, quite rightly, carefully avoided.

However, something quite fundamental has recently changed and the report explains this very well.

At the level of the European Union, the Lisbon Treaty has significantly altered the order of things by recognising the specificity of sport.

In the same context, there is a very positive initiative by the Dutch and French governments on the specificity of sport.

The draft resolution you see before you asks you, among other things, to respect the specificity of sport and to preserve the European model of sport.

Although I know that it does not concern all of the countries represented here, you should know – particularly the representatives of the members of the European Union – that by supporting the Franco-Dutch initiative in your respective countries, you can kill two birds with one stone, promoting the Parliament Assembly resolution and opening the way for European regulation that will free us from the consequences of the money-grabbing approach that is causing us so many problems at the present time.

Before concluding, I would like to highlight the extremely positive effect that the creation of the Enlarged Partial Agreement on Sport in 2007 has had on European sport. I would like to urge those countries which have not yet joined to do so.

And I would like to take this opportunity to thank you very much for having granted UEFA observer status.

It is a sign of confidence on your part which allows us to work hand in hand to defend, together, the values of sport, the values of Europe.

The creation of the Council of Europe in 1949, after two world wars which had devastated our continent and led to the massacre of tens of millions of Europeans, was based on a fundamental notion: respect.

Respect for law, respect for others, respect for diversity and differences are at the very core of our civilisation and our democracy. Without respect there is no salvation and therefore no sport.

I have three years left in my term as UEFA president; I want to ensure they are three years for tolerance, three years for education, three years for civic-mindedness.

I know that the Parliamentary Assembly of the Council of Europe will play an active role in helping me to achieve this and that respect will become the leitmotiv of a fairer, more open and more fraternal Europe of sport.

Thank you.

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**D 01(2008)
21.01.2008**

Address by

Robert FICO

Prime Minister of Slovakia

**on the occasion of the
first part of the 2008 Ordinary Session
of the Council of Europe Parliamentary Assembly**

(Strasbourg, 21-25 January 2008)

Mr. President,

Allow me, please, to start with congratulation on your election as President of the Parliamentary Assembly, one of key bodies of the Council of Europe.

Distinguished Secretary General,
Members of the Parliamentary Assembly,
Ladies and gentlemen,

I am really pleased and honoured to be on the ground of the Parliamentary Assembly and have the opportunity to address you in my function as Prime Minister of the Slovak Republic after my country took over Chairmanship of the Committee of Ministers.

I used to sit in the same chairs as you are sitting today for over ten years – first as a member, then as a head of our national delegation. I earned some experiences from the environment of European structures in Strasburg also in my function as governmental agent of the Slovak Republic in the proceedings before the European Commission of Human Rights and European Court of Human Rights – hence I feel today and here among you as being on my native soil.

Assuming Chairmanship of the Committee of Ministers means great commitment for the Slovak Republic which is in this position for the first time in its history. The Slovak Government took preparation for this role with great responsibility and even included its performance into its Governmental Manifesto of August 2006.

The Council of Europe played a key role in building independent and democratic Slovak Republic. There are no reasons to raise any doubts about it. And that is why I would like to thank the Council of Europe and its bodies. The Council's observations and recommendations, as well as our genuine ambition to take often rather demanding commitments and our determination to pursue them, helped Slovakia in building modern state. The Slovak Republic has fulfilled all integration criteria for our entry into the European Union and succeeded in developing civil society with full guarantees for respecting and protection of human rights, human dignity and – for Slovakia so important – protection and promotion of national minorities. One of objectives of my cabinet – which stemmed from the democratic elections in summer 2006 after eight years of conservative policy of the previous government – is a fair sharing of the results of the high economic growth in Slovakia among all our citizens on the principles of solidarity. Today, it is generally recognized that this high economic growth we enjoy in Slovakia has not been redeemed by anti-social reforms and measures. We can observe the same economic growth in other post-communist countries even though they have not introduced similar anti-social programmes. Slovak citizens must share benefits from the high economic growth on the solidarity base because the growth has been the result of their efforts and willingness to work hard for often low salaries in the system where living expenditures are very high. Even more, the Slovak government is able to combine economic and social policies based on the solidarity combined with the fulfilment of very strict Maastricht criteria, mainly deficit and inflation level. It seems that after Slovenia, Cyprus and Malta, the Slovak Republic will be the very next one to join the Eurozone.

Slovak coalition parties foster principles of democracy, rule of law, human rights including rights of people belonging to national minorities. Here is why in our efforts to develop multi-ethnic and multicultural character of the society, we committed ourselves in the Cabinet's Manifesto to permanently curb discrimination, anti-Semitism, xenophobia, extreme nationalism and chauvinism, and why we promote dissemination of the truth about Holocaust. The Slovak government understands the existence of national minorities as the source of enrichment for the life of society. Let me remind you here that we have 12 (twelve) national minorities in Slovakia, the largest of them being Hungarian and Roma minorities.

Any doubts about determination of my government to pursue its commitments, which were articulated upon its inauguration in 2006, have been refuted by our concrete actions and steps, and none of those catastrophic scenarios have been confirmed either. The position of national minorities has not been impaired. For the illustration, I am proud to inform you that we systematically develop and foster a comprehensive system of education for national minorities in their mother tongues starting from pre-school facilities up to universities – which is not quite a common standard in all member states of the Council of Europe.

Apart from **initial** investment into foundation of the Jan Szelye University in Komarno instructing its students in **Hungarian** language, the state budget – in line with the **Law** on financing higher education **institutions** – has increased the state subsidy for this school by 30% in 2007. On top of that, the **university** received another special subsidy to enhance its building.

We are **proud** that the Hungarian department of the Slovak Radio has a 75-year tradition in broadcasting. **With** its technical parameters and 80% coverage of the Slovak territory, programme structure and **schedule** with 56 hours of broadcasting per week in daily prime times, it stands any comparison **or** in-depth examination. Slovakia adheres to its obligations resulting from the **Charter** for Regional **or** Minority Languages. Therefore Hungarian language can be used for the **official** communication in 501 municipalities in the Slovak Republic.

On the other **side**, we believe it is only natural that members of national minorities are able to **speak** official **language** of the country they live in, and hence I am convinced that any critical **stance** towards our **efforts** to create conditions for better self-fulfilment of all our citizens is unsubstantiated.

I am also **willing** to assure you that addressing problems of Roma minority is one of the top priorities of the **Slovak** government. The deputy prime minister for minorities, the plenipotentiary of the government for Roma communities, as well as individual departments of the government pay special **attention** to these issues and objectives. Last year they jointly prepared Strategies for education and training of Roma children and pupils including secondary and higher education, and for education and training of national minorities, as well as Mid-term programme of development of Roma communities in Slovakia. We can only welcome European focus on this field since we consider **social** integration of Roma in all EU countries and their participation in public life to be a pan-European issue. We support all initiatives either on the ground of the Council of Europe – as for example the European Roma and Travellers Forum proposed by Finish president Tarja Halonen – or on the level of the European Union. The European Parliament is currently debating the pan-European Strategy on Roma. Slovakia strongly endorses joint action of international organizations. Synergic effect resulting from a good cooperation between the Council of Europe and European Union is desired and in the field of Roma issues even imperative and vital.

Slovak ambition to find the best possible solution for Roma living conditions and social integration has been reflected in the list of priorities of the Slovak Chairmanship of the Committee of Ministers. I believe that the European Conference devoted to the education and training of Roma children and youth which is currently being prepared by the Slovak Republic in cooperation with the Council of Europe and scheduled for April this year will contribute to the exchange of experiences and identification of desired solutions.

Mr. President,

Please, allow me to convey some thoughts and reflections on the Council of Europe itself.

The Council of Europe is currently struggling to find its position in the system of European organizations. Let's not assume its position for granted once forever. Nothing is pre-defined in today's dynamic international processes.

What will the Council of Europe look like in 25 years from now? No one can foresee and predict the answer with certainty, not even my distinguished Luxemburg colleague Jean-Claude Juncker who quite recently compiled an excellent report on this topic. The future face or structure of the Council of Europe will depend on the will of its member states, the development of other European structures, as well as on the intelligence and adaptability of the Council itself.

