



COUNCIL CONSEIL
OF EUROPE DE L'EUROPE

Statement

by

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Mr Moderator,

May I begin by thanking the Jordanian Authorities for their hospitality and the excellent organisation of this meeting.

One of the recurrent leitmotifs at this Seminar has been the insistence on key concepts such as respect for the rule of law, effective functioning of the judiciary, human rights and good governance.

I feel certain that most of you here know that promoting and implementing these concepts has been the Council of Europe's stock in trade for over fifty years and that, for instance, the writ of the European Human Rights Convention now extends to more than 800 million people in 45 countries.

While, of course, the focus of the Council's work on human rights issues is primarily for the benefit of its member countries it has had and is having an impact worldwide.

Two recent examples are the guidelines on human rights and terrorism drawn up in 2002 and the entry into force this year of Protocol N° 13 to the Convention on Human Rights outlawing the death penalty in all circumstances including crimes committed in times of war and imminent threat of war. At the outset these are European texts but their influence is already being felt in other parts of the world.

However my purpose today is not to catalogue activities which the Council of Europe is currently pursuing in the human rights field or for that matter in the area of cooperation with Mediterranean countries.

As far as this latter subject is concerned I will be circulating a recent document from the Committee of Ministers, which sets out on-going or up-coming activities and comments on recent proposals from the Parliamentary Assembly on cultural cooperation between the Council of Europe and the southern shore of the Mediterranean.

In order to give a practical follow-up to some aspects of the Aqaba Seminar, I would like to tell you something briefly about an offshoot of the Council of Europe called the European Commission for Democracy through Law or "Venice Commission", as it is known. This body has not only already cooperated successfully with the OSCE and ODIHR but it has also sparked off interest in other parts of the world.

The Venice Commission was set up in 1990 and soon made a name for itself by playing an important role in bringing basic laws in the countries of Central and Eastern Europe up to internationally recognised standards. The Commission has helped bring in new constitutions and laws on crucial matters such as constitutional courts, elections, minorities' rights, and democratic institutions both in Council of Europe countries and out of region, for instance in South Africa.

Today the Venice Commission groups all 45 Council of Europe countries and its President is Antonio La Pergola, a former Italian European Affairs Minister and a former MEP. Argentina, Canada, the Holy See, Israel, Japan, Mexico, the United States and Uruguay are Observers while South Africa has a special cooperation status.

The example of cooperation with South Africa opens up the prospect of regional bodies worldwide based on what has been done in Europe.

I do not intend going into all the details but it is interesting to note that with financial support from Switzerland and Norway the Commission is helping set up, in Southern Africa, a network of constitutional law experts and is assisting cooperation between constitutional or supreme courts in the region.

The success of the Commission in establishing itself is certainly in part due to the fact that it acts in a consultative rather than a dogmatic manner. It has pursued a flexible, non-prescriptive approach in dealing with draft legislation pointing to loose drafting as well as possible risks and possible incompatibilities with the body of constitutional law which Europe has built up.

The Venice Commission is made up of independent experts of international repute either through their experience in democratic institutions or through their contribution to the advancement of law or political science. This means they are primarily academics, supreme or constitutional court judges, members of parliament or senior public officials.

Anyway I would certainly not claim to be an expert on the Venice Commission and so my proposal to you would be that at some future meeting of the Mediterranean contact group in Vienna, either this year or next, the Director of the Venice Commission Secretariat could be invited to brief the Group and outline possible areas for individual or collective cooperation between the Venice Commission and one or more interested Mediterranean partners.

In a similar vein and with a view to identifying other areas in which the Council of Europe could cooperate with and support the OSCE in carrying forward the valuable work with its Mediterranean Partners would certainly commend to you the activities of the European Youth Centre which works with representatives of youth organisations and can include representatives from outside the European region.

Likewise, among the numerous NGOs enjoying consultative status with the Council of Europe there is a grouping of NGOs dealing specifically with North-South issues which could provide a framework for interaction between civil society in the countries situated on the shores of the Mediterranean.

These are modest proposals which would involve young people and representatives of civil society. However, as several speakers before me have already remarked they are vital components for the meaningful dialogue between European, OSCE and Mediterranean partners.

The Council of Europe's experience could be a valuable source of inspiration. Born from the horrors of World War II it adapted to the new challenges and opportunities which came with the fall of the Berlin wall. Today it stands ready to combat intolerance and prejudice to prevent what our Secretary General terms the clash of ignorance.

Thank you Mr Moderator.