



Provisional edition

Tuesday 26 April 2022, afternoon

Official report of debates

Opening of the sitting No. 12

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Seven minutes late, the Secretary General of the Assembly tells me.

But nevertheless, the sitting is open.

Dear Colleagues,

I am happy to announce that the city of Izmir, in Turkey, has been awarded the 2022 Europe Prize.

Since the creation of the Europe Prize in 1955, Izmir is the 83rd city to be awarded with this prestigious prize for European cities.

I congratulate the city of Izmir and the Turkish delegation for that prize.

Now, the first item on the agenda is the questions to our Secretary General, Ms Marija PEJČINOVIĆ-BURIĆ.

I will remind colleagues that the questions asked will take no more time than one minute.

Madam Secretary General, as always, we are most happy that you are here with us. We have elected you, and it's great that you always are willing to be held accountable for everything that you are doing.

You have seen that the focus of this plenary session is, of course, on the consequences of the war of aggression of Russia against Ukraine. That is the main issue of our plenary session

You you know that you, the Secretary General, together with the Chair of the Committee of Ministers, and me, as the President, worked very closely together in having the right answers to this great problem. Together we decided that the Assembly, the Committee of Ministers, and with you, we had to take this sad but necessary decision to expel, for the first time ever, a member State from the membership of our organisation. Now we have to deal with the consequences of that and many other things.

I am looking forward to hearing you answering the questions of our members. You know they are never easy, but you are skilled enough to deal with them.

First, on behalf of the Socialists, Democrats and Greens Group, I call Mr Frank SCHWABE, from Germany.

Mr Frank SCHWABE, you have the floor.

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.

Question time: Ms Marija PEJČINOVIĆ BURIĆ, Secretary General of the Council of Europe

Mr Frank SCHWABE (Germany, SOC, Spokesperson for the group): Thank you very much, Mr President, Madam Secretary General.

Usually I would like to ask and to have a question about Ukraine for sure, the situation there... but since we have a lot of other opportunities to speak about it tomorrow and the day after tomorrow I would like to put attention to another deep crisis we face since long, but we show it really very clear yesterday that there seems to be countries who think that in the shadow of this conflict and Russia's aggression towards Ukraine they can, I don't know, commit human rights violations. And this is the shocking decision about Osman Kavala, to send him to prison for life and seven others for 18 years.

And I know it's a prerogative of the Committee of Ministers and the Court has to deal with the question, but we have to do something as a whole in this organisation today. The Monitoring Committee decided not to have the next meeting in Ankara, is the first reaction. I would like to ask you: what can we do together? How we can face, how we can react on this really shocking decision in Turkey yesterday?

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Madam Secretary General.

Ms Marija PEJČINOVIĆ-BURIĆ (Secretary General of the Council of Europe): Well thank you very much for this very pertinent question.

You would know from the Bureau meetings and this Parliamentary Assembly and some other fora that probably the execution of this case has been the most time mentioned by myself, I think, as I can recall. Not because others do not matter because the principle is the same for all. The obligation to abide by the Court's rulings are not a kind of invitation. I have repeated that time again and again, and this goes for this ruling as for the others. The fact that we have arrived so far only shows how important this matter is. Mr Kavala has been detained for over five years now. Our Court was very clear on what they consider, that there was no evidence for such detention. I must say that I am very disappointed by yesterday's Court decision in Turkey's sentencing Mr Kavala to life in prison.

This is the seventh time that courts in Turkey have missed the opportunity to comply with the judgments of the European Court of Human Rights, and as you mentioned rightly, the Committee of Ministers that is our body by virtue of Article 46, that is, the one to follow the execution of judgments and the CM after a long procedure before that, being I think seven times in the ECDH since May 2000, when the Court's ruling was final. Two of these times were not only decisions but were resolutions very strongly calling the Turkish side to abide by the Court, by the court ruling. It did not happen, so the CM decided in February to refer to the European Court the question of whether Turkey has failed to fulfill its obligation under Article 46.1 of the European Convention.

The only reason why this time I did not issue a new statement – yet there were quite a few before – was because there is a judicial review by our Court. It would not be appropriate for myself, too, to make another public statement. Of course, we will wait for the Courts to adjudicate and give the answer to the Committee of Ministers.

You also rightly mentioned that, apart from the fact that the CM is the main responsible body, we all have our part to play in this. From my side, I also mentioned that several times before, whenever there was the possibility to meet high-level Turkish politicians, mainly foreign ministers, I always called for freeing Mr Kavala and for the full and swift execution of this judgment. The last time I did it was in March while I was at the Antalya Forum in Turkey.

I can only say that we should, everyone from our side, I know that some of you made very very clear and strong statements about that. The decision of the Court is not final in, I suppose, that the defendant will ask to review the case. We will see how it will be. It will continue but we are approaching, unfortunately, with this infringement procedure, as you say, very devoid actually in this matter unless something happens and the court judgment is fully executed. There is still some hope but, unfortunately, we need to wait for the two courts – our Court and the court of Istanbul – to give their judgments.

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

Next question comes from Mr Aleksander POCIEJ from Poland and he is the president of the Group of the European People's Party.

Aleksander?

Mr Aleksander POCIEJ (Poland, EPP/CD, Spokesperson for the group): Thank you very much, Mr President.

Madam Secretary General,

You will not be surprised: my question is about Ukraine and the dedicated action plan for this country at war.

We have already heard about the one-off actions carried out by the Council of Europe but I would like to know a little more about the proposed strategy.

I know that you are planning a visit to Kyiv and in this regard I would like to ask you more details about the schedule of your potential trip to Ukraine. When do you plan to go? What are the concrete proposals or solutions that you are going to present to the Ukrainians?

My last question concerns the situation in the Republic of Moldova. I know that nothing has happened yet, but when we talked about the situation in Ukraine in January, it was exactly the same situation. Do you plan to anticipate what might happen? Do you have any plans regarding the Republic of Moldova? Because this may be the next problem for this organisation.

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

Madam Secretary General?

Ms Marija PEJČINOVIĆ-BURIĆ (Secretary General of the Council of Europe): First of all, thank you for the question.

Of course, in these horrible times, when the war has now entered its sixty-second day, it is unthinkable not to talk about the situation in Ukraine. Again, I would like to renew my solidarity with Ukraine, with the Ukrainian people and with the Ukrainian authorities. What we have seen is truly courageous, and we must salute it. We must do everything we can, on the side of the Council of Europe but also each of us on our side, to support and relieve this situation, which is unprecedented for the Organisation that is the Council of Europe.

As you said, I have already spoken in this forum of the Council of Europe about the action plan we had. If you remember, the action plan we had before the war was the biggest action plan of all. The Kyiv office was the largest in the member States where we have offices. All this shows the importance that we had before the war, that we still have and that we will have for a long time to come.

Of course, once the war broke out, we had to think about several aspects. The first part is what we can do here, now, when the violence is happening and the crisis of the civilians can testify to this day by day. What can we do in the longer term? What can we do as a revised action plan? What is being done in some of the areas of action with Ukraine?

First of all, I would like to say that already in the beginning of March, I had a first contact with the Ukrainian authorities, in particular with the General Prosecutor, Ms Venediktova, with whom we concluded that the General Prosecutor had very specific needs in terms of immediate assistance for herself and her team, to be able to document and carry out the investigations about the gross violations of human rights. We immediately set up a group of experts who have since begun to work with the Attorney General. That is what we are doing right now, what we have done on the basis of very specific requests from the Attorney General.

As for the measures that could be put in place today, I will not talk about the details because the details are still being discussed with the Ukrainian side, but I can tell you that it is on five tracks: these are actions with which we wanted to respond to the issues that are directly related to the aggression suffered by Ukraine from the Russian Federation. I am waiting for the green light, if I may say so, from the Ukrainian side. I think we are ready, we have already exchanged ideas several times. As soon as the Ukrainian side gives the green light to this plan, it will be published.

At the same time, I also said that I am ready to go to Kyiv at any time. This was the case for your delegation of this Parliamentary Assembly. It has to be an invitation because even without a war, we cannot go to a place without an invitation and without a very clear idea of what we are going to do there. So, I am also waiting for

this invitation. I am in contact with the Ukrainian authorities and I hope that very soon I will have the opportunity to go to Kyiv. Hopefully, at the same time, I will have the opportunity to talk about the action plan, the one we are going to put in place immediately but also the one we have designed for when the war is over.

I must say that yesterday I listened very carefully to President Zelensky's speech in which he talked - at least I noticed - about what we need to do already to prepare for after the war. I think this is a very important approach, which gives hope that the war will end very soon and that we will all work together on the post-war aspect.

In the meantime, there are the consequences regarding the refugees, who have already exceeded 5.2 million, as you know very well since you come from countries that have received most of the refugees from Ukraine. Other countries have also done a lot of work: all the countries bordering Ukraine, especially Hungary, Slovakia, the Czech Republic, the Republic of Moldova. They are also overwhelmed by everything that needs to be done for this very large number of refugees, which has appeared in a very short time. As you have seen, it is the largest number after the Second World War. There is a lot to be done on the migration and refugee front.

My Special Representative for Refugees and Migrants, just like the Commissioner for Human Rights that you heard this morning, who was one of the first to go to the Republic of Moldova at the beginning of March, is going to go to the Republic of Moldova, because the latter had made a request for very concrete assistance. This is assistance to give training on different aspects to help refugees, because you have to know that being a refugee is not only about leaving your home. It can leave, if not treated properly, traces for life. Most of those who are refugees at the moment are women and children, who are by definition the vulnerable people.

As we have the plan of action set up for the next five years, regarding refugees and migrants, my special representative has already divided a programme of immediate response to the needs of the countries that have hosted most of the refugees. She is going to go there and train some teams that will help these people. I would also like to thank some member States that have already shown their willingness to participate in this immediate aid plan for refugees.

Now, to finish with this part: what is the Council of Europe doing at the moment? There is the Council of Europe Bank which immediately gave five million euros to Ukraine, which could be immediately used for the most urgent needs for refugees. In the meantime, the Bank has continued and has now given one billion euros - *Social Inclusion Bond* - for the duration of this year to alleviate social problems and the situation of migrants who are inside and outside Ukraine.

This is what we are doing. I will also be meeting this week with Ms Denisova, the Ukrainian Parliament's Commissioner for Human Rights, to see what she and her team would need to help them in a concrete way.

This is what we are doing in full. For the details of my visit, for the details of the action plan, we can come back to it once I have concluded it with the Ukrainian side. Rest assured that I will do my best to make sure that my visit will take place very soon and that the assistance that we are going to put in place will be useful, taking into account the mandate of the Council of Europe, notably human rights, democracy and the rule of law.

Regarding the Republic of Moldova, this was a very relevant question. I am concerned, as you are, about the security situation around and in the Transnistrian region. It should also be noted that the Minister of Foreign Affairs of the Republic of Moldova has asked all international actors to respect the neutrality that is enshrined in the Moldovan Constitution. We must therefore also take into account his position.

Yesterday and in the last few days we have read reports about the explosions in Transnistria: it does not look good, I agree with you. The Republic of Moldova also has a lot of refugees, with whom they have shown a lot of generosity, but you have to realise that it is a country that is very small in terms of population. We have to do everything we can to help them financially - and otherwise - to help deal with the situation with the refugees who have found shelter there. I also know that they are very afraid. If ever the aggression in the south of Ukraine happens even more strongly than now, it is possible that more refugees will seek shelter in the Republic of Moldova. In this case, it may be unmanageable for a country like the Republic of Moldova.

