

**Provisional edition**

Monday 30 September 2019, morning

## Official report of debates

### Sitting No.28

#### Opening of the part-session

#### Statement by the President

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Ladies and gentlemen,

I declare open the Fourth Part-Session of the 2019 Ordinary Session of the Parliamentary Assembly of the Council of Europe.

My dear colleagues,

This part-session will be the culmination of the 70th anniversary celebrations of the Council of Europe. Tomorrow, Tuesday 1 October, we will celebrate, at the Strasbourg Opera, the achievements of the Council of Europe. We are all honored to receive, on this occasion, the President of the French Republic, Emmanuel Macron, who will first address the Parliamentary Assembly before the commemoration ceremony.

In this context, it is particularly important for me to recall that, during these seventy years, our Assembly has been an unique forum for many political figures, including leaders and heads of state and government, to express their ideas about the present and their vision on the future of European architecture.

These visionary declarations guided our action and allowed the Council of Europe and our Assembly to play a leading role in the process of European unification, the construction of our common house which today houses 47 Member States.

This common house belongs to us all. As members of the Assembly, representing the citizens of Europe, our responsibility to keep it in order is all the more important.

We must tirelessly strengthen the foundations of this building, by launching innovative ideas and by inspiring the development of new conventions, as we did for example with the Istanbul Convention, which was signed at that time by almost all Council of Europe member states.

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In this report:

1. Speeches in English, French, German and Italian are reported in full in English.
2. Speeches in other languages are summarised from the interpretation and indicated by an asterisk (\*).
3. Speeches in German and Italian are available in full on the Assembly's website.
4. The text of the amendments is available at the document centre and on the Assembly's website. Only oral amendments or oral sub-amendments are reproduced in the report of debates.
5. Corrections should be handed in at Room 1081 not later than 24 hours after the report has been published.

Whenever the values of democracy, Human Rights and the Rule of Law are called into question, we must react and find the courage to take firm positions without hesitation, to denounce anti-democratic drifts and Human Rights violations.

But even in the most serious crisis situations, we must never close the door to dialogue. Because when we live under the same roof, it is necessary to talk to each other to better understand each other, to listen to each other and to exchange, to find solutions that are always aimed at a better protection of all people living on the European continent.

My dear colleagues,

As you know, the next part-session of January 2020 will see the election of one of our members to the presidency of our Assembly. This is thus the last time that I am addressing you at the beginning of the part-session and I would like to take this opportunity to share with you some reflections on our work, seen from the privileged position that I occupy, thanks to the confidence that you testified to me by electing me to the presidency.

If I recalled, just now, the importance of the Parliamentary Assembly as a forum for dialogue, it is because it is one of our essential tasks, one of our fundamental responsibilities.

It is not by chance, as for decoration, that the Statute of the Council of Europe provides among its two statutory organs, besides the representatives of the governments, a Parliamentary Assembly which brings together members of the 47 national parliaments who –even if their voice is mostly consultative– have the responsibility to meet and talk to each other in order to find answers and solutions to the problems they are facing.

This is why the Parliamentary Assembly is one of the two statutory organs of the Council of Europe.

By joining the Council of Europe, by living in our common home, our 47 Member States have agreed to participate fully in all our activities in a constructive way. This participation is neither optional nor facultative. It's just part of our basic obligations.

On the other hand, if we all made the effort to carry out this necessary dialogue in a constructive way, without trial of intent and with the sole aim of finding solutions, we would not only be more efficient in our work –and therefore closer to these solutions that we seek– but also more available to deal with all the problems we face, to respond to too many violations of democracy and the Rule of Law, too many violations of Human Rights we are unfortunately experiencing without reacting, for lack of time.

In recent years, we have devoted a lot of energy to solving our internal problems –the fight against corruption, the introduction of a procedure of termination of a leading function, differences between the statutory bodies, in particular– and even if these problems were serious enough to require answers as quickly as possible, it must be acknowledged that they also prevented us from dealing with other issues with the speed and efficiency they would have required.

Only a constructive dialogue between all of us and an unwavering willingness to consider all issues, all problems, without focusing on a single issue, will allow us to properly fulfill our role as guardians of democracy and Human Rights defenders!

A space for dialogue and even better, a wider pan-European platform for dialogue, this is the role of the Parliamentary Assembly and I count on you all to work actively in the years to come.

Ladies and gentlemen,

I come now to our political news.

If I had to identify a lesson from the crisis that our organization has just been through, I would again, without hesitation, mention the importance of dialogue and cooperation.

Indeed, faced with an unprecedented situation, we have lived up to our responsibilities.

The reinforced political dialogue between the Assembly and the Committee of Ministers has thus made it possible to find a way to preserve the unique and pan-European nature of our organization and the system of the European Convention on Human Rights. The importance of our decisions for the protection of the 830 million people living in Europe cannot be underestimated.

Nevertheless, we are aware that, even if our decisions were taken by a clear majority, both at the level of the Assembly and of the Committee of Ministers, these decisions are not unanimous.

As President of the Assembly, it is my duty to be attentive to all the voices, including the critical voices of the members who have expressed to me in particular their disappointment or a certain loss of confidence in the Parliamentary Assembly.

Even if I do not share these feelings, I can understand their causes. It is up to me, therefore, to do my utmost to allay the fears that some of our members have expressed.

In this context, I would like to highlight three important aspects.