We fully promote current efforts to revive the Council and processes of its self-reflection and modernization. On the other hand, we register certain signals proving its routine behaviour and fumbling, as well as long-lasting disproportion between expectations of states and real capacity of the Council, between its declarations and practical steps.

We know from our own experience, that the Council of Europe is capable to respond adequately to the requirements of our era. Overcoming the division of European continent has brought new

challenges, at the same time injecting new strengths into the Council. The Council has opened its doors for the new members despite some warnings that it might lead to erosion of its standards. From the time perspective, we can see now that it was a very smart decision. Thanks to this far-sighted approach, many of those countries – including Slovakia – are now full-fledged members of the European Union.

There is no ground for any exaggerated worries about the future. Nevertheless, I do not believe that the Council will be able to keep its extensive scope of activities it entered into the new Century with. It will have to streamline them and focus on where it can be most useful.

The key area of the Council's activities is the field of human rights and rule of law. Should we speak about some achievements with the long-lasting value, then we should mention the Council's achievements in the field of protection and promotion of human rights and rule of law and its democratic institutions. This is the real "family silver", the treasure of the organization and its member states which needs to be "polished" and enhanced. All members of the European family have now access to it; our ambition is to share its assets among all European countries – with no exemption.

The Council of Europe created a comprehensive and sophisticated system of human rights protection starting from setting standards through forms of implementation up to the monitoring mechanisms. All instruments of this system are available, the traditional ones being enhanced and new ones being added permanently. Human rights experts are running from one expert forum to another. Well then why is the number of the complaints at the European Court in Strasbourg constantly rising? Why on earth are citizens so often unable to claim even their basic rights in their home countries? Something does not work, indeed! And it only proves that the role of the Council in the field of human rights protection is by far not obsolete yet.

I sometimes hear that the European Court became a victim of its own success. Well, if a success results in crisis, then what is such success good for? Shall we call it victory, if a citizen – after several years of juridical obstructions at home – has to wait for several more years for the verdict in Strasbourg? Clearly, the European Court and its judicial system are a great achievement of modern Europe, yet for me, the genuine success would be if there was no more reason for any citizen to apply to Strasbourg, and if – then only as an exemption to the rule.

The European Court is overwhelmed with cases. No wonder it requires more funds. If states are unable to prevent those complaints, if they are unable to fulfil their commitments, then let them pay! It might be unfair towards some states, yet these are the rules as they were set. For the Slovak Republic as presiding country in the Committee of Ministers, raising sufficient funds for the European Court is one of our key tasks. Yet we all know this is no remedy for the disease. The real solution rests in prevention of cases of human rights violations on the national level and in improved efficiency of national legal remedies, namely national courts. This is where we have to inject money; this is the real investment in the future. Indeed, it is not my intention here to claim that the European Court mechanisms require no fine-tuning; from this perspective, it is vital to put in effect Protocol 14 to the European Convention on Human Rights. It is essential, as well, to consequently implement the rulings of the European Court of Human Rights which are also a factor of prevention.

Some reflections appear suggesting that we should protect the European Court from an influx of complaints. My position is as follows: as a lawyer, I defended the rights of citizens against the state, as well as the state before the European Court; hence I know – so to speak – both sides of the story. I believe that the role of the European Court is to protect the rights of citizens – and not the European Court from the citizens. At the same time, it is obvious that an overwhelmed court is of no use to the citizens, either. Therefore it is smart to install filters in the countries with high numbers of complaints to early identify those complaints which are unjustified or have no chance to win. Of course, the access of citizens to the Court cannot be impaired in any way.

Once again I repeat that I can foresee the future of the Council of Europe mainly in the area of human rights. Yet it does not mean we should reduce the Council's action radius. It remains a practical vehicle for cooperation among member states in divergent sectors; for instance it is a creator of regional international law in Europe. Also, each of the conventions recently drafted by the Council of Europe has its practical meaning for all member states. Recommendations of the

parliamentary assembly and Committee of Ministers are significant, too; nevertheless, quite frankly speaking, **some** of them are rather empty.

Within almost 60 years of its existence, the Council of Europe has accumulated an extensive and diversified **know-how** and it is therefore only natural to make this expertise accessible to all member states which **can** make use of it. This is not about getting rid of activities in other sectors – even though this **also** may be the case. It is about concentrating functions to specific areas where the role of the **Council** is irreplaceable and where it works at its best, or where it can offer an attractive ratio between money spent and product or performance provided.

After all, the **general** objective of the Council of Europe as defined in its statute is still valid: to achieve a **greater** unity between its members for the purpose of safeguarding and realising the ideals and **principles** which are their common heritage, and facilitating their economic and social progress." States have to adhere to and observe their constitution and accordingly, international organizations have to observe their statutes. However, maybe we should legitimately discuss whether this 60-year-old statute requires no innovation yet.

Distinguished President,

I made few reflections on how the future of the Council of Europe should look like. Let me now briefly mention few examples of what the Council of Europe should NOT look like.

The Council of Europe must not be an institution where subjective ideas and positions of individuals, rivalry between bodies and their functionaries, personal sympathy or antipathy complicate the joined effort and reduce the value of its results and accomplishments;

The Council of Europe must not be the place where double standards are applied towards different states;

The Council of Europe should not be a forum in which one group tries to impose its partial views upon others either in the area of human rights protection, or in any other;

The Council of Europe should not be a forum where one group treats its historical trauma and national complexes to the detriment of others;

The Council of Europe should not be a place where experiments with history are performed and problems smelling of naftaline are reintroduced.

I am convinced that the Council of Europe will become none of these. What it really will be like, is dependent on all of us.

Thank you for your attention.

I am ready and willing to take up your questions now.

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**D 03(2008)
22.01.2008**

Address by

Ferenc GYURCSÁNY

Prime Minister of Hungary

**on the occasion of the
first part of the 2008 Ordinary Session
of the Council of Europe Parliamentary Assembly**

(Strasbourg, 21-25 January 2008)

Dear Mr. President, distinguished Members of the Parliamentary Assembly, Ladies and Gentlemen,

it's my privilege to be here and to have the opportunity to share with you my views on a few relevant European issues. But first I would like to congratulate President de Puig who has just been elected into this position. We are especially delighted that Mr. President is a politician with special interest for our region, and dedicated commitment to minority issues. We shall grant all possible support for you to be successful in this highly demanding job.

Let me start with the basics.

Seemingly it's an easy job, in fact one can think that it's useless repetition, although I strongly believe that the integrated, democratic Europe is our most admirable and most far reaching historical achievement. Therefore it is worth confirming our full commitment to and deep belief in it, and our capability to protect and to develop it. The democratic values, especially freedom, democracy, ensuring and protecting human rights, non-discrimination are the starting points, and together our ultimate goals as well.

Talking about democracy can be just an empty slogan. Democracy is not only a value but also a fine and well-balanced web of rules, institutions and guarantees. Having a freely elected parliament „in the shop window" is not enough. The democratic system must be filled with a well-elaborated structure of checks and balances.

I just would like to call your attention to our permanent duty to safeguard the freedom of expression such as the freedom of speech and press; and the importance of minority rights. I strongly believe in the freedom of our right to choose our identities. In this post-modern era we have multi-faceted identities: we cannot describe ourselves with only one adjective, but we are Spaniards, Italians, Hungarians or Slovaks, sometimes we are Hungarians and Slovaks at the same time. We have different ethnic, cultural, religious and sexual identities. Nobody has the right to say that, within the widest framework of freedom, he or she would have the right to tell, dictate or even to expect from another person to be who he or she wants them to be.

There is a very clear obligation that derives from this principle: All states have the duty to protect the right of the individuals and their communities to choose and to sustain their identities regardless of taste and ideologies.

My friends, we have learnt that freedom is not just an opportunity, but, at the same time, it's a challenging responsibility, too. Freedom creates a larger scope of movement for all of us to live a complete life, to become who we really can become fulfilling our full personal capacities in terms of morality, intellect and cultural capability.