Taking all this into account, I think we have to be vigilant, but we must always come back to international law. What applies to Ukraine and other countries applies to the Republic of Moldova. We must never stop supporting their sovereignty and territorial integrity as internationally recognised. For now, we must be vigilant. We must be careful that the crisis does not go beyond the borders of Ukraine. Of course, it does not depend only on our side: it depends on the aggressor. I hope that this will not be the case, because if this continues, it will really become an even bigger and more difficult crisis to manage.

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

We are running out of time, but we still have three questions at least on on behalf of the political groups to be dealt with. I would like to ask the three speakers on behalf of the political groups to now first ask their question, and then there are some remaining minutes for you to answer.

First, Mr Gagan MOHINDRA from the UK on behalf of European Conservatives Group and Democratic Alliance (EC/DA).

Mister MOHINDRA, you have 1 minute.

Mr Gagan MOHINDRA (United Kingdom, EC/DA, Spokesperson for the group): Thank you, Mr President.

As you mentioned in your opening speech, the expulsion of Russia from this place is an important message, but it does have repercussions, partly to do with budget. The over 33 million euros that they were contributing to our budget has meant that we need to be conscious about where we spend our money.

Could Ms Secretary General please justify why we continue to support the North-South Centre given these tight financial constraints?

Could she also just give her views on why she regards it as core to business as usual for the Council of Europe?

Thank you.

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

The next question is from Ms Nicole DURANTON from France, on behalf of the Alliance of Liberals and Democrats for Europe (ALDE).

Ms Nicole DURANTON (France, ALDE, Spokesperson for the group): Thank you, Mister President.

Madam Secretary General,

You have partly answered the questions I wanted to ask you about Ukraine. One last one, however: without knowing the difficulties of the situation on the spot, we think it is essential that the Council of Europe Office in Ukraine re-open as soon as possible. We cannot wait. I am convinced that your forthcoming visit will have an important impact. Perhaps you will be able to make some announcements in this regard?

I would like to take advantage of this opportunity, since I have a little time, to ask you another question on another issue. You have undoubtedly been aware of the death threats against our former Swiss colleague Mr Dick Marty, who submitted a report on organ trafficking in Kosovo. What do you intend to do to stop these threats and to ensure that the governments concerned face up to their responsibilities before this Assembly?

Thank you very much.

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

The last question on behalf of the political groups comes from Ms Laura CASTEL, from Spain, on behalf of the Group of the Unified European Left.

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

Madam Secretary General,

Two years ago we asked the Committee of Ministers to take action against illegal espionage. The answer was at the time lodge an application before the European Court of Human Rights and apply binding treaties.

Last week, the greatest espionage scandal broke out almost. Almost 70 people have been victims of Pegasus only in Catalonia: lawyers, politicians, journalists, maybe some of you here. Domestic espionage is a growing malpractice within the Council of Europe.

The aggravated life sentence against Mr Kavala shows that binding treaties or European Court judgments are not effective enough. The Committee of Ministers cannot shy away from this. The European Union has started to tackle this.

What effective actions do you propose, or maybe, have you proposed, to stop this severe violation of privacy and freedom of expression rights?

Thank you Madam Secretary General.

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

Madam Secretary General, could you please answer these three questions?

Ms Marija PEJČINOVIĆ-BURIĆ (Secretary General of the Council of Europe): Yes, okay.

First for budget and most precisely for the North-South Centre. Generally, yes the expulsion of Russian has led to a 7% of ordinary budget hole. It is yearly almost 33 or 34 million euros, so it doesn't make it easy, because our budget is overall not so big, so 7% makes a big hole.

For how to counter that, me and my colleagues have already started talks with some member states. You already know that some member states, some parliamentarians among you have already contacted and some delegations have already committed to assist so that Council of Europe doesn't suffer from the fact that Russia has been expelled rightfully from this place. And I think that the work we do here is really value for money, so we need all together to work on this to find a way.

And I'm very positive on the reactions of number of member states for filling the hole for this year, which makes it a little bit lesser because Russia is still due to pay 5.8 million for this year contribution, until it ceases to be a member, and arrears also, the 8.8 million. But for the next year it's a full year contribution, so I really hope that we will discuss that certainly also at the ministerial in Turin, that we will find a way to really stand by the values that we hear in the Council of Europe, promote and assist our member states to abide by the rules that we together work on.

Now, for the North-South Centre, it does exist for over 30 years. It has merit in being a forum between Council of Europe member states, which is almost the whole Europe, and our neighbourhood, especially in the south. And in a way it was a way through its yearly forum or through the prize that was given yearly, that it actually spread the values and standards of the Council of Europe in this southern neighbourhood. So it has the merit of being a forum for such a dialogue on important issues starting from artificial intelligence to the death penalty. So there is certainly some good work done by this centre.

Now, when it comes to the merit, the North-South Centre is there a partial agreement. And as partial agreements on its fate it's only member states that can decide, like for any other that we have within our system. So I think it's up to the member states, when they have their regular management meetings, to decide whether they still see the benefit of the North-South Centre. I personally believe that we don't have many places like this centre to outreach outside of our 46 member states. Quite a lot or almost all of our work is inward-looking. So we work in within our remit. And I think having a specialised agreement or a specialised centre to work also with our neighbourhood in this case is mostly north-south, as its name says, has certainly a merit, but it's not up to me to decide whether this in the given circumstances should continue or not.

Ms Marija PEJČINOVIĆ-BURIĆ (Secretary General of the Council of Europe): Regarding the Kiev Office, you are right. What I did not say in my answer to the question "What are we doing with Ukraine?" is that all those who had the right and wanted to leave Ukraine – well, 61 of the people who work in the Kiev Office – we helped them to go either to Hungary or elsewhere. We provided several measures to help them, including psychological support measures, and for all those whose contracts were short or were due to expire very soon, we immediately put in place the measure to extend them until the end of the year. So people are safe.

It is true that, for the moment, the Kiev Office is not in operation, but once we have the green light from the Ukrainian side, we will certainly be able to think about when and how we will return to Kiev. Of course, security and safety measures have to be taken into account, but it would be time to think about when the work will be agreed with our Ukrainian colleagues, about what we will do. It is already in my mind but it is not possible to say more at the moment. I'm thinking about it because when we have the action plan for immediate assistance, we will need these people; for now, they may be able to telework but we all hope that they can go to their country. Most of them are Ukrainian citizens.

It is true that it is unthinkable that a person who is a member of parliament, who is elected, should be threatened because he has done his work here in the Council of Europe. It is unthinkable, I believe, in the democratic world, to make such threats. For my part, I can only condemn the threats made against her. As for what can be done, I am sure that the relevant authorities in Switzerland will do their best to see who is behind this and how to move forward. In the Council of Europe, we do not have the possibility to carry out such investigations, but I can assure you that I condemn very strongly the fact that someone who has worked for the Council of Europe is threatened and, if I remember correctly, Mr Dick Marty had worked very well and had made several reports here, not only the one for which he is attacked. I believe that for the safety and security of all of you, of all of us, we have to address immediately the fact that someone – whether he or she was a member of parliament or is now retired – is attacked on the basis of the work that was done here.

Ms Marija PEJČINOVIĆ-BURIĆ (Secretary General of the Council of Europe): For the Pegasus and surveillance concerns, I can only share the fact that in a democratic world, and certainly according, if we follow the standards of the Council of Europe, the European Convention on Human Rights and a few of our specialised conventions, like the Convention on Cybercrime, and Convention 108+ on data protection, certainly, they are there to protect our citizens from any surveillance.

Of course, I heard of allegations in different member States before you talk about Spain and Catalonia in particular. I can say for each of these cases that any interception of communication by member States, including national security services, must abide by Article 8 of private and family life of the ECHR, and the case law of the Court.

Certainly, we must refer to this important fact.

Now, what are the monitoring possibilities of us? Certainly not only the following and the monitoring of the European Convention on Human Rights and the Court judgments, but also from these two Conventions we have specialised tools which all can be put at work if there are the allegations that you mentioned, that have been mentioned, can be documented by appropriate authorities, in the case of Catalonia, by the Spanish authority for data collection.

The moment that this issue is confirmed, if it is confirmed, then I think the relevant monitoring bodies can start their work.

In general, I think in our member States, the surveillance can be justified only if it is written in the law and in very special circumstances, in a democratic environment, for the reasons of national security, for public health, or others.

It is certainly not conceivable and not good to hear that people, and in particular people pertaining to civil society, which on so many occasions we have praised and we have in a number of our ministerial sessions and other documents we called for the strengthening of civil society. What is allegedly the case here are the members of civil society. I think this issue, if it proves to be true, has a different phase, that is, that we will need to work on.

Civil society, politicians, also elected, are an important part of a democratic society, and we need to do everything which we can in order to protect that.

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

Unfortunately, we have run out of time although there are 11 questions remaining. I hope that if these questions are sent to you in writing, that your office will take care that an answer will be given. May I thank you very much again for being here with us. I am looking forward to seeing you the next time.

Before we go to the next item of business on our Agenda, I would like to announce the results of the election of a judge to the European Court of Human Rights in respect of Ukraine.

The members voting were 119, spoiled or blank ballots were 3, votes cast were 187, votes for an absolute majority is 94.

The votes were cast as follows:

Ms Tetyana ANTSUPOVA: 20 votes.

Mr Mykola GNATOVSKYY: 167 votes.

Mr Oleksandr VODIANNIKOV: 0 votes.

That means Mr Mykola GNATOVSKYY, having obtained an absolute majority of votes cast, is elected Judge of the European Court of Human Rights for a term of office of nine years which shall commence no later than three months after his election.

Thank you very much for listening to this result and congratulations to Mr Mykola GNATOVSKYY.

Then, we are going to the next item of business, a debate on the report on the "Deinstitutionalisation of persons with disabilities".

We will wait for a minute for the rapporteur and staff to arrive.

As I announced, the next item of business this afternoon is a debate on the report titled "Deinstitutionalisation of persons with disabilities". You can find it in Document 15496 presented by Ms Reina de BRUIJN-WEZEMAN on behalf of the Committee on Social Affairs, Health and Sustainable Development.

We shall also hear an opinion from Ms Liliana TANGUY on behalf of the Committee on Equality and Non-Discrimination.

In order to finish by 5:35 p.m., I will interrupt the list of speakers at about 5:20 p.m. to allow time for the replies and the vote on the amendments and the draft resolution and draft recommendation.

The rapporteur, Ms Reina de BRUIJN-WEZEMAN has 7 minutes to present the report and then will have a further 3 minutes to reply to the debate at the end.

Therefore, now, I am honoured, Ms Reina de BRUIJN-WEZEMAN, to give you the floor and you have 7 minutes, as I said.

Debate: Deinstitutionalisation of persons with disabilities

Ms Reina de BRUIJN-WEZEMAN (Netherlands, ALDE, Rapporteur): Thank you, Mr President.

Dear colleagues,

Persons with disabilities have the same human rights as you and me. They have the right to live independently and receive appropriate community-based services. This applies no matter how intensive their support needs. Society must accommodate human diversity and enable persons with disabilities to be an active part of it, to achieve full inclusion and participation of persons with disabilities in the community.