Firstly, the decisions taken in Helsinki and Strasbourg should not be seen as the "victory" of one side or the "defeat" of another. The Council of Europe is not a place of "geopolitical battles" but a mechanism for the Human Rights of 830 million Europeans. Our decisions aim to best defend their rights and fundamental freedoms.

Secondly, the fact that the delegation of the Russian Parliament has resumed its place in our Assembly again opens the possibility for our Assembly to work with the Russian Parliament. We can now focus on topics of common interest, but also on issues that rightly concern us. We are all well aware of the origins of the crisis and our positions on this issue remain unchanged. We will continue to follow this issue in open and frank dialogue with our Russian colleagues. I note with satisfaction some progress in this area, including the release of a number of Ukrainian nationals detained in Russia. We must therefore continue to work together to achieve the full implementation of all the points of the recently adopted Resolution, as well as those contained in other relevant Assembly resolutions.

Thirdly, the dialogue and cooperation with the Ukrainian delegation is particularly important for me and for all of us because, as a Member State of our organization, Ukraine is able to benefit from our full support. It can count on our unequivocal commitment to international law and the standards we have.

In this context, I regret that the Parliament of Ukraine has not transmitted the credentials of its new delegation in time for the opening of this part-session. I hope that this will be done very soon, within the deadlines set by our Rules of Procedure. I therefore intend to engage as soon as possible with the new Ukrainian delegation and the President of the Verkhovna Rada, a dialogue that will ensure that the legitimate positions and fears of the Ukrainian delegation are fully taken into account.

My dear colleagues,

The work on the new complementary procedure between the Committee of Ministers and the Parliamentary Assembly in the event of a Member State's failure to fulfill its statutory obligations is now entering a new phase.

The intensified dialogue between the Presidential Committee and the Bureau of the Ministers' Deputies, in the presence of the Secretary General and the previous Secretary General, made it possible to identify the main lines that the future procedure could follow. Now comes the time for consultations with representatives of all Member States. At the level of the Assembly, an initial consultation will be held tomorrow, with the participation of the presidents of all national delegations. We will then continue our discussions between the Presidential Committee and the Bureau of the Ministers' Deputies and in the framework of the Joint Committee this Thursday.

I would like to take this opportunity to underline here the role of the French Chairmanship of the Committee of Ministers and the personal commitment of Ms Amélie de Montchalin, Secretary of State to the Minister of Europe and Foreign Affairs, in charge of European Affairs, representing the French Chairmanship of the Committee of Ministers. This afternoon we will have the opportunity to continue our dialogue with Ms de Montchalin as part of her Communication to the Assembly and I am delighted.

The Secretary General of the Council of Europe, Ms Marija PEJČINOVIĆ-BURIĆ, also has a very important role to play in this process. We are therefore looking forward to welcoming him to our hemicycle on Wednesday for a first statement to the Assembly followed by a series of statements by members of the Assembly. I count on you all for a constructive and fruitful exchange of views.

Ladies and gentlemen,

My dear colleagues,

I would like to end my speech by mentioning a common project that many of you have been involved in: the #NotInMyParliament initiative. The success of this project is particularly close to my heart, as you know, since it allows us, by acting against the scourge of sexism, to advance equality between women and men in our Assembly. And I am very happy to see that we have come a long way together!

I would like to thank all the parliamentarians who supported this initiative by disseminating information, mobilizing their colleagues in national parliaments and promoting this initiative through various means.

I would also like to welcome the various actions taken by the parliaments of our Member States to combat sexism, harassment and violence against women, for example, to name just a few, in Austria, in France, in Iceland or even in the United Kingdom. I am sure that significant actions have also been taken in many other parliaments, which deserve to be shared and highlighted.

In this regard, allow me to draw your attention to the fact that the Inter-Parliamentary Union is finalizing a compendium of good practices in this field, which will be presented on 16 October 2019 in Belgrade at its next plenary session. I will personally participate in this debate in order to highlight the contribution of our Assembly.

So I'm counting on you all again this week to continue to show your support for the fight against sexism and harassment in parliaments and I encourage you to visit the photo booth with the visual #NotInMyParlement installed in the lobby of the hemicycle. Together, we have already accomplished a lot, but I am convinced that we can do even more. The support of each and every one of you is important to make a difference.

Ladies and gentlemen,

I must finish my speech on a sad and solemn note. I would like, in this Chamber, to pay tribute to Jacques Chirac, former President of the French Republic, who died last Thursday.

Jacques Chirac came to the Council of Europe twice, in 1987 as prime minister and in 1997 as head of state. Addressing our Assembly, which he described as a "parliamentary democracies forum", he highlighted "the main responsibility [of the Council of Europe] to contribute to the safeguarding and deepening of the European democratic area".

For him, the construction of Europe was an "essential factor of peace between nations, an obvious vector of prosperity, [and] an indispensable condition [...] to allow our old and dear continent to find the place it deserves on the scene to preserve its cultural and historical values, and to exert an increasing influence on the decisions that engage its future, but also to serve as an example of humanism to the whole world, which is its vocation".

Today, I think we can say that the Council of Europe has been able to live up to this vision.

Our continued commitment to the values of peace, unity and human dignity is, in my opinion, the best way to honor Jacques Chirac's memory, as well as the memory of the women and men who inspired the process of European construction.

