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Thursday 23 June 2022, morning

Official report of debates

Opening of the sitting No. 23

Debate: The honouring of membership obligations to the Council of Europe by Malta

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): The first item of business this morning is the debate on the report titled "The Honouring of Membership Obligations to the Council of Europe by Malta" presented by Mr Bernard FOURNIER and Mr George LOUCAIDES on behalf of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee).

In order to allow time for the second debate this morning, I will interrupt the list of speakers at about 10.40 a.m. to allow time for the reply and votes. We will begin with Mr Bernard FOURNIER and Mr George LOUCAIDES, co-rapporteurs.

Dear colleagues, you have 5 minutes each.

First I call Mr Bernard FOURNIER - you have the floor.

Mr Bernard FOURNIER (France, EPP/CD, Co-Rapporteur): Thank you, Mr President.

Mr President,

Distinguished colleagues,

Today we are considering the report on the honouring of the membership obligations of Malta.

This report was prepared by the Monitoring Committee within the framework of the periodic review of membership obligations of Council of Europe member states which are not under a full monitoring procedure. This report as well the draft resolution contained therein give an overview of the way democratic institutions and rule of law institutions function in the country, the country's achievements in this respect, the challenges they face, as well as recommendations about how these issues could be addressed.

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.

Maltese society is dynamic, vibrant and interconnected. Nonetheless, it is also very polarised. Over these last few years, Maltese society has been rocked by a series of crises, notably the assassination of Daphne Caruana Galizia, which laid bare a number of serious shortcomings and deficiencies in the country's system of institutional checks and balances, as well as in the functioning of the rule of law in Malta. These shortcomings were considered in detail by this Assembly when it discussed the report tabled by Mr Pieter OMTZIGT on "Daphne Caruana Galizia's assassination and the rule of law in Malta and beyond: ensuring that the whole truth emerges". It was also considered in a number of opinions drafted by the Venice Commission.

Following the publication of the aforementioned reports, the Maltese authorities and political groupings did launch a series of important reforms which have managed to close a number of shortcomings and gaps. This is an important step forward and we must commend it. Nevertheless, these reports only partially address the deficiencies in Malta.

A comprehensive, truly holistic reform of Malta's democratic institutions and checks and balances system is still needed; it is urgent, in fact. This is all the more important within the context of deeply rooted political and social polarisation in Malta, which I mentioned earlier. It permeates practically all aspects of Maltese society. It also poses a risk to the functioning of democratic institutions. The need for holistic reform is widely shared in Maltese society itself. This is evident, since the President of Malta has set in motion the establishment of a constitutional assembly, which we very much welcome.

It is now vital that this constitutional convention is endowed with a clear mandate and a very strict time frame for it to complete its work. It is also important for it to work on the basis of consensus, as well as broad and comprehensive consultations with Maltese society.

A key component of said holistic reform is a complete overhaul of the Maltese Parliament with a view to establishing a full-time parliament which can ensure proper parliamentary oversight and also regain the right of legislative initiative. This is crucial for the Maltese institutional reforms, the reform of the checks and balances system, to be successful.

This recommendation is widely shared and supported - in fact Maltese society demands it; it is also supported across party political lines. It will help to address the parliament's vulnerability, its exposure to conflicts of interest and corruption. This vulnerability was underscored in a number of reports, including reports tabled by GRECO.

Thank you.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you very much.

Now I call Mr George LOUCAIDES.

You also have 5 minutes. You have the floor.

Mr George LOUCAIDES (Cyprus, UEL, Co-Rapporteur): Taking up from where my colleague left off, there is a second important theme in our report, namely the vulnerability of Malta's political and democratic institutions to conflicts of interest and corruption.

The independent public inquiry commission that was established on recommendation of the Assembly concluded that in Malta there is a culture of impunity and institutional omertà, which undermines the proper functioning of the democratic and rule-of-law of institutions.

Again, while a number of welcoming initiatives have been taken by the authorities, more and more consistent efforts are needed to address the systemic vulnerability of Malta's democratic institutions.

In this context, we recommend that the need and possibility for secondary employment for parliamentarians be considerably reduced and limited to a number of clearly circumscribed type of activities and appointed positions.

In addition, the independence of the civil service needs to be further strengthened, and the number of political appointees in the civil service, so-called "persons of trust", need to be drastically reduced and circumscribed as well.

The reports, dear colleagues, is mostly focusing on the functioning of the country's democratic and rule-of-law institutions, but it's equally addressing a number of important human rights issues.

Malta has a very well established framework for the protection of the rights of LGBTI persons, which should be lauded. At the same time, equality between men and women, despite some welcome progress, such as for instance the number of women elected to the parliament in the last elections, still leaves a lot to be desired and needs to be further enhanced. In this regard, it should be noted that Malta has one of the strictest abortion laws in Europe, which forbids abortion in all circumstances.

Without wishing to enter into a debate about abortion, we wish to emphasise that reproductive rights and health are important and integral aspects of women's rights that need to be strengthened in Malta.

Another issue has been the treatment of irregular migrants and asylum seekers. Malta is a Mediterranean front-line state with regard to migration and asylum seekers. The number of migrants and asylum seekers that arrive on Maltese shores are very high in comparison to Malta's small population. More and more consistent solidarity of other European states with Malta's difficult position in this respect is needed. And indeed, this is true with regard to all Mediterranean front-line states that face similar situations.

That notwithstanding, it is important that the Maltese authorities fully honour and respect their responsibilities and human rights obligations with regard to these migrants and asylum seekers. In this respect, the Council of Europe Commissioner for Human Rights has made a number of important recommendations with regard to the reception and treatment of migrants and asylum seekers that we fully second and urge the authorities to implement.

Dear colleagues, we started our speech with reference to Daphne Caruana Galizia's brutal assassination. Her assassination and the government's response to it brought the spotlight on numerous shortcomings with regard to Malta's institutional system of checks and balances and functioning of democratic institutions, which we have outlined in our report.

However, in our report we have explicitly not touched upon the investigation into her assassination itself. This has been dealt with in the report of the Legal Affairs Committee. We fully support these conclusions and findings and in our resolution repeated the call upon the Maltese authorities to fully address the concerns and recommendations expressed in this report, as well as that by the independent public inquiry commission.

I should also like, for ending, to thank the Maltese authorities for their collaboration and willingness to assist us throughout the whole procedure, and especially during our fact-finding mission to Malta.

Lastly, dear colleagues, I should like to thank the Secretariat of the Monitoring Committee, but particularly express our deep gratitude to Mr Bas KLEIN whose capabilities, expertise, and support were invaluable.

Thank you very much for your attention.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you very much.

Now the representatives of the political groups.

First, I would like to give the floor to Mr Vladimir VARDANYAN on behalf of Group of the European People's Party.

Mr Vladimir VARDANYAN (Armenia, EPP/CD, Spokesperson for the group): Thank you Mister Chair.

Dear Colleagues,

Let me first of all congratulate the rapporteurs for an excellent report.

In 1965, one year after independence, Malta became the 18th member of the Council of Europe, contributing to the achievements of our organisation.

Recently, the Republic of Malta appears in the focus of the Parliamentary Assembly predominantly in the context of the assassination of anti-corruption journalist Daphne Caruana Galizia, an assassination where there are still many questions to be answered.

The relevant resolution of the Parliament Assembly, as well as the Venice Commission adopted recently, let Maltese authorities undertake essential reforms to address the legal shortcomings existing in the country.

The ongoing reforms are intended to increase the independence of the judiciary, to improve the checks and balances mechanism, to clarify the appointment procedure of official positions, to ameliorate civil service in Malta. The undertaken ameliorations should be definitely welcomed.

Nevertheless, they are necessary but not enough to create in Malta an environment of respect of the rule of law, protection of human rights, and promotion of democracy and elimination of culture of impunity.

Ladies and Gentlemen,

Constitutional order is crucial for the establishment of the rule of law environment in the country.

From this perspective initiative taken in the direction of establishment of the constitutional assembly by the president of Malta should be welcomed.

Constitutional amendments will approximate Maltese institutional settings to the European standards.

Addressing the Malta anti-corruption agenda, some issues, especially concerning conflicts of interest, are still very alarming.

There is no doubt that parliamentary reform may also seriously contribute to the Maltese anti-corruption agenda, since the creation of the full-time professional parliament would be a crucial change for making political processes in Malta more transparent and politicians more accountable. It's necessary for preventing a conflict of interest and misuse of parliamentary mandates.

I do believe that the successful implementation of the reforms with the close co-operation of the Council of Europe will put an end to the culture of impunity in Malta.

Thank you.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Next speaker – Mr John HOWELL, European Conservatives Group.

Mr John HOWELL (United Kingdom, EC/DA, Spokesperson for the group): Thank you very much.

When I first read this report, I was struck by how this is almost a classic monitoring report.

It is very good, very good indeed.

What I mean by that is that it has not sought to turn monitoring into a big stick with which to beat Malta, but it has set out very carefully to look at the way in which Malta is developing, and how we can provide the assistance to allow Malta to develop further.

I think that that is a very important fact that we should all remember when we undertake monitoring exercises. We are not there to exercise our right to be able to wave the big stick at the country for doing certain things or not doing certain things. We are there to help it to be able to reach the future.

I detected more than a little bit of sympathy for Malta from the rapporteurs, which I think is to their credit.

For example, when they talk about political institutions, they talk about vulnerable institutions. It is that understanding of the vulnerability of institutions in Malta that I think makes this one of the classic reports.

They, too, mention a very important issue: the plight of women.

That goes hand-in-hand with the fact that Malta is a very conservative society. Although it has signed the Istanbul Convention, what we need to do is to make sure that a process of culture change takes place in order to improve the rights of women within Maltese society.

There is no point in just signing a convention and then turning one's back on it and walking away and hoping that the best will occur from it. We need to help the country to develop the sort of society that we would like it to become, and to help it to be able to implement the important provisions within the Istanbul Convention.

The same applies to LGBT rights. One of the rapporteurs – I cannot remember which – mentioned the importance of new up-to-date legislation on this subject. That too is very important, but that needs to be transferred through culture change to make sure that it applies equally across the whole of Maltese society.

In conclusion, this was a very good exercise, a very, very good monitoring exercise in which the rapporteurs have shown sympathy with the country and have gone out of their way to show how we can help it, rather than just what it is done wrong.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): The next speaker is Ms Petra STIENEN, Alliance of Liberals and Democrats for Europe.

Ms Petra STIENEN (Netherlands, ALDE, Spokesperson for the group): Thank you, Mister George LOUCAIDES and Mister Bernard FOURNIER, for authoring this report.

On behalf of the Alliance of Liberals and Democrats for Europe (ALDE) group, I would like to especially join the position of this report in emphasising the burden Malta is facing. One of the Mediterranean frontline states with regard to migrants and asylum seekers and the urgent necessity to intervene.

We should all work together and at home to gather the European solidarity that Malta needs in order to deal with the arrival of north African migrants and refugees. It is high time to find a framework of support that works for all European frontline states with European support.

Also, I have to notice that Malta proves again that having rights on paper does not always translate for women as well as for LGBTI people and other minorities into the actual exercise of these rights. Since we have had similar conversations in many European countries, I will closely follow the real-life effects of the legislation on increasing the representation of women in a new parliament and whether it will be followed by an increased representation in the executive bodies.

In the ALDE group, we are deeply concerned that being a journalist keeps being a very dangerous profession in Malta, even after the government was forced to act in the light of the Daphne Caruana Galizia assassination.

The shortcomings that several inquiries have shown how the state has dealt with Madam Galizia's murder seems to be unresolved. Without the proper independence of the judiciary, in general, and a state that really respects the freedom of the press and protects journalists, the mere gesture of proposing legislation does not solve any of Malta's problems.

I am sure we will follow the issue thoroughly until both the case of Daphne Caruana Galizia and the guarantees for journalist safety are clarified.

To conclude, as a rapporteur for the report on innovative approaches to sexual reproductive health and rights, I underlined the concerns expressed in the report about reproductive rights in Malta. Reproductive rights and health are a key aspect of women's rights that need to be improved in Malta as a matter of priority. I believe a lot can be learned by the way Ireland handled the debate on abortion and reproductive health.

Thank you.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): The next speaker is Ms Laura CASTEL, Group of the Unified European Left.