This report is a follow-up to my last report on "Ending coercion in mental health: the need for a human rights-based approach". Deinstitutionalisation, in my opinion, is a key stepping stone to ending coercion in mental health.

The rights of persons with disabilities to equality and inclusion are now recognised at the international level, in particular thanks to the UN Convention on the Rights of Persons with Disabilities (CRPD), adopted in 2006, which represented an important milestone in the shift to a human rights-based approach to disability.

The UN Committee on the Rights of Persons with Disabilities is currently working on "Guidelines on living independently and being included in the community". The purpose of these guidelines is to supplement the Committee's General Comment No. 5 by providing concrete guidance to state parties and other actors on how to carry out deinstitutionalisation, including in emergency situations, in line with the CRPD. These guidelines, once adopted, should be implemented by Council of Europe member states as a matter of urgency.

In the meantime, placement in institutions affects the lives of more than a million European citizens and is a pervasive violation of the rights as laid down in Article 19 of CRPD, which calls for firm commitment to deinstitutionalisation.

Institutions are defined as any residential care where residents are isolated from the broader community; residents do not have sufficient control over their lives and over decisions which affect them; and the requirements of the organisation itself tend to take precedence over the residents' individual needs.

Institutions may differ from one context to another. There are certain defining elements: lack of control over day-to-day decisions, rigidity of routine, disrespecting personal preferences or needs, identical activities, a paternalistic approach, supervision of living arrangements without consent, and limited influence over whom to accept assistance from.

But also many persons with disabilities are isolated from their own communities due to inaccessibility of facilities such as schools, health care, and transportation, as well as lack of community-based support schemes. Persons with disabilities are some of the most vulnerable individuals in our society. Being placed in institutions further puts them at risk of systemic and individual human rights violations and many experience physical, mental and sexual violence.

Children are particularly vulnerable to institutionalisation on the basis of impairment, and in many cases children are forcefully removed from their families and placed in institutions. Scientific research into children's early development shows that even a relatively short institutional placement can negatively affect brain development and have life-long consequences on emotional well-being and behaviour. Thus, we must do everything in our power to put this to an end.

A key challenge is to ensure that the process of deinstitutionalisation itself is carried out in a way that is human rights compliant. This includes respecting the rights of the user groups, minimising risk of harm and ensuring positive outcomes for the persons concerned.

The process of deinstitutionalisation requires a long-term strategy that ensures that good quality care is available in community settings. As institutionalised persons are being reintegrated into society, there is a need for comprehensive social services and individualised support in the deinstitutionalisation process in order to support these persons, and in many cases their families or other carers. Such support must be accompanied by specific access to services outside institutions, enabling people to obtain care, work, social assistance, housing, etc., thus also addressing the social determinants of health.

Access to mainstream services is a good illustration of how costs may be reduced in the long-term, by ensuring that community services and facilities for the general population are available on an equal basis to persons with disabilities.

But if the process of deinstitutionalisation is not managed properly, and without due consideration of the special needs of each person concerned, this can have unfortunate consequences. The lack of support and monitoring can lead to abuse and violence, and even a return to institutions. So independent mechanisms must be empowered to monitor the process properly.

I recommend member states allocate adequate resources to support services that enable persons with disabilities to live in their communities. This requires a redistribution of public funds from institutions to strengthening, creating and maintaining community-based services. This may require targeted investments, in particular in the initial phase. The Council of Europe Development Bank and other social development funds can support such efforts.

Thus, member states should develop, in cooperation with organisations for persons with disabilities, adequately funded, human rights-compliant strategies for deinstitutionalisation with clear time frames and benchmarks with a view to a genuine transition to independent living for persons with disabilities in accordance with Article 19 of the CRPD.

Finally, I call on parliaments to take the necessary steps to progressively repeal legislation authorising institutionalisation of persons with disabilities, as well as mental health legislation allowing treatment without consent and NOT to support or endorse draft legal texts which would make successful and meaningful deinstitutionalisation more difficult, and which go against the spirit and the letter of the CRPD.

Mr President. So far my presentation. I am looking forward to the debate with my dear colleagues and to hear their opinion about this report.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Madam Rapporteur, and compliments for the presentation of your report.

We are now going to listen to Ms Liliana TANGUY, rapporteur of the Committee on Equality and Non-Discrimination, to present the Committee's opinion which you will find in Doc. 15509.

You have 3 minutes.

Ms Liliana TANGUY (France, ALDE, Rapporteur for opinion): Thank you, Mister President.

Dear Colleagues,

At the heart of the United Nations Convention on the Rights of Persons with Disabilities, the leading international instrument in this field, is an approach to disability based on full respect for human rights.

By ratifying this Convention, the member States of the Council of Europe have indicated their support for this approach. Over time and in the many debates on the promotion of the rights of persons with disabilities held in this forum over the past years, the Assembly has also repeatedly confirmed its support for the full respect of the rights of persons with disabilities.

I would like to congratulate Ms Reina de BRUIJN-WEZEMAN for her report, which clearly highlights the reasons why deinstitutionalisation of persons with disabilities should be an integral part of this approach. Her report also reminds us that this is an obligation under Article 19 of the CRPD on the independent living and inclusion in society of people with disabilities.

I also want to congratulate the rapporteur because her report goes beyond mere policy positions. It draws attention to the concrete measures that States can and should take in order to ensure a relevant, effective and sustainable deinstitutionalisation process, fully respecting the rights of people with disabilities, as well as the sources of funding to achieve this.

The opinion of the Committee on Equality and Non-Discrimination supports the report of Ms Reina de BRUIJN-WEZEMAN and proposes a single amendment to the draft resolution adopted by the Social Affairs Committee following my proposal in the Committee on Equality. This amendment aims to strengthen the resolution by inviting States to conduct awareness-raising campaigns to reverse the stereotypes and prejudices that persist against people with disabilities. We believe that such campaigns are essential to promote the inclusion of people with disabilities in society.

Dear colleagues, I therefore invite you to support today the draft resolution presented by the Social Affairs Committee and, of course, to support the amendment tabled by the Committee on Equality and Non-discrimination.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Madam TANGUY, for your presentation of the opinion of your committee.

In the debate, I give the floor to the next speaker, Ms Béatrice FRESKO-ROLFO, from Monaco, on behalf of the Alliance of Liberals and Democrats for Europe (ALDE).

Ms Béatrice FRESKO-ROLFO (Monaco, ALDE, Spokesperson for the group): Thank you, Mister President.

The Alliance of Liberals and Democrats for Europe (ALDE) thanks the rapporteur for her work, which puts into perspective the confusion often encountered by people with disabilities and their families.

At the expense of their most basic rights, they are mostly placed in institutions when they could very well flourish outside them. Moreover, the United Nations Convention on the Rights of Persons with Disabilities indicates that the concept of disability is evolving and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.

Ms Reina de BRUIJN-WEZEMAN, I personally agree with all your arguments about the advantages that would result from deinstitutionalisation, both for the state, for the people concerned, and for our societal models. In short, a new health policy that would rely on an increase in human and financial resources for care in the city. Financially, as you have pointed out, in the long term, external care by local services should not be more expensive than institutional services.

Since the adoption of the United Nations Convention, people with disabilities have had their human rights recognised. This new approach calls into question all the old and often degrading assumptions that advocated massive institutionalisation, especially when the person concerned was a woman. Deinstitutionalisation is synonymous with the right to live an independent life. It would allow these people to make their own choices,

to make their own decisions and even to make their own mistakes, just like us. Of course, these people must know that they are adequately supported in all their endeavours. Of course, deinstitutionalisation should not mean isolation: we are talking about integration and reintegration.

Madam rapporteur, you have underlined the importance of the integration of children with disabilities within our societies. It must not only be sought but also implemented in schools and in the extra-curricular activities in which they may participate. Indeed, learning from an early age, for others, to respect differences and to appreciate the qualities of people who do not have the same abilities is an enriching concept.

I would like to conclude, Madam Rapporteur, by referring to the situation in Ukraine, which you detailed in your explanatory memorandum. It is sad that Ukraine, unfortunately, cannot continue its institutional care reform process, which was put in place in 2017, due to the current conflict, thus lengthening the list of civilians having to suffer from this situation.

Finally, colleagues, I urge you to support this draft resolution and its recommendation because we must all aim to include people with disabilities as equals in all areas of society.

Thank you for your support.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Madam Béatrice FRESKO-ROLFO.

The next speaker in the debate on behalf of the Group of the Unified European Left is Mr Thomas PRINGLE from Ireland. Thomas, you have the floor.

Mr Thomas PRINGLE (Ireland, UEL, Spokesperson for the group): When we consider that the institutionalisation of persons with disabilities affects more than one million citizens within Europe, it shows that a lot needs to be done to satisfy the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

Sadly, in Ireland, we have a terrible history of institutionalising citizens. There has been a long history of abuses being exposed over the last ten years or more with the government having to apologise to citizens on a regular basis.

It is only a matter of time before apologies will have to be made to people with disabilities for the neglect and abuse that they have received while being accommodated by the state.

There are several shocking cases such as the so-called "Grace Case" and the case of a residential centre for disabled people in my own constituency of Donegal. Where the health authorities, the HSE, were fully aware of the sexual abuse of residents by another resident but completely ignored it.

It was only after being brought up in parliament that they started reluctantly to act despite knowing about the situation for many years.

It is not surprising when we see that the state has reluctantly acted on its responsibilities in relation to the CRPD as well.

Our government signed the Convention in 2007, yet only ratified it in 2018. Disappointingly, we were the last country in the EU to ratify the Convention in 2018. This was despite the Law Society stating in 2017 that there was no legal barrier to our ratifying the Convention before then.

The UN's CRPD committee highlighted the challenges in implementing the convention when they stated that "the UN committee is frequently faced with promising legislation only to be sobered by the absence of enforcement due to lack of funding".

In Ireland, I would contend that we have a lack of funding but also, we suffered from a lack of sustained political commitment as well.

Thankfully, this appears to be changing but it needs to be committed to by the whole of government. At the moment it appears to be down to good political leadership which, hopefully, will be sustained. I do not believe we can pin ourselves to hope.

One upcoming test of the state's commitment will be how we support people with disabilities to live independently.

James Cawley of the Independent Living Movement of Ireland has said that "independent living is not just about living in a house or buying one. It is about all the pieces of the jigsaw fitting together. It is about our choices, our control and our dignity". This will be a test for our state but, unfortunately, history would not indicate we will pass the test.

I hope the next time we address this topic here that we can show progress. It is too early yet to say but, hopefully, we will get there.

Thank you.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you, Mister PRINGLE.

We continue with the list now. The floor is for Mr Pierre-Alain FRIDEZ on behalf of the Socialist Group. He is in the hemicycle, yes.

Mr Pierre-Alain FRIDEZ (Switzerland, SOC, Spokesperson for the group): Thank you, Mister Vice-President.

Ladies and Gentlemen,

Dear Colleagues,

The care of people with disabilities is a priority for our different countries.

Disabilities are diverse and their impact on people's lives varies greatly. Congenital diseases, intellectual disability, psychiatric disorders, the consequences of accidents, degenerative diseases or debilitating cancer: a diversity of suffering and restrictions in the existential capacity.