To make this tribute visible, I invite you already and everyone to gather in the Chamber, this afternoon at 3 p.m., observing, at the same time as everywhere in France, a minute of silence to the memory of Jacques Chirac.

Thank you for your attention.

**Mr Petr TOLSTOI (Russian Federation, NR)\*:** Thank you very much Madame President, Members of the Assembly.

It seems to me that the proposed debate in light of the fact that on regular occasions there are meetings in Moscow -- one of them was held yesterday -- and the authorities allow for all such meetings by the opposition to take place. What happened during the summer has already been dealt with by the Court. Those who had been detained have now been released. For those reasons, it seems to me that having such a debate at the present time seems a bit artificial. Thank you.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Thank you.

Does anyone wish to defend the Bureau proposal? Maybe a representative of the ALDE group who made the proposal?

Apparently not.

We will now vote on the Bureau proposal to hold this current affairs debate on the "Violation of democratic rights and repression of peaceful demonstrations in the Russian Federation, in the context of the elections to the Moscow City Council".

I remind you that this decision requires a simple majority of the votes cast to be accepted.

Those who wish to hold the current affairs debate, vote 'yes'.

Those who do not, vote 'no'.

The vote is open.

The vote is closed. I call for the result to be displayed.

The proposal to hold this current affairs debate was adopted by 77 votes in favour and 33 against, with 12 abstentions. The debate will, therefore, take place. It is proposed for Thursday afternoon, 3 October, at 3:30 pm, and we propose that Mr. Martin POLIAČIK be the first speaker on the list of speakers.

That brings us to the adoption of the agenda for this part-session. This draft agenda was prepared by the Bureau at a meeting on 3 September and this morning, and it has been distributed.

I remind you that we have just agreed to hold an urgent debate on "Saving lives in the Mediterranean and the need for a quick response" and a current affairs debate on "Violation of democratic rights and repression of peaceful demonstrations in the Russian Federation, in the context of the elections to the Moscow City Council". As I have already indicated, it is proposed that the emergency debate be held on Thursday, 3 October, at 10 o'clock in the morning, and the current affairs debate be held on the same day, in the afternoon, at 3:30 pm.

The draft agenda, as amended, has been agreed.

The next item on the agenda is the presentation by Ms Nicole TRISSE of the activity report of the Bureau and the Standing Committee. We will have to interrupt the examination of this text at 12.30 pm in order to proceed with the presentation of the Václav Havel Human Rights Prize, but we will continue the examination of the activity report this afternoon at 4 pm after the communication from the Committee of Ministers.

I remind you that the speaking time of speakers is limited to 3 minutes.

I give the floor to Ms Nicole TRISSE to present the activity report of the Bureau and Standing Committee. As you know, Madam Rapporteur, you have a total of 13 minutes, which you can divide at your convenience between the presentation of the report and the response to the speakers.

You now have the floor.

## **Debate: Progress report of the Bureau and the Standing Committee**

**Ms Nicole TRISSE (France, ALDE, Rapporteure):** Thank you Madam President.

Madam Secretary General,

Dear colleagues,

Allow me first of all to congratulate you, Madam Secretary General of the Council of Europe, on your new functions. I was able to appreciate, during your campaign, the extent of your qualities and I have no doubt that you will be a worthy successor of Catherine Lalumière, whom you view as your logical predecessor.

Ladies and gentlemen, I am doubly pleased to be here today. And I take this opportunity to thank, in passing, the ALDE group, who supported my nomination.

Doubly happy, because, for the first time, I am presenting the activity report of our Bureau, which I have been a part of for two years now. And I know how important this exercise of transparency is for the Parliamentary Assembly.

I am also very honoured to speak here today because my country currently holds the presidency of the Committee of Ministers.

Of the four Bureau activity reports presented each year, the fall session is usually one of the least detailed. The reason is that the Bureau meets only once between June and October.

However, the June session was intense in events and emotions, and I'm going to talk about the latest advances in our organization since this last session.

Our Bureau met on September 3rd in Bern. I would like to take this opportunity to thank our President, Ms Liliane Maury-Pasquier, for having the great idea of meeting at their Parliament rather than in Paris. It was an excellent initiative, and a very thorough meeting, given the themes addressed.

Formally, in Berne, the Bureau took a stand on four specific issues, which deserve a particular mention today:

- First of all, the dissolution of the Free Democrats group, in accordance with the new regulatory requirements adopted in spring for the formation of political groups. This dissolution took effect on June 30th. As you know, now, to form a political group, you need at least 28 members from eight different delegations. As for the group of Free Democrats, they were 22 members from six delegations. These representatives, our colleagues from the former Free Democrats, are therefore not registered. And you must know that, at present, we have more than 120 non registered members in this Parliamentary Assembly, which is an unprecedented figure.

- The second point is the declassification of the activity report on the monitoring of the conclusions and recommendations of the Independent Investigation Group on presumptions of corruption in the Parliamentary Assembly, which was set up in 2017 following allegations of corruption concerning members and former members of PACE. This document is online on the PACE web page and I invite you to consult it. For your information, in the light of this inquiry, it should be noted that the Settlement Commission ruled on the case of eight members and 17 former members of the Assembly, who were mentioned in the group's report. The Commission has worked very hard ever since to avoid such situations in the future.

