



Deutschland 2016

Parliamentary Assembly of the Council of Europe

Speech by Federal Foreign Minister Dr. Frank-Walter Steinmeier

Strasbourg
13 October 2016

Mr President,
Members of Parliament,
Secretary General,
Excellencies,
Ladies and gentlemen,

Thank you very much for inviting me to the Council of Europe here in Strasbourg. It is a great honour and pleasure to be able to speak to you today.

As German Foreign Minister, I very much enjoy coming to Strasbourg. Being here brings home vividly what it means for war to be overcome by justice, by understanding, by the protection of personal freedom. Strolling through the city's alleyways as I was able to do this morning, it is hard to believe that Strasbourg was not all that long ago at the very heart of the Franco-German conflicts waged in the 19th century and the horrendous World Wars of the 20th century. It is and remains a miracle that a German Foreign Minister can stand here in the Council of Europe in Strasbourg as a partner amongst partners and bolstered by shared values.

Don't worry, ladies and gentlemen, that is the end of my delve into history. We have enough problems in the here and now and that is what we need to talk about today. Yet, turning to the past, particularly here in Strasbourg, can help us understand the structures which were decisive for the development of a peaceful order in Europe over the last seven decades. This is all the more important as we are living in an era in which the world seems to be out of joint, in which structures we fought long to establish are at risk of disintegrating: wars and conflicts on all sides on Europe's doorstep; the calling into question of the peaceful order in Europe by the unlawful annexation of Crimea by Russia; forces that are undermining the cohesion of the European Union, seen most recently in the bombshell that was the Brexit referendum, and, not least, growing tension, even splits at the heart of our societies in many of your countries, also in mine, Germany.

Ladies and gentlemen,

What responses do we find when we ask what allows a peaceful order to develop?

I believe part of the answer can be found in the term “peaceful order”. Peace through order. Peace because the world lays down its own rules. Peace because we rely on the strength of the law over the law of the strong. What I mean here is the idea of a multilateral order based on international law but I don’t just mean an order which governs relations between states. That is not enough. After all, if we really want to set up structures for order which are resilient, which are stable through and through, because tensions can be quelled peacefully, because solutions can be found through pluralist, open discussion, we simply cannot avoid looking closely at the internal make-up of our societies. In concrete terms, with the situation regarding human rights.

After all, human rights violations are not just a consequence of war and conflict. No, violations and restrictions of elementary rights are all too often themselves their very cause!

Let there be no doubt: for us, human rights are not just an instrument to be used when it suits on the road to peace. They are in fact the cornerstone on which a functioning international order needs to be built. The human rights which the countries of this Council of Europe have worked together to achieve should be and remain non-negotiable to us and to all members of this Council! In all the conflicts raging in the world which necessitate difficult diplomatic work and dogged mediation, we must state clearly time and again: there is no paradox between standing up for human rights and the aim of foreign-policy stability and endeavours to balance interests between states. On the contrary, they go hand in hand!

That is why we need to look very closely, we need to equip ourselves with the tools which enable us to fine-tune our reading of the human rights pulse of a state and a society. And we need to do this as early as possible and as continuously as possible.

And that is precisely why the Council of Europe is so important. After all, it gives us, it gives the 47 member states and no less than 800 million people a human rights cornerstone. A shared, binding canon. And it gives us an insight into the human rights situation in our countries. It looks behind the scenes.

Thus, my message to you today: The Council of Europe is not just the sentry guarding a normative order. In times of crisis, it is also an important instrument on our path to making this order a reality. Taking Turkey as an example, and I'll come back to this later, the Council of Europe has provided impressive proof of this function and I thus want to give this chamber courage today!

The German members amongst you will know I am a lawyer. And thus also a realist. Where there are rules and laws, there will also always be infringements. So I am not surprised that rules are violated. I will however admit to being surprised to learn that there are some 76,000 cases pending at the European Court of Human Rights. Yet violations alone, no matter how urgently they need to be examined before the law, will not call into question a shared order, nor the Council of Europe, nor the European Convention on Human Rights. Indeed, we can only identify violations because we have these shared norms.

But I'm not going to mince my words. In Europe and as partners in this Council of Europe, we need to be very self-critical and ask ourselves if we are doing enough to nurture and extend this unique protective system which is binding under international law. Whether we are doing enough to prevent lasting damage being done to this system.

And we need to do this because, seen in a sober light, the values and standards of the Council of Europe, namely human rights and the rule of law, are under significant pressure in parts of Europe today. And these are certainly not just isolated cases. Secretary General Thorbjørn Jagland presented his annual report on human rights in Europe a few months ago. This is a very helpful document. And unfortunately, it is also telling, as it highlights the structural shortcomings that are capable of undermining our shared foundations of the Council of Europe.

Freedom of opinion and freedom of assembly are currently being called into question on a massive scale in some Member States. Critical civil society is being vilified and intimidated, while the rights of minorities are being curtailed.

Critics and members of the opposition regularly face dubious charges in some countries. And because there is a lack of judicial independence, they cannot put their faith in a fair trial.