It has been said that a society can be judged by the way it treats the smallest, the most humble of its people. Society must not leave anyone by the wayside. For this, it must provide each and every person with the help and support that, according to his or her possible disability, that person needs.

To answer the important subject we are dealing with today, the deinstitutionalisation of disabled people, our different countries must put the well-being – in any case, the better well-being – of the most humble, the most dependent among them, at the heart of their concerns.

Dear colleagues, the needs are enormous because, depending on the case, important means must be made available to reinforce independence and life choices according to the degree of dependence of the people. The deinstitutionalisation of people with disabilities must, undoubtedly, be a priority for our different countries, because this deinstitutionalisation can be synonymous with fulfillment, with moments and days of quality and happiness to which everyone is entitled, provided that he or she can enjoy them and that this newfound freedom truly responds to the needs and safety of the person in question.

I fully support the objectives of the report, that is to say, in the long term, an ideal of deinstitutionalisation of all people with disabilities, whatever they may be. However, dear colleagues, taking into account the principle of reality – and this is a doctor speaking to you. Institutionalisation is, unfortunately, the only solution in some cases, for many reasons: very high dependency, constant security and surveillance of the persons, the need for heavy treatments, behavioral disorders that cannot be controlled, and the exhaustion of the caregivers. In this type of case, it is important not to make ready-made solutions but to tailor them to each individual according to his or her needs and choices, if these are possible, because we are also talking about people without any capacity for discernment, depending on the level of their disorder.

A truly social society, worthy of the name, must do everything and provide the means to respond to the wishes and needs of its most humble and fragile members. This report is therefore an important step in reminding us of this, and I encourage you to support it.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you for the efficient use of time.

Now the floor is for Mr Joseph O'REILLY from Ireland on behalf of the Group of the European People's Party (EPP). He is in the hemicycle.

Mr Joseph O'REILLY (Ireland, EPP/CD, Spokesperson for the group): Thank you.

Thank you very much, President.

On behalf of the Group of the European People's Party, may I congratulate Ms Reina de BRUIJN-WEZEMAN, our rapporteur, on an outstanding report and recommendations.

The true measure of a civilised society is how it responds to its most vulnerable and challenged citizens.

For too long, our response to persons with disability has been institutionalisation. A throwing away of the keys and grossly inadequate care if not abuse. We must deinstitutionalise persons with psychiatric disorders. Psychiatric treatment is and has been the Cinderella of medicine. Integration, housing, employment, and appropriate support are required.

The report correctly identifies our Council of Europe Development Bank, the World Bank, structural funds, social funds, and national investment, as a prerequisite for change they are financing.

We need inclusion, integration, and respect. Deinstitutionalisation of children is a huge priority.

Again, support and funding are vital.

A lot of progress has been made in diagnosing and providing appropriate education for children with autism. We need ASD units, sensory rooms, and sensory gardens in schools.

We need to integrate displaced or orphaned children into normal schooling and society.

Persons with a range of physical disabilities, such as hearing impairment, visual impairment, and wheelchair users, should have full support and integration.

As the report states, employment is a key. This may mean positive discrimination through quotas and support.

All of these rights are enshrined in the UN Convention on the Rights of Persons with Disabilities, which require full inclusion, participation, community-based support services, and infrastructure.

By adopting this report today, and seeking its implementation in all our member States, we will be doing more than paying lip service to the UN Convention.

Again, I restate the Group of the European People's Party support and congratulation to our rapporteur.

It is important to quote from the report that the respect and the dignity with which every person is and should be born is given legislative and real implementation on the ground in all our countries.

Essentially, President, this makes moral social, economic sense, and leads to the only way society can properly progress.

Thank you very much.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you, sir.

Now for the European Conservatives Group and Democratic Alliance (EC/DA), Mr Pavlo SUSHKO from Ukraine, online. He's connected.

Mr Pavlo SUSHKO (Ukraine, EC/DA, Spokesperson for the group): Dear Mr President,

Dear Mr Rapporteur,

I would like to sincerely thank you for raising such an important topic for this organisation.

We have spoken about it loud and clear, and I'm thankful to my political group for the possibility to speak on its behalf on this issue.

Without any doubt, deinstitutionalisation is key to a prosperous life of people with disabilities, including children. A lot of European countries have deinstitutionalisation strategies, or have at least adopted measures in a broader disability strategy. For example, Lithuania has adopted a child welfare action plan. Bulgaria has implemented the national strategy on social inclusion. By effectively using EU funds, also Latvia aims to introduce a gradual transition from institutional care to family care.

We should take into account the fact that in many European countries, institutions are a permanent and safe solution for children. But still in Ukraine due to too fast tempo reform, a lot of types of institutions are included in the list of places which have to be closed. There are also special schools for children with special education needs among them. Children with disabilities visit this type of schools to get the type of help and education, due to their needs, which cannot be satisfied at the moment.

Each country has its own tempo and progress in this reform.

Now, because of the war that Russia has started against Ukraine, it will be even more difficult. We have to firstly save people with disabilities from danger.

Moreover, there is a huge difference between the number of specially trained teachers and the number of children who require them. Hence, it is impossible to ensure a proper and quality inclusive education for children with special education needs.

I would like to thank Madam Rapporteur for meeting me during the autumn part-session, and discussing the situation with the deinstitutionalisation reform in our member states, especially in Ukraine. She also shares my concerns over the fact that institutions in Ukraine are closed without prior creation of alternatives.

Desinstitutionalisation is a correct and prospective direction. Due to this, it is our responsibility to ensure the best implementation of this reform, which will consider the best interests of children and individual possibilities of each country.

Thank you very much, dear Mr President and colleagues.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you too. Please accept our solidarity and sympathy from Strasbourg to you and the Ukrainian people.

Now we have finished the speakers for political groups. We move to the individual speakers.

First, Mr Constantinos EFSTATHIOU from Cyprus. I am sorry if I pronounced it wrong, I should pronounce it better.

Thank you.

Mr Constantinos EFSTATHIOU (Cyprus, SOC): This is a fantastic pronunciation. Thank you very much.

For years, institutionalisation proved to be the excuse for not assuming our special responsibility and duty to care for the vulnerable.

The practice of confining and forgetting is no longer acceptable. Our co-citizens who happen to be vulnerable must be supported and free to exercise their human rights as a matter of principle, no matter the cost or effort.

Therefore, I commend this well-elaborated report. The findings of which and be used as an important tool to facilitate the much-needed societal transition to a more inclusive and holistic way of assisting disabled persons.

The relocation of confined residents should be accompanied by the development of facilitating community inclusion and participation as well as flexible and tailor-made support to all these people.

People with disabilities can and should be independently included and not segregated in societies.

I fully support this excellent report and congratulate the rapporteur for the excellent work. It is time for us to act fast so as to gain the lost time.

Thank you very much.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you.

Now the floor is for Mr Alain MILON, from France, from the hemicycle.

Mr Alain MILON (France, EPP/CD): Thank you, Mister President.

Dear Colleagues,

Like our rapporteur, whose work I commend, I obviously advocate a human rights-based approach to disability.

I believe that people with disabilities must be included in society and have the same rights as their fellow citizens. However, I do not condemn, on principle, institutionalisation, which may correspond to the needs of certain individuals or families. It should not be systematic, but it may be necessary, for example, when the person presents a danger to himself or to others, or for other reasons that have been developed by my Swiss colleague.

I do not see antinomy between placement in an institution and respect for human rights, and in this respect I would like to commend the work of the teams that I have met in France in numerous structures. I observe that the human rights approach is progressing, including in institutions that are being modernised in many member States. This is a point of vigilance that we must have, recognising the diversity of models and structures in Europe.

Having said that, I support the maximum inclusion of people with disabilities in civil society and I am delighted that all the member States of our Organisation have now ratified the United Nations Convention on the Rights of Persons with Disabilities. It clearly states the principle that people with disabilities should live in society and be fully included.

We must then put this beautiful principle into practice, and unfortunately, we can see that much remains to be done to remove the institutional, social and attitudinal barriers which lead to the deprivation of people with disabilities from the enjoyment of their fundamental rights.

The challenge is to allow people with disabilities to truly control their lives. This is not always the case in institutions, of course.

To achieve this, it is necessary to develop alternatives to institutionalisation. This requires personalised assistance that promotes inclusion, and therefore human and financial resources. The availability of home care and/or assistance is essential to enable people with disabilities to have their own home. This also implies, in many cases, adapting homes and the premises of certain companies and administrations.

The accessibility of public buildings to disabled people is a fight that the Senate's Social Affairs Committee, which I chaired, has been leading for a long time, by pushing successive governments to open up the purse strings that they tended to keep tight.

I would also like to place particular emphasis on the case of children, who require special vigilance. As the rapporteur points out, their best interests must always be assessed and identified.

I would like to conclude by saying that the evolution we wish to see towards an inclusive conception of disability requires a long-term strategy on the part of each of the States and requires significant resources, without discriminating, once again, against the institutional mode, for the reasons I mentioned at the beginning of my remarks.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you sir.

Now the floor is for Ms Konul NURULLAYEVA, from Azerbaijan, online.

Ms Konul NURULLAYEVA (Azerbaijan, EC/DA): Dear Mister Vice-President,

Honourable Members of the Council,

First of all, I would like to deliver my thankfulness to Ms Reina de BRUIJN-WEZEMAN and Ms Liliana TANGUY for carrying out this comprehensive report on the deinstitutionalisation of persons with disabilities.

I firmly believe that this process, in other words, the transfer of mentally disabled people from public or private institutions, such as psychiatric hospitals, back to their families or into community-based homes, is quite significant.

Because the transfer of individuals to families or community-home settings, which tend to be less restrictive than institutions, is thought to benefit individuals by allowing them to be active participants in their communities. However, it is important to make careful planning while implementing such long-run policies due to the fact that failures to manage this process may potentially lead to serious negative effects, including homelessness, marginalisation, and re-institutionalisation.

For this reason, I would like to bring your attention to the successful measure taken since 2014 within the frame of implementation of the state programme on alternative care and giving of children from state child establishments to the families in the Azerbaijan Republic. Based upon this state programme, support services were established for children and their families from the risk groups.

I also would like to make some recommendations regarding this important topic. Initially, I would like to offer the establishment of psycho-educational programmes especially designed for a certain group or an individual. Such programmes should be a combination of motivational, educational, and behavioural techniques focused on knowledge and understanding of the disease, symptoms, treatment, prognosis, and rehabilitation. It should be primarily addressed to the patient, as well as their caregivers and family members.

Furthermore, I suggest the creation of community mental health teams, which are a multidisciplinary teams composed of specialists in mental health. These teams should be responsible for providing expert assessment, treatment and care to the population of a given area in the community. I firmly believe that by implementing these policies, it is possible to attain a smooth transition towards deinstitutionalisation in our societies.

Thank you for your attention.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you for these very good insights.

Now, the floor is for Ms Jennifer DE TEMMERMAN, from France, in the hemicycle.

Ms Jennifer DE TEMMERMAN is not here?

Then we move to the next speaker.

Mr Pere LÓPEZ, from Andorra.

Mr Pere LÓPEZ (Andorra, SOC)*: Thank you very much, President.