- Third point, the formalization of the three nominations for the Václav Havel Human Rights Prize. As you know, this important distinction rewards outstanding actions from civil society in the defence of human rights in Europe and beyond. The 2019 prize will be awarded at the end of this ceremony to its winner. I believe we can only welcome collectively the impact of this event, which was established by President Jean-Claude Mignon, and which keeps its full meaning today within our Assembly.

- Finally, the withdrawal of the invitation of the former Ukrainian parliamentary authorities to observe the early parliamentary elections in July. On this last point, it should be mentioned that the decision not to allow the visit of an electoral observing mission only concerned the members of our Parliamentary Assembly. The OSCE Parliamentary Assembly, for its part, was able to visit Ukraine and observed the satisfactory progress of the latest election.

It is regrettable that the PACE has not been able to exercise its expertise in this area, even though it has been supporting Ukraine for a long time on its path to democracy, and our Assembly has given its undeniable support to the sovereignty and the territorial integrity of Ukraine, within its internationally recognized borders. As you said yourself, Madam President, in your introductory remarks, several of our resolutions have unequivocally condemned the military aggression against Ukraine and the annexation of Crimea, which is, it is true, a clear violation of international law. And that is why I deeply regret the decision of this new Ukrainian delegation, for PACE not to present its credentials at this October session.

The position of the Ukrainian authorities obviously followed the intense debates of our Assembly last June, on the return of the delegation of the Russian Federation to the Parliament. I will not repeat the debate today. I will merely observe that, following the difficult but courageous decisions that our Assembly had to take at the last summer session, positive developments have taken place.

In June, although many colleagues wanted to be constructive in their position, there were nonetheless fears about the consequences of this expression of goodwill. From this point of view, the last two months have brought a rather encouraging response, in my opinion.

On the initiative of the French presidency and our Bureau, the work to formalize the joint procedure for the bodies of the Council of Europe regarding the Member States that do not respect their obligations has begun. A first document was submitted for consultation in July and will be discussed this week by the Joint Committee. The Chairmanship of the Committee of Ministers wants the procedure to be defined by January 2020, which underlines an obvious desire to reach a rapid conclusion. I have no doubt that the discussions in which we will participate will be rich and fruitful. In any case, it is necessary not to fall back into situations similar to those we have recently experienced.

At the same time, while some had their doubts, the Russian Federation has begun to pay its Member State contributions, which will allow us to move away from the spectre of a serious financial crisis in the Council of Europe. Which will finally be able to devote itself to the missions of serving our fellow citizens and their fundamental rights.

Similarly, in the field of Russian-Ukrainian litigation, progress has also been made. On September 7th, some 70 prisoners were exchanged between the Russian Federation and Ukraine. Among them, was Oleg Sentsov and the 24 Ukrainian sailors detained since the incidents in the Straits of Kerch, for which we all collectively protested. Both the Ukrainian President and the Russian President described this event as a "first step". How can we therefore not experience certain hope, given this beginning of a return to dialogue?

And then, as a concrete consequence of the return of the Russian Federation to the Council of Europe, our colleague Frank Schwabe, who is preparing a report on the restoration of human rights and the rule of law in the North Caucasus region, very recently was able to make an information visit to Moscow and Grozny, from the 18th to the 20th of September, I believe. On this occasion, he met with representatives of the authorities of both localities, as well as representatives of civil society.

For my part, true to the optimism that characterizes me, I want to believe that a new dynamic has begun. Moreover, a new meeting of heads of state in the "Normandy" format now seems possible, which reinforces this feeling of progress even more.

Of course, other gestures and advances are still needed. The Council of Europe's bodies, especially the Human Rights Defender, must be able to fully work in Russia. Similarly, the judgments of the European Court of Human Rights must be fully applied.

For all that, let us measure the progress made since the beginning of this year. As we celebrate this week the 70th anniversary of the Council of Europe, the European family, as we say - even if there are still differences and disagreements - still stands together, in a way very few of us would have expected last January. Certainly, there are still challenges to overcome, obstacles to overcome. But, with goodwill, I am certain that we can achieve this collectively.

In any case, all these elements, combined with the taking of office of a new Secretary General and the joint celebration of the founding act of the Council of Europe, make me believe in a better future for our Organization and for our Assembly.

Thank you for your attention.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Thank you, Madam Rapporteur.

You will have 4 minutes of speaking time to respond to the interventions of the various speakers.

In the general debate, I give the floor to Mr Nemeth on behalf of the EPP Group.

**Mr Zsolt NÉMETH (Hungary, EPP/CD, Spokesperson for the group):** Thank you, Madame President.

Dear colleagues, in the name of the European People's Party I would like to welcome our new Secretary General Ms Marija PEJČINOVIĆ-BURIĆ among us. Congratulations on your election. We find it a very interesting and telling coincidence that we are celebrating our 70th anniversary and the beginning of your mandate. We would like to congratulate you because we feel it is very important that the European People's Party renewed Christian democracy has a louder voice in this Assembly. The EPP is proud of you. I believe that your tandem with the President of the Assembly, coming from another political family, will enable you to perform a unique and successful tandem.