Ms Laura CASTEL (Spain, UEL, Spokesperson for the group): Thank you Chair,

The assassination of Daphne Caruana Galizia has helped bring light to many underlying problems within the Maltese institutions.

As the report states, corruption, lack of independence of the judiciary, inequality or the treatment of asylum seekers are some of them. But I would like to focus on three issues.

The first is the independence of the judiciary. It is important to keep in mind the recommendations of Group of States against Corruption (GRECO) on this to avoid the politicisation of justice and guarantee a true separation of powers. We commend the reform of the judicial appointments process in that regard. However, we are still concerned by the control of the government of the civil service by appointment of persons of trust. This gives an inverted image of the country and loses society's trust in their leaders.

Second, the freedom of expression and, particularly, of press are of outmost importance for the Council of Europe. The increase of Strategic Lawsuits against Public Participation (SLAPPS) is worrisome. Therefore, we would like to strongly encourage looking at this closely and particularly to follow the Commissioner's recommendations to protect journalists against hate speech.

Third, Malta faces a difficult challenge being a frontline state in the Mediterranean. It is a small country, yet numbers of irregular migrants and asylum seekers is high. The right to seek and enjoy asylum should be provided according to international law. The report show that migrants are still put in detention in Malta. We recall that this should be an exceptional measure.

In sum, integration principles of humanitarian and human rights law, it is essential and in line with Article 3 of the European Convention. This should be done with the help of human rights and humanitarian agencies.

While there is no denying that Malta is a democracy, it is of high importance to strengthen its institutions in order to improve the rule of law system. There have been some improvements, but we would like also like to encourage our Maltese colleagues to address the remaining serious issues in line with the recommendations of the Venice Commission, GRECO and the Commissioner.

To wrap up, we have here at the Council of Europe a wide spectrum of bodies that help us all integrate best practices on different human rights issues. Let's establish a true dialogue with them, learn from them to help implement the necessary reforms, and build true democratic countries. It is our obligation.

We support and encourage the adoption of this report.

Thank you, Chair, and thanks to the Rapporteurs.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you.

The next speaker is Lord George FOULKES, Socialist Group.

Lord George FOULKES (United Kingdom, SOC, Spokesperson for the group): Mister President,

Can I also thank the rapporteur for a very well-balanced report?

The brutal murder of Daphne Caruana Galizia shocked us all. I was at the time your general rapporteur on media freedom and the safety of journalists. I was involved in that capacity along with other members of the Assembly and particularly also with the three very brave and committed sons of Daphne, in helping to expose the corruption and the crime in Malta at the time.

It wasn't easy for me as a member of the Labour Party, because it's our sister Labour Party who were in power at the time and, as the report says, it's a fairly polarised society in Malta. It was even more difficult for the really good members of the Labour Party in Malta itself, who were embarrassed by what was being done at the time.

The question before us now is whether politicians in Malta have taken the right steps and are moving in the right direction. There have been, as the report says, a number of actions already. The commission on standards in public life, the whistle-blowers act, the more power to the Ombudsman, the reform of political appointments, and so on.

I think the key to the change is something else. It comes from the people of Malta. Because we've had an election, a very recent election in which there has been dramatic change in Malta, and the people themselves have made the judgment.

We now have a new prime minister and new ministers who were not involved in the corruption at the time and who are now ploughing a new positive way forward. Also I'm glad to say it's represented by a new delegation here of young, able, committed, honest people who are committed to seeing the way forward.

Because the voters used the system in Malta. They used it to choose between candidates so that the right Labour candidates were chosen and between parties. They returned a Labour government in Malta. That government needs our support now.

I hope we can approve the report. In doing so I hope we can take account of the representations from our excellent new delegation here and give Malta every encouragement and to continue in the path of reform that it has started so bravely.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you.

The next speaker is Ms Naomi CACHIA, from Malta.

Ms Naomi CACHIA (Malta, SOC): Mister President,

It is a privilege to be here today amongst all of you participating in matters which pertain directly to my country.

Malta is the smallest EU member State and one of the smallest at the Council of Europe level. We all hold a distinct sense of pride. It is extremely significant for us to have such an important role in something so much larger than our small island. I know that my country has been the focus of some attention at a European and international level. Today we come bearing good news.

During the past month, the Maltese government has been unreservedly committed to enacting a series of wide-reaching reforms to strengthen our democratic and rule of law institutions.

From strengthening the independence of the justice system by changing our process of judicial appointments, making it by public call and in so removing any possible political interference, to changing the procedure of appointment of a number of critical positions, the Chief Justice and the President of Malta now require a two-thirds majority vote in Parliament.

The police commissioner is also now appointed by a public call and a hearing before the parliamentary public appointments committee, as well as reforms to the appointment of the commissioners of the permanent commission against corruption.

We've seen a 25% increase in the prosecution of money laundering as a stand-alone crime, and a 70% increase when accompanied by another offence.

The number of corruption-related prosecutions have also increased threefold in the past two years.

Mister President,

I cannot possibly give a holistic overview of what the steps the Maltese government has undertaken in the past months and those which are in the pipeline in just three minutes, but I believe the message is clear.

I would like to thank the rapporteurs for a balanced report which acknowledges the progress that has been made and I will also unashamedly make the case for more recognition of Malta's efforts to better itself.

We welcome genuine criticism such as this resolution and being open to recognising how to better ourselves. You make us stronger. As a small nation we have always been driven by ambition, which is why we have grasped the opportunity to take on board and prioritise the various recommendations made to us in the past years.

This is extremely satisfactory to have our efforts recognised both by appears in this platform, and by other significant institutions such as the Financial Action Task Force as recently as last week.

I also want to make the case for this resolution to reflect the constitutional amendments made last year which put in place a gender-corrective mechanism, which means that our elections last March have given new life to our political system with the allocation of 12 additional seats for women. Amendments without which I, for one, would not be here today as a member of parliament.

While I do believe that there is so much more to be done to strengthen women's representation, and also in our holistic efforts to improve our electoral system, I think we can agree that it is always a step in the right direction to have more women calling the shots.

To conclude, I stand here today speaking with pride, with satisfaction, and conviction, about my country and the government's intention to keep working to protect and uphold the fundamental values of human rights, democracy, and rule of law, values which unite us all.

Thank you very much.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you.

The next speaker is Mr Joseph Beppe FENECH ADAMI.

Mr Joseph Beppe FENECH ADAMI (Malta, EPP/CD): Thank you, Mister President.

It is my pleasure to address this Assembly this morning, discussing the resolution relating to the honouring of membership obligations to the Council of Europe by Malta.

This resolution acknowledges recent developments in Malta, which led to an increase in women's representation in the Maltese parliament. Technology improvement in the selection process of members of the judiciary and emphasises that illegal immigration remains a challenge for our island which demands support and the sharing of the burden by all European States.

The resolution, however, highlights other matters. The report shares the preoccupation of my party – the opposition party in Malta – with regard to the collapse of the rule of law and the culture of impunity which has taken over our country.

This report in front of us comes in the wake of the assassination of journalist Daphne Caruana Galizia in 2017. It comes hot on the heels of the publication of the report of the public inquiry set up a good two years after the assassination of Daphne Caruana Galizia following pressure made by none other than the Council of Europe and so many other entities.

The public enquiry concluded that the Maltese state should shoulder the responsibility for the journalist's murder. The state should acknowledge the grave shortcomings of the then Prime Minister Joseph Muscat's administration leading up to the 2017 car bombing.

Moreover, said enquiry concluded that the police and the relevant authorities should continue, or rather start, their investigations to ensure anyone – indeed everyone – involved in the assassination is held accountable.

Notwithstanding the conclusions of the public enquiry, to date, not much progress has been made to ensure justice for Daphne Caruana Galizia, and moreover, justice for all the scandals of corruption exposed by the journalist.

To date, all government politicians and ex-politicians, including ministers and the next prime minister, under whose watch a hostile orchestrated atmosphere was created against Daphne Caruana Galizia have evaded justice.

Today, nearly five years after the assassination, the criminal proceedings against the alleged masterminds and executors linger on slowly in our criminal court with no end in sight. It is in this context that I address the Parliamentary Assembly this morning.

The resolution in front of us highlights the situation of the Maltese members of parliament who to date are part-time members having to juggle between their primary employment and their parliamentary commitments. Being a member of parliament myself, sitting on the opposition benches, I can attest on a first-hand basis as to the lack of resources and support members of parliament of Malta have with members sitting on the opposition benches having no resources and support in performing our duties primarily scrutinising the works of the executives, based on checks and balances.

This report also highlights the control the Prime Minister of Malta still has over the civil service. Unfortunately, to date, the Maltese government lacks the political will to ensure that our civil service functions impartially away from partisan politics away from strict partisan decisions.

The report in front of us commends the progress made in recent reforms that have strengthened the position of the independence of the ombudsman, who performs an important institutional oversight of the authorities. However, it regrets the limited follow-up given by Parliament to the executive.

Mister President, I share these concerns. I conclude this short speech by congratulating the Maltese, the Monitoring Committee in the preparation of this report. On our part, as the opposition in Malta, we shall continue our relentless work to ensure that all the values of the Council of Europe, foremost of which, the values of justice, transparency, accountability, good governance and the rules of law are enhanced by Malta as a member of the Council of Europe since 1965

Thank you so much.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you very much.

The next speaker is Sir Christopher CHOPE.

Sir Christopher CHOPE (United Kingdom, EC/DA): Mr President,

Like most citizens of the United Kingdom, I've got immense respect and sympathy for Malta and the people of Malta.

We in the United Kingdom don't forget that Malta won the George Cross because of the immensely important part it played in the Second World War in helping to defeat Hitler and the Nazis.

Therefore it's sad to see the difficulties that Malta has faced, but it's very encouraging to follow two speakers from the Maltese Parliament and to know that there is, in a sense, a fresh approach now being taken.

I share very much the view of my colleague Lord George FOULKES, who's not in the same party as me, but I think that we should be respecting the democracy in Malta - it has shown that it's got resilience; it has elected a new parliament; and I hope that we can show our solidarity with the decision of the people in Malta by accepting Amendment No. 4, which is signed not only by the leader of the Maltese delegation, but also by a number of members of the Labour party in this Assembly

What that Amendment seeks to do is to be less prescriptive. Instead of calling upon the Maltese parliament to do various things, it encourages them to do various things.

The reason that I would support that Amendment is because I don't think we should be prescriptive.

Certainly from the United Kingdom experience, there could well be unintended consequences if, for example, you prevented all members of the parliament from having outside employment and other sources of employment, because that can create a dependency culture.

Actually it promotes what we're trying to stop - which is corruption by those in charge.

Similarly, I think that abolishing the constitutional requirement that stipulates that ministers must be members of parliament could again lead to unintended consequences.

There have been calls for that to happen in the United Kingdom, but they've so far sensibly been resisted.

Likewise, introducing public financing for political parties with a view to reducing their dependency on private donations - but again, that would be open to a lot of potential corruption, and the creation of what one might describe as "the blob" - which is a group of unelected bureaucrats dictating to the people quite often in defiance of the wishes of those people as set out in their democratic decisions, as we've heard about recently.

So I have massive sympathy for Malta and its people and its parliamentarians, but I don't think we should be undermining those parliamentarians.

We should be respecting them and I hope supporting the amendments.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you.

The next speaker is Mr Jacques LE NAY.

Mr Jacques LE NAY (France, ALDE): Mister President,

I would like to thank our colleagues Mr Bernard FOURNIER and Mr George LOUCAIDES for this very complete report which allows us to take stock of the situation in Malta.

The murder of the journalist Daphne Caruana Galizia has left its mark on people's minds and highlighted the difficulties of journalists in this country. Indeed, most of the private media are linked to a political party, and the public media are considered the voice of the government. This limits the ability of journalists to investigate corruption in politics. The investigation into the assassination, therefore, seemed to be off to a bad start. Our Assembly passed a resolution calling for the crime to be fully investigated. I am pleased to see that an independent public inquiry commission has been set up for this purpose, in accordance with our recommendations.

At the same time, the Maltese authorities have undertaken a number of reforms to remedy shortcomings in the functioning of institutions, including the independence of the judiciary. While these reforms are welcome, they remain insufficient, as is the functioning of Parliament. As the report points out, it appears necessary to limit the possibility of members of parliament holding secondary employment, in order to allow parliament to exercise genuine parliamentary control over the executive and to do so on a full-time basis.