However, freedom also entails very heavy obligations: respecting the other's right to live in freedom; keeping the rules; and understanding and accepting that we are not alone but members of various communities like our families, our respective nations; and we have to add that we are all members of the European community as well.

At this point I have to stop for a moment. In the last 18 years the face of Europe has changed dramatically. Countries that used to live under communism became independent and free, and all of them have turned themselves into parliamentary democracies and social market economies. We wanted to be free. But after almost two decades there is a very sobering experience: most of the ordinary people were prisoners of an illusion.

Namely that freedom and democracy are equal to personal and community welfare; higher incomes; more protection; increased standard of living in terms of consumption merely.

Disillusion arrived unavoidably and has brought along some dangerous consequences: a weakened belief in and commitment to democratic institutions; the strengthened presence of radical movements and extremist ideologies; more and more visible nationalism, populism, social impatience, racism and sometimes even antisemitism. I would not be right if I just blamed the process of disillusion, nevertheless we politicians and different public players made some mistakes,

in some cases even failed to share the difficulties with the wider public and to really involve them in changing our countries.

Our common task is something similar like what was described by Mr. Dahrendorf as „squaring the circle“. Let me cite him shortly: „the issue in most countries remains the same: how to provide a sustainable basis for economic growth in the harsh climate of the global marketplace while at the same time maintaining solidarity and a sense of fairness throughout society. Whoever governs must try to square this circle“.

Squaring the circle is almost impossible, at least in terms of mathematics, but as we can see the examples of some countries, first of all some European countries, we can be more optimistic and may say that — sticking with this metaphor — squaring the circle is in fact possible in terms of social and public life. Going back to our history of the last decades, our countries could successfully build up new democratic institutions and rules, and have created a rather effective framework for the social market economy. However, institutions and regulations are not enough in themselves.

As Sir Karl Popper said, and I promise that this is my last quote: „Institutions alone are never sufficient if not tempered by traditions“. Coming to the final conclusion: Our main challenge is to create modern, democratic and open countries which are full of national pride but capable of deep cooperation with others, although there is a lack of long-standing democratic traditions and common experience of sovereignty.

I have shared with you my understanding and view on the controversies of the democratic transition of our region to emphasise the paramount importance of the existence and indispensable mission of the Council of Europe. The Council of Europe is not only one of the strongest ambassadors of the causes of freedom and democracy, but also a strong guarantor of protecting and strengthening of these values and a „laboratory of ideas“.

Let me clarify our point of view on the future role of the Council of Europe, and its relations and shared responsibility with the European Union.

Two years ago at the Warsaw summit, the Heads of State and Government restated the mission of the Council of Europe by reaffirming its role as the only pan-European structure for defending human rights, democracy and the rule of law.

The Council is a part of the complex system of European institutions with a wide range of cooperation with the European Union. The importance of this cooperation is strategic. It's obvious for us that for example the Council played a significant role and had a great impact on the elaboration and finally adoption of the Charter of Fundamental Rights of the European Union. This could not have been achieved without the historical contribution of the Council to acknowledge the importance of fundamental rights. However, we have to add that whatever developments the EU makes in the field of human rights, the Council will definitely remain the leading European human rights institution. On this point I entirely agree with Prime Minister Juncker.

The Council's unique conventional system and its Europe-wide membership makes it irreplaceable. The necessary linkage between monitoring and standard setting is better ensured here than anywhere else. The monitoring system in certain fields, like the fight against cybercrime or corruption has become so attractive that even countries outside Europe drew example from it when developing their own control systems.

There is no reason for competition between the Union and the Council, instead, these institutions should complement each other in a coherent way.

Ladies and Gentlemen, I would also like to highlight another unique asset of the Council of Europe, the European Court of Human Rights, the only human rights protection institution of supranational character which the European citizens can individually turn to. Hungary supports the ongoing reform process aiming at enhancing the effectiveness of the Court. At the same time, Hungary acknowledges that it is primarily the responsibility of the member states to guarantee that national legal systems comply with the human rights obligations.

Ladies and Gentlemen, let me make a few remarks concerning the budget of the Council of Europe.

Prime Ministers arriving here from many European countries just love to repeat how much we all support the Council of Europe. But is this political commitment really supported by a financial one? You have been very critical on the restrictive attitude of member states to the budget of the Council of Europe, rightly pointing out that governments run the risk of jeopardising the Council's political role if they fail to meet the financial needs of the organisation, if they keep the budget policy based on strict adherence to zero real growth. There is no doubt that promoting the values of the Council of Europe is expensive. Election observation missions, democratisation programmes, legal advice, the cyclical monitoring of commitments, confidence building measures – they all cost a lot.

And, frankly, there is the budgetary constraint many of the member states, including Hungary are facing. Yet, my government's position has always been, and will remain, that if the majority of member states were ready to increase the budgetary means available for the Council, Hungary would also support such a move.

On the long road of European integration we have now reached a new, decisive milestone when, at the end of the previous year, we enlarged the Schengen Zone, we have pulled down the last remains of the despised but long-standing iron curtain. I visited some border villages in those days, and I met seventy and eighty-year-old women and men who were crying. They spent almost their whole lives listening to their parents telling that there had been a time when the borders did not separate people from each other in such an inhuman way. Those men and women did not believe that it could ever happen, but it did! And our children do not have to experience the division of Europe, and they can forget about those tears.

Now, let's turn our attention to the most sensitive European issue in terms of stability and peace.

My Government considers the stability and the development of the Western Balkan nations to be an issue of high priority for several obvious reasons: first, the geographical proximity, with all its implications on security; second, the presence of various ethnic minorities, including a significant Hungarian community in the area; and, thirdly, the fact that South-East Europe is a significant partner for the Hungarian economy. While, as I pointed out previously, Hungary has a vital interest in stabilizing the Western Balkans and create peace, democracy and prosperity, we are fully aware that the settlement of the Kosovo issue is high priority for the whole of Europe, and it has a direct impact on global stability and security as well. We Europeans must play a key role and carry the lead responsibility for this process.

Today the Assembly is debating the developments regarding the future status of Kosovo. We regret that, despite the Troika's utmost efforts to achieve a negotiated settlement, the parties to the Kosovo conflict were unable to reach a mutually acceptable agreement.

The current situation in Kosovo is unsustainable. Independence with the precise contents and consequence to be defined later seems to be increasingly unavoidable. The countries of Europe will have to react to that development in a closely coordinated, constructive manner. For the form and substance of that reaction, we have to be sure that Kosovo is ready to accept the standards established in the Ahtisaari Plan. We consider it crucial for the Pristina leadership to unequivocally assume the commitments regarding full respect for democracy and the rule of law through legislative, executive and judicial institutions, and full respect for human rights and fundamental freedoms, including the specific rights of the Communities in Kosovo. The implementation of these commitments will have to be closely followed and strictly monitored by the international community, as only full compliance with them can guarantee Kosovo to be sustainable and give the necessary assurances to the minorities living there.

Dear Friends, considering the future of Kosovo is not enough in itself. All of us are responsible not just for the future of Kosovo but for the future of Serbia as well. We have to assist Belgrade in preserving and strengthening their democracy, to have clear and well-founded European perspectives, and we should help the Serbian society to be strong enough not to choose the road of self-isolation and radicalisation. Moreover, such an attitude is needed in order to prevent the increase of tensions between the majority and the national minorities in Serbia.

For keeping Serbia on the track of integration, the EU should offer a package to Serbia not only reaffirming its European perspective but also making that perspective both credible and tangible. Therefore, this package should include a road map on the liberalisation of the visa regime and the granting of candidate status within a reasonable time frame, provided the necessary criteria are met.

There can be no doubt that the Federation is a key player in most of the issues that concern vital European interests or define the security and stability of our continent. Therefore, we deem it necessary to find the ways to maintain a dialogue with Russia that could lead to further positive interaction with that vast and important country.

Yet, some of the recent developments in the Russian Federation and Moscow's stance with respect to several questions at the international level have raised some concerns in many countries of the Council of Europe and the European Union, and cast a shadow on that dialogue.