We are also glad that we have got a lady in this position again, as it was said by Ms Nicole TRISSE. I agree with her that you sit in the chair of Catherine Lalumière. We all remember Catherine Lalumière because she was the person who played a very important role in bringing Eastern and Central European countries into the Parliamentary Assembly and into the Council of Europe in general. And we currently feel a momentum in Europe when enlargement may again restart. Western Balkan countries are turning their eyes towards Brussels and Strasbourg, and our eastern partners are also trying to get on the train of European integration again. There are positive signs, as it has been said just before, that it might be a realistic hope. There is momentum. I believe we need to grab this opportunity, and Ms Marija PEJČINOVIĆ-BURIĆ will be a kind of Catherine Lalumière of our times.

Finally, we are also glad that you come from Eastern and Central Europe. We are experiencing a big divide between the Eastern and the Western parts of Europe. We have different histories and different memories. To bridge over these differences is vitally important for the future of Europe, the Council of Europe and the European Union. We wish you a successful service. Thank you very much for your attention.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Mr SHENNACH has the floor on behalf of the Socialists, Democrats and Greens Group.

**Mr Stefan SCHENNACH (Austria, SOC, Spokesperson for the group):** Dear Madam President,

On behalf of the Socialists and the Greens, I would like to warmly welcome Ms Marija Pejčinović Burić -- an old colleague here among us -- as she takes over as Secretary-General and to underline the words of my predecessor. You are certainly the right woman, at the right time. This is an important thing to handle in the time of Ms Trisse's progress report.

I would like to underline the words of our President of the Assembly, but also the words of the rapporteur on the active role of France in the Presidency here; this is impressive. In particular, and I have already told her personally, Madame de Montchalin impressed me greatly in every way, as she brings something further. What was already mentioned by Ms Trisse, at this time the financial crisis has been averted due to the payment of the outstanding contributions of the Russian Federation. It is not all there yet, but much of it. This is important, and I am glad that the presidential committee has decided to go to Ukraine and have confidence-building talks with colleagues and decision-makers in Ukraine.

However, it should also be noted, and Ms Trisse has reported that the outreach of the ad hoc commission on election observation is not in line with our legal bases. A state under monitoring cannot do that. There have also been elections during this time that have worried us a bit -- and I am glad that there is a debate on this today too. It was the local elections in Russia, especially in Moscow.

But what worried us a lot is the situation in the UK. How can a prime minister eliminate a parliament? And in the oldest democracy in Europe? That's impossible, and you often see that the courts are functioning and reversing a lawless act that has happened here.

In this sense, many thanks for this progress report, Nicole Trisse. We will have you here again this week with a report here, right here. And I very much hope that Ukraine will soon be back in business.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Thank you.

Ms GILLAN has the floor for the European Conservatives.

**Dame Cheryl GILLAN (United Kingdom, EC, Spokesperson for the group):** Madame President, dear Colleagues,

Thank you Madame presidente. First of all I would like to extend warm words of welcome to our Secretary General and wish her well in her new role. And can I also thank Ms Nicole TRISSE for her excellent report and wish her and the French Delegation good luck with this important week ahead of us.

I have been following developments carefully. The European Conservatives have strongly opposed the changes in our Rules of Procedure in order to take the sanction system out of it. We were repeatedly reassured that swift action would be taken and a joint sanction system with the Committee of Ministers would replace it and would even strengthen the hand of the Assembly. This was based on the Helsinki Ministerial Declaration. Now that PACE has *de facto* given up its powers, the Committee of Ministers appears not to have made much progress and is still talking about principles. Even the mechanism to start or stop a procedure has not been agreed. Clearly such a procedure cannot be handled by consensus in the Committee of Ministers as such a procedure would result in handing insurance to serial offenders preventing the Council of Europe from imposing any sanctions upon a transgressing country and potentially allowing even the gravest Human Rights violations to go unpunished.

Since that crucial vote in June we have seen in some of our Member States freedom of assembly being denied, and lengthy prison sentences for those who democratically try to oppose their government. I need to say no more.

Almost to the day 70 years ago Sir Winston Churchill spoke the following words in front of our predecessors:

“Great is the danger which now threatens us, but great also is our strength and there is no reason for us not to succeed in achieving our goal and laying the foundation of a united Europe. A Europe whose moral design will win the respect and acknowledgement of all humanity, and whose physical strength will be such that no person will dare to disturb it as it marches peacefully towards the future.”

With so much ongoing disrespect for the Rule of Law and the denial of basic Human Rights in some of our Member States, can we honestly say that this Parliamentary Assembly is still the moral compass of a united Europe? Do we still show the same sense of resolve? The European Conservatives say we must be that moral compass and we must maintain our steadfast resolve.

Mr. Churchill spoke about a united Europe and I would like to use this opportunity, as a proud member of the British Parliament, to briefly elaborate on the situation in the United Kingdom as I know this generates great interest and curiosity. The United Kingdom Government supports the idea of a united Europe which is however not the same as a United States of Europe. We are leaving the European Union, we are not leaving Europe. We are also not leaving the Council of Europe which has in fact become even more important to us. We would wish in the EC to see the Council of Europe grow in strength and continue to send its strong message on the Rule of Law and the unacceptability of the violation of Human Rights.

The United Kingdom, which has remained steadfast to the rule of law for 800 years, remains firm in that commitment, and of course our Parliament is now sitting.

My country and the European Union face challenging months ahead but we remain a firm friend to all our neighbours as exemplified in the wider Europe represented here in the Council of Europe.

We remain true to Churchill's vision and are committed to keep Europe united around the values that bind us. We strongly hope that you will all stay committed alongside all of us.