In addition, public funding of political parties should be introduced to reduce their dependence on private donations, thereby reducing the risk of conflicts of interest and corruption. Reforms to the judiciary should also be pursued to strengthen the independence and impartiality of judges. The sense of impunity enjoyed by those close to political power must be eliminated. These reforms appear to be truly indispensable in a country where the fight against corruption must be a permanent obsession because of the structure of the Maltese economy. Indeed, gambling and financial services attract a lot of people who want to launder money.

Council of Europe bodies such as GRECO and MONEYVAL should be able to provide Malta with recommendations to combat corruption and money laundering. At the same time, the Maltese authorities should reform the legislation against defamation, which is actually used today to silence journalists. Indeed, freedom of the press is essential for the development of the rule of law.

The recommendations of our Assembly on this issue must be implemented. I will, therefore, vote in favor of the draft resolution presented to us today.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you.

The next speaker is Mr Chris BONETT.

Mr Chris BONETT (Malta, SOC): Thank you, Mister President.

Dear Colleagues,

I am proud and honoured to address you and this historic chamber for the first time as a Maltese representative.

I am very proud to be Maltese. A country no larger than most villages in any other member States, with very limited resources, whose main resource was and still is the intellect, the resilience, and the strong will of its people. Over centuries, this people has punched above its weight, fought for freedom in Europe, gained independence, freedom, and built a strong democracy. A democracy which has led a small island to become a respected partner in supranational institutions, such as the United Nations, Council of Europe, and European Union.

I am here today representing a parliament, a government elected by these hard-working people. A government that has been overwhelmingly confirmed in power recently with a clear mandate to carry on implementing reforms. Where fundamental concepts such as the rule of law, the fight against financial crime, and the freedom of the press are at the heart and constitute the foundation for the country's legislative program for the next five years. A government that, notwithstanding the Covid-19 pandemic and the current Russian aggression of Ukraine, is presiding over a strong economy with a growth of 7.6% of the national GDP recorded just last week, records unemployment level set at 3%, a strong welfare state where health and education are provided free of charge, and the country at the forefront and leading in recognition of civil liberties LGBTI rights and equality.

Of course, I know I don't live in a perfect country. The homicide of journalist Daphne Caruana Galizia remains a black mark in the modern history of Malta. As a government we are striving to use all our resources to strengthen our institutions and protect the right of journalists to speak and criticise the government without fear or interference.

To this end, since January 2020 we have strived to implement the recommendations made by esteemed institutions such as GRECO, the Venice Commission, and MONEYVAL, which have led to important reforms such as the strengthening of the financial intelligence analysis unit tasked with investigating cases of money laundering with maximum financial and personal resources.

Prime Minister Abela himself has seen it, willingly. Powers that for decades were constitutionally exclusive to the Prime Minister. Today, members of the judiciary are solely appointed by the judiciary. The President of Malta in a couple of years time will be appointed by two thirds of parliament, and the commissioner of police was also appointed by parliament. These and other reforms carried out in just two years have led to last Friday's decision by the FATF plenary to remove Malta from its grey list in less than a year. Confirming that Malta has a serious and trustworthy jurisdiction, recognising the efforts of the government in swiftly tackling the issues at hand with the determination to make Maltese institutions stronger and better equipped to find money laundering and the funding of terrorism.

Although we are extremely satisfied with these results, we recognise that more needs to be done. The government is determined to deliver on its commitments with the Council of Europe and the people of Malta, in particular the anti-SLAPP legislation and the removal of the obligation on journalists to pay court expenses at the initial stage of libel proceedings, laws which are expected to be tabled in parliament soon.

I hope we can have a mature debate where partisan convenience, as unfortunately has been the norm without opposition recent years, gives way to the objective realisation that our country really comes first and before anything else.

In the light of the work of my government and results achieved as recognised by the draft resolution, I am humbly requesting this hemicycle to recognise Malta's efforts in the past two years in implementing these reforms.

I plead with you to give us the impetus as our European Partners to feel your support, as we strive to modernise our country. This is why I'm asking you to accept the amendments proposed. These amendments are honestly accepting the fact that work indeed still needs to be done, which work we're committed to carry out, but it will also give us a resolution that recognises that the Malta we are witnessing today is a much stronger democracy, much stronger European partner, and a much stronger advocate for the rule of law.

Thank you very much.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): And the last speaker is Mr Frédéric REISS.

Mr Frédéric REISS (France, EPP/CD): Thank you, Mr President.

Distinguished colleagues,

At the outset, I should like to thank the rapporteurs Mr. Bernard FOURNIER and Mr. George LOUCAIDES for their work aimed at the values of the Council of Europe being upheld in Malta.

As the previous speaker said, the assassination of Daphne Caruana Galizia, a journalist, is absolutely terrible and a number of reports have been tabled on this topic. There's not just a culture of impunity: there's an institutional omertà. PACE and the Venice Commission have highlighted shortcomings in the rule of law in Malta: The report on the independence of the judiciary, the way people are appointed to official positions ... that's highlighted in the report but it is not enough, what's really being done.

This is a threat in Maltese society. The fact that parliament is part-time is a problem. It limits legislative initiative and oversight over the executive. It opens up opportunities for corruption, because of what parliamentarians might do in parallel to their elected office work.

Appointment procedures are often bypassed and many people still are appointed to public office for political reasons.

Furthermore, the Investment Law adopted in 2014 could give rise to money laundering and corruption.

Better anti-corruption controls are therefore absolutely vital; otherwise the very foundations of democracy in Malta could be undermined.

The media is another vulnerability: the freedom of information law is not implemented and journalists are regularly threatened and silenced by misuse of anti-defamation legislation. The media is not pluralist and it is heavily polarised — too much. The committee of experts working to strengthen media freedom is something we commend.

Last, but not least, a lot of work has been done on achieving gender equality, but much remains to be done, including the fact that abortion is banned, even in cases of rape and when the mother's health is at risk. Thus, a lot remains to be done on women's rights.

I will be voting in favour of the resolution before us.

Thank you.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you, colleagues.

That concludes the list of speakers.

Now I call on Mr George LOUCAIDES and Mr Bernard FOURNIER, co-rapporteurs, to reply.

You have 5 minutes in total.

Mister Bernard FOURNIER, you have the floor.

Mr Bernard FOURNIER (France, EPP/CD, Co-Rapporteur): Thank you, Mister President.

I will only take the floor very briefly to thank very sincerely and very warmly the various colleagues who have spoken during this session and for the remarks they have made.

I note that most of the speakers are in favour of the report we are presenting to you. This is a source of satisfaction for us, along with Mr George LOUCAIDES.

Several subjects have rightly come up during these discussions. I note in particular the rights of women; the courage of Malta in welcoming migrants, a small country which is overwhelmed by the arrival of migrants and which does so in the best of conditions; freedom of the press also came up frequently in the discussions. Then also, and perhaps I could end with this, the consolidation, in a way, of the mandate of deputy with the proposals that have been made.

Ladies and Gentlemen,

This is what I simply wanted to add, since I sense a certain unanimity on the report that we are presenting to you with my colleague Mr George LOUCAIDES.

Mr George LOUCAIDES (Cyprus, UEL, Co-Rapporteur)*: I will pick up where Mr Bernard FOURNIER left off.

I would also like to thank everyone here in the room and also everyone who took part in our discussion and who provided their input, helping us to pinpoint all the various issues which are covered in the report - almost all of the issues, in fact.

I would like to focus on some of the points made by colleagues. I will not be covering all of the topics, because most of the speakers actually dovetail nicely with what we said in the report at the outset.

A comment on LGBTQI persons: the situation in Malta is much better than what we have observed in other Council of Europe member States.

Malta could therefore set an example, so that hopefully we see progress on that front, and also we'd like to see progress on women's rights. We still have a long way to go with regards to gender equality.

We heard some comments about the fact that many parliamentarians are also members of the government: it was said that this could give rise to conflicts of interest. But we must be realistic about the situation in any country: we must take into account the reality on the ground in every country. The situation in Malta is not the same as the situation on the United Kingdom. A third of parliamentarians are also members of the government.

This could mean that 200 parliamentarians would be members of the government if this were a larger parliament in a larger country.

So we must also remain cognisant of the situation in each country.

Legislative initiative: the next topic. There have been shortcomings which are persistent on this front.

Next: public financing. We're not saying that parties should be funded solely by public funds. We'd like to strike a balance between public and private financing. This is something that GRECO has recommended. In Malta, we'd like to see more public financing granted to political parties in order to strike that balance.

I think I will leave it there. We fully agree with most of the things colleagues said.

I thank you once again for taking part in this debate. I'd also like to welcome new members of the Maltese delegation.

Thank you for your co-operation.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Does the Vice-Chairperson of the Committee, Mr Samad SEYIDOV, wish to speak?

You have the floor.

Mr Samad SEYIDOV (Azerbaijan, EC/DA, Vice-Chairperson of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)):
Dear Mister Chair,

Dear Colleagues,

It's really a great pleasure for the Monitoring Committee to present the report on the honouring of membership obligations by Malta. This report has been prepared in the framework of the period review of the Monitoring Committee of the honouring of membership obligations by all Council of Europe member States.

The procedure ensures that the Assembly, through its Monitoring Committee, will monitor the honouring of membership obligations by all member States of the Council of Europe, and not only by those under a full monitoring procedure, which is very very important.

In their report, the two respectable rapporteurs have given an exacting overview of the functioning of the democratic and rule of law institutions in Malta. They have highlighted the achievements, but also the challenges faced by these institutions, and have given recommendations to strengthen their functioning.

The rapporteurs have strived to give a balanced overview that considers the inputs of the different stakeholders and institutions they met during their visit to Malta last October.

I think, as a representative of the Committee, they have succeeded in this task.

I, therefore, ask you to support the resolution that is presented to you, and in particular, the recommendations that aim to strengthen the Maltese Parliament and its functioning, which is the core of the work of our Assembly.

Thank you, Mister President.

Vote: The honouring of membership obligations to the Council of Europe by Malta

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you, Mister Samad SEYIDOV.

Dear Colleagues,

The Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) has presented a draft resolution to which 10 Amendments have been tabled.

They will be taken in the order in which they appear in the Compendium.

I remind you that the speeches and amendments are limited to 30 seconds.

I understand that the Vice-Chairperson of the Monitoring Committee wishes to propose to the Assembly that Amendment No. 2 to the draft resolution unanimously approved by the Committee should be declared as agreed by the Assembly.

Is that so?

Thank you very much.

Are there any objections?

There is no objection.

I declared that Amendment 2 to the draft resolution has been agreed.

Any amendment which has been rejected by the Committee seized for report by a two-thirds majority of the votes cast shall not be put to the vote in plenary and shall be declared as definitively rejected, unless ten or more members of the Assembly object.

I understand that the Vice-Chairperson of the Monitoring Committee which is to propose to the Assembly that Amendments 1, 3, 5, 6, 7, 8, and 9 to the draft resolution, which were rejected by the Committee with a two-thirds majority, be declared as rejected.

Is that so, Mister Samad SEYIDOV?

Thank you very much.

I declare these amendments – does anybody object?

As there is no objection:

I declare the Amendments 1, 3, 5, 6, 7, 8, and 9 to the draft resolution rejected.

Dear Colleagues,

I have received an Oral Amendment from Mr George LOUCAIDES which reads as follows: in Paragraph 1 after the words "findings by this commission", insert the words "published on 29 July 2021".

The president may accept an Oral Amendment on the grounds of promoting clarity, accuracy, or conciliation, if there is not opposition from 10 or more members to it being debated.

In my opinion, the Oral Amendment meets the criteria.

Is there any opposition to the Amendment being debated?

That is not the case.

I, therefore, call Mr George LOUCAIDES to support the Oral Amendment.

You have 30 seconds.

Mr George LOUCAIDES (Cyprus, UEL, Co-Rapporteur)*: Thank you, President.

What we would like is the date of the inquiry commission, the date related to that commission, to be included. The commission inquiring on Daphne Caruana Galizia's assassination. So, we are happy with the compromise solution.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you.

Does anyone wish to speak against the oral amendment?

No?

The Committee is obviously in favour.

I shall put the oral amendment to the vote.

The vote is open.

The vote is closed.

I call for the result to be displayed.

The oral amendment is agreed.