First of all, I should like to pay tribute to this initiative from our rapporteur, Ms Reina de BRUIJN-WEZEMAN. In this report, she sets out and clearly details not only the over-institutionalisation of people with disabilities but also the way in which this is in contradiction with the conventions, both of the United Nations and the Council of Europe.

In the draft bill under consideration in my own country, on the person and the family, we have taken a dual initiative in order to put an end to involuntary institutionalisation. In other words, disability should not be a reason for depriving someone of their liberty.

We have support from other parliamentary groups, and as the rapporteur says, institutionalisation must be voluntary or must be reserved for the most serious and urgent cases and there must always be judicial oversight and support.

We should also make mention of the necessary transition, as described in the report, that would be required from a paternalistic model, so a welfare-based model, to one in which public and private resources work towards independent and autonomous models. Of course, more resources will be needed, as we will need more professionals, we will need more careworkers and educators, social workers, as well as personal assistants. In order to promote, not only autonomy but also, in compliance with the convention, decision-making capacity.

So once again, I would like to state that I believe that this report should serve as the impetus for a change in our attitudes in society and in governments.

Thank you.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you.

Now I give the floor to Ms Laurence TRASTOUR-ISNART, from France.

It seems she is online.

Please request the floor.

If she is not connected, let's move.

Now I move to the next speaker. Ms Heike ENGELHARDT, from Germany. She is here in the hemicycle.

Ms Heike ENGELHARDT (Germany, SOC): Mr Vice-President, Dear colleagues,

I am very pleased that we are talking about people with disabilities in this international forum.

I would like to dedicate my contribution to people with mental disabilities. Because it is these individuals that we must not lose sight of in this time of the COVID-19 pandemic. They have suffered extremely from loneliness during the Corona restrictions, whether they live in institutions or in residential communities, or in their own homes. When they worked in sheltered workshops, they were not allowed to come to work. They were not allowed to meet their colleagues. They had no contact with the outside world. They were left to fend for themselves.

Many lacked stabilizing support. After all, work is not just about earning money. Work enables participation. And that's what it's all about: equal participation in our social life. The key word is inclusion: inclusion in all areas of our lives; in education, in the organization of everyday's life, in life plans. For this, people with mental disabilities need support.

Some need help in everyday life; with household management, for financial matters, or in dealing with authorities. It is our task to provide this support, and to do so on an individual basis, geared to the respective need for help. Nowhere is it written that this support must be provided in community facilities. Our society as a whole is called upon to do this. Inclusive forms of living, in which old and young people live together, in which people without handicaps and people with assistance need live together as neighbors; such forms of living bring us closer to this goal. It is important and right that mental health has its place in the Council of Europe. And it is good that we are talking about it together today. However, we must make sure that our recommendations respect the 2006 UN Convention on the Rights of Persons with Disabilities.

The Convention understands that human rights apply to everyone. They are not divisible. People with disabilities must be able to make their own decisions as active members of society. We are here today to move a little closer to this goal. Let us do this together across borders. Let us learn from each other. Let's find new and better ways. Let us live inclusion.

Thank you very much!

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you very much for the detailed explanation of why to prioritize mental health. Thank you very much.

Now the floor is for Ms Andrea EDER-GITSCHTHALER from Austria, in the hemicycle.

Ms Andrea EDER-GITSCHTHALER (Austria, EPP/CD): Thank you Mr Vice-President,

It's a real problem with my name, but you said it well.

Dear colleagues,

First of all, a big thank you to you, Ms Reina de BRUIJN-WEZEMAN, for this great report.

As we have all seen, and as the previous speakers have already said, we are all of the opinion that something has to happen here. I think that's nice and I think that's great, that's the basis of their work, and a big thank you for that.

This issue of not placing people with disabilities in facilities is a very important issue. It is important that we deal with it here today and raise awareness, because it will only work if we raise awareness. We have already heard that, too. We also discussed this in the Equal Treatment Committee today. I thank you, Ms Liliana TANGUY, for your commitment and your amendment. That was also very important. We did, after all, pass it, because, as we have already heard, for a long time people with disabilities were only seen as passive care projects. Thank goodness that has changed. People with disabilities have the right to equality and inclusion. That is also thanks to the 2008 United Nations Convention on the Rights of Persons with Disabilities, which we have already heard about.

All member States here in the Council of Europe, except for one, have ratified this, and it must be observed.

We have also heard or read in the report that there are still violations of this Article 18/19, and that this affects more than one million Europeans. This means no school education, no participation in public life, isolation in communities, victims of psychological and physical violence; among children, but also among older people. There too, we would have to look at the problem of the elderly, who are even more affected if they are disabled.

It needs, as you introduced, a systematic approach to accompany this process of deinstitutionalisation with concrete measures.

We have already heard that there will not be a "one size fits all". This is also a challenge for the member States.

Thank you, once again, for the report, for the amendment. With it, we as the Council of Europe reaffirm our position as the leading regional human rights organisation.

Please vote for this report. I can only fully support it.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thanks a lot. Now I give the floor to miss Ms Fiona O'LOUGHLIN from Ireland, in the hemicycle.

Ms Fiona O'LOUGHLIN (Ireland, ALDE): Thank you very much, Mister Vice-President.

Tonight we will have the presentation of the Council of Europe Museum Prize to the Nano Nagle Place in Cork. Very central to the work that Nano Nagle did 250 years ago was that essence of dignity within every human person. I think that that is central to the debate that we're having here this evening.

I'd really like to thank the rapporteur for her work. It is an excellent document, and of course, I support all of the recommendations that are made.

From the time that everyone of us wakes up in the morning, we all make independent decisions about what we wear, about what we eat, about how we travel to work, or for social occasions, about how we go shopping for clothes, or for food, etc.

Imagine if that was all taken away from us, and we were told exactly what to do and when.

We make basic decisions all the time, and we take them for granted. But those with disabilities who live in institutions do not share this freedom. That's at the crooks of our debate.

Many years ago, people thought that using institutions to house people with disabilities was the correct solution in supporting the provision of food, warmth, and shelter. We have since learned the harm that institutions can do to people living mainly through isolation from the broader community, and by not having sufficient control over their own lives and decisions which affect them.

Listening to the lived experience of people in Ireland living in institutions paints pictures of isolation, segregation, a lack of privacy, and a lack of dignity.

The ultimate goal of deinstitutionalisation is to enable people with disabilities to live ordinary lives in ordinary places. To live independently in their community on an equal basis with others.

What do we need to do to achieve that? We need a comprehensive roll-out of disability awareness training in line with the human rights model of disability. Only then can we begin to confront unconscious bias and view and value people with disabilities for who they are, as citizens of society capable of contributing to society and living independently.

We must meaningfully consult with people with disabilities. That's crucial in the design of policies and programmes, to give meaningful choice for people with disabilities in line with their will and their preferences.

We need active co-operation between all of the agents that are involved. This is absolutely essential, including public authorities, including those that are involved in the personal, as in families, and of course, volunteer organisations such as Special Olympics.

This co-operation, unfortunately, is often lacking in practice. There are many different gaps that are there, and we really need to focus on that. Of course, achieving deinstitutionalisation is not limited to changing the place or type of residence. It entails a profound shift from environments characterised by this.

Thank you.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you Ms Fiona O'LOUGHLIN.

Now Ms Margreet De BOER from Netherlands.

The floor is yours.

Ms Margreet De BOER (Netherlands, SOC): Thank you, Mr President.

I would like to congratulate rapporteur Ms Reina de BRUIJN-WEZEMAN with this excellent report, resolution and recommendation. The move towards deinstitutionalisation of persons with disabilities is both strongly needed and required by states' human rights obligations.

Where placement in institutions should be abandoned, it is still being used far too often in all sorts of care, both for people with physical disabilities and people with psychiatric problems. In this regard I want to draw attention to my own country, where many children with severe psychological or psychiatric problems are being placed in closed institutions – leading to a situation of near imprisonment, without any conviction of crime, and often without adequate treatment. The consequences are extremely severe. In my opinion the way we treat these children is a violation of their human rights, and I hope also this report can help to press for solutions for them.

I would like to stress, as also stated in the report, that the paradigm shift underlying deinstitutionalisation of persons with disabilities is essential. Article 19 of the Convention on the Rights of Persons with Disabilities requires a rights-based approach, rooted in inclusion. In matters concerning the living situation of people with disabilities, choice, assistance and accessibility need to be central. These criteria indicate the need for deinstitutionalisation, but the move towards deinstitutionalisation also requires the proper implementation of these criteria. The report, resolution and recommendation presented today give a clear view on how this can be achieved, so I once again thank the rapporteur.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you.

Now is Ms Ann-Britt ÅSEBOL from Sweden in the hemicycle?

The floor is yours.

Ms Ann-Britt ÅSEBOL (Sweden, EPP/CD): Thank you, Mister Vice-President.

The 2006 United Nations Convention on the Rights of Persons with Disabilities is an important and landmark treaty recognising the human rights of persons with disabilities.

I will talk a little about our experiences in my home country Sweden. Some 50 years ago many people with disabilities were referred to large institutions without either privacy or self-determination. Today, people with disabilities have the right to their own housing and to the support needed to be able to live an independent life.

During the 1970s, we began to question the institutions more and more and eventually closed them down. Then we also started the independent living movement, which fought for the disabled to have control over the service they needed. Normalisation and integration became new social policy goals. Disabled people would live in the open society, have the same rhythm of life as everyone else, live alone, and work. There was a strong impetus to expand the social services in the municipalities.

The development that has taken place in Sweden that the institutions have been closed down and that to such an extent they have switched to a system with personal assistance is probably completely unique. The Convention on the Rights of Persons with Disabilities states that persons with disabilities have the right to live independently and to participate in society on the same terms as other people. Among others, this means that people with disabilities have the opportunity to choose where they want to live and with whom they want to live. People with disabilities do not have to live in special forms of housing. People with disabilities have the access to various forms of community service both at home and in special housing and other services.

What we need to do is to spread the good examples and show that this is actually possible, even if it comes to people who have very extensive disabilities. Everyone can live in society if they receive the right support and it is up to us to bring this out. It is actually something that they can break out about.

We have actually succeeded in one thing in Sweden, that has not been done elsewhere, and that is that we have get rid of these institutions and that everyone can live out in the community and no one is left behind. I thank the rapporteur for a good report.

Thank you.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you.

Now the floor is for Mr Antón GÓMEZ-REINO from Spain, in the hemicycle.

Mr Antón GÓMEZ-REINO (Spain, UEL)*: Thank you, Mister Vice-President.

First of all I would like to congratulate the rapporteurs in addressing an important issue with a positive approach, and above all, committed to the requirements of those most directly affected. That is the PWD's.

I think, in general, it's a difficult time for equality. It's a difficult time for equality, for rights between people, with a context in which numerous dark forces, also in our democracies, are spreading prejudicial speeches; speeches of racial prejudice, class prejudice, and even economic status prejudice.

That is why we precisely we also need to strengthen our commitment towards people with disabilities.

If we talk about equality of rights, we cannot leave these people behind.

It has been said here, but it is important to stress that the social response to PWD's can in no way be to ostracise them in a context of an absence of rights and institutionalisation.

We ought to leave reductionist, pathologising and segregating visions and models, still backed by some, behind. These models intend to tackle the issue by means of depriving people of liberty, when these situations really require greater sensitivity and more commitment among the legislators and the public, for the good of those people, but also for the good of society as a whole.

