

COUNCIL OF EUROPE

Statement

by

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The Council of Europe welcomes this opportunity of addressing this year's Annual Security Review Conference which comes at an important moment both for Europe, with the recent enlargements of the European Union and NATO, and for the security environment in general, with the increasing level of threats and challenges to democratic societies.

The extension and consolidation of a single Europe based on democratic values, human rights and respect for the rule of law is a political imperative if we wish to avoid new fractures or dividing lines on a continent which is still trying to heal the wounds of yesteryear's military and ideological confrontations.

Last month the Committee of Ministers of the Council of Europe reiterated this strategic objective when it agreed the principle of a third summit of the Organisation's Heads of State or Government saying it would be crucial in determining the future role of the Council of Europe and its interaction with other institutions and organisations such as the European Union and the OSCE.

Although the Council of Europe is not a hard security organisation such as NATO and is not engaged in conflict management like the OSCE, since 1949 it has been an integral part of Europe's collective peace-building strategy to prevent the outbreak or recurrence of conflicts. Since then Heads of State and Government of the Organisation's member States have twice (in 1993 and 1997) endorsed the Council's role in promoting democratic security which is an essential ingredient for building peaceful and stable societies.

The Heads of State and Government specified the Organisation's contribution to this situation by the member states commitment "to pluralist and parliamentary democracy, the indivisibility and universality of human rights, the rule of law and a common cultural heritage enriched by its diversity". The Council of Europe's main values must be respected by all member States are not only enshrined in its Statute but also in almost 200 conventions and more than 1000 recommendations. The Council thus distinguishes itself from other organisations by the binding obligations that member States have entered into and by the collective model of co-operation in ensuring the compliance of member States with these obligations.

Many of these conventions are open to non-Member States of the Council of Europe but in any event they set deliverable and enforceable standards which often correspond to or go beyond the principles set out in OSCE documents which means that they can be used to underpin much of the OSCE's valuable work in the field.

The Council of Europe's core mission is the protection of human rights guaranteed by the 1950 European Convention on Human Rights (ECHR) and its unique control mechanism. A 14th Protocol to the Convention was opened for signature in May. It is intended to improve and speed up the execution of the Court's judgements.

The Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment supplements the protection available under the European Convention of Human Rights by establishing a European Committee for the Prevention of Torture which can pay spot visits to prisons, police stations and other places of detention.

To protect national minorities the Council of Europe has drawn up a Framework Convention for the Protection of National Minorities, the first ever legally binding multilateral instrument in this field. Over and beyond this, the OSCE and the CoE have developed strong co-operation in the area of minority protection. The Council of Europe works with ODIHR to improve the situation of Roma/Sinti in Europe.

Trafficking in human beings is of great concern to European citizens. The Council of Europe therefore welcomes the OSCE's Action on Plan and the appointment of a Special Representative to tackle this issue. The Council also attaches great importance to working with ODIHR in the fight against trafficking, in particular in providing legal assistance to the countries concerned. Furthermore, the Council is preparing a European Convention against trafficking in human beings geared to the protection of victims' rights and respect for human rights.

To combat corruption the Council of Europe has drawn up a series of conventions and established the "Group of States against Corruption – GRECO", with the United States as a full fledged participant, which aims at improving the capacity of its members to fight corruption by following up, through a process of mutual evaluation and peer pressure, compliance with their undertakings in this field.

As regards the fight against terrorism, on which the Conference focused yesterday, the Council of Europe has a threefold approach:

- ❖ The obligation to take appropriate measures to protect fundamental rights against terrorist attacks which is reflected in 11 multilateral conventions relevant to the fight against terrorism and organised crime, including the 1977 European Convention on the Suppression of Terrorism and more recently conventions to counter money laundering and cybercrime;

- ❖ The clear resolve to ensure that police, judicial and military action does not flout fundamental values. The purpose of anti-terrorist measures is to protect human rights and democracy, not to undermine them. That is why the Committee of Ministers has adopted a set of guidelines on human rights and anti-terrorism measures. Any specific measures taken must be reasonable and proportionate and must strike a proper balance between the obligation to provide protection against terrorist acts and the obligation to safeguard human rights;
- ❖ Addressing the root causes, both direct and indirect, of the different manifestations of terrorism. Among other things this involves increased intercultural and inter-religious dialogue to foster better mutual understanding, to reduce prejudice and to promote universal commitment to the same fundamental values. Drawing on its own activities and experiences in the priority fields of education and culture, the Council of Europe is developing a project on intercultural education for dialogue, involving religion and based on programmes such as education in democratic citizenship, languages, and history teaching which can readily be shared with the OSCE.

This year the Bulgarian Chair of the OSCE has worked hard on the prevention of racism, intolerance and antisemitism and the Council of Europe has been glad to make its contribution to those efforts to combat discrimination.

The Council is fully conscious of the need for improved and wider legislation in this field. This concern led to the adoption of Protocol 12 to the European Convention on Human Rights which provides for a general prohibition of discrimination.

As many of you certainly know, the principal Council of Europe body responsible for combating racism and intolerance is the European Commission against Racism and Intolerance (ECRI) whose Chairman attended the Berlin meeting.

The Council of Europe's capabilities in peace building and conflict prevention stem from its role as a platform for political dialogue and practical co-operation both at the intergovernmental, the inter-parliamentary, and the local government level and through involvement, on an institutional basis, of representatives from civil society.

The Council's work in the standard-setting field and its monitoring of compliance with those standards is another important element of prevention.

The Council of Europe's Commission for Democracy through Law ("Venice Commission") studies constitutional, legislative and administrative measures which serve to establish the basic principles of the Council of Europe. It deals in particular with constitutional justice and reform aimed at developing and consolidating democratic stability (federal structures, electoral laws), and the participation of persons belonging to minorities in public life. It provided up to now constitutional advice to the search for a

solution of the Transnistrian conflict and will continue to do so in the future. It co-operates closely with partner institutions including OSCE – ODIHR.

To enhance democratic stability through institution building and good governance the Council of Europe runs co-operation and assistance programmes which focus on democratic institution building, constitutional reform, harmonisation of legislation with European standards, reform of the judiciary, electoral reform, media legislation, minority rights and protection, training for law officers, development of local democracy and the promotion of civil society.

In view of the similarity of our objectives and of the issues covered both by us and, for instance, the OSCE we believe that mutually reinforcing co-ordination and co-operation are the keys for success of the international community's contribution to conflict prevention and peace-building.

The practice of Council of Europe relations with other international organisations and institutions on matters of common concern, and on conflict prevention in particular, has developed steadily over recent years and involves especially cooperation with the United Nations, the OSCE, and the EU as “partners in prevention” for the European region. Indeed the Norwegian Chair in Office of the Committee of Ministers attaches great importance to enhancing cooperation between the Council of Europe and the OSCE and has made it one of the priorities of its presidency.

Mr Chairman, to come back to what I said at the beginning, Europe is still trying to heal the wounds of its past. This means coming to terms with change. Each situation is different but first and foremost it means regaining dignity and self-respect through adherence to democracy, human rights and the rule of law which are the corner stone on which peace and prosperity are built.

However, to come to terms with the past, it is necessary that justice be done. That is why the Council of Europe is strongly committed to full cooperation by its member states with the International Criminal Tribunal for the former Yugoslavia in The Hague. That is why it is also equally committed to a Europe without dividing lines in which the last vestiges of totalitarian oppression will finally have vanished. That too is why the Council of Europe stands ready to cooperate with with the OSCE and with other like-minded organisations to contribute to the security of our continent.