Oral Amendment 2. I have received an oral amendment to the English version only, from Mr George LOUCAIDES, which reads as follows: In Paragraph 4 delete the words "calls upon" and insert "invites".

The President may accept an oral amendment on the grounds of promoting clarity, accuracy, or conciliation, and if there is no opposition from 10 or more members to it being debated, in my opinion, the oral amendment meets the criteria.

Is there any opposition to the amendment being debate?

That is not the case.

I therefore call Mr George LOUCAIDES to support the oral amendment.

You have 30 seconds.

Mr George LOUCAIDES (Cyprus, UEL, Co-Rapporteur)*: Thank you, Mister President.

Yes, here we have a proposal, a compromise proposal once again.

In the French version of this document, it says "invites". What we'd like is for the English version to use the same terminology. So, we'd like to replace "calls upon" and put "invites" instead.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): It sounds quite logical.

Does anyone wish to speak against?

That is not the case.

The Committee is in favour.

Thank you.

I shall now put the Oral Amendment to the vote.

The vote is open.

The vote is closed.

I call for the result to be displayed.

The Oral Amendment is agreed.

Amendment No. 10.

I call Ms Naomi CACHIA to support the Amendment. You have 30 seconds.

Ms Naomi CACHIA (Malta, SOC): The changes in the Maltese Constitution which resulted in a gender-corrective mechanism, which allocated additional seats for women in Parliament, and we felt that this should be reflected in the text of the resolution.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you very much.

I have been informed that Mr George LOUCAIDES wishes to propose an Oral Sub-amendment as follows: delete the words "that has resulted in 12 additional seats for women, giving a total of 22 women out of 79 members of parliament".

In my opinion, the Oral Sub-amendment is in order under our rules; however, do 10 or more members object the Oral Sub-amendment?

No?

I would like to ask Mr George LOUCAIDES to support his Sub-amendment, you have the floor.

Mr George LOUCAIDES (Cyprus, UEL, Co-Rapporteur): Thank you, Mister President.

We do agree with the proposal for amendment, but without getting into details. The amendment should stay as follows: "The Assembly, however, welcomes the amendments to the Constitution to put in place a gender-corrective mechanism and its application following the general elections in March that have resulted in 12 additional seats for women." There we should stop; not include the detail that they will be 22 out of 79.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you very much.

Does anyone wish to speak against the oral sub-amendment?

No.

What is the opinion of the mover of the main amendment, Ms Naomi CACHIA?

In favour.

What is the opinion of the Committee?

Thank you.

The vote is open.

The vote is closed.

I call for the result to be displayed.

The oral sub-amendment is agreed.

We will now consider the main amendment.

Does anyone wish to speak against the amendment?

No.

What is the opinion of the Committee on the amendment?

Mr Samad SEYIDOV (Azerbaijan, EC/DA, Vice-Chairperson of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)):
The Committee is in favour unanimously.

Mr Zsolt NÉMETH (Hungary, EC/DA, President of the Assembly): Thank you.

I shall put the amendment then to the vote.

The vote is open.

I close the vote.

Call for the result to be displayed.

Amendment 10 is agreed to.

We will now proceed to vote on the draft resolution contained in Document 15546 as amended.

The vote is open.

The vote is closed.

I call for the result to be displayed.

The draft resolution in Document 15546 is adopted.

Thank you very much, colleagues.

A big applause and thank you for your attention.

See you later.

Debate: Ensuring accountability for the downing of flight MH17

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): The next item of business is the debate on the Report titled “Ensuring accountability for the downing of flight MH17” (Doc. 15543) presented by Mr Titus CORLĂȚEAN on behalf of the Committee on Legal Affairs and Human Rights.

In order to finish in time for the address from His Majesty King Willem-Alexander of the Netherlands, I will interrupt the list of speakers at about 12:15 p.m. to allow time for the reply and the vote.

I especially welcome to our gallery a representation of the next of kin, who have worked hard for years to get justice done to them, and all these others who lost loved ones due to the Downing of MH17. We are honoured that you are our guests here today.

I now call Mr CORLĂȚEAN, the rapporteur, to open the debate and to present this report.

You have 7 minutes, Mister CORLĂȚEAN.

Mr Titus CORLĂȚEAN (Romania, SOC, Rapporteur): Mister President,

Colleagues,

First of all I, myself, would like to welcome some of the families of the Dutch victims of the flight MH17, who are honouring us in being present today with us in the Parliamentary Assembly.

Colleagues,

The report before you is about a human tragedy, which took the lives of 298 people, including 198 Dutch citizens, 17 nationalities all in all, including one Romanian, who were on board flight MH17, en route from Amsterdam to Kuala Lumpur.

They died an atrocious death because the Russian military provided a BUK anti-aircraft missile battery to their proxies from the so-called People's Republics of Donetsk and Luhansk. One of these missiles brought down flight MH17. This has been established beyond reasonable doubt.

Who exactly fired the missile, on whose authority? Did they know that they were targeting a civilian airliner?

If not, should they have known?

What should be the consequences in terms of individual criminal liability or state responsibility?

These questions are the subject of pending court cases in the Netherlands and before competent international instances, as explained in the report before you.

During my fact-finding visits to the Hague and Kyiv, I was shown much evidence, including intercepted conversations between military units controlled by Russia, between fighters and commanders, photos and videos of the BUK battery as it was transported over the Russian border into separatist-held Ukrainian territory and back again – but with one missile missing – and satellite, radar and video imagery showing the trajectory of the missile from its launch until it hit the plane.

In light of this evidence, I have no doubt, really no doubt whatsoever, that the most convincing scenario by far is that flight MH17 was downed by a BUK missile launched by the Russian military units controlled by Russia in the Donbas.

I thought for a long time about whether to include this finding in the draft resolution, or to say this only in the explanatory report. I decided just before its adoption in the Committee on Legal Affairs and Human Rights to include this finding in the draft resolution. An important reason for this is that I believe we owe it to the families of the crash victims to call things by their names.

In the Hague, I met with the next of kin of the crash victims. It was one of the most emotionally challenging meetings I have ever attended. Their despair, coupled with dignity, has deeply impressed me and makes me want us to state in the clearest possible terms what has actually happened to flight MH17.

I do not believe that this interferes with the independence of the judicial instances that are still grappling with the issues of individual criminal and state responsibility, in the Hague and in Strasbourg, as we do not address the detailed legal questions I asked before.

The victims' families' suffering has indeed been made worse, and prolonged, by the different so-called "versions" spread by Russia. Some mutually exclusive versions were even spread simultaneously, with clumsily faked "evidence" to support them.

For example, Russian officials claimed that a Ukrainian SU 25 fighter jet brought down MH17. But it was quickly shown that this ground-attack plane does not even have the pressurised cabin needed to fly at this altitude.

Then Russia claimed that a Ukrainian MIG 29 had downed MH17. But the MIG would have had to have been the size of a football field in relation to other features appearing on the – obviously photo-shopped – satellite picture presented in support of this so-called "version".

According to another "version", a Ukrainian BUK shot down the plane. But there weren't any Ukrainian BUK batteries deployed near the separatist-held territory from where the missile was fired; and the metal chunks found in the wreckage did not match the warhead in use in the Ukrainian forces. Finally, the separatists had no air force at that time: why should Ukraine have fired off one of its few, precious missiles?

I could go on and on.

One of the key takeaways from my information visits to the Hague and Kyiv is the unanimous view of all of my interlocutors that the Russian authorities failed to provide data they must have in their possession, such as relevant primary radar data.

Also, they were generally not responsive or co-operative, but responded in a dilatory and formalistic manner. I was told that the information submitted by Russia was never sufficient or complete; sometimes it was plain false.

My interlocutors had "only bad memories". The Dutch Safety Board (OVV) had even discovered an attempt to hack into its server emanating from a Russian location. My Dutch interlocutors expressed their frustration with the bad faith of their Russian counterparts in even stronger terms than the Ukrainian officials.

I must confess to you, colleagues, for your information that there was no co-operation with the rapporteur from the Russian authorities. Only quite a shameful answer coming from the Russian authorities to my request.

The victims' relatives need to find closure. They need the truth about all the circumstances that allowed such a tragedy to happen. They need a measure of accountability of those responsible.

It is my deeply felt wish that the Assembly shall make a small contribution to this end today.

Thank you.

(Applause).

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Mister Titus CORLĂȚEAN. Thank you, Mister Rapporteur, for all the work done and for your presentation this morning here in the Hemicycle.

Now I open the debate. The first speaker on my list is Mr Bob van PAREREN, from the Netherlands, and he speaks on behalf of the European Conservatives Group and Democratic Alliance.

Mister Bob van PAREREN, you have the floor.

Mr Bob van PAREREN (Netherlands, EC/DA, Spokesperson for the group): Thank you, Mister Chairman.

The report titled "Ensuring accountability for the downing of flight MH17" is so correct. I'm proud to say that, yes, we will ensure that accountability will take place, will continuously take place. It's good to know that the perpetrators of this terrible murder crime will be chastened forever.

The least we can do for the relatives of the innocent victims, also as a lesson that you never escape, when you think you can commit crimes on humanity. It's already terrible for the relatives how long it took to come to the conclusion, and still the chain of command has to be found and punished.

It is good to learn that the Council of Europe is continuously behind to support the investigation as well as the European Court of Human Rights. That is a great and continuous respect for the relatives that are here today.

Also, it helped a lot that they organised themselves and never gave up.

It's great to have today a draft resolution. I ask you all to support this one unanimously. The same country that acts today as a beast in the Ukraine is still working on that way. Their incredible ruthless behaviour brings up a lot of bad emotional memories again for the relatives.

Already long ago they said "to accept barbarism is to invite more". After Crimea, MH17, now today's murderous war in Ukraine.

We all have been too naïve, but justice shall prevail. Relatives, loved ones cannot say that any more. Ensuring accountability for the downing of flight MH17, that's what we are here for.

We will always support the best outcome. I'm very happy that our King is also present today to realise more and more what has happened.

Thank you, Mister Chairman. I closed my contribution now.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Bob.

Next on the list of speakers is Mr Caspar Van den BERG from the Netherlands and he speaks on behalf of the Alliance of Liberals and Democrats for Europe.

Caspar, you have the floor.

Mr Caspar Van den BERG (Netherlands, ALDE, Spokesperson for the group): Mister Chair,

Esteemed colleagues,

The downing of flight MH17 on Thursday 17 July 2014 was a catastrophic event that took the lives of 298 innocent people and has inflicted wounds in the lives of so many more. It is an event that remains very vivid and painful in the collective memory of the Dutch people. Next to Dutch victims there were many Malaysian, Australian, Indonesian, British, Belgian and German citizens among the passengers and crew.

In light of this, I'm humbled to express my utmost respect to the relatives of victims who are present here this morning, on behalf of the entire Alliance of Liberals and Democrats for Europe group. We want to let you know that we stand shoulder to shoulder with you in your loss, in your grief and in your frustration.

As the ALDE family we feel this loss also in a direct sense, given that one of the victims of this atrocity, Pim de Kuijer, was a member of our group. Despite his young age, he was a person who commanded respect from everyone for his incredible societal drive and sense of justice. He was active in and around Dutch politics and campaigned in many ways for the rights and interests of people and groups that are vulnerable and under-represented. He was seen by many as a natural born leader. Pim will not be forgotten. And similarly, there are countless people in The Netherlands who knew someone in the first or second degree who was involved in this tragedy.

And let's not forget that the loss we are talking about today is not only the loss of missing a brother, a daughter, grandchildren or dear neighbours, but also the loss in the sense of the lack of a universally recognised truth about the circumstances of the downing, the lack of accountability, and the failure of justice up until now.

The excellent report by Mr Titus CORLĂȚEAN and his fellow contributors demonstrates once more how the Russian authorities failed to cooperate in good faith with the air safety investigation by the Dutch Safety Board and the criminal investigation by the joint investigation team. We are appalled by the way in which the Russian authorities have been frustrating the path to establishing truth, and achieving accountability and justice.

The Alliance of Liberals and Democrats for Europe group is grateful to Mr Titus CORLĂȚEAN for his outstanding work and unreservedly endorses the calls in his draft resolution.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Mister Caspar Van den BERG.

Now on my list is Mr George KATROUGALOS from Greece. He speaks on behalf of the Group of the Unified European Left.

George, you have the floor.