But we have no sensible alternative to engagement, thus we should not let the temptations of confrontation, isolation or self-isolation prevail. Although there are visible differences in our opinions on certain values and especially in our approaches to strengthening democracy, we should not cease our efforts to identify the areas where co-operation is understood to be beneficial for both sides. Otherwise, the lack of trust in each other can easily drive us to deepening mutual fears and self-fulfilling prophecies. We learnt the lesson of the 20th century: open dialogue and partnership are key elements of maintaining European peace and stability and avoiding serious confrontations and instability.

Mr. President, Ladies and Gentlemen,

all of us are responsible for Europe. We carry different responsibilities, but common targets: We want to make Europe stronger in terms democracy, economy and social justice. Turn it into a region of prosperity and progress. It takes courage to dream and to fulfill this dream.

I am delighted to confirm that Hungary and I myself are ready to go along this road with you.

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**D 04(2008)
22.01.2008**

**Communication from the Committee of Ministers
presented by**

Ján KUBIŠ

**Minister for Foreign Affairs of Slovakia,
Chairperson of the Committee of Ministers**

**on the occasion of the
first part of the 2008 Ordinary Session
of the Council of Europe Parliamentary Assembly**

(Strasbourg, 21-25 January 2008)

Mr. President,
Mr. Secretary General,
Ladies and Gentlemen,

I am honoured to address you in my capacity as the Chairman of the Committee of Ministers of the Council of Europe on the progress of the Committee's work over recent months.

I would like to start by congratulating you on your election as President of this distinguished body. I hope that your mandate will be successful.

I have already had the pleasure to greet some of you at the meeting of your Standing Committee in Bratislava in November and to outline the priorities of the Slovak Chairmanship. As I explained then, the continued implementation of the decisions taken by Heads of State and Government in Warsaw is the main goal of Slovakia's Chairmanship. Our efforts will follow those of previous chairmanships while concentrating on the core objectives of the Organisation. We aim to make a significant contribution in particular in the preparation of the important decisions to be taken at the upcoming ministerial session in May this year.

I would like to underline that on this occasion, the Ministers will again review the implementation of the Warsaw Action Plan and, in this context assess the work undertaken to consolidate the Council of Europe system of human rights protection, as well as on the follow-up to the Juncker report, the implementation of the Memorandum of Understanding between the Council of Europe and the European Union and the implementation of Chapter V of the Action Plan relating to the reform process of the Council of Europe's organisational structures and working methods. To achieve this goal, the Slovak Chairmanship focuses on three broad themes:

- Promoting a citizens' Europe;
- A transparent and efficient Council of Europe;
- Respect for and promotion of core values: human rights, rule of law and democracy.

Ladies and Gentlemen,

Following on from the remarkable efforts of our predecessors, the Slovak Chairmanship has been prioritising the reinforcement of dialogue and co-operation between the Council of Europe and its main European and global partners.

As regards **relations with the United Nations**, the Ministers' Deputies in November 2007 decided to support the draft resolution for a moratorium on the death penalty tabled before the United Nations General Assembly. I am glad that the resolution was adopted by an overwhelming majority of the Assembly with a strong support from all continents. The next annual exchange of views with experts from the capitals on human rights issues dealt with by the United Nations will take place on 28 February 2008 and will relate to developments and main results of the 62nd session of the UN General Assembly, including follow-up to the sessions of its Human Rights Council. I intend to address the high-level segment of the Human Rights Council on 4 March 2008 both in my national capacity and in the capacity of Chairman of the Committee of Ministers.

As regards **relations with the OSCE**, an Organisation which I know particularly well as its former Secretary General, a further meeting of the Co-ordinating Group of both organisations was held in Strasbourg on 19 October 2007 to take stock of progress in the co-operation process. Many initiatives towards this end could be mentioned. I will only refer to the joint organisation by the UNODC, the OSCE and the Council of Europe of a workshop on reinforced international legal co-operation in criminal cases linked to terrorism scheduled for 2008 in Turkey, participation by representatives of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in a series of training seminars on human rights and terrorism and a joint publication on national minority standards. The Co-ordinating Group will hold its next meeting in Vienna on 14 March 2008. And again, I intend to address the Permanent Council of the OSCE on 28 February 2008 and I will try to get an opportunity to speak also at the Winter Session of the OSCE Parliamentary Assembly in Vienna on 21-22 February 2008.

Concerning **relations with the European Union**, which I consider particularly important, the 25th Quadripartite Meeting between the Council of Europe and the European Union, held in Strasbourg on 23 October 2007, provided an opportunity for top-level political discussions on the reinforcement of co-

operation, and particularly on the implementation of the Memorandum of Understanding. These discussions centred on ways of **developing synergies** to promote democracy, notably via joint action in the field of pre-election assistance **and** closer EU involvement in the work of the Forum for the Future of Democracy. In the same context, the **two** organisations decided to support each other's activities for the promotion of democratisation in **Belarus**, a subject to which your Assembly pays particular attention. Another focus was co-operation under **the** European Neighbourhood Policy (ENP). There is clearly room for synergies in all these areas and I **hope** that tangible results will be made before the next Quadripartite Meeting will take place on 10 March 2008.

In this context, I **would** like to stress the importance of the parliamentary dimension of EU/Council of Europe co-operation and **praise** the agreement concluded on 28 November 2007 by the Parliamentary Assembly and the European Parliament.

The setting-up of the **EU Fundamental Rights Agency** - another matter which has long captured the attention of your Assembly - is being closely monitored by the Deputies' Rapporteur Group on External Relations (GR-EXT) on the basis of reports prepared by the Secretariat. The Group intends to complement this information with **an** exchange of views with officials of the Agency and with Mr Guy DE VEL, the independent person sitting on the organs of the Agency in respect of the Council of Europe. I hope that the draft co-operation agreement between the Council of Europe and the European Union concerning the Agency will soon be approved by the EU Council.

Coming back to the subject of the death penalty, I am very pleased that the European Union has decided to join in the initiative for a **"European Day against the Death Penalty"** to be held on 10 October each year. It is important that **we** speak with one voice on this essential subject, among others. The Secretariat will pursue consultations with the European Union with a view to organising this day as a joint initiative. The Assembly will of course be closely associated with the celebration of this Day.

As I have already mentioned, the **follow-up to the Juncker Report** is a priority in the run-up to the renewed stocktaking of this matter on the occasion of the next Ministerial Session. I am glad that progress has been made in a number of areas, notably with respect to Recommendations Nos. 3, 5, 6 and 7. At the beginning of 2008, one of the priorities is Recommendation No. 13 on increased involvement by Foreign Ministers in the work of the Council of Europe. I consider this to be a key issue and will spare no efforts in drawing it to the attention of my counterparts in other member states. The Parliamentary Assembly will be kept informed of progress in this work over the next few months.

Ladies and Gentlemen,

On the subject of human rights, first a few words about the progress made with the work undertaken for the **consolidation of the Council of Europe system of human rights protection**. As you are aware, the Steering Committee for Human Rights (CDDH) is working on the reform process, in the light in particular of the Wise Persons' report, and will submit a substantive report by 30 April 2008, for consideration by the Ministers at their 118th Session in May. Furthermore, as part of the reform package, the Ministers' Deputies will shortly examine a draft recommendation of the Committee of Ministers to member states on efficient domestic capacity for rapid execution of judgments of the European Court of Human Rights, which was recently submitted to it by the CDDH.

Slovakia is giving high priority to the situation of the European Court of Human Rights and will organise a meeting of government agents before the Court on the execution of judgments, including the agents' co-ordination task, in Bratislava on 3-4 April 2008. The meeting will also cover the reopening and re-examination of cases following the Courts' judgments.

Before concluding on this subject, I must underline the continued need for the entry into force of **Protocol No. 14** to the European Convention on Human Rights. I sincerely hope that the last ratification will take place in the near future.

Ladies and Gentlemen,

The protection of **national minorities** forms part of the international human rights protection and is necessary for maintaining stability, security and peace. The Council of Europe has made a significant contribution to this through its Framework Convention for the Protection of National Minorities, which will

celebrate its 10th anniversary on 1 February this year. The Slovak Chairmanship will use this occasion to underline the Convention's importance as one of the key human rights instruments of the Council of Europe. A conference to mark the anniversary will be organised in Strasbourg on 11 March 2008. On this occasion we will also mark another important birthday, i.e. the 10th anniversary of the Charter for Regional and Minority Languages.