Thank you.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Thank you.

I give the floor to Mr MAIRE for the group of Liberals and Democrats.

**Mr Jacques MAIRE (France, ALDE, Spokesperson for the group):** Madame President,

I thank Nicole Trisse for the quality of her presentation and also the report from the Alliance of Liberals and Democrats for Europe. One of the most important parts of your report is that we are gradually coming out of a difficult period step by step. The debates in this assembly were frozen because, I would say, the Russian situation was not evolving. We experienced a major crisis in the institution and, after the difficult decisions we made in June, we gradually see the elements of a new situation.

I will not dwell on the budget situation, although I have a message for the new Secretary General, whom I congratulate: just because we are gradually returning to normal, it doesn't mean that we have to abandon the reflections on the necessary management reforms, in order to make the best use of our resources and also to make the organization less dependent on external budgetary pressures. I want to come back to an important part of the report, which is the consequences of Russia's return to our organization.

This return, as you have said, was marked by fears. The fear of a retreat of the Council of Europe in its role of defending our values, the rule of law and Human Rights. However, when I look at your report, what has happened in the past three months shows some encouraging signs that our organization is willing and committed to this challenge. I speak of course about the mission mentioned by our colleague Frank Schwabe, who makes a fact-finding visit to the North Caucasus and Russia. I will also highlight the exchange of prisoners between Russia and Ukraine, including the Ukrainian sailors and Oleg Sentsov. Lastly, I see the vote we had a few moments ago as an important sign, as we have put on the agenda of the Alliance of Liberals and Democrats for Europe group's initiative a current affairs debate on the violation of democratic rights and the repression of peaceful demonstrations in Moscow.

These first steps should definitely be followed by other ones. I am thinking, in particular, about the visit of the Commissioner for Human Rights to Crimea and the high level peace talks.

You have underlined, dear colleague, Mr Stefan Schennach, the commitment of the French authorities in this matter. I think we will have the confirmation today and tomorrow that this commitment will not falter. Last but not least, our group is very committed to the speedy implementation of the new procedure for Member States

that do not respect their statutory obligations. This is a very important step for us and we really hope that it will come into effect in 2020. We naturally trust Madam President, as well as the French Presidency and the future Georgian presidency, to speed up the work on these matters.

Thank you.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Thank you.

I call Mr NICOLINI, for the Group of the European United Left.

**Mr Marco NICOLINI (San Marino, UEL, Spokesperson for the group):** Thank you Madame Chair.

In the first week of July, I went to Kiev for a pre-electoral monitoring mission of the political elections in Ukraine a few days after the summer session of Council of Europe, during which the Russian Federation was readmitted into the Assembly. As you can imagine, this was not a good prerequisite to the success of our mission. Most of the meetings held were deserted by journalists, politicians of all parties and wings, NGOs and central electoral committees. In general, and being euphemistic, the atmosphere was not so friendly. Our meeting with the new Ukrainian President Volodymyr Zelensky was cancelled. In those days, we heard that he went to Canada -- a nation that has strong relations with Ukraine. At a certain point in the mission when the tension towards us was concrete, a letter was circulated by the spokesman of the Ukrainian Parliament warning us of the cancellation of the mission. We went to every appointment and we finished our job. Then, finally, the letter arrived and our vision was over.

I took a day off before flying back to visit the country's northern cities and then Kiev. Ukraine is at the moment the poorest country of Europe. 100 000 young people leave the country every year. I'm not an economist. I'm not a politician of great experience, but even a simple observer, as I am, can say that the people I met need social justice, a spread of prosperity. In fact, they need peace.

When I was back in my home country, the Republic of San Marino, I spoke to my Parliament about my mission, introducing the topics with some words about Flight MH17, destroyed by somebody with 298 people on board. There's a long list of innocent people who are paying with their lives for this absurd war. This is my last session here in Strasbourg. I strongly believe in the Council of Europe. I've been monitoring the Balkans and have had such a good experience. I'd like to close my last speech in this hemicycle as a normal citizen, as a politician, as a father, asking for something that will never be out of fashion: peace.

Thank you very much.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Mr NICOLINI,

Madam rapporteur,

You have the opportunity to respond now or at the end of the debate, but I imagine you prefer to do it at the end of the debate. In the light of the passage of time, finally, I think it is a good idea to suspend the examination of this activity report and proceed to the Václav Havel Awards Ceremony, since the debate on the report will resume this afternoon at 4 pm, following the communication from the Committee of Ministers.

Thank you.

## **Prize Award Ceremony**

### **Václav Havel Human Rights Prize**

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Ladies and gentlemen,

I have the honor to open the award ceremony of the Václav Havel Human Rights Award 2019.

And I invite you first to watch a short video that traces the origins of the Prize.

[...]

Madame Secretary General,

Madame Deputy Secretary General,

Mr President of the Court,

Madam Commissioner for Human Rights,

Dear colleagues, dear short-listed candidates, dear members of the Jury, ladies and gentlemen,

The Václav Havel Human Rights Prize, which we will award in a moment, will have a very special meaning for me, as well as –I'm sure– for all of us present here.

Indeed, this year we are celebrating the 70th anniversary of the Council of Europe.

We pay tribute to 70 years of sustained efforts and struggles for freedom, dignity, the Rule of Law and social justice on our continent.