Mr George KATROUGALOS (Greece, UEL, Spokesperson for the group): Thank you very much, Mister Chair.

Many thanks to the Rapporteur Mr Titus CORLĂȚEAN for his thorough work.

It is not accidental that the two previous speakers are from the Netherlands. As already explained by the last speaker, that was a permanent source of grief, this flight in this country; a scar in the national psyche of the Dutch people.

But justice is never local; it is universal. What we are discussing today is how the victims of this flight could be vindicated. It has already been eight years, and you know that justice delayed is justice denied.

We are closer to the closure. Hopefully, at the end of this year a Dutch Court will give its authoritative judgment on this case.

As already mentioned by Mr Titus CORLĂȚEAN in his report, we do not have competence over judicial or criminal issues.

There is not only the legal aspect in this sad affair. It is also political – the obstruction of justice, misinformation, that concerns all of us.

We must ask the Committee of Ministers to continue working on this issue from a political viewpoint, where they have competence.

A last lesson that we can draw from this tragedy is the necessity to reinforce these institutions that have global jurisdiction over crimes perpetrated like this tragic one. We must reinforce the International Criminal Court.

I remind you that important countries like the United States have not yet signed the Statute of Rome.

Many of our countries of the Council of Europe have not signed the modification concerning the crime of aggression, something that we see as very pertinent now in Ukraine.

I think that vindication for the victims, for the families who are now in the public gallery, it is our strong condemnation of what happened, but also a pledge that things like that can never happen in the future.

If they happen, they are going to have a very fair and just punishment.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much, George.

The next speaker on behalf of the political groups is Ms Thórhildur Sunna ÆVARSDÓTTIR from Iceland.

And Sunna speaks on behalf of the Socialists, Democrats and Greens Group.

You have the floor, Sunna.

Ms Thórhildur Sunna ÆVARSDÓTTIR (Iceland, SOC, Spokesperson for the group): *Dankuwel*, Tiny. [in Dutch: Thank you]

Ladies and Gentlemen,

Dear Colleagues,

Let me first extend my deep and heartfelt condolences to the families and friends of the victims of this terrible terrible crime.

I'm doing this on behalf of myself, but also the Socialists, Democrats and Greens Group. I think it is important that the resolution actually extends the condolences of the Assembly to the family. It is a strong support for how we feel about this horrific event.

I would also like to thank the rapporteur, Mr Titus CORLĂȚEAN, for his excellent work on this report and his delicate approach to this difficult subject matter. I think what this report points out so clearly is why we have a right to have a fair and effective investigation into events such as these.

Why is this a positive obligation to the right to life that we have enshrined in our convention? Because, as we know, the second article of our European Convention of Human Rights protects our right to life, but it also entails the positive obligation to conduct an effective investigation into loss of life. The reason is because it's so important to know why, to know what happened. Why 298 lives were lost that day. And this still has not been established.

I realise, and it is quite clear in Titus' report, that we are not establishing the facts here. The questions that remain I think are very eloquently put in the report where it states that the questions that the courts need to answer is whether the crew of the Russian Buk knew they were targeting a civilian plane. If not, should they have known? Was their mistake caused by negligent or even reckless behaviour? Is the Russian Federation responsible for the actions of the Buk crew either because it made such a powerful weapon available to unreliable operators or because the crew members were effectively controlled by or even belong to the Russian military? How high in the military or political hierarchy does any criminal responsibility reach?

Now, although these questions do not fall under our mandate, the fact that our member States have an effective duty to investigate and to co-operate does fall within our mandate. It just goes to show how important this right is, so that these questions can be answered, so that we get an answer to the question "why did this happen?".

I thank the rapporteur for this report. I wholeheartedly support it. So does the Socialists, Democrats and Greens Group. I deeply hope that we will see justice come to the perpetrators of this heinous act.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much, Sunna.

This concludes the list of speakers on behalf of the political groups, but not before we have listened to Ms Ingjerd SCHOU, from Norway. She speaks on behalf of the Group of the European People's Party.

Ms SCHOU, you have the floor.

Ms Ingjerd SCHOU (Norway, EPP/CD, Spokesperson for the group): President, thank you for giving me the floor.

As our Group of the European People's Party spokesperson, Ms Ria OOMEN-RUIJTEN had to return to The Netherlands, I will be speaking on behalf of the group.

For Ms Ria OOMEN-RUIJTEN, coming from The Netherlands, the downing of MH17 is a case is very close to her heart.

Many of our countrymen are still suffering the loss of loved ones. Still, almost eight years later, relatives of the 298 victims find no peace because those responsible have not been held to account.

Today, in the gallery, a delegation of relatives is present.

On behalf of Ms Ria OOMEN-RUIJTEN and myself, and the whole Group of the European People's Party, I offer our sincere condolences.

President, It must be very clear, we must not forget this horrific act. Mr Titus CORLĂȚEAN has done important work to contribute to holding those responsible accountable. He has shown great sensitivity to the suffering of so many innocent people.

Justice must be done and all implicated states must fully cooperate.

A major finding of Mr Titus CORLĂȚEAN is the gross denial and misinformation by the Russian authorities in order to avoid all responsibility.

The report and research of the Council of Europe is not meant to repeat the investigations or to influence the still ongoing judicial processes. It was initiated to see if there are obstacles that could hinder the investigation and the procedures that are still ongoing. Such obstacles clearly exist.

President, Russia is no longer a member of our organisation. But even if no Russian members are here, we can encourage them to take responsibility. We can urge the Russian Federation to co-operate for the bereaved in particular, but for all of us, finding the truth is imperative.

I have one question to the rapporteur. The data from AWACS was somewhat ambiguous. If the rapporteur could clarify what he means. Is it data which has not yet been made publicly available?

I would also like to give credit to Bellingcat, a Netherlands-based investigative journalism group for their important contribution in finding the truth about MH17.

To conclude, I would like to say to the bereaved, you have the right to find the truth, and we, the members of the Parliamentary Assembly of the Council of Europe are standing by your side.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you Ms Ingjerd SCHOU and we wish Ms Ria OOMEN-RUIJTEN well, who had to leave us because she tested positive for Covid-19.

Now we continue with the rest of the list of speakers.

Now I call Ms Margreet De BOER from the Netherlands. You have the floor.

Ms Margreet De BOER (Netherlands, SOC): Thank you. I will start with my sincere condolences to the relatives of the victims of the downing. And I would like to thank the rapporteur, not only for his excellent report but also for his sincere attention to and compassion for the next of kin, with whom he spoke, even this morning, I understood.

On the role Russia played in the downing of MH17, as well as on its obstruction of the investigations and getting justice, the report is as clear as it can be at this point. More clarity will hopefully follow soon with the rulings of the Dutch and European courts.

At the time of the downing of MH17, I was a member of the Dutch Senate as was our President, Mr Tiny KOX. I would like to use my speaking time to cite parts of a speech by the chair of the Dutch Senate on 9 September 2017.

“The disaster with flight MH17 fills our entire society with shock and horror.

Today, at the beginning of the first plenary session after the recess, we reflect on the horrific catastrophe and the great loss of so many loved ones. On behalf of the Senate, I express the hope that everyone who has lost loved ones so abruptly as a result of this terrible accident may find the strength to give the great sadness a place next to all good memories.

Among the victims of the disaster was our much-loved and respected colleague Willem Witteveen. Together with his wife Lidwien and daughter Marit, he was on his way to his holiday destination in Bali. All three died horribly. As a result, our Chamber also became an environment in which a great loss is felt immediately and nearby. The death of Willem, Lidwien and Marit deeply shocked and deeply touched the Senate. Professor Willem Witteveen was a member of the Senate for the PvdA (Dutch Labour Party) for more than 12 years.

As late as March this year", our Chair said, "during the debate on the state of the rule of law, Willem argued in favour of protecting a democratic constitutional state in which citizens can criticise the government and trust that they will be treated fairly." He also stated: "The rule of law is not a quiet possession, not a house in which we can sleep light-hearted."

Our Chair then ended with: "17 July 2014 is a day that will forever be etched in our collective memory. A day that claimed so many innocent victims and that forever marked the lives of many families. They are and will remain in our thoughts."

Today, these words have not lost any of their meaning.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you Ms Margreet De BOER (*in Dutch*).

Next on my list is Mr Yuriy KAMELCHUK from Ukraine.

He should be with us online, but that does not function.

As Lord Richard KEEN has withdrawn from the speaker's list, the next speaker is Mr Jacques LE NAY of France. Jacques, you have the floor.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): The next speaker is Mr. Jacques LE NAY from France.

Jacques, you have the floor.

Mr Jacques LE NAY (France, ALDE): President.

I would like to begin by congratulating our colleague Mr Titus CORLĂȚEAN. I congratulate him on his report, which takes stock of all of the investigations conducted following the downing in the east of Ukraine, of flight MH17, that was going from Amsterdam to Kuala Lumpur.

On that day, 17 July 2014, 298 people lost their lives, 198 of them Dutch nationals. As always, in such cases, I am aware of how difficult that makes it for the families to grieve, and they are particularly in my thoughts today. When something like this happens, two parallel investigations are launched: firstly, an investigation to determine the causes of the disaster and to draw necessary lessons for safety of aviation; the second investigation is intended to establish possible criminal liability for perpetrators of any crime.

The first such investigation in this case unambiguously concluded that flight MH17 was downed by a Russian missile. The second investigation led to the indictment of four suspects linked to pro-Russian militia in the east of Ukraine. That investigation was conducted by the joint investigative team led by the Dutch public prosecution service, with the participation of the Ukrainian authorities. The conclusions of that investigation were corroborated by Bellingcat, a group of researchers, investigators and journalists who are independent and who specialise in fact-checking.

That being so, I am dismayed to see that the Russian Federation continues to deny the facts and refuses to co-operate in good faith with the investigations. I would remind you that the Chicago Convention on International Civil Aviation makes such co-operation obligatory. Once again, Russia is refusing to shoulder the obligations that it has entered into by signing certain conventions. Different versions put forward by the Russian Federation are deeply distressing and the accusations against Ukraine are particularly heartbreaking.

Evidence against Russia is building up as investigations go forward: it is regrettable to see that it obstinately refuses to participate in any kind of constructive dialogue. Procedures have been brought before the European Court of Human Rights by Ukraine and the Netherlands. Relatives of victims have also brought individual cases. Sadly, Russia has just stated that it will no longer apply rulings from the Court. In fact, to some extent, Russia was already doing that when it was a member of our Organisation.

Despite that, we should have these proceedings go forward and justice should be done by the handing down of an official sanction, even if it is not implemented in practice in this time.

We cannot give up on trying to allow the truth to be revealed. The United States of America and NATO should provide the joint team investigation with the information at their disposal. That could help to shed light on this case and to identify all those involved in the chain of command that resulted in the shooting of the fatal missile.

I support the draft resolution before us today and I wish to avail myself of this opportunity to present my condolences to the families of the victims.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Mister Jacques MAIRE.

The next speaker in the debate is Ms Inka HOPUSU from Finland. You have the floor.

Ms Inka HOPUSU (Finland, SOC): Mister President,

Dear Colleagues,

In the presence of relatives of the victims of the downing of flight MH17, let me start by expressing my sincerest condolences. I am deeply saddened by the fact that 8 years after this horrendous tragedy, you have still not been able to have closure. The investigation has dragged on as a result of Russia's failure to co-operate in good faith with the Joint Investigation Team. The case is a horrific example of what can happen on the sidelines of conflict.

Flying is one of the safest modes of transport. Of course, as with any vehicle there is always a tiny risk of something going wrong but being downed by a missile fired from the ground should not be one of them. It is completely unacceptable. It takes the Geneva Convention of keeping civilians outside of conflict to a whole new level. Missiles are not toys that you can point at any moving objects. They are weapons of warfare. This was a cowardice, heinous crime and those responsible must be punished.

There are internationally recognised procedures in place for investigating airline accidents or emergencies, be they large or small. Based on what I have read we have a clear picture of what happened. Russia's responsibility is unquestionable. The Buk missile did not fall from the sky in the hands of the separatists. Although Russia did not commit this heinous crime, they have a responsibility to do what it takes to help the investigation move forward so that accountability is ensured.