With reference to national minorities, I would like to underline the problems faced by the Roma populations in many Council of Europe member states. The Slovak Chairmanship was pleased that the Committee of Ministers decided in November last year to renew the Partnership Agreement between the Council of Europe and the European Roma and Travellers Forum.

Still on the subject of human rights, I would like to say a few words about a subject that I know has been, and still is, I am sure, of serious concern to the Parliamentary Assembly, i.e. **secret detentions and illegal transfers of detainees** involving Council of Europe member states. You will have certainly noted that the Committee of Ministers adopted a reply to your Recommendation (2007)1801 on this subject last week. In its reply, the Committee underlined that it is convinced of the utmost importance of promoting and protecting human rights for all and the rule of law while combating terrorism. It recalled that less than a year after the events in New York on 11 September 2001, it had adopted Guidelines for member states on human rights and the fight against terrorism. Taking into account the complex nature of the issues raised in the Assembly's Recommendation, the Committee of Ministers stated that, if necessary, it will consider undertaking further work in this respect, keeping in mind the opinions already given by the CDDH, the CDPC as well as the Venice Commission's report on the democratic oversight of secret services. The Committee will in this respect ensure that any possible work will be operational and bring real added value.

Ladies and Gentlemen,

Consolidating democracy is among the main priorities of the Slovak Chairmanship as well as one of the core objectives of the Council of Europe. I am well aware of the Assembly's interest in these issues and note that several items on the agenda of this part session reflect this interest well.

I would like to thank the Assembly for its contribution to the reflections on the revised guidelines for the Forum for the Future of Democracy which were approved by the Ministers' Deputies last November. Slovakia intends to continue to play an active part to improve the organisation of the sessions of the Forum and to take follow-up action on their conclusions.

Promoting a citizens' Europe, the Slovak Chairmanship emphasises the Council of Europe's need for openness, engagement and efficiency as well as its need for dialogue with non-governmental organisations and civil society. Needless to say, Slovakia supports the recently adopted Committee of Ministers' Recommendation (2007) 14 on the legal status of non-governmental organisations in Europe as well as the elaboration of a draft Council of Europe convention on access to official documents, which is due to be completed in the near future. With this instrument, the Council of Europe will again break new ground and we are all aware of the importance of access to information for a functioning democracy. The draft Convention will be transmitted to the Parliamentary Assembly in due course for an opinion.

Ladies and Gentlemen,

In November 2007, the **High-Level Task Force on Social Cohesion in the 21st Century**, tasked by the Third Summit in Warsaw to review the Council of Europe's social cohesion strategy, completed its work. The report of the task force, which has been transmitted to the Assembly for information, is currently being examined by the Committee of Ministers with a view to deciding which concrete follow-up should be given to it.

At the invitation of the Slovak Government at the very beginning of its Chairmanship, the **8th Conference of European Health Ministers** took place in Bratislava on 22 and 23 November 2007. The theme of the Conference was "People on the Move: Human Rights and Challenges for Health Care Systems". The meeting culminated with the adoption of the Bratislava Declaration on health, human rights and migration.

Turning now to **intercultural and interreligious dialogue**, the Slovak Chairmanship is pleased to note that the work on the Council of Europe White Paper on Intercultural Dialogue is entering its final phase. Moreover, Slovakia is closely following the progress of work on the religious dimension of intercultural

dialogue and welcomes the decision taken by the Deputies on 12 December 2007 that the 2008 exchange, to be held on 8 April 2008 on an experimental basis, would have as a theme "Teaching religious and convictional facts" and as a sub-theme "A tool for acquiring knowledge about religions and beliefs in education; a contribution to education for democratic citizenship, human rights and intercultural dialogue." We count on the input of your Assembly during this event.

Before concluding, I would like to touch on a few political questions which have caught the Committee of Ministers' attention, and mine particularly.

In connection with the **Southern Caucasus**, the Committee of Ministers' Group (AGO Group) responsible for monitoring the honouring of commitments entered into by Armenia and Azerbaijan, continued its work throughout the autumn of 2007, concentrating on the preparations for the important presidential elections scheduled in both countries for 2008, as well as the freedom of the media. In the light of this work, the Ministers' Deputies called on the Armenian and Azerbaijani authorities to make all the necessary arrangements to ensure that Council of Europe standards and principles were observed in these two fields and to co-operate closely with it to that end. This is particularly important. The Ministers' Deputies also welcomed reforms carried out by the Armenian and Azerbaijani authorities concerning the independence and functioning of the judicial system, urging them to continue these reforms. I can only echo this appeal.

In connection with the important future elections in Armenia and Azerbaijan, I recall that last year the Committee of Ministers adopted an action plan to provide the Armenian authorities with pre-election assistance. A similar action plan for Azerbaijan is under examination by the Ministers' Deputies and should be approved next month. The Committee of Ministers will closely monitor the conclusions of the Parliamentary Assembly mission observing the presidential elections in Armenia on 19 February next. I intend to visit Armenia and Azerbaijan in the first quarter of 2008.

Where **Georgia** is concerned, the preparations for the presidential elections on 5 January 2008 were closely monitored by the Ministers' Deputies, who in November 2007 approved a series of measures for providing pre-election assistance, in particular to the Georgian Central Electoral Commission. During my visit to Georgia on 27 and 28 November 2007, I discussed the political situation in the country with top-level authorities and representatives of the opposition, NGOs and the international community. As I indicated in a statement after the elections, the fact that these elections took place in a genuinely competitive environment and were in essence consistent with most international standards for democratic elections is welcome. However, the problems and challenges noted by the international observers need to be addressed urgently, before the next parliamentary elections. I reiterate my appeal to all political forces in Georgia to settle these outstanding issues through dialogue, including between the President and opposition forces, in order to further the course of democracy in the country. I count on their sense of responsibility.

In connection with the broader question of the obligations and commitments entered into by Georgia on its accession to the Council of Europe, the debate to be held by your Assembly this week will be followed with the utmost interest.

In connection with **South-East Europe**, a region which I consider particularly important, the presidential elections which took place in Serbia last Sunday have been followed with great attention. I hope that the democratic path towards European integration chosen by Serbia and its government will be confirmed also in the second round of the Presidential elections. I intend to discuss this and other matters with the Minister of Foreign Affairs of Serbia and my predecessor as Chairman of the Committee of Ministers of the Council of Europe, Minister Jeremic, in Bratislava soon.

As regards **Kosovo (Serbia)** – a major area of attention for all of us – the preparation and running of the parliamentary and municipal elections held on 17 November last have been closely monitored by the Ministers' Deputies. During a visit to Belgrade and Priština from 2 to 4 December 2007, I discussed the situation in Kosovo and beyond with the highest-level Serbian authorities and representatives of different political forces and communities as well as the international organisations present on the ground. The Slovak Chairmanship will follow your debate this week on developments concerning the future status of Kosovo with great attention.

As regards **Montenegro**, the Ministers' Deputies in November welcomed the adoption of a new Constitution, while inviting the authorities to continue the reforms needed to enforce it. They also called on the authorities to improve the substantive human rights provisions and rights of minorities in legislation, as well as to

consider how to **enhance** the effectiveness of its action against corruption, organised crime and trafficking in human beings. **Lastly**, the Deputies reiterated the importance of ensuring co-operation with the International Criminal Tribunal for the former Yugoslavia (ICTY). I would like to reiterate this appeal here, as I did during my meeting with the **Minister of Foreign Affairs of Montenegro** recently in Bratislava.

As regards the **Russian Federation**, the results of the parliamentary elections held on 2 December 2007 have been discussed by the Ministers' Deputies in the light of the conclusions of your Assembly's mission. They have invited **their** Rapporteur Group on Democracy to continue examining the results of these elections and to consider **any** activities that might be proposed in this field, in close co-operation with the authorities of the Russian Federation. The Committee of Ministers will be paying particular attention to the preparation of the presidential elections to be held in the Russian Federation next March.