More importantly, what we are celebrating today is 70 years of concrete, courageous and determined action by women and men campaigning for Human Rights every day.

Indeed, in addition to being an ideal to which we aspire or a legal conception that we all share, Human Rights have a human face, they incarnate.

This face is that of those whose rights are violated or who are in a situation of great vulnerability. But it is also the face of those who come to their aid, using our assets and tools, to defend the rights and freedoms that are ours: Human Rights defenders, journalists, activists and civil society activists, ordinary women and men who decide to oppose injustice, to protest abuse of power, or simply to help those in need.

Ladies and gentlemen,

The three shortlisted nominations for the 2019 Award are all up to this image.

Mr Ilham Tohti is a renowned Uyghur intellectual in China. He has been working for more than 20 years to improve the situation of the Uyghur minority and to promote interethnic dialogue and understanding in China. In September 2014, he was sentenced to life imprisonment. He is currently in prison. Mr Tohti is represented today by Mr Enver Can, director of the Tohti Foundation.

Mr Buzurgmehr Yorov is a Human Rights lawyer in Tajikistan who has been persecuted for almost 20 years because of his political convictions and activism. He has publicly denounced the government and the police for their Human Rights violations on numerous occasions. Mr Yorov has also been in prison since 2015, sentenced to 28 years. Mr Yorov is represented today by Mr Jamshad Yorov, his brother.

The Youth Initiative for Human Rights was established in 2003. It promotes reconciliation by connecting young people in the countries of South-East Europe with different ethnic groups, regions and countries, to strengthen their participation in the transitional justice process, to work together for Human Rights and to create conditions that will prevent the resurgence of the ethnic conflict that devastated the region for so many years. The Youth Initiative for Human Rights is represented today by Mr Ivan Djuric, Program Director of the Initiative.

Ladies and Gentlemen,

I now have the great honour to announce the winner.

This year, the jury of the Václav Havel Human Rights Prize decided to award the prize to two winners, Mr Ilham Tohti and the Youth Initiative for Human Rights.

I would most sincerely like to congratulate the winners, regretting that Mr Tohti cannot be here with us today. It is always difficult to make a choice when before us stand personalities and organisations with exceptional backgrounds, but we had to make a decision and we tried to remain as faithful as possible to Václav Havel's legacy. The award winners are undoubtedly living up to this legacy. Their commitment to human rights is exemplary, even though they have not hesitated to defend causes that are not unanimously accepted in society. The message they carry is one of dialogue and respect. Their admirable courage enables them to resist misunderstanding and rejection, as well as political pressure, which, in Mr Tohti's case, has led to a criminal conviction for freely expressing his views. Finally, and most importantly, in my opinion, their actions carry a message of hope for all those who aspire to a better world, where the dignity, rights and fundamental freedoms of all are respected and guaranteed.

Today, as we express our gratitude and support to our two winners, we also want to send a message of hope to the millions of people they represent and for whom they work. Human rights have no borders and our assembly will continue its action for the values to which we are committed, with courage, determination and perseverance.

Ladies and gentlemen, I now invite Mr Enver Can, Director of the Tohti Foundation, and Mr Ivan Djuric, Director of the Initiative's programs, to join me at the podium to receive the Awards and diplomas.

*(Applause)*

I now invite Mr Jamshad Yorov to join me on the podium to receive the diploma we are awarding to Mr Buzurgmehr Yorov.

*(Applause)*

I now invite all finalists to come to the podium, as well as the jury members, for a family photo, please.

*[...]*

And I now invite Mr Enver Can to say a few words.

**Enver CAN (for Ilham TOHTI):** Dear Madam President.

Dear Members of Parliament and distinguished guests.

I am very much honoured to be here among you today to represent my fellow countryman, Professor Ilham Tohti. A brave and courageous hero of the Uyghurs. The Uyghurs are an ethnic group with significant contributions to Central Asian and world civilization, and have been struggling to lead normal lives for many decades.

I express this sincere thanks of Ilham Tohti, his family and also the gratitude of the Uyghur people as a whole to you, Madam President, Ms Liliane MAURY PASQUIER, the Parliamentary Assembly of the Council of Europe, the Václav Havel Library and the Charter 77 Foundation for choosing him for the prestigious Václav Havel Human Rights Prize.

Indeed, Ms President, Ilham Tohti's selection for the prize echoes your recent statement in which you say, I quote: "the women and men who defend our human rights are the very best of us. Their courage and determination in standing up for the basic principles of justice and fairness, often at great personal cost, risking their liberty and sometimes even their lives, deserve our profound respect and gratitude. They are on the front line of human rights." And of course this statement, Madam President, rings particularly through when referring to Ilham Tohti. To emphasize your declaration further, Madam President, and to affirm that Ilham Tohti is a worthy recipient of this award, let me convey that prior to his imprisonment Ilham Tohti told The Voice of America "even if I should die at the hands of the domestic security or state security police, don't think that I have been killed by Hun people and don't let hatred come between our two peoples."

Then, even after being sentenced to life in prison in September 2014, he issued a statement through his lawyer saying that peace is the heavenly gift to the Uyghur and Hun people. Only peace and goodwill can create common interest. Ilham Tohti's selflessness, spirit and full belief in the good of humanity will prevail, as this along with hope, is something the Chinese Communist Party cannot take. Not from Ilham Tohti, and not from all the unjustly imprisoned Uyghurs, Kazakhs and Kyrgyz and their families.