Common European values of dignity, equality and respect for human rights should serve as a structural framework so that our societies and legislators may develop structures for social care for these people in the 21st century.

We also need to ensure that we address the needs of people with disabilities going beyond current approaches, by means of deinstitutionalisation, for full inclusion.

Therefore, there needs to be a change in the legislative and political approach, and in the social commitment. We need to work for social inclusion as a key element, at a time. As I was saying, that there are pernicious policies being tabled that are basically involving social antagonism.

We need to ensure all rights without imposing decisions.

People must have a right to accommodation, a right to housing, a right to proper income. We also need to ensure that social coverage is extended to these people in a full manner.

Working for inclusion means working for inclusive education with specific measures for full employment and all other issues which have to be championed socially.

Steps have been taken in recent decades, but more needs to be done. Deinstitutionalising people with disabilities, taking into account their specificities, is the only way of guaranteeing an egalitarian democratic inclusion which is full for all these individuals. That is why we support this report.

Thank you.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you. Now I give the floor to Mr Éctor Jaime RAMÍREZ BARBA online from Mexico.

Are you there, sir?

Mr Éctor Jaime RAMÍREZ BARBA (Mexico)*: Thank you, President.

I would like to congratulate Ms Reina de BRUIJN-WEZEMAN and the Committee for such a successful report, which exposes the fact that millions of Europeans with disabilities live in institutions, constituting a widespread violation of the rights established in Article 19 of the European Convention on the Rights of Persons with Disabilities.

In Mexico, I think we should follow the recommendation in this report, which I hope will be supported by this Assembly to develop, with PWD organisations, strategies for deinstitutionalisation, which comply with human rights and which are duly funded with clear timeframes and benchmarks with a view for a genuine transition to achieve an independent life.

I also think it is very sensible for the Assembly once again to call on parliaments to take the necessary measures to repeal gradually legislation that authorises the institutionalisation of people with disabilities as well as rules that allow for treatment without consent and disability-based detention to end mental health duress.

In Mexico, on 4 April, we adopted a reform to the general health law to strengthen informed consent which is the core for the right to health, both from the perspective of individual freedom as well as in order to have a new approach to mental health.

It is now regulated that mental healthcare must be provided in a deinstitutionalised community-based recovery-based approach with a respect for human rights and respecting principles of interculturality, interdisciplinarity, comprehensiveness, intersectorality, gender perspective and social participation from the first level of care to general hospitals.

To guarantee access and continuity of mental health and addiction care, we have established in-patient establishments for temporary use of primary care and psychiatry. Psychiatry services in general hospitals as well as highly specialised regional hospitals and national health institutes. To eliminate the asylum-based psychiatric model, we have established that no more hospitals specialised in specific psychiatry should be built, and current psychiatric hospitals should gradually become in-person centres or general hospitals within the integrated network of health services.

With these reforms, which were approved unanimously with all lawmakers and political groups, we have embarked upon the path of gradual deinstitutionalisation, which we hope will be successful and meaningful in protecting human rights and the dignity of people regarding their health. We are now already working on an extensive reform for the care system in Mexico.

Once again, I would like to restate my congratulations to the rapporteurs and commend approval for this extraordinary report.

Thank you.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Many thanks and appreciation for participating.

Now returning to Europe. Ms Ruth JONES from the United Kingdom online.

Did she ask for the floor?

Madam JONES, please, request the floor.

Is she not there?

Ms Ruth JONES (United Kingdom, SOC): My apologies, Mister Vice-President, for the delay.

Thank you very much.

I'm very pleased to be called to speak today in this important debate on the the deinstitutionalisation of those with a disability. This is my first time to speak in a plenary session, but I hope to be in person with you in Strasbourg in June.

Let me begin by congratulating the rapporteur for her comprehensive report. I thank the Committee on Equality and Non-Discrimination for the Amendment, which I believe strengthens the draft resolution.

Mister Vice-President, before I became a member of the United Kingdom Parliament, I was a physiotherapist for over 30 years, working with children and adults with physical and learning disabilities. Although I was the therapist leading the treatment sessions, I learned far more over the years from my patients, who showed me their strength of will, their enthusiasm for life, and their sense of humour.

I learned that children and adults who have additional needs do not want sympathy or pity. They want to get on with their lives. They want to live their best lives.

People who have disabilities or additional needs are not ill; they don't require medical intervention continually. Yes, they may require medical assistance from time to time, just like the rest of us. They may also make unwise decisions sometimes, just like the rest of us. But just like the rest of us, they have freedom of choice, as already been mentioned by previous speakers, the right to what time to get up in the morning, what to wear, where to go, shopping and things like that, is such an important part of everyday life.

Quality of life is crucial, and we must never forget that. To exclude people with additional needs belittles all of us. Yes, people with additional needs may need some help in terms of aids and adaptations. Yes, they may require advocate to speak on their behalf. People with additional needs must not be put in ghettos, whether that's in school or at home. We must ensure that people with additional needs can live alongside the rest of us. We have so much to learn from them. There may be a financial cost to ensure we can include people with additional needs in education at all levels, from nursery through to universities and further education, in housing, in all areas, and in the workplace. The moral cost to not do this, however, is far too high a price to pay.

Thank you for listening.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you.

Now the floor is Mr Fazil MUSTAFA from Azerbaijan. He is in the hemicycle.

Mr Fazil MUSTAFA (Azerbaijan, ALDE): Dear Colleagues,

Each country and institutions must come up on this new solution addressed to this serious problem.

In Azerbaijan, the state provides special care for disabled persons. They are involved in discounts, grants, and updates projects.

All human beings are born free and equal in dignity and rights. The precondition for anyone to enjoy their rights and fundamental freedoms is that they live in, and are included in the community.

For a long time, however, persons with disabilities were viewed only as passive objects of care. A growing understanding of disability and movements pushing for equal rights have enabled a shift to a human rights-based approach in which society must accommodate human diversity and enable persons with disabilities to be an active part of it.

Many are located in their own communities due to inaccessibility of facilities such as schools, healthcare, and transportation, as well as lack of community-based supports schemes.

Community-based support service and supportive living arrangements provide a better quality of life for persons with disabilities as well as being more human rights compliant and cost-effective.

The Assembly calls on parliaments to take the necessary steps to progressively repeal legislation authorising institutionalisation of persons with disabilities, as well as mental health legislation allowing for treatment without consent and detention based on impairment.

With a view to ending coercion in mental health, institutionalisation of persons with disabilities implies serious human rights violations. The human rights violations are compounded further if institutionalisation is resorted to in childhood.

Independent mechanisms are needed in order to properly monitor the process of deinstitutionalisation, and to ensure its success. Funding must be directed towards sustainable system reforms that enable member States to fulfil their obligations under international law.

It is of paramount importance that member States commit to refraining from projects that involve maintaining or building new institutions.

Thank you for your attention.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you.

Now, that concludes the list of speakers.

Before giving the floor to the rapporteur I have a question also on this.

I'm curious whether the word "deinstitutionalisation" is the best and widely used word to reflect the content of the report, because at a first glance it gives a negative image. "Institutionalisation" is widely used for positive meaning, so I will be happy if you touch on this you or Chairperson of the Committee.

You have 3-4 minutes to reply to the statements and questions. First rapporteur, then Chairperson to the Committee.

Ms Reina de BRUIJN-WEZEMAN (Netherlands, ALDE, Rapporteur): Thank you, Chair.

I would first like to thank the rapporteur of the opinion, Ms Liliana TANGUY, for her compliments and also for supporting the report. Thanks for you.

Then, I want to give special thanks to Mr Pavlo SUSHKO. We met each other, as he said, in the autumn session in very different circumstances. He is now sharing his concerns about situations of the deinstitutionalisation process in Ukraine that is roughly disturbed now due to the war. I am aware that the situation of some institutions is really worrying in Ukraine at this moment down to the war. It is always the same as what we see now, it is the most vulnerable who are hit the hardest.

Also thanks to my colleagues for your input and some issues raised, like the issue for which the amendment was tabled concerning the prejudice surrounding disabilities based on stereotypes and stigmatisation. It is definitely necessary to actively engage in awareness-raising campaigns and change society's attitudes. I also believe that the institutionalisation and inclusion in the community actually help with this itself. For example, children who grow up with children with disabilities in their class at school are more open towards persons with disabilities because they learn at an early age that they are all the same.

I also believe in the power of imagination to start a dialogue about stigmatisation. A serious disability can overcome all of us, for example, as a result of an illness or a serious accident. Despite all the efforts of doctors and nursing staff, everyone who gets hospitalised wants to return home as soon as possible. And wouldn't you? Wouldn't you take back control of your day-to-day decisions? Decide about whom to accept assistance from, go to bed and stand up at a time that suits you, decide about what to eat, who to trust or to love, and when to meet your friends?

Institutional care simply provides poor outcomes in terms of quality of life because it is system-orientated and not person-orientated.

Another issue that occurred today is the resistance of policymakers in which it will all be too expensive or how to deal with persons with complex disabilities. Institutionalised care is paying a lot of money for, as I already mentioned, a poorer outcome in terms of quality of life. It is true that deinstitutionalisation is costly during the transition period when the institutions are still running and community care is starting out.

I think that a realistic transition time is five to ten years. As an example of how to take care that refunding reaches the persons concerned, I would like to mention helping persons on the budget. In the Netherlands, my home country, persons with disabilities living in their own house or with their family can ask for a personalised budget to hire their own support when necessary even 24/7. This approach has also been proven to be successful in quite complex situations.

Please, do not hesitate to take the necessary steps to develop human rights-compliant strategies with deinstitutionalisation with a few to a genuine transition to independent living for persons with disabilities. Please exchange good practices.

As our colleague from Sweden has shown, there is no disability so great that is required institutionalisation if the necessary community-based support is there.

Thank you, Chair. I hope you will support my report.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you.

The floor is for the Chairperson of the Committee if she wishes so.

Ms Selin SAYEK BÖKE (Turkey, SOC, Chairperson of the Committee on Social Affairs, Health and Sustainable Development): Thank you Mr Vice-President.

There isn't much left to be said to tell you the truth.

I just want to reiterate two very critical points that are already made very clear in this report, in this plenary debate.

First, each and every individual has the right to choose how they wish to live, with whom they live, where they live, and how they conduct their daily experiences.

Each and every individual has the right to dignity. As such, all our policies actually have to seek that we protect and guarantee that dignity. The dignity, the right to a dignified life. This is the guiding principle in the paradigm shift that the UN has put forward with the Convention on the Rights of Persons with Disabilities. They firmly call for a well-planned deinstitutionalisation strategy. The Council of Europe should not fall behind. That's what this report does.

I think this is the first critical aspect.

Now, Article 19 of the Convention clearly states our duty to recognise the equal rights of people with disabilities, and to ensure full inclusion and participation in the community, by one, ensuring free choice of living conditions. Two, ensuring access to that choice, which means we need the financial and economic resources to do so. Three, by ensuring a comprehensive and holistic framework of provision of public services through those financial means, ranging from access to health, education, employment. In short, access to life, not only for the disabled. but for their families as well, so that we truly build up a community based service.