In some countries, democratic rules are still not properly respected, particularly in elections.

I am also very concerned because numerous Member States do not implement rulings by the European Court of Human Rights, or at any rate do not do so fully – and this has been the case for years. Many of the current problems would have been solved a long time ago if the rulings had been implemented properly, as laid down by Article 46 of the European Convention on Human Rights.

When I talk about the crises of our times, I also mean the conflict in Ukraine. Esteemed colleagues, who here could have imagined that a European country would see part of its territory being illegally annexed by another country at the start of the 21st century and that the question of war and peace would return to our continent in the Ukraine conflict?

We in the European Union and NATO have been resolute in our response to the annexation of Crimea and the conflict in eastern Ukraine that is being bolstered by military support from Russia. Germany took on the chairmanship of the OSCE in these turbulent times. In the Normandy format, we work together with France, Russia and Ukraine to bring about a political settlement to the crisis in eastern Ukraine as laid out in the Minsk Agreements.

The Council of Europe is not designed as a rapid deployment force for operational crisis management. But the Ukraine crisis in particular shows that it does not need to stand by helplessly in the light of rifts in Europe and that it has effective instruments at its disposal.

These instruments include the excellent Venice Commission, the European Committee for the Prevention of Torture and the European Commission against Racism and Intolerance. I would also like to pay tribute to Nils Muižnieks, Council of Europe Commissioner for Human Rights, for his outstanding work.

I thus very much welcome the fact that the Council of Europe is continuing to play an important role in Ukraine. The guidance provided by the Venice Commission has proved to be extremely important. The Council of Europe's Action Plan for Ukraine is helping to further democratic transformation in the country. I support the Secretary General's endeavours to obtain regular access to Crimea for the Council of Europe's monitoring bodies so that they can observe the human rights situation there. This does not only go for Crimea, but also for South Ossetia, Abkhazia, Transdniestria and Nagorno-Karabakh. When it comes to observing the human rights situation, we must not tolerate any blank spots on the map of our continent.

The Parliamentary Assembly has always been the place in the Council of Europe where political discussions about the most pressing issues of our time take place – especially in times of rising tensions and conflicts. Regarding Russia, I hope that through our endeavours

to bring about a peaceful solution to the conflict in Eastern Ukraine, we will reach a situation in the medium term that will allow Russian delegates to take part again in sessions of the Parliamentary Assembly and its work. Clearly, especially Russia has to do its part.

In a joint forum such as the Parliamentary Assembly of the Council of Europe it is not only important that there are common rules, but also that they are respected by all members. In this chamber in particular, a breach of the rules cannot be ignored. In the past, the Parliamentary Assembly reacted by suspending the rights of the Russian delegation. In my view, this also means that after the elections in Russia, we cannot accept members of parliament who were elected to the Duma for the illegally annexed Crimea as representatives of Russia here in this chamber. We should clarify this position together, and we will also reach an unambiguous decision on it in the European Union. Dialogue and parliamentary understanding are important – there is no doubt of that – but only when they remain loyal to the constitution of the Council of Europe, that is, its statutes, aims and values.

Ladies and gentlemen,

We were shocked and alarmed by the violent attempted coup in Turkey. Fortunately, it failed very quickly. But it was an outrageous attack against Turkey's constitutional institutions. Together with Turkey, we grieve for the victims. And we have tremendous respect for the Turkish civil society which stood up courageously to the attack against the constitution. It is not only legitimate but also necessary that Turkey is making intensive endeavours to investigate the attempted coup. But at the same time, as parliamentarians – and Turkish members of parliament have also asserted this view – we expect this investigation to be conducted in line with the rule of law and the principles of the Council of Europe.

This is why I very much welcome the fact that the Council of Europe has played – and needs to continue to play imperatively – a constructive role during this difficult situation in Turkey. Secretary General Jagland was among the first to go to Turkey, condemn the coup and at the same time establish lines of communication and offered assistance. I would also like to highlight the ad hoc visit by the European Committee for the Prevention of Torture. I also welcome the fact that Turkey accepted this offer to work together and that Foreign Minister Çavuşoğlu reiterated this here in his address to the Parliamentary Assembly yesterday. It is important, that the European Council can continue its work on and together with Turkey and that Turkey cooperates with the Council in keeping with its assurances.

Ladies and gentlemen,

As you can see, the Parliamentary Assembly plays an important role in these turbulent times and these times of upheaval. And if that is the case, this institution needs prudent and dedicated young parliamentarians. In times when international politics are more present and visible than they have been for many years, international parliamentary forums must actually attract the best and most promising young members of national parliaments. I myself was chairperson of a parliamentary group for four years, as my Social Democrat colleagues will recall. I supported young international parliamentarians at the time, and this topic is still important to me. Allow me to conclude with an appeal to you: look after our democracy's young generation of foreign policymakers, foster their development and make them aware of the work that is being done here – this crises-ridden world needs such young talent. And it needs precious institutions such as this assembly!