The Václav Havel Prize is a significant recognition by the western democratic community of Ilham Tohti's work for human rights and the freedom of his people. It will, with no doubt, contribute to his survival behind bars and give the Uyghur people another impulse to continue resisting against oppression. Today, the prize is distinguishing one person, but by doing so it is recognizing a whole population and giving the downtrodden a voice. For it is the entire people of Uyghurs that look to you for help.

The Václav Havel Human Rights Prize is hereby sending a strong signal to the communist rulers in Beijing, who question western values, indicating that the free democratic world will not tolerate the continued violation of basic human rights.

I stand before you as one man, but with millions of Uyghurs behind me, who all thank you for your consideration and attention towards our fight. This is a milestone in our continued fight to free Ilham Tohti and we will continue our fight until he and every last unjustly imprisoned person is freed.

Thank you from the bottom of my heart. Thank you very much.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Thank you Mr CAN.

I now invite Mr Ivan DJURIC to address us a few words.

**Ivan DJURIC (Youth Initiative for Human Rights):** Representatives, we are very proud and honoured.

Firstly, allow me to express my utmost admiration and support for the two activists that we know so little about in our part of the world, despite their importance and contribution - Mr. Tohti and Mr. Yorov. The reach of our solidarity must travel beyond European borders, and we vow to that when we call Human Rights universal. I believe that, in this part of the world, we have more commitment to this attribute of being universal.

However, our Europe also didn't achieve all the ideals we set decades ago. When the Council of Europe was founded 70 years ago, Western Europe united in a vision of peace, freedom and democracy. After the fall of the Berlin wall and concurring events, that vision and dream were joined by the block we called Eastern Europe, led by Václav Havel. There was only a "small Gaelic village that resisted still", resisted a trend some called "the end of history".

While democratic transitions came rushing in, Yugoslavia was preparing for a violent breakup in the late 1980s. What most deemed impossible, happened. Wars broke out in the European continent once more. More than 120 000 people died in the wars, hundreds of thousands were displaced or victimised in some other way. More than 10.000 are still missing.

Apart from personal, individual and family tragedies, which so many suffered, the damage for our countries and societies is still more than tangible. Our democracies are weak, our economies are still not even close to what they were before the war. Regional cooperation in the Balkans is still heavily burdened by hatred, mistrust, prejudices and wartime legacy. The political elites and societies in our countries have still not renounced their war agendas and nationalist ideologies.

I will not say before you that new wars in the Balkans are inevitable, but I will tell you that our countries' leaders mention war with ever-increasing frequency, while in parallel there is an ongoing arms race in the region. I will say that borders in the region are not defined. Kosovo's territorial integrity, but also that of Bosnia and Herzegovina are questioned daily. I will say that world powers have firmly chosen sides in our disputes and conflicts. I will tell you that convicted war criminals are treated as esteemed members of our societies, while peace and Human Rights activists are being labelled as traitors and state enemies.

Youth Initiative for Human Rights is devoted to the process of dealing with the past, which we believe is the only guarantee towards a viable peace. We live by these words - too young to remember, determined to never forget. We are trying to rectify the errors of the past, so that justice may be brought to victims. And we also want to shape the future, a peaceful future for the Balkans. The future we hope for and work towards is one where the opinions of others will not be formed through prejudice and lies, but through personal, authentic experiences and facts. We want to make it possible, normal, natural, for young people to meet, to work together, create, travel, to fall in love across the countries in the Balkans just as they do across Europe.

We want people to have universal respect for victims and deep disdain for war criminals, no matter what their nationality is. We want deeper, more substantial and more honest regional cooperation. And these are not just commonplaces and empty talk, these are very ambitious goals in our region. It is crucial for me to say that none of these values that I've mentioned are appreciated in our region. This concerns us, and we want to use this opportunity to share this concern with you.

We are deeply proud, grateful and honoured by this prize, and once again would like to thank the Parliamentary Assembly, the Václav Havel Library, the Charter 77 and the selection panel for recognising the values we stand for. And to thank our long-time friends and partners who nominated us. Thank you all for understanding that Europe needs a Balkans whose fundamental values are those of the Council of Europe. We need Europe in order to achieve peace in the Balkans, instead of the ceasefire that we currently live in.

Each of our countries needs more of Europe and European values, more freedom and democracy. Most of us benefit from the protection of the Council of Europe, the Convention and the Court, but not all of us. Kosovo's citizens do not have access to the Council of Europe or the European Court for Human Rights. They need a visa to get here. That is not European. We must change that.

Our message to Europe is - do not play deaf at the sound of war drums fading in from the Balkans. We are not strangers, we are Europeans. Our message to the citizens of our countries is - peace is our most prized possession, and something we must fight for constantly. Peace is not merely the absence of war, peace is a state where war is impossible. We must actively and persistently work on building peace, creating new bonds between people and improving regional cooperation in every field of life.

We dedicate this award to the pioneers of these processes, hundreds of the Youth Initiative for Human Rights' present and former activists, volunteers, exchange participants and leaders. This belongs to all of them.

Thank you, hvala vam, merci.

**Ms Liliane MAURY PASQUIER (Switzerland, SOC, President of the Assembly):** Ladies and gentlemen,

We thus end our ceremony and I thank you all for your attention.