So in other words, Article 19 is actually calling for a firm commitment to deinstitutionalisation. Maybe on a case-by-case basis, where we know what every individual needs, and where we actually deal with it not only in our rights-based legal frameworks, but to ensure that our economic policy actually supports that rights-based framework, which is the second strong point I think of this report.

It clearly states that we, as legislators, have to take into account the rights that we need to be drafted. But we can't just leave them on paper. We need to make sure our fiscal policies, our economic policies, our social policies, actually ensure that those words on paper become deeds.

We need to make sure we build that community based system through a systemic strategy, through well-placed economic policy, through a holistic framework, through monitoring we make sure it actually happens.

So, I congratulate our rapporteur, I commend the amendment that was done, which we will next discuss, and also our Secretariat as well as our Committee members who have contributed to this significant work. I look forward to your support.

Thank you.

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Thank you.

The debate is closed now.

Now we come to the consideration of the amendments, draft resolution, and recommendations.

The Committee on Social Affairs, Health and Sustainable Development has presented a draft resolution [Doc. 15496] to which 1 amendment has been tabled and a draft recommendation [Doc. 15496] to which no amendments have been tabled.

Now we will start with consideration of the draft resolution. After that we will consider the draft recommendation.

I understand that the Chairperson of the Committee on Social Affairs, Health and Sustainable Development wishes to propose to the Assembly that amendment 1 to the draft resolution, which was unanimously adopted by the committee, should be declared as agreed by the Assembly.

Is that so, Madam Chairperson?

Ms Selin SAYEK BÖKE (Turkey, SOC, Chairperson of the Committee on Social Affairs, Health and Sustainable Development): Yes, this is so.

Vote: Deinstitutionalisation of persons with disabilities

Mr Ahmet YILDIZ (Turkey, NR, President of the Assembly): Does anyone object?

It was unanimously adopted in the Committee. It seems there is no objection, and *I declare that Amendment 1 to the draft resolution has been agreed.*

We will now proceed to vote on the draft resolution contained in Doc. 15496 [as amended by Amendment 1]. A simple majority is required.

The vote in the hemicycle and via remote voting is now open.

Please, start voting.

The vote is closed.

Please, display the results.

82 in favour, 1 against, 6 abstentions.

The draft resolution in Doc. 15496 [as amended] is adopted.

We will now proceed to vote on the draft recommendation contained in Doc. 15496.

It seems that a two-thirds majority is required. Is that right? Yes.

Members present in the Chamber should use the hemicycle voting system. Members participating remotely should vote using the remote voting system.

The vote in the hemicycle and via remote voting is now open.

A two-thirds majority is required.

Please vote.

The voting is closed.

Let's see the results.

85 in favour, 1 against, 6 abstentions.

The draft recommendation in Doc. 15496 is adopted by a huge huge majority.

The next item of business this afternoon is the debate on the Report titled "Tackling discrimination based on social origin" (Doc. 15499) presented by Ms Selin SAYEK BÖKE on behalf of the Committee on Equality and Non-Discrimination.

In order to finish by 7:00 p.m., I will interrupt the list of speakers at about 6:50 p.m. to allow time for the replies and the vote on the draft resolution and draft recommendation.

I call Ms SAYEK BÖKE, rapporteur. You have 7 minutes to present the report and then will have a further 3 minutes to reply to the debate at the end.

Now the floor is yours, Madam BÖKE.

Debate: Tackling discrimination based on social origin

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): I call Ms Selin SAYEK BÖKE, rapporteur.

You have 7 minutes to present the report.

Then you will have 3 minutes to reply to the debate at the end.

You have the floor.

Ms Selin SAYEK BÖKE (Turkey, SOC, Rapporteur): Thank you very much.

This report asks several critical questions.

How do our circumstances at birth, or even pre-birth, determine outcomes of our lives?

To what extent does being born in a certain neighbourhood or belonging to a certain social class impact our chances and life outcomes?

Is it possible for the millions of underprivileged people to break the class ceiling and become upwardly mobile in this prevailing social structure that we have?

How can we ensure legal protection against discrimination based on the social origin of millions of people?

As European policymakers, we are actually going through a time where we need to answer these very specific questions effectively. This is what the current report seeks to do. It seeks to identify policies, both legislatively as well as economically in order to tackle discrimination based on social origin.

There are several facts that have come out from our desk research, our great and very productive hearing, as well as discussions in our Committee work.

Social origin is where a person comes from. It captures their opportunities at birth, even pre-birth. It captures the opportunities they are able to access in the early years of their lives. It is distinct from their current socio-economic conditions. It's what they're born into. It's what they seem to not have any control over. However, having said that, given the lack of social mobility is suggestive that what we're born into casts a long shadow over the coming years in our lives. Our current socio-economic positions usually reflect what we were born into, suggesting that tackling social origin discrimination is tackling socio-economic inequalities.

It's clear that it means we will be looking into tackling overcoming the long shadow that we carry throughout our life. Recent studies have shown that across Europe, in our very own member States, today younger generations actually have fewer opportunities for upward social mobility when compared to their parents.

Things are not improving, which means we need to change our policies. Discrimination based on social origin actually has tremendous effects socially, economically, as well as politically. Discrimination based on social origin grounds results in income inequalities. It results in social exclusion. It results in pay gaps, in class pay gaps.

Therefore, because it actually has significant socio-economic inequality implications, it has a threatening effect on social cohesion. It has a threatening effect on engagement. Therefore, it actually places significant risks on our democracies.

Where people do not feel included enough because of what they were born into, it's our duty as policymakers to make sure that, actually, this long shadow is overcome.

It's clearly a very critical public policy debate we should have. Most importantly, the analysis suggests that this is a multidimensional issue. It has significant intersectionality that has to be dealt with.

Therefore, we need the holistic approach to the problem. We can't just deal with one part of it and ignore the rest. They feed on to each other.

Now, tackling discrimination based on social origin is actually a step in the direction of building a merit-based system where you are given the opportunities to access the resources, which means you are given the opportunity of overcoming any condition you were born into.

If you're given the opportunity, then actually as a very basic human right, you have the right of progressing. This is what we should be protecting. We should not reinforce the existing class ceilings which prevent upward social mobility and lead to significant class pay gaps that persist even if individuals are given good education, even if they end up in what we call prestigious jobs.

This is suggestive of that. Even through good education, even through good access to jobs, that shadow continues to prevail.

Therefore, it's not just giving access. It's ensuring that the biases inherent in the system are overcome with a holistic approach that we put forward.

Conditions right now also reinforce class floors, which protect people from actually downward mobility. We should ensure that nobody falls through that floor. We should ensure that we are able to move upwards together.

Therefore, this report actually looks into building a fair, merit-based system with sufficient social mobility, where nobody is discriminated based on their social origin, on the conditions into which they were born.

Our destiny should not be predetermined. We should give people the power, the empowerment to determine their own destiny.

This report actually takes a two-pronged approach. The first block of policies is about the legal aspect. The legal aspect which seems to be very deficient.

In our international conventions we actually have clearly-stated points saying we should not be discriminating based on social origin. Yet through a questionnaire that we sent to our parliaments, the responses we got are suggestive that these are left on paper in international conventions.

They have not translated into national legislation. Even if they had translated into national legislation, they don't have a common definition. Even if they are in the legislation, people are not even aware they're discriminated based on their social origin.

Therefore, we don't have sufficient case laws to refer to. Clearly our first duty is to tackle the legal aspect.

I will end by saying that the second part of the systemic approach should be where we have policies. Policies economically and socially that will allow people to overgrow, grow out of the conditions they were born into.

I'd like to thank you in advance for the contributions you will make in this discussion that I look forward to.

Thank you.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you, Madam Selin SAYEK BÖKE.

In the debate I call first Mr George LOUCAIDES on behalf of the Unified European Left group.

Mister LOUCAIDES , you have the floor and you have 3 minutes.

Mr George LOUCAIDES (Cyprus, UEL, Spokesperson for the group): Thank you, Madam Chairperson.

Allow me first to start by congratulating and thanking our rapporteur for this well-written report.

The report highlights the grave consequences that discrimination based on social origins can have on the fabric of our societies and the quality of our democratic institutions. Most importantly, the report shows how poverty, inequalities, lack of equal opportunities, and social exclusion are directly related to the persistence of such abusive practices, social stereotypes, even unconscious bias that mark victims for life, limiting their ability to reach their full potential.

Victims of class discrimination often suffer subtle underlying stress, negatively impacting fundamental aspects of their everyday life, such as health, personal growth, and well-being, living conditions, access to education, employment, and social mobility.

As a result, many are unable to rid themselves of the stigma and place themselves in vulnerable, risky, or self-harming situations, including abusive relationships, alcohol, and drug misuse.

First and above all, we must combat social and economic inequalities that perpetuate discrimination and obstruct access to equal opportunities. More specifically in relation to education. What is absolutely necessary is to safeguard equal opportunities and equip children with different socioeconomic backgrounds with the necessary support and targeted measures to meet their challenges.

To achieve this, the provision and access to free, equitable, and quality education should remain the cornerstone of our efforts. Children and teenagers in particular need to be protected from this type of prejudice and discrimination that can stigmatise their confidence permanently.

Sufficient and effective safety nets should be placed in schools to ensure that discriminative practices, hate speech and bullying, cannot be tolerated, even in disguise form and need to be severely reprimanded.

Achieving positive outcomes in education in human rights, is of paramount importance. Children, from the youngest age, must become acquainted with the fundamental values of diversity, equality, and inclusion. This in turn will allow them to recognise and sanction prejudice, discrimination, and abuse whenever it is manifested.

Equally important is to enact domestic legislation that will specifically prohibit discrimination based on social origin, provide accessible remedies to victims, while strengthening the overall policy framework aimed at the prevention and protection from all forms of discrimination, including systemic racism.

Finally, it is important to establish merit-based mechanisms and skill-based assessments promoting social mobility and social justice in a clear and transparent manner so that there can be no ambiguity in the selection criteria related to recruitment, assessment, and promotion procedures in the labour market.

Thank you.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you, Mr George LOUCAIDES.

The next speaker is Mr Stefan SCHENNACH on behalf of the Socialist Group. Mr SCHENNACH, you have the floor.

Mr Stefan SCHENNACH (Austria, SOC, Spokesperson for the group): Thank you, Madam Chair.

First of all, like the previous speaker, I would like to thank the rapporteur very much for this committed, comprehensive report on behalf of the Social Democrats, Greens and Democrats.

This is a report that makes you think, because ultimately this report says, which is also a social fact, that poverty is inherited. It is a question of where and into which social stratum, into which social family I am born that determines education, that determines career opportunities, that determines health, that determines participation in social life, in cultural life, but also a question of how much I can realise myself how much I am excluded.

The exciting thing about this topic is the impermeability upwards versus the permeability downwards. In my political life, I have always tried to increase opportunities, for example, by having braces paid for by the health insurance funds. That didn't happen for many years, and I think that's something that's very important when you're applying.

Artificial intelligence and algorithms create a new form of disadvantage as well. We have seen, for example, that artificial intelligence in the labour market service has led to women over 38 simply being taken out of placement by artificial intelligence. Behind all these things, of course, there is also a question: how do we define performance? What all is performance and where does this extreme wage gap come from? Firstly between men and women and secondly within a society. Is a job done by someone who is favoured worth 50 times more than someone who works hard and every day?