Finally, as regards **Belarus**, the activities conducted last year under the programme of assistance for this country, and in particular for the benefit of Belarusian civil society, will continue in 2008. I would like to mention in particular two projects by the Slovak Chairmanship, namely a meeting of experts to be held in Minsk in co-operation with the Constitutional Court, subject to a positive response from the Belarusian authorities, and a conference in Bratislava in April 2008. The Committee of Ministers will continue to closely follow the work of **your** Assembly on the situation in Belarus, as well as its discussions on future relations with this country.

Matters of interest to the Council of Europe are on the agenda of my other meetings, like with the new Minister of Foreign Affairs of Ukraine in December, and of my statements on issues as diverse as the death penalty and elections in different parts of Europe.

Finally, I would like to mention that I have sent a letter to my colleagues on the Committee of Ministers in preparation of the 2009 budgetary debate. I urge member states to evaluate their commitment to ensuring that the Council of Europe plays its due role in a changing Europe in the pursuit of its core objective of preserving and promoting human rights, democracy and the rule of law. My purpose is to ensure that the Organisation has, over time, the resources it requires.

I would like to conclude by thanking you for your attention and by expressing my sincere hope that the fruitful dialogue started between the Slovak Chairmanship and the Parliamentary Assembly in Bratislava will continue. I am looking forward to your questions now as well as to the next occasion to inform you about progress made in the implementation of our priorities.

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**D 05(2008)
22.01.2008**

Communication from

Terry DAVIS

Secretary General of the Council of Europe

on the state of the Council of Europe

**on the occasion of the
first part of the 2008 Ordinary Session
of the Parliamentary Assembly**

(Strasbourg, 21-25 January 2008)

Mr President, Members of the Assembly,

First of all, I should like to congratulate Lluís Maria de Puig on his election as the new President of this Assembly. He is taking up his duties at a very important time for the Assembly and for the Council of Europe, and I am very much looking forward to working closely with him on the challenges ahead. We met immediately after his election, and we had a good working meeting, which is a good sign for the future.

I have known Lluís Maria de Puig for 15 years, and I am confident that he will be an outstanding President of this Assembly as he was at the Western European Union. At the same time I should like to pay tribute to the outgoing President, René van der Linden, for the commitment and enthusiasm he invested in the discharge of his responsibilities over the past three years.

2007 was a good year for the Council of Europe, and the credit for this should also go to the Parliamentary Assembly and its members. Your commitment to this organisation and its values, and the time and effort you have invested in your responsibilities in the Assembly, are tremendously valuable and highly appreciated. Your work is an asset for the Council of Europe as a whole.

So what do we have to show for the year we leave behind?

To start with, we have significantly reinforced our arsenal of legally binding instruments. The Council of Europe Convention on Trafficking in Human Beings has finally reached the threshold of ratifications and its entry into force is imminent.

In October, a new Convention on the Protection of children against sexual exploitation and abuse was opened for signature.

These two conventions, together with the Cybercrime Convention of 2001 and the two anti-terrorist conventions approved by the Council of Europe Heads of State and Government on the occasion of the Third Council of Europe Summit in 2005, represent the new generation of Council of Europe legal instruments.

They deal with some of the most pressing challenges which Europe faces today.

They introduce cutting-edge, innovative and effective measures to facilitate international co-operation and action at national level.

It is also significant that they are open to non-European countries and therefore offer global solutions to global problems and threats. In the light of the issues with which they deal – trafficking, sexual exploitation of children, cybercrime and terrorism – this open-ended character is extremely important.

They all bear the very distinctive Council of Europe mark – combining measures for forceful and effective international legal co-operation with specific safeguards for human rights based on the European Convention on Human Rights.

With this new generation of treaties, the Council of Europe is making an important, distinctive and unparalleled contribution to the European legal space, by which I mean a system of legal norms applicable to the whole of Europe – and based on the Council of Europe values of democracy, human rights and the rule of law.

In the past year we also made progress in reinforcing and clarifying our relationship with other European institutions, starting with the European Union, but also our partners in the OSCE and the United Nations.

The Memorandum of Understanding with the European Union provides a formal framework for co-operation between the EU and the Council of Europe, on the basis of our respective mandates and comparative advantages. But I want to emphasise that to achieve its objectives, it must be put into practice and followed up with specific actions. At the Council of Europe, we are not in the business of signing agreements for the sake of signing agreements.

In the period since the Memorandum of Understanding was signed, we have had some positive experiences, but also a few hiccups, which could have been avoided by applying the agreement to the letter. For example, the anti-terrorist package recently produced by the European Commission which, in some respects, unnecessarily duplicates the Council of Europe Convention on the Prevention of Terrorism, is a case in point.

2007 has also seen the creation of the EU Fundamental Rights Agency. While in gestation, this initiative caused a lot of concern. At the end of the day, I believe that we can be cautiously satisfied with the outcome. With support from several member states, the mandate of the Agency was limited to the implementation of EU law by EU institutions. We must certainly remain vigilant and see how these arrangements will work in practice, but in its present form, the Agency can make a useful and complementary contribution, by helping the EU to comply with the European Convention on Human Rights.

Since the approval of the EU Reform Treaty we now also have a realistic prospect of the European Union acceding to the European Convention on Human Rights. This is of course a very important development which would end the paradoxical situation in which the only two executive powers in Europe escaping the scrutiny of the European Court of Human Rights in Europe are the European Commission – and the government of Belarus. But I would also add a word of caution – the preparation for accession will not be easy – it will require a great deal of negotiation between the EU and the Council of Europe so that we and our colleagues in Brussels need to start immediately and work expeditiously.

We all know that Prime Minister Juncker went even further in his report and suggested that the EU join the Council of Europe as a body. I do not know if or when this will happen, but the proposal does illustrate what should be the true nature of the relationship between the two European organisations. Against this background, I believe that at the Council of Europe, we should be a bit more self-confident and a bit more assertive when it comes to areas covered by our mandate.

If the EU does become a party to the European Convention on Human Rights and even more if it joins the Council of Europe, it will be entitled to get involved in the protection of human rights – as all our members do – but in return, it will also have to accept legally binding obligations to protect human rights and submit itself to Council of Europe enforcement and monitoring mechanisms including the European Court of Human Rights.

The development of our relationship with the European Union is only one example of the increasing relevance and influence of the Council of Europe. I believe that we are well on the way to becoming a genuine generator of social progress and change – across the whole of Europe-wide and beyond.

Our efforts are already producing results. We see an increasing interest in our work by the public, civil society, governments and the media. The result is growing visibility of the Council of Europe in the media. We are succeeding in combining substance – which has always been our strength – with better and more efficient communication about our work. The statistics prepared by the Directorate of Communication show clearly that there has been a significant increase in media coverage over the past three years.

That does not mean that we are satisfied. There is much we can still do to improve our visibility and influence even further, and I count on your support in this respect.

Now allow me to make a more general point.

In my introduction to the document on the Medium Term Strategy and recently in a speech distributed to all the members of staff of the Council of Europe, I described the Council of Europe as a great ship with powerful engines, but our engines do not always run at the same time.

I believe that – with your help – we can succeed in combining the strength of all our engines in order to move forward faster, with greater authority and greater influence.

Let me reiterate my vision of the Council of Europe by the year 2015.

First, the consolidation of the European legal space. I have already mentioned several recent conventions, but our objective should not be limited to the preparation of new legal texts. On the contrary, new conventions should only be elaborated if there are compelling arguments that this is the most rational, effective and efficient way to proceed. At the end of the day, it is better to have a good recommendation than a bad convention.

Perhaps the most important part of our work on the European Legal Space is to look critically at what already exists. We have two hundred conventions – but many are outdated, and others have only been ratified by a small number of member states. There is still much to be done to improve the coherence and the effectiveness of the Council of Europe law.