Instead, Russia failed to take responsibility, fabricated evidence and misled the investigation. All this at the expense of the victims' next of kin. The least we can expect is a public apology by Russia. I fully agree with the recommendations in the report and hope that one day soon we can close this case, hold accountable those responsible and allow for the families of the victims to move on. Actually, swift investigation and resolution of crimes committed in any conflict and war situations are crucial for reconciliation and closure, it allows people to go on with their lives. I sincerely hope that we will never have to deal with such a case again.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Ms Inka HOPUSU.

Next in the debate I call Ms Mariia MEZENTSEVA from Ukraine. You have the floor.

Ms Mariia MEZENTSEVA (Ukraine, EPP/CD): Thank you dear President, dear colleagues,

The MH17 monument near Amsterdam Schiphol Airport is a permanent reminder for all of us that these 298 victims who have suffered the barbarian actions of the country which is not here present with us - thank god - of the Russian Federation, who as you rightly say have only one technique: to lie, to misuse the facts, to bring the weapons on the ground which was a Buk missile, then bring it out of the territory of the temporary occupied Ukraine and to say and accuse the Ukrainian government who deliberately so-called "targeted" the airplane, which was obviously not the truth.

The historical moment is there: the largest case of a joint application of the Netherlands and Ukraine against Russia is there in the European Court of Human Rights (ECHR).

We have seen families crying in the April sitting of this court, while the representatives of the Russian Federation were continuously lying.

So, the rapporteur has taken a very, very exhaustive and very detailed analysis. Thank you, Mr Titus CORLĂȚEAN, for visiting Ukraine, for meeting with the authorities who are very deep into the details of this case.

It's not only about colleagues, Netherlands, Ukraine, or the other countries, the families of whom were on board on that tragic day.

It's about justice prevailing.

Regardless of how many crimes Russia is committing, it is not been responsible for either of those.

So, this is our chance: by passing this important resolution, which digs into the details and supports the families and those who are no longer with us, who were of course children and adults.

By finalising my speech I would like to say that we have, as a member of the international investigative team, the most interest in this case bringing the best result.

Unfortunately it cannot bring back lives, but it can bring justice.

I salute the rapporteur.

I highly ask you, dear colleagues, to support the amendments proposed.

Thank you very much.

(Applause).

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much, Mariia.

And the next speaker on the list is Mr Dmytro NATALUKHA from Ukraine.

Dmytro, you have the floor.

Mr Dmytro NATALUKHA (Ukraine, EC/DA): Thank you very much.

Dear Mister Chairman, dear members of the Parliamentary Assembly, dear Mister rapporteur,

First of all, I would like to express my deepest sympathy to the families of the victims of the crash of the MH17 and, believe me, we Ukrainians understand the irreparable pain, loss, and anger of the relatives of those whose lives were interrupted on that monstrous day of July the 17th in 2014.

I want to thank the rapporteur for his work. I think he did an outstanding and brilliant work. This is my personal opinion. I have no slightest doubt that he was approached to this report as impartial as possible. Indeed, it is impossible to say that the events in this report are described as one-sided superficial and in a biased matter. It is a comprehensive document that makes it possible to fully understand who was behind this terrible tragedy.

Now, since the first minutes of the crash of Flight MH17, the whole world has been asking the following question: who is to blame? Let's go over the plain facts. The Buk missile launcher of the 33rd Anti-Aircraft Missile Brigade of the Russian army is being transported to the temporary uncontrolled territory. This process is overseen by Colonel General Andrey Burlaka of the Russian Federation State Security Service FSB.

In the Russian-occupied Donetsk region, a process accompanied by Igor Strelkov, an FSB Lieutenant Colonel who resigned a year before the conflict began (3), he is assisted by a former fellow ex Russian soldier, Sergej Dubinski, (4) and at the time of the launch Russian airborne troops Reserve Colonel Oleg Pulatow was near the launcher (5).

Again, a Russian Buk, a high-ranking Russian FSB officer, several Russian militaries that are trying to pass themselves off as rebels and the Donetsk Oblast Militia.

I have a question: could this have happened without the approval of Russia's top leadership? Could the deadly air defence system have left Russian territory unhindered without the waving of the leadership?

I agree with the speaker that only a court can determine who is guilty, by all means. However, it is our duty to say that Vladimir Putin, together with political and military leadership of Russia, personally bear full responsibility for this. And Russia, as a state that organised and supported terror in eastern Ukraine for eight years.

And an equally important question is: could this have been prevented?

From the very beginning of the war, we said that Russia was pursuing a barbaric policy towards Ukraine and was a threat to both us and the whole of Europe. We tried to explain that only a Russian defeat, not a ceasefire, could bring security to the region. But many people did not hear us, unfortunately.

Russia has not been collectively stopped when it created an armed force on Ukraine territories. It exceeded most of Europe's armies in terms of equipment and quantity. This was one of the reasons for the crash of Flight MH17. It was the cause of the deaths of 298 innocent people. And, as unfortunate as it is to say, hundreds of civilians are still being killed by Russia and we have to remember that and do everything we can do to stop it.

I have no doubt that the perpetrators will sooner or later face justice, as well as the main culprit who is in the Kremlin now.

And in the end I want to tell you about one interesting fact. One of their artillery shells that was delivered as military aid to Ukraine from the Netherlands was written "wraak voor MH17", which means "revenge for MH17".

Today, we're taking revenge on the battlefield, and I have no doubt that soon you will avenge your relatives and loved ones in court.

Thank you very much. And eternal memory to those who died.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Mister Dmytro NATALUKHA.

As Mr Andrej HUNKO had to leave early, I now give the floor to Mr Larry BROCK, from Canada, our observer state.

Mister Larry BROCK, you have the floor.

Mr Larry BROCK (Canada): *Merci, Monsieur Président et chers collègues*, [Thank you, Mister President and Dear Colleagues]

I am honoured to appear today in person for the first time in this Chamber.

Eight years ago, a commercial airliner carrying 298 people was shot down over eastern Ukraine. Many of the passengers on that flight were from the Netherlands, but there were others from all over the world, including Australia, Malaysia, and my home country, Canada.

The downing of the flight was a tragedy for hundreds of families. Eight years later, we continue to mourn with them. This terrible act was only possible, however, because of another terrible acts: the Russian occupation of eastern Ukraine. Indeed, the downing of flight MH17 proved what the world had long suspected – that Russia had been providing advanced weaponry to the pro-Russian separatist militias.

The conclusion of the air safety investigation led by the Netherlands was clear: the flight was shot down by a surface-to-air missile made available by the Russian military. Adding insult to injury, Russia has refused to cooperate with the investigation and has gone so far as to spread disinformation to make the search for the truth even more difficult. These delays and deceptions have caused the friends and families of those who were lost further grief. Despite these challenges, the international community remains united in its mission to ensure accountability for the downing of this flight.

More recently, Canada suffered a similar tragedy, when flight PS752 was shot down over Iran, causing the deaths of 55 Canadian citizens, 30 permanent residents, and many others.

Following this event, Canada launched the Safer Skies Initiative, to help prevent civilian airliners from being exposed to risks posed by conflict zones. As part of this initiative, countries, organisations, experts and the civil aviation industry work together to share best practices and information to keep passengers safe. They also advocate for the implementation of relevant international air safety regulations. The next Safer Skies Forum will take place in the Netherlands next year. I thank my Romanian colleague for his efforts and echo the report's call for Russia to co-operate in good faith with the Joint Investigation Team. I will continue to closely follow the ongoing Dutch prosecution of four suspects.

Eight years later, the eyes of the world are once again on Ukraine, as thousands of lives have been lost following the most recent Russian invasion. I support PACE President Mr Tiny KOX's call for Russia to immediately end this war of aggression.

Colleagues, we must continue to advocate for a free Ukraine and for justice for the families of the MH17 victims.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much Larry, and congratulations with your maiden speech in the hemicycle. We welcome letting that be followed by many more speeches, as we like to hear also from our observer states and observer parliaments on the other side of the big ocean.

Before I continue with the list of speakers, I can tell you that we have some additional time available for some extra speakers, so if anyone of you wants to also contribute to the debate, please announce it to me as soon as possible.

Now I first give the floor to Ms Lesia VASYLENKO from Ukraine; you have the floor.

Ms Lesia VASYLENKO (Ukraine, ALDE): Thank you, Chairman, and a very big thank you to Mr Titus CORLĂȚEAN for your very diligent work on this report.

Acknowledging in the presence of the family members of some of the deceased today with us in the hemicycle, I just want to say I'm really truly sorry for your loss, and I'm really truly sorry that eight years in, you still do not have closure and justice.

This 17th of July we will mark 8 years since the MH17 tragedy. I remember very well being in Kyiv on that day and reading the news of the 298 innocently killed people. I remember the numbing realisation sinking in that there is no way you can hide or run from Russia, from Russia's war or from Russian aggression, and that the only way is to stand up and fight.

This report is another evidence of what Russia really is, and why we as an international community must do all in our power to stop the aggression and push for justice and accountability.

The rapporteur put it excellently in one of the points in the report: The modus operandi of Russia in the MH17 case and beyond is to obfuscate the truth by creating confusion, alternative versions supported by fake evidence, with the intention to let the general public tired and end up concluding that there is no truth, and that anything can be believed.

Russia now is actually doing exactly that. It is waging a war of attrition in an attempt to make both Ukraine and the West tired, in the hope that the fatigue will lead to some kind of, any kind of peace treaty, legitimising the further land grabs that Russia is holding over Ukrainian territory.

Today 20% of Ukrainian territory is under Russian occupation. That is 125 000 square kilometres of land where people live. That is like three Switzerlands, two Irelands, over half of the UK, two-thirds of Italy.

In 2014, Russia got away with Minsk, a quasi agreement which allowed Russia to hold control over 7% of the Ukrainian territory. The West endorsed that very strange agreement. But in 2022, history must not repeat itself. We must put a firm stop to Russia's aggression and we must do it together.

Ensuring accountability in the MH17 case is a key step in this process of justice. It is my firm conviction that this report will play a key role in the the justice that will be served by the end of this year.

As I have time, I'd like to also develop a point that was made yesterday in this hemicycle by a colleague of mine, Mr Oleksii GONCHARENKO. While Ukraine fights, and Europe and the West stand united in sanctions against Russia, some European companies continue to sell to Russia components used in weapons that kill Ukrainians and prolong the war.

These companies that ignore sanctions and trade bans are the Belgian New Lachaussée company, French Thales, German Techlube and German Zoller, and Italian IVECO.

How do we know this?

Well, basically when the Ukrainian Army captures Russian drones or armoured vehicles or any other armaments, we take them apart, and we find elements, foreign elements, which were produced after the sanctions were introduced, and hence sold to Russia after the sanctions were introduced.

I urge with this the relevant countries to take action, to conduct investigations, and to serve justice as well. We cannot allow for sanctions to be ignored by certain companies in the interest of business and in the interest of money. We must stand in this strongly together.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Madame Lesia VASYLENKO.

As Ms Thórhildur Sunna ÆVARSDÓTTIR has indicated that she would prefer to be the last speaker in this debate, I now first ask whether members will use the possibility to participate in this debate at this moment. Feel free to announce it, then you can have the floor.

I do not see any... then I give the floor to Ms Petra STIENEN from the Netherlands.

Ms Petra STIENEN (Netherlands, ALDE): Mister President,

What a morning! So many words have been said.

My heart goes out to the next of kin in the gallery and to everybody at home who is missing a loved one.

I will start with a story about a loved one who was very dear to many people in my party.

Since 2015, the Pim de Kuijer lecture offers an annual stage for a politician, journalists, activists or artists, who shows that you can put big words such as human rights and democratisation into practice at a young age. The lecture is named after Mr Pim de Kuijer from Amsterdam, who died on board flight MH17 on 17 July 2014, at the age of 32. I was always honoured to be the moderator of this lecture.

Mr Pim de Kuijer was politically active for my political party D66 and the Alliance of Liberals and Democrats for Europe group. He was a lobbyist for Stop AIDS Now. He previously worked for the European Parliament, and was a diplomat for the European Union in Malaysia. As an election observer, he participated in missions in Sierra Leone, Egypt, and Ukraine. Indeed, his career sounds like the career of many of us here in this room. Mr Pim de Kuijer was one of the 298 people on the MH17 flight.

We've said this number many, many times. Behind this number, there's so many loved ones of the relatives that we are mourning here today. Their family, their friends, colleagues miss their loved ones every second, every day, like the relatives and friends of all the other passengers on that plane. They deserve to know the truth of what happened. They need a measure of accountability of the perpetrators in order to find closure.

