



Statement

by

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at the

OSCE 2004 Human Dimension Implementation Meeting

WARSAW

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Mr Chairman, Excellencies,
Ladies and Gentlemen,

Human rights, democracy and the rule of law are values shared by the Council of Europe and the OSCE. They distinguish our region from most other parts of the world.

That is why consolidation of a single Europe based on democratic values is a political imperative to avoid new fractures or dividing lines across a continent which is still trying to heal the wounds of past military and ideological confrontations.

The Council of Europe therefore welcomes the opportunity to take part in the annual Human Dimension Implementation Meeting, here in Warsaw.

I bring you warm greetings from our new Secretary General, Terry Davis, who wishes you a successful and productive fortnight. Although he is unable to be here today his first visit to an international institution since taking office was, in fact, to ODIHR last week!

During the coming days some 14 colleagues from Strasbourg, at the latest count, will be coming here to take part in sessions relevant to their particular areas of expertise and the Council of Europe will also be running a side-event on national minorities tomorrow (Tuesday 5 October 2004), to which you are of course all cordially invited.

This considerable presence in Warsaw of course says much about the similarity of the mandates and, consequently, of much of the work carried out by both the Council of Europe and the OSCE, and ODIHR in particular. It, no doubt, also accounts for the perception that a number of Member and Participating States seem to share that our two organisations are duplicating each other's activities.

Now I used the word "perception" advisedly because, from where I stand, it is much more a question of "perception" than of "fact" and I, for one, do not share that perception.

Of course there are occasional examples of unmanaged overlap or differing viewpoints but they are very much the exception and certainly not the rule

On the contrary, every day, people from the Council of Europe and the OSCE and ODIHR are interacting positively and constructively in the many areas in which we cooperate including, elections, freedom of media, freedom of religion, Roma and Sinti, trafficking, minorities, to name but a few. Unfortunately, as so often happens, this is yet another case of where good news is no news and so it just goes by un-noticed.

To illustrate what I am saying let me quote 2 examples which have occurred in recent weeks. Well, firstly, ODIHR convened a meeting in Vienna on 3 September of agencies involved in action against racism, xenophobia, anti-semitism and intolerance which aims to capitalise on the added value of the different bodies involved.

Secondly, I would refer to the inter-institutional meeting on cooperation in the field of education for democratic citizenship convened by the Council of Europe to plan the European Year of citizenship through education in 2005.

In dealing with these matters we have to keep a sense of proportion so that our perception does not become distorted. That is why the Council of Europe warmly

welcomes the initiative launched by the Norwegian Chair of the Committee of Ministers in Vienna on 14 July to enhance cooperation between the Council of Europe and the OSCE.

Among ideas currently on the table figures a proposal for twice yearly meetings between the OSCE Troika and an equivalent number of Council of Europe Ambassadors to discuss cooperation and future plans of our respective organisations and to serve as a "review mechanism" to evaluate and help improve cooperation.

This would certainly help dispel the perception of duplication and would provide a regular opportunity for addressing risks of forum shopping which can occur due to the similarity of commitments of the two organisations.

The proposal has the added advantage of directly involving the Participating States in Vienna and the Member States in Strasbourg in enhanced political coordination.

Governments, as the major stakeholders in both the Council of Europe and the OSCE have every interest in public money being used to best advantage. On the principle of the old adage that he who pays the piper calls the tune, surely they are best placed to ensure properly managed overlap, to prevent perceived duplication, and to arbitrate in cases of conflicting competence.

Mr Chairman, there are many things which have occurred in the Council of Europe since the 2003 Human Dimension Implementation Meeting. My colleagues will certainly be telling you about them in the relevant working sessions and there is also documentation available outside this hall but I would like to highlight today some particularly important developments.

The European Court of Human Rights continues to be a victim of its own success. In 2003, for instance, some 38 000 new applications were lodged. This is more than twice as many as the 17,950 cases which were actually terminated over the same period.

It is against this background that in May of this year the Committee of Ministers opened for signature a new 14th Protocol to the European Human Rights Convention to reform some of the procedures.

The reform plan focuses on three main areas: preventing violations at national level and improving domestic remedies; making the filtering and processing of applications more efficient with, among other things the introduction of a new admissibility criterion; and, finally, improving and speeding up the execution of the Court's decisions.

In another move, based on Article 10 of the European Human Rights Convention on freedom of expression and information as well as on the jurisprudence of the Strasbourg Court, the Committee of Ministers adopted a Declaration on freedom of political debate in the media. The text reaffirms the right of the media to disseminate negative information and critical opinions concerning political figures and institutions.

In August, the Council of Europe was able to sign two agreements with UNMIK thus paving the way for the application in Kosovo of the Framework Convention for National Minorities and the Convention for the Prevention of Torture and Inhuman or Degrading

Treatment. Implementation of the anti-torture convention remains contingent on an agreement with NATO which is currently under consideration.

On the Finnish proposal to set up a European Roma and Travellers Forum the preparatory work is nearing completion and it is hoped that the first Plenary Assembly of the Forum could be organised in late 2004.

On the terrorism front, the Council of Europe has been mandated to elaborate legal instruments to fill existing gaps in international law. We are also continuing to work on additional aspects to be covered by the Guidelines on Human Rights and the fight against terrorism.

All this and much else provides the backdrop to the Council of Europe Summit on 16 and 17 May to be hosted in this city by Poland which will take over the Chairmanship of the Committee of Ministers in November.

The Summit is expected to adopt a new Council of Europe mission statement reflecting its statutory objective to achieve greater unity among its Member States, based on the core commitment to democracy, human rights and the rule of law, as well as to social cohesion, education and culture as enabling factors for their development.

It will also certainly aim to develop complementarity and synergy with other international and European institutions and organisations including the OSCE and ODIHR.

As I said at the outset, human rights, democracy and the rule of law are the values which distinguish our area from many other parts of the world and which have given freedom to many across our continent.

However, as Wendell Wilkie, a former American presidential candidate who died 60 years ago this month once put it: "Freedom is an indivisible word. If we want to enjoy it, and fight for it, we must be prepared to extend it to everyone, whether they are rich or poor, whether they agree with us or not, no matter what their race or the colour of their skin."

That, Mr Chairman, is why we are meeting here. That is the challenge facing us all. Thank you for your attention.