I would also like to give a reminder that Johnny Cash once wrote a song "why are all the prisons black" and with that he addresses something that we also have in our countries, that the Justitia is not so blind, and that we have quite a lot of people with a migration background especially in detention, who cannot afford lawyers and who are simply disadvantaged. Housing is a very important point, that's why Vienna in its tradition has committed itself to social housing. In a city of 2 million people like Vienna, after all, 600 000 live in so-called social and subsidised housing.

I believe that this is something that also deserves respect, and housing is part of this issue. Once again, I really congratulate the rapporteur for this report and I hope that it will have consequences.

Thank you very much.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you, Mister SCHENNACH.

The next speaker on our list is Ms Jorida TABAKU of behalf of the Group of the European People's Party (EPP/CD) political group.

Madam TABAKU, you have the floor.

Ms Jorida TABAKU (Albania, EPP/CD, Spokesperson for the group): Thank you.

Thank you also to the rapporteur for the report and also the impressive presentation.

We have to acknowledge now that in many developed countries it is getting harder to climb the social ladder.

The chance if you are born in low classes and then climb to higher one is becoming less and less possible, even in countries which have a higher GDP.

In all studies I was able to read after reading the report, I could see that there is a chance of around 9% of a child born in the bottom fifth of income distribution reaching the top fifth, even in countries with high incomes. It is clear that advantages brought by networks, further education, birthplace, culture, references, accent, and old school ties have long been known. Now they are at place, and they are working every day more.

The term "middle class" is just not an empty social political slogan.

I believe that this is more than income levels, more than social class or educational attainment. It is about the people and families who want to contribute to society and improve their local communities.

I am fully aware that social origin has been a problem in developing also the so required social mobility. It is harder and harder with your own work to go from one level of income to the other. In some times this has also been used from populist movements to attract these voters pointing out at this real problem.

I believe that a range of socio economic policies which accurately reflect the day-to-day changes are needed, and I believe that this body should be responsible to bring this policies and legislation out.

It is important that in these times where we live, it is fundamental not to pursue discrimination based on social origin and to enhance the social mobility, which will give to everyone the possibility. I believe that everyone should be given the possibility.

Our goal is to defend the market economy with proper market strategies but also policies, that mean we should ensure a society and local communities to be equipped with all the necessary tools to deal with the challenges of today's economy.

The technology should be leveraged to transform society for the better. That was also put in discussion before during this session. New technologies, business practices, global linkages are changing the labor market, and societies are changing faster. I believe we should use this also to tackle the discrimination.

I believe that this body should also place policies looking at the 10 indicators of social mobility, spanning from healthcare, education, technology, work, resilience, effectiveness of institutions, going to work opportunities.

I would also request the rapporteur look also at opportunities to see how countries with lower incomes are dealing now with these challenges especially also during Covid, during the last two years.

Thank you.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you, Ms Jorida TABAKU.

The next speaker on our list is Ms Nigar ARPADARAI on behalf of the European Conservatives Group and Democratic Alliance. Ms ARPADARAI, you have the floor.

Ms Nigar ARPADARAI (Azerbaijan, EC/DA, Spokesperson for the group): Thank you, Madam Chair.

I would like to thank our rapporteur for this important subject. We all want to live in a fairer society where there is no place for any kind of discrimination. Unfortunately, a person's social origin is still a factor in everyday life and especially in times of crisis.

I would like to draw your attention to very recent events. The whole situation was the pandemic and measures to fight it have shown us that social justice and equality are still a very fragile and mythical category. Covid-19 pushed Europe to close down for quarantine for long and sad months. There was a major loss in life, disruption of economies, and a lot of physical and psychological damage to millions of people across Europe and across the world.

The pandemic and the resulting challenges across societies highlighted the existing social injustices. One cannot turn a blind eye towards the differential impact of the lockdowns on vulnerable groups, poor families, marginalised groups like migrant labourers, homeless individuals, internally displaced persons. What have we

learned from it? We learned that social justice does not really work. We learned that it is the same illness that hit us all but socially deprived, poor families, ethnic minorities, suffered from it much more than the rich and powerful.

We have seen that lockdown for a person who can hire a charter flight or live in a big house or a villa with a large garden is very different from the quarantine for a person who is crammed in a small urban studio with the whole family. For the first ones, spending a couple of weeks off the grid is not a big deal – a holiday. For the second one, it is a painful and sometimes dangerous experience. Sadly, it is not experience that saved many of these people from getting this illness. People in lockdown still got ill and some died.

My question is, have we here in this organisation done enough to promote the fair protection of human rights during the pandemic, to find the right balance between quarantine measures and human rights or were we carried away by fear-mongering and fell victim to messages promoted by some international organisations who recommended total lockdowns instead of measured and meaningful response based on scientific data and economic and pandemic modelling?

We have to learn from these stories. We have to make really important conclusions on how to behave next time in order not to fall victims to fear and panic because people's lives depend on these decisions. They affect the poor more than they affect the rich, which is another clear proof that we are still very far away from social justice. This is the reason why this subject is especially important. Again, I would like to thank the rapporteur for that.

Thank you.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you, Madam ARPADARAI.

The next speaker on our list is Ms Petra STIENEN on behalf of the Alliance of Liberals and Democrats for Europe (ALDE).

Madam STIENEN, you have the floor.

Ms Petra STIENEN (Netherlands, ALDE, Spokesperson for the group): On behalf of the Alliance of Liberals and Democrats for Europe (ALDE), I would like to compliment Ms Selin SAYEK BÖKE with this important report.

When we are born, we all seem to be equal. We were all once crying babies longing to be comforted by our parents. In theory, I think we would all agree that we all should be equal before the law as well. In reality, some babies are winners of the birth lottery and some will never win that lottery because the winners of that lottery are born in an environment of privilege, where there is healthy food, access to good education and proper housing, and also most importantly a safe environment free of any forms of violence.

Many babies are not born in this environment and will never reach that safe situation. This is what we call social origin. I appreciate how Ms Selin SAYEK BÖKE has made a good differentiation between what is our socio-economic situation, what reflects where we are today.

Where we are born is totally random and not a fact of life we have been able to influence. Yet, it is a fact that will influence the rest of our lives. Even if we are capable of climbing that social ladder, many of us in this room can relate to this observation.

In her report, Ms Selin SAYEK BÖKE gives an excellent overview on how social origin is still not recognised in many countries as a ground in anti-discrimination legislation.

Awareness of the roles that social origin plays in access to human rights is especially important for our own work as politicians. Do we see our privileges of birth when we work on laws or when we deal with crises such as the Covid crisis?

During this crisis, it was sure that, even though we face the same storm, we do not share the same opportunities, potential, and access to actually weather that storm.

This indeed is related to the issue of social origin as well.

Indeed, we need to have better anti-discrimination legislation. We need to have better data collection and social policies that take into account this lasting impact of the social origin of our citizens.

This report and the draft resolution of Ms Selin SAYEK BÖKE can help all of us to be aware of the fact that in our societies not everybody has a lucky start in life, and that all of our citizens should be entitled to an equal treatment and non-discrimination by law and policies regardless of whether they won the lottery when they were born.

Thank you.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The next speaker on our list is Ms Ada MARRA.

Madam MARRA, you have the floor.

Ms Ada MARRA (Switzerland, SOC): Thank you, Madam Vice-President.

This report deals with an extremely important subject.

Allow me to use the words of a great French sociologist – since we are in France – who is no longer so often quoted, as if the sciences were only fads. I am talking about Pierre Bourdieu. He explains very well how social reproduction takes place, the one that makes it difficult for someone from a social class to get out of it.

In his works, *La Reproduction*, *La Distinction*, *Les Héritiers*, he shows the different capitals that serve to reproduce social classes: financial capital, of course, but also cultural capital. And then there is what he called the "habitus": to put it in simpler terms, codes. The social classes recognize themselves by these habitus, these codes. There are dominants and dominated, and the social and economic structures are made by and for the dominant classes. The school system, for example: well-to-do classes that produce systems made for a brain used to certain codes.

All this to say that succeeding in overcoming the prison of one's own social class – obviously from the bottom up – is difficult, objectively and subjectively.

The report tries to give concrete solutions. I will highlight two or three that seem essential to me. Point 14.12 of the resolution, a policy of social mix to avoid ghettos: this requires urban planning and fiscal policies that facilitate cultural exchange. We have too many neighborhoods in our cities with a similar social profile. I am not only talking about the precarious but also about the communitarianism of the well-to-do among themselves.

Point 2: free education, and I would say the obligation to attend schools at a young age to learn the language when it is lacking, or the continuous training that must go through details. It is the employers who must free up the learning time and participate in part of the financing. I am one of those people who believe that improving the social condition of our communities avoids behaviors due to life dissatisfaction, taking other groups, usually more precarious than oneself, as a whipping boy.

Allowing social mobility is a question of social justice, democracy and social cohesion. The responsibility for social immobility is always the responsibility of politicians.

Thank you to the rapporteur who wants to fight against the chance of life to be well born or not. Social origin is not a prison, a destiny or an inevitability: it is only if public policies do not accompany it towards a desired change.

Thank you for your attention.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The next speaker is Mr Alain MILON.

Mister MILON, you have the floor.

Mr Alain MILON (France, EPP/CD): Thank you, Madam President.

Dear Colleagues,

I would like to thank our colleague Ms Selin SAYEK BÖKE for addressing this subject of discrimination based on social origin. In our opinion, this is an essential point in the social contract of our societies and in the maintenance of a harmonious democracy.

We saw this again in France during the presidential elections held last weekend. The temptation to turn to the extremes is partly correlated to the feeling of abandonment felt by a part of the population, which no longer feels taken into account, which feels marginalised and which has the feeling that its children will not be able to rise in society.

The subject is therefore eminently political, but it corresponds to a vision of Man, to a vision of equality, equality of rights and equality of opportunities at the same level of competence.

No one should be discriminated against on the basis of his or her social origin. This is one of the essential principles of the French Republic that we have drawn from the Revolution of 1789. Yet, we see how difficult it is sometimes to fight against these discriminations, not so much for legal reasons as for questions of education, projection of desires or ambition, and means. This is a point that I would have liked to see explored in greater depth in our colleague's report, because I believe it is an essential condition for real equality of rights and opportunities.

Free, equitable and quality education, mentioned in the resolution before us, is certainly indispensable. It is the first building block without which nothing is possible. It is also necessary that children perceive that it is possible to escape from the social condition of their parents, that social promotion is really accessible, wherever they come from.

I therefore fully agree with our colleague's proposal to fight unconscious prejudices and to promote professional support networks to avoid the hidden wounds that many people experience in their social ascent.

I also want to emphasise the importance of lifelong learning. A society should not rely entirely on initial education, even though this is a fundamental element. It should also allow everyone to progress or reorient themselves during their working life.

This implies a correct adaptation of the labour market and a strong commitment from employers, both public and private, who must fully appreciate the importance of their contribution to the harmonious construction of society.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The next speaker is Ms Parvin KARIMZADA, she should be online.

Ms Parvin KARIMZADA, you have the floor.

Ms Parvin KARIMZADA, can you ask for the floor?

We can come back to her later.

We now move on to Ms Yuliia OVCHYNNYKOVA.

Ms Yuliia OVCHYNNYKOVA, you have the floor.