This is why we are discussing the report by Mr Titus CORLĂȚEAN, "Ensuring Accountability for the Downing of Flight MH17".

Under Article 2 of the European Convention on Human Rights, all state parties have the duty to carry out effective investigations to identify and punish those responsible for the loss of life that occurred under their jurisdiction. This is part of our international order to protect human life.

Unfortunately, the suffering of the relatives was prolonged and made even worse by outright lies and ever-changing versions of the events that were spread by the Russian authorities. This is indeed the same modus operandi Russia has been using for decades. Among others in Georgia, in Ukraine, long before 24 February 2022, in Syria, but also against its own citizens, opposition politicians, and human rights activists.

Ladies and Gentlemen,

Dear Colleagues,

If Mr Vladimir Putin thought that by doing these horrible actions he would undermine international solidarity, I think here in this house we have proven him wrong.

I would like to quote part of the conclusion of the excellent report by Mr Titus CORLĂȚEAN, that is a recommendation for all of us. I quote:

"We must continue to resist this perfidious strategy by performing thorough unbiased research and meticulously documenting evidence using all the technical tools available to establish the truth and debunk lies."

It is clear that we will not be able to have normal relations again with Russia as long as this impunity continues.

To conclude, I know that all these investigations and reports and speeches will do nothing to soften this pain, will do nothing to soften the pain of the surviving families, relatives and friends. I do hope that they will add to the chance that truth and justice will prevail.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you.

Thank you very much, Madam Petra STIENEN.

That concludes the list of speakers.

I now call Mr Titus CORLĂȚEAN, rapporteur, to reply. You have 5 minutes.

Before giving you the floor, we have the request of his Majesty the King of the Netherlands to be present at the closure of this debate. We interrupt for a moment to welcome the King of the Netherlands, his Majesty King Willem-Alexander.

Yes, dear colleagues, there is a King in the room, but we will, if you allow us, we will continue with the debate on the Downing of flight MH17. We have just given the floor to the rapporteur, Mr Titus CORLĂȚEAN.

Titus, you have the floor. You have 5 minutes.

Mr Titus CORLĂȚEAN (Romania, SOC, Rapporteur): Thank you very much, Mister President.

Your Majesty,

Colleagues,

First of all I would like to thank all the colleagues who contributed. Their contributions were extremely important for our debate and for the conclusion of our debate today.

I want especially to thank also, from a human point of view, for the empathy, for the emotions, for the heart that you expressed speaking about this tragedy.

My first comment on the substance is related to the question that I received related to the data available, the level of availability, publicity, confidentiality of this data. I want to state in very clear terms.

First of all, there was full co-operation from the Dutch and the Ukrainian authorities, respecting the rules, while respecting the rules.

Now I speak in a humble manner, also as a former Minister of Foreign Affairs of my country, Romania, working for 28 years in foreign affairs, national security, combating terrorism.

I invite you to make the difference between three levels of availability or confidentiality of the data.

First of all: the documents which are publicly available. You know those documents - Dutch Safety Board for instance, Bellingcat, all those data that were publicly presented - this was the first level of the sources.

Secondly, something that I can describe in general terms as being confidential. I can assure you that I had access to confidential sources of information according to the rules.

You will not see in the draft report and draft resolution explicit mentions of those documents which are protected by confidentiality, but I indicated the type of data and documents and pictures and photos and radar and videos that were made available to the rapporteur – while respecting the rules.

The third level, which is of course confidential.

This is related to the competence of the criminal investigation, according to the rules.

I can assure you only one thing: that according to the Dutch authorities that were leading the criminal investigation, according to the agreement, all the appropriate confidential data that was needed were made available to this criminal investigation, also from some other partners or allies.

What was important in this work was the fact to work based on the objective data, the concrete objective data, witnesses, videos – things that are objectively correct.

Secondly, to try to respect, with scrupulosity – and I did it 100% – the independence of the inquiry and the criminal investigation. This was done 100%.

Why it is important? It is also important for having a very strong basis for rejecting. I fully agree with several comments that were made by some colleagues related to the so-called alternative reality that was spread by the Russian authorities all this time, using manipulation, fakes, all sort of things that we discovered represents the same pattern which is currently used after the Russian aggression against Ukraine starting on 24 February 2022.

This is why it's extremely important. You have the draft report based on such type of objective information and data.

Now I would like to add very quickly another two elements.

You will find in my draft report, in the draft resolution, particularly Paragraph 14 and Paragraph 15, two other important elements. I want just to mention these elements.

First is an invitation to the relevant national and international authorities to provide an update to their procedures on the overflight of conflict zones in response also to the recommendations.

This is extremely important when saying - I don't want to see in the future, you don't want to see in the future a repeat of such horrible situations - but if there is a conflict zone, the overflight should be managed in a totally different way.

Last but not least, Paragraph 15 is a polite invitation addressed to the European Court of Human Rights (RCHR), to the European judges, to consider granting priority to the applications that were tabled by the Netherlands, by Ukraine, and by the relatives of the victims.

I'm saying this while respecting the independence of the judges, but I think it's of fundamental interest of the European public order to have a look according to the rules, it is true, but looking to the fact that time is important.

Finally, I want to thank first of all our Dutch and Ukrainian colleagues, members of the Parliamentary Assembly for their support and co-operation, to thank the Dutch and Ukrainian institutions that fully cooperated with the rapporteur.

I want to express my gratitude to His Majesty King Willem-Alexander of the Netherlands for being present today with us in the Assembly.

Of course, I want to thank especially the families of the Dutch victims who are present today in the Assembly with us.

I want to remind you of one thing. During my visit to the Hague, I was honoured by you when you offered me a picture. On that picture was written the following:

To accept barbarism is to invite war.

I didn't forget this. You don't know the fact that since that moment, this became a logo for the Rapporteur while working with the team, with the Secretariat, to draw up this report and the draft resolution.

Colleagues,

Today I'm addressing you, all members of the Parliamentary Assembly, to adopt a common stand, and a common clear political stand, and to state in very clear terms:

We don't accept barbarism. We reject and condemn barbarism. We have decided to use all our democratic, political and legal tools to ensure that the truth will be delivered, that justice will be done, and that accountability will be, indeed, guaranteed.

Colleagues,

We have an important vote in front of us. I invite you to support this report.

Thank you very much.

(Applause)

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much, Mister Rapporteur, for all the work that you put in and all the effort that you put into it to produce this report to the Hemicycle.

Does the Chairperson of the Committee wish to speak?

Mister Damien COTTIER, the floor is yours.

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): Thank you, Mr President.

Your Majesty,

Madam Secretary General,

Dear colleagues,

Like many of you have already done, I would like to begin by paying tribute to the families represented here with us. I commend their dignity throughout this process and I also commend their stubborn search for truth. They have the right to truth; the victims have the right to truth. On behalf of the Committee, I wish to extend to them our heartfelt condolences. Those condolences go to the loved ones of those who were lost, and also to the government and the people of the Netherlands. We have heard that the Parliament of the Netherlands was directly affected, and I think about all of them, and also about all of the other victims, because there were 17 different nationalities in total.

The search for truth is something we must not give up on, and I really would like to pay tribute to Mr Titus CORLĂȚEAN. He's done an immense job of work. He went to the Netherlands, as he said; he also went to Ukraine shortly before the war of aggression was launched. He has been tireless in his quest for truth, and has searched for truth as objectively as possible. It is very much to his honour and the honour of our Assembly that he has done such a wonderful job.

I wish to state that we also should all be proud, I think, of the dignified way we have debated this issue here today today. There was also a very dignified discussion in our committee, and yet there was emotion, when Mr Titus CORLĂȚEAN met the families of the victims. He's been a politician for many, many years. He has overcome many, many challenges, but meeting the families of the victims was very, very emotional for him, and I think it's very emotional for all of us here in the chamber talking about this today.

The Committee unanimously supported the draft resolution that has been submitted, and the Committee unanimously also came to the view that by far the most likely scenario was that a Buk missile was used by military or militia forces controlled by the Russian Federation, and that ultimate responsibility lies there.

The search for truth is vital. It is vital for us, as an Assembly, it is vital for the families and loved ones of the victims.

The attitude of the Russian authorities in this case — they have not co-operated, they have tried to drag things out, sometimes they have tried to create alternative realities, as they say, "alternative facts" — that attitude should give us cause for concern and dismay. What we are trying to do is to ensure that that kind of attitude cannot take root, because we know the barbarity that results. We have just heard about it, and we see this same thing happening in Ukraine today — atrocities are committed and then attempts are made to fabricate false information to deny what has happened, to deny responsibility for it, to blame others. We have to recognise that.

Russia is violating its international obligations, but also its moral obligations, and it is causing enormous suffering for the families of victims, even more than the already unimaginable suffering of their loss. The fact that they are not getting a clear explanation makes their pain all the harder to bear.

We fully commend the Netherlands for the way they have co-operated with the rapporteur, for their support to the rapporteur, but also to the families and loved ones of victims.

Australia, Malaysia, Belgium and Ukraine have also been very much involved in the work and we commend their co-operation also.

Ladies and Gentlemen, Your Majesty,

In the end, the truth will prevail and we are convinced that justice and truth will have the last word on this. So I call on you to adopt this resolution.

Vote: Ensuring accountability for the downing of flight MH17

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, dear Damien.

Now the debate is closed.

The Committee on Legal Affairs and Human Rights on has presented a draft resolution to which 5 amendments have been tabled.

They will be taken in the order in which they appear in the Compendium.

I remind you that speeches on amendments are limited to 30 seconds.

I understand that the Chairperson of the Committee on Legal Affairs and Human Rights wishes to propose to the Assembly that amendment 5 to the draft resolution, which was unanimously approved by the committee, should be declared as agreed by the Assembly.

I also understand that amendments 3 and 4 were unanimously agreed by the Committee but these will need to be taken individually as they are linked to amendments 1 and 2.

Is that so, Mister COTTIER?

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): It is so on the decision in the Commission; Amendments 1 and 2 have been withdrawn.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): We will see.

Does anybody object this procedure?

That is not the case.

I understand, indeed, that Amendment 1 has been withdrawn.

Is that the case, Madam Mariia MEZENTSEVA?

Ms Mariia MEZENTSEVA (Ukraine, EPP/CD): This is the case. In favour of the joint position of the Committee. Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much, Mariia.

Now I come to amendment 2, and I also understand that this amendment has been withdrawn.

Is that so, Madam MEZENTSEVA?

Ms Mariia MEZENTSEVA (Ukraine, EPP/CD): Yes. This amendment has been withdrawn, and we think that the position of the Committee is very balanced and clear in the final text.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much.

Then I have to say that:

As amendment 4 was unanimously approved by the Committee, I declare it agreed.

Let's see.

That means that we can now, I am looking to the Chair of the Committee as well, we can now proceed to vote on the draft resolution contained in Doc. 15543 [as amended].

The vote is open.

The vote is closed.

I call for the results to be displayed.

The resolution is adopted unanimously.

Congratulations.

Thank you very much, dear colleagues.

We will continue at our agenda. The next item of business on our agenda is an address by His Majesty King Willem-Alexander of the Netherlands.

He is accompanied by the Minister for Legal Protection, by the Dutch Ambassador. I see also that the president of the Congress of Local and Regional Authorities is with us, who happens also to be his majesty's commissioner in the beautiful province of Flevoland, and the Judge Madam Jolien Schukking is also present at this moment.

Ladies and Gentlemen,

Dear Colleagues,

May I now formally welcome to our Hemicycle His Majesty King Willem-Alexander from the Netherlands.

Your Majesty, welcome to our palace this time.

Where the Council of Europe resides, we call our Palais the European House of Democracy, Human Rights, and Rule of Law. We welcome in this Hemicycle, a place which I like to call a most important agora of parliamentary dialogue and multilateral diplomacy in Europe.

We are delighted with your presence here today. As a Dutchman, of course, I'm even more delighted to welcome my head of state in our Assembly. It's your first appearance here. Some 20 years ago, in 2002, the then head of state of the Netherlands addressed this Assembly, Queen Beatrix, your mother. More than half a century before that address, in 1948, her mother, your grandmother, then Crown Princess Juliana becoming Queen Juliana later that year, hosted in the Ridderzaal, the Hall of Knights, in The Hague, the famous Hague Congress there only three years after the end of the devastating World War II that had ruined Europe and killed millions. Your grandmother welcomed, together with your grandfather, Prince Bernhard, the founding fathers of what would become only one year later the Council of Europe.