Second, the consolidation of a real European monitoring system. Today, the Council of Europe represents the most comprehensive multilateral monitoring mechanism in Europe and perhaps in the world. We have a multitude of treaty-based monitoring procedures, all of them of excellent quality and excellent reputation. But the challenge is to connect the dots, better share the information internally and present it in a way which will increase its usefulness, credibility and impact on policy-making in Europe. The results of such a monitoring system should feed directly into standard-setting, expert assistance and co-operation programmes.

Third, the reinforcement of the role of the Council of Europe as the leading reference on compliance with standards of democracy and human rights in Europe and an influential voice in the world.

Expertise in issues related to democracy and human rights is frequently mentioned as one of the strongest comparative assets of the Council of Europe, but here too, there is huge room for improvement. The way forward is to publicise better and disseminate better our expertise – internally and externally – and to monitor the follow-up given by governments to our advice.

I think this point is particularly relevant to the Assembly. You are a key source of expertise on the issues which the Council of Europe deals with, and your opinions are backed by your political influence. But I believe that we should go even further and make sure that your work has a more systematic and more substantial impact on the work of the rest of the Council of Europe. Moral authority is very important, but influence on policy-making is even better.

I have no intention to challenge the decision-making powers of the Committee of Ministers, but I think we can achieve much progress through better circulation of information and better co-ordination within different parts of the Council of Europe. Again, it is about connecting the dots and making all the engines pull at the same time and in the same direction, and I think this is in the clear interest of the Assembly and the Council of Europe as a whole.

The same goes for the European Court of Human Rights. We are faced with a difficult situation, and several possibilities to increase the output of the Court are on the table. But at the end of the day, this problem cannot be solved only on the "supply" side, and I apologise for the use of the word. We have to look also at the "demand" side - not by restricting the right of people to apply to the Court, but by feeding the case-law of the Court more systematically into the work of the Council of Europe as a whole. We must be able to produce, when necessary and appropriate, broader, Europe-wide responses to some categories of human rights violations with which the Court is frequently confronted.

Here at the Council of Europe, we are ideally placed to bring together governments, civil society and international partners. Existing examples include our work on intercultural dialogue - where we work closely with the United Nations - the Forum on the Future of Democracy and the High Level task Force on Social Cohesion. Here too, we must not be satisfied by results which work in theory - every activity we undertake must have specific and measurable objectives.

Finally, we are also transforming the Council of Europe into the public advocate of our European values.

Campaigns are very important, but we have learned from recent experience and will be doing things differently in future. The point is that every campaign should have clearly identified and measurable objectives, and we should regularly assess progress in achieving them. Awareness-raising in the sense of talking to the converted should no longer be regarded as an objective in itself. The purpose of our campaigning should be to make a real difference by changing the hearts and minds of people who do not agree with us or simply do not care.

We have a positive example in the Campaign to combat violence against women including domestic violence, which combines policy activities with public relations. It also represents an excellent example of transversal action, bringing together several different parts of the Council of Europe - and especially the Assembly - which have joined together to achieve a common policy objective.

Finally, we must change some attitudes about the Council of Europe - attitudes which are not only wrong, but clearly detrimental to the effectiveness of our work.

I believe the time has come not only to say, but to demonstrate in practice that the Council of Europe is not a school in which professors from one part of Europe give lectures to "bad pupils" from the other part. It is an attitude dating from before 1989, but it is still very often present in the attitude of some governments, media and public opinion. It is true that problems in countries with more recent experience with democracy tend to be more frequent and often more serious, but difficulties in respecting human rights and democratic standards occur everywhere in Europe. It is neither fair nor useful to divide European countries into the "usual suspects" and those who cannot be questioned or criticised.

But I will not end on a negative note. I am genuinely convinced of the goodwill and the commitment of all our member states to the Council of Europe and its values.

The Council of Europe is not a club of perfect democracies. Rather it is a place of work, where governments accept legally binding obligations and voluntarily submit themselves to rigorous monitoring of their compliance with those obligations. Some countries have more difficulties than others, but the fact is that we are achieving progress across the continent. This progress is not always as quick as we would like, but it is steady, it is important, it makes a difference, and it will continue to make a difference for many years to come.

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**D 06(2008)
23.01.2008**

Address by

Bamir TOPI

President of Albania

on the occasion of the
first part of the 2008 Ordinary Session
of the Council of Europe Parliamentary Assembly

(Strasbourg, 21-25 January 2008)

**Distinguished Mr. President,
Distinguished members of the Assembly,
Distinguished guests,**

Mr. President, from the outset I would like to thank you for the invitation and opportunity to address the distinguished members of the Council of Europe Parliamentary Assembly during this plenary session. I would like to hail the outgoing President, Mr. Van der Linden for his dedicated and serious work in heading the Assembly at the time of great political transformations in Europe and to wish him further personal and professional successes!

I also have the pleasure to wish good luck and successes to you Mr. de Puig in your mission as the new President of the Assembly and to assure about my support and that of my country's representatives to this Assembly in fulfilling your duty!

The Parliamentary Assembly which I am addressing today is most dynamic force in the expansion of European cooperation all over the democratic countries throughout Europe; it is the consciousness of Europe. As the First European Assembly founded in the history of our continent, its contribution especially during the historic events in Central and Eastern Europe at the beginning of the nineties was and remains decisive. It assisted these countries by bringing them to the group of European democracies and encouraged the genuine parliamentary cooperation among all the European nations. The Assembly contributed and still does to build a great Europe free of dividing lines.

Distinguished members of the Assembly, your major role in preparing the candidate countries for accession to the European Union is irreplaceable. The developing democracies such as my country, appreciate in a committable manner the recommendations, resolutions and even the opinions that come to life in this assembly hall.

It is a special pleasure for me and at the same time a responsibility to address you from this honorable podium on behalf of the citizens of the Republic of Albania by bringing here not only the political will of the Albanian political class, but also the voice, message and European aspiration of the Albanian people.

We want to implement and conclude the reforms of the transition period as soon as possible. We want to vitalize the Albanian economy. We aim to increase the living standard in Albania and we strive to become an inseparable part of the united Europe where we historically and geographically belong.

Please allow me to clearly and determinedly state that: the integration of Albania to the European Union is a national priority and strategic goal of my country's foreign policy. As never before, there is a full political consensus in Albania about this issue and it also enjoys a considerable support by the Albanian public opinion.

As the President of the Republic I express the strong guarantee that this is the message of all the citizens, of the entire political specter, of all the social groups. I express the assurance that in cooperation with political forces in Albania, ruling majority and opposition, I will continue to pursue these objectives and hope to be successful in fulfilling them.

The Republic of Albania highly appreciates the support given by the Parliamentary Assembly and the understanding this structure has demonstrated for the efforts of Albania to get closer to the European Union. Many of you not only have followed closely the developments in Albania and its transition process, but have supported them faithfully and with a positive will. I am very grateful to your contribution.

Albania is undergoing an impetuous and determined transformation towards a democratic state. We are aware of the hardships this change requires. However transformation is necessary in order to enable Albania some day to actively participate in the European institutions as a full-fledged member. From this point of view, the experience and assistance of other countries in this direction would be useful.

We are working on the reform of public administration, on harmonizing the legislation and involving and using all our potential for the regulation, modification and changing the judicial system and Electoral Code.

We view this **task** less as a burden and more as a duty and mission on which we are determinedly working in **order** to achieve the European standards as soon as possible.

Keeping in **mind** the fact that the European standards, to which we trying to compare, are undergoing continuous **development** and improvement so it remains a constant task of the Albanian institutions to improve the **domestic** legislation in accordance to these developments and serving the consolidation of an effective **legal** system in its entirety.

In this aspect, we deem important the implementation of the Recommendations of the Council of Europe Ministers' Committee regarding the implementation of the European Convent on Human Rights on the national level, enforcing the European Court decisions and publishing the European Court practice.