Among the Europeans your grandmother addressed in The Hague were Sir Winston Churchill, who chaired the meeting, and many other famous European politicians. To mention a few: Konrad Adenauer, François Mitterrand, Harold Macmillan, Édouard Daladier, Anthony Eden, Paul van Zeeland and Altiero Spinelli, as well as a broad range of philosophers, journalists, church leaders, lawyers, professors, entrepreneurs and historians.

Together they discussed the the future structure and the role of what would become the Council of Europe and the need to formulate a groundbreaking binding convention for the protection of human rights and fundamental freedoms.

Your Majesty, what was then proposed in The Hague has now become Europe's oldest and broadest treaty organisation with 46 member States aiming "to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage", to quote Article 1 of the Statute of the Council of Europe. With a unique Human Rights Convention granting fundamental rights and freedoms to all Europeans and a European Court of Human Rights whose verdicts are binding to all member States.

Your Majesty, at the time your mother addressed this Assembly that unity seemed seriously on its way after the accession of the former authoritarian and communist states to this Council of Europe. Queen Beatrix, told the Assembly then that the achievements of post-war Europe might seem obvious but could not be considered the consequences of a fortunate whim or an inevitable historical process.

She said, and I quote her, "These are the result of the will and the conviction of the peoples of Europe and of the imagination, courage, and perseverance of the leaders of the day".

Today, your Majesty, as we are confronted with a horrible war of aggression waged by our former member State Russian Federation against our member State Ukraine, we are again in dire need of imagination, courage, and perseverance to end this war, to restore peace in Ukraine, and to rebuild effective and sustainable multilateralism in Europe based on respect of the rule of law, human rights, and democracy for all European citizens.

Your Majesty, at the upcoming Fourth Summit of Heads of State and Government these issues will surely be at stake. Due to Dutch constitutional relations, it will then probably be the Dutch prime minister to represent the Netherlands at that summit, but today, your Majesty, in our Assembly, the floor will be yours.

We are all eager to listen to your wise words in these challenging times.

May I please invite you to take the floor.

Address: His Majesty King Willem-Alexander of the Netherlands

Willem-Alexander (King of the Netherlands): Mr President, ladies and gentlemen,

It is a great pleasure to be with you here today.

Thank you for giving me the opportunity to find out more about how you do your work in practice.

I just attended the conclusion of your deliberations of a subject of exceptional importance to the people of the Netherlands, holding to account those who were involved in the downing of flight MH17 almost eight years ago.

Our hearts go out to the next of kin, some are here with us today.

I would like to thank everyone in the Parliamentary Assembly who is working to establish the truth and the chief justice. It means a lot to us that our fellow Europeans are as determined as we are to ensure that justice prevails.

Brute force and the misuse of power can never be allowed to have the last word.

That conviction is what inspired the Kingdom of the Netherlands to join with nine other countries in 1949 to establish the Council of Europe. The seeds for its founding - the President alluded to it - were sown a year earlier, in 1948, at the Congress of Europe, in the Hall of Knights in the Hague. My grandparents hosted the event. Winston Churchill - at that time a parliamentarian, just like you - addressed the participants.

This is not a movement of parties, but a movement of people, he said. No one can suppose that Europe can be united on one party or sectional basis. It must be all for all.

"All for all" - that ideal inspired the founders of the Council of Europe.

From the outset, one of the Council of Europe's key aims has been to promote unity among its member States.

That does not mean that we are always in agreement in Europe. In this Parliamentary Assembly, a wide range of diverging views are expressed. Clashing opinions, even.

We live in a continent where there are conflicts and confrontations. But we are also a continent that has learnt from bitter experience and we have to find a common way of channelling those conflicting views.

It is an amazing achievement that 46 countries - large and small - acting of their own free will - have bound themselves to common agreements.

For almost three-quarters of a century, the Council of Europe has shown that we do not need to be held hostage by the bitterness and pain of the past.

That there is an alternative to violence and tyranny.

That it is possible to live together in peace and liberty by ensuring that we always remain in dialogue.

That is precisely why such huge shock waves went through Europe in February, when one of our member States - free, peaceful, and independent Ukraine was attacked.

The Russian invasion is a flagrant violation of everything that our family of European nations stands for.

The cynical use of force runs counter to all the fundamental values of which the Council of Europe was built.

It is encouraging that your Parliamentary Assembly expressed its support for Ukraine from the very beginning.

Europe has been united in both word and deed, in defending the right of sovereign nations to determine their own futures.

Let it be absolutely clear to everyone: we Europeans do not want to set the clock back a century. We do not want to go back to a time in which might was right; or to an era of extreme nationalism, hateful propaganda and terror. Those ghosts of the past must not be allowed to return.

It would be a historic mistake to believe that in 2022 Europe can be driven apart by force, or that violence can be used to deprive the people of their freedom.

Ukraine's neighbours deserve great respect for the way they immediately sprang into action to receive large numbers of refugees.

Many of those refugees want to stay close to home, so that they can return as soon as possible. Others have sought safe havens elsewhere in Europe, including in the Netherlands.

I have met a number of them and been deeply moved by their stories; young mothers with small children, who hastily packed their belongings into overnight bags. People whose homes were burnt to the ground, after being shelled. People who left their businesses behind when they fled. Students who want to return to Ukraine as soon as they can.

I have been impressed by the resilience of Ukraine's people in refusing to bow down to force.

Their struggle compels us to reflect on our own history and the blessings of liberty and peace - blessings that we have taken for granted lately.

I have noticed that the conflict has brought memories of the Second World War into sharper focus among the most elderly of my country's people.

Anyone who experienced the bombing of Rotterdam as a child in May 1940 will have been chilled to the bone by what the people of Mariupol have had to endure.

Particularly at this time, we must stand together as Europeans.

We must realise that we have made tremendous progress in the past 70 years.

Step by step, we've worked together to achieve a steadily higher level of protection.

The Council of Europe has been one of the key driving forces behind these efforts.

You are truly part of a proud history.

Take for example the European Convention of Human Rights and the European Court of Human Rights.

It is an incredible achievement that countries and peoples who fought one another for centuries have come together to protect human dignity and ensure that human rights are protected.

Thanks to the Council of Europe, the death penalty has been abolished throughout Europe.

Thanks to the Council of Europe, torture is a horror of the past.

Thanks to the Council of Europe, efforts are being made to combat human trafficking and violence against women.

Let us cherish these achievements. Let us acknowledge the strength of these foundations that we have built together.

Sometimes, it might be tempting to disregard shared standards and cast doubts on the court's authority.

In such cases, countries should exercise great care and bear in mind the broader importance of stability and trust within Europe.

Each member State has its own responsibility in this respect.

It is important that we remain critical of one another.

But perhaps most of all, we must have the courage to be critical of ourselves.

The Kingdom of the Netherlands welcomes the constructive contribution made by the Council of Europe to improve our legislation and policy.

Take the example of the Venice Commission report, published last year at the request of the House of Representatives of the state general.

The report contained guidance for improving the individual legal protection offered to citizens of the Netherlands.

It is good to be open to well-founded suggestions from European experts.

When others hold up a mirror, you can learn from what you see.

The rule of law never functions perfectly.

A state governed by rule of law is not a state where mistakes are never made, but one where mistakes are learned from as part of a continuous process of improvement.

So, there is no need to fear criticism from others.

When it comes to integrity, anti-corruption and the functioning of local and regional democracy, the Netherlands takes the Council of Europe's suggestions very seriously.

In performing its task of protecting human rights, the rule of law and democracy, the Council of Europe has constantly faced new challenges to which it's formulated answers.

It began by offering protection for human rights and fundamental freedoms.

Later, its protection expanded to rights related to employment, social protection, health care and education; agreements on counter-terrorism; protection against discrimination on the basis of sexual orientation; and protection against sexual exploitation and domestic violence.

Now, there are new subjects that require your attention, because they affect the rights and lives of people in Europe.

Sometimes, these subjects are not yet understood, such as the rise of artificial intelligence.

Sometimes, their impact is already crystal clear - as with climate change.

The Netherlands welcomes the debates with the various Council of Europe bodies about the consequences of climate change for individual rights.

Your Parliamentary Assembly is striving to give the subject the attention that it merits and we fully support you in these efforts.

It is essential that we make our economies greener, and transform our energy supply, basing it on renewable sources. Europe's citizens are already experiencing for themselves the harmful consequences of rising temperatures, pollution and droughts.

So, it's only logical that we make this subject - one that affects all Europeans - a central focus within the Council of Europe.

Another issue that requires fresh focus is the protection of journalists. In 2015 the Council of Europe launched a platform to offer journalists better protection against threats and violence. Responsible journalism is indispensable in a free and democratic state governed by the rule of law. Journalists who work in good faith to expose wrongdoing deserve our support. It is good to see the Council of Europe standing up for them.

Mister President,

The Council of Europe is an institution in which free and independent countries strive to bring out the best in one another. That explains its appeal. Within little more than three generations, the number of member States has grown from 10 to 46, each of them having joined of their own free will.

Doesn't that speak volumes?

We've all been impressed by the heroism of the Ukrainian people who have refused to bow down to force.

But let us not underestimate our own strength either.

In recent years I have visited many European countries and I firmly believe that in every one of them you can find stories capable of inspiring the entire continent.

Take Poland, and the United Kingdom, which played such a key role in liberating my country during the Second World War. Our Polish liberators knew that they could not return to their own country, yet still they risked their lives for their fellow Europeans.

Take the Baltic States, of Estonia, Latvia, Lithuania, and their peoples' brave battles for freedom, independence, and democracy.

Take Portugal, which within two generations has developed into a country that is a beacon of openness and tolerance.

Take Norway, and its tireless efforts to promote the international legal order, broker peace, and build bridges.

And take France and Germany: for a long time, they were sworn enemies. Now, for 75 years, they have been the pillars of stability and co-operation in Europe.

Your Parliamentary Assembly brings together the perspectives of people from all over Europe. You can say that the Council of Europe is a crowning glory of the long tradition of European humanism that first blossomed during the Renaissance.

One of the people who paved the way was Erasmus of Rotterdam.

500 years ago, this great humanist impressed on the powers of Europe, that the public interest outweighs individual desires.

He wrote that they should all join forces to achieve the greatest contentment for them all.

It must be "all for all", said Winston Churchill, his words spoken in the Hague, in 1948. His words echoed the message of Erasmus.

The Council of Europe can continue to count on the support of the Netherlands.

I wish you every success as you continue to perform your crucial role as protectors of human rights, the rule of law, and democracy.

I sincerely share your hope that liberty, justice and co-operation will prevail throughout Europe.

Thank you very much.

(Applause).

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much, Your Majesty, for your address to this Assembly.

I think it was a good decision to invite you to address our Assembly the Head of State of The Netherlands.

After these great contributions we had from your grandmother and your mother, the line continues. We are not going to make appointments for the next head of state because she is still still preparing herself, but I think that in your address you touched upon the very issues that we debate here and that will be debated on the upcoming Fourth Summit of Heads of States of Government.

It is that the your reference to the fact that this is not the result of an inevitable historical development, as your mother said here in 2002, you know it is the result of the political will of countries, citizens, politicians, governments, parliamentarians, and the whole of Europe.

The fact that this organisation still stands, could be seen as a miracle. But it is there, and it is there to serve the interests of the people of Europe.

I think that due to the horrible things that are happening to us, first and foremost to the citizens and the state of Ukraine, we realise more than ever how important it is that we come together, that we have an effective multilateralism in all of Europe. That will be debated on the Fourth Summit of Heads of States and Governments, which is now under preparation.

I thank you very much for your wise words that you gave to our Assembly. The good news is that we always can read back what someone said, it can be used against you, but it can also used in favour. I think, Your Majesty, that this will used in favour of you, and especially in favour of the Council of Europe and our way forward to really unite Europe on the basis of human rights, the rule of law, and democracy.

Thank you again for visiting us. I wish you well in the rest of your visit, and I hope you get acquainted with our organisation in such a way that you might say, in a few years time, why not come back.

Thank you very much.

The sitting is closed at 12:50 p.m.