I am determined to support the indispensable reform of the judicial system in Albania. The Albanian justice must **serve** to the citizen and not to politics, must deliver justice by regaining the trust of the entire Albanian society. The reforming must touch upon the most sensitive cells of the corruption disease in order to **uproot** it. For this scope I have galvanized, as part of a democratic pluralism, the debate involving civil **society**, involving all the links of the justice system, the press and televised media, local government and in cooperation with domestic and foreign experts of the field in the parliamentary political round tables. Availing myself of this opportunity I would like to praise the Fifth Cooperation Program between the Council of Europe and European Commission on the Support and Training of the Judicial Administration in Albania. Of course this Program will improve the efficiency of the judicial system through the organizing of the judicial administration (court chancellors, clerks, judges' secretaries, prosecutors and the other administrative staff of the court) in all the Albanian courts (Supreme Court, Court of Appeals and the Districts' Courts). I am optimistic about its results.

Another reforming process which is underway in Albania is that of the electoral system. The parliamentary debate in Albania on this issue must bear its fruits by producing a sustainable and long-term system which will realize the real reflection of the free vote on the governing or the opposition political levels in Albania in both the central and local levels. An electoral system up to the European standards will create the stability of the institutions and administration.

In this field I would like to distinguish and support the assistance of the Venice Commission regarding the parliamentarian immunity; modifying the electoral system and prosecutor general system; the anti-corruption plan and strategy in the framework of regional projects; the financing of the political parties; penitentiary system; the cooperation with the Local and Regional Authorities Congress for the establishment of a better institutional framework for the local and regional autonomy.

Albania remains fully committed to implement the Framework Convention for the Protection of National Minorities.

I would like to immensely appreciate the initiative of the Council of Europe for the opening of the School of Politics in Albania. It happened at a very indispensable moment for Albania. Due to the past dictatorship regime, our country needs a structure for being educated in political sciences and international relations. The creation of elite in this direction would accelerate the integrating process of my country.

I judge that the advancement in the Association-Stabilization Process with the European Union is inter-connected also to the process of removing the monitoring from the part of the Council of Europe Parliamentary Assembly. The removal of this monitoring proves that Albania has come out of the first stage of transition and is continuing its integration process and re-iterates the high level of democracy and human rights and meeting the Council of Europe standards in the country. A post-monitoring process in harmony with the integrating movement of Albania would help my country in its political oncoming to the European Union and NATO.

Albania has already initialed the Association-Stabilization Agreement with the European Union and the process of accession is progressing with normal pace. The country is fully committed to seriously implement the Interim Agreement of the Association-Stabilization. The Association-Stabilization Agreement has been ratified by fifteen countries, in some other countries is being processed and we

hope that by the first semester of this year it would be ratified by all the EU members. We are working with great seriousness to implement every act and every chapter of it, aiming to subsequently seek the candidate-country status in order to deserve this irreversible and unstoppable process. Availing myself of this opportunity I would like to express my gratitude to the European Union member countries for their contribution to this process.

We view the European Union as a family composed by different members who work together in a community where the interest of every nation is respected by developing this way the cooperation based on solidarity. Albania wishes to further enrich this community of values by adding its identity of historical roots, civilization and culture values and national spirit. We want to live together in the coexistence of multi-diversity.

We must not forget that the unification of Europe would not be complete until all the countries of the Association-Stabilization Process become members and until Europe could be unified in its geographical borders. Only a united Europe is capable to eliminate war as a political instrument for solving conflicts, to eradicate the lack of stability in South East Europe and only a united Europe is capable to lead the countries of our region towards a more prosperous future.

Albania as well follows carefully the discussions between the European Union and NATO over security issues. We highly appreciate the adoption of the European security strategy because it will enable the European Union to face and overcome global threats and changes by contributing to the system of multilateral security, the same as to a more active involvement in some South East Europe countries.

Albania is determined to become a NATO member. It greatly hopes and looks forward to receive its invitation at the upcoming Bucharest Summit. I judge that we deserve to receive such an invitation. In the NATO accession history, Albania offers the rare example where all the political forces are in full consensus, where all the nongovernmental factors, all the social groups, all the media and entire public opinion support this accession. Albania's accession to NATO will expand not only the level of regional, European and global security, but it will offer the positive example of the triumph of democracy in the country where not so long ago, just fifteen years ago, reigned the harshest political dictatorship of all times.

Distinguished Mr. President,
Distinguished deputies,

We have already put behind us a considerable part of the integrating process. Democracy is a summation of little steps, but it is also a never ending process. It is not a static state, but a process always in movement and evolving. Albania undoubtedly will keep on progressing on the same course in its regional policy as well. It is one of the achievements during the years of transformation, because it is considered as a fulfilment of the obligations that stem from the integrating process into European Union and NATO harmonized with its national interests. My country is giving the example of a policy serving the strengthening of peace, stability and long-term security in the region. It encourages the climate of reciprocal trust through the enhancement and deepening of diplomatic, economic, political and cultural relations with all the regional countries on both the bilateral and multilateral levels.

I will encourage this strategy of the cooperating regional policy of Albania because not only I am convinced about its just orientation, but I feel also encouraged by the praises of our regional, Euro-Atlantic and other partners.

I would like to express the pleasure that the entire Albanian factor which inhabits our region has become a moving part of regional integration in all its processes. The entire Albanian political, public, media and business factor As an important element not only because of its size, but also due to its geographical spread in the region, is conscious about its democratizing, irreplaceable and moderating role in this part of Europe. They are convinced that the Euro-Atlantic partnership is the sole safe future for them, for the region, for the countries where they live and are determined to respect it as worthy European citizens in full harmony with the promotion the national values.

Kosova remains the last and still unresolved issue of the disintegration of an artificially build state - the former Yugoslavia - and that is why it is a natural disintegrating process. The Republic of Albania assesses that the clear and quick solution of the status of Kosova, which would be its independence, is

an indispensability dictated not only by the reality in Kosova, but also by the interests of long-term stability and security in the region.

Albania is convinced that only an independent and democratic Kosova, within the present borders and oriented towards the Euro-Atlantic integration is the just and sustainable solution and a factor of stability, peace and prosperity for the Balkans and elsewhere.

In this context, we condemn any attempt for partition which would serve to revitalize the nationalisms in the Balkans. Albania is determined to fully respect the international borders of our neighbors, including here also the borders of Kosova.

The Package of President Ahtisaari is the only possible alternative of compromise for a unique case such as Kosova. It offers a realistic, just, balanced, sustainable and long-term solution and also offers the highest standards for the minorities in Kosova which enjoys also the support of European Union, NATO and the majority of United Nations Security Council members. It guarantees not only the territorial integrity of Kosova, but also the functional integrity of its institutions on all levels. Kosova cannot be held hostage of an undetermined status.

If the solution through the United Nations Security Council fails, we judge that the European Union, NATO and the United States must immediately take the diplomatic initiative to implement the Package of President Ahtisaari and enable the conditions for the new state of Kosova to be included in the family of nations and together with other countries of the region, to progress towards integration into European Union and NATO.

Kosova, through the latest political elections, the election of the President and especially through the new inclusive coalition government, is offering very naturally a new geo-political reality to our region and a credible partnership to the European Union and NATO. I deem fit that we all, serving the interests of further democratization and integrating developments of the region, must accept this fact and encourage this way the process in a civilized manner.

The world is increasingly becoming smaller not due to the development of technology, but because of new integrating and globalizing policies. Albania is conscious about this fundamental geo-political transformation of global proportions. The world has changed and through its transformation, has changed also the challenges we must face. They are global ones and demand a globalization of energies. Albania has joined the contribution of all in facing the crisis of values, fighting world poverty, international terrorism, organized crime, corruption, drug trafficking, opposing ethnic or religious conflicts.

We can enrich the contribution of all with the experience of the harmony among religions reigning over the space inhabited by Albanians. The co-existence between two faiths - Islam and Christianity - in Albania is not only a unique vivid example, but also an optimistic and hope-inspiring experience. It can contribute to the preparation and implementation of political-strategically programs and objectives for a free Europe, free of ethnic or religious conflicts and prejudices or to a world where civilizations can produce only values and not bloodshed for their peoples.

Today I notice that the Europeanism of Henry de Saint-Simon of the nineteenth century is no longer an idea and a theoretical notion, but it is a reality where the nations and countries assembled together are governed by the principles of democracy, of the right to have freedom and justice, by the principals of peace, virtue and justice. This is our Europe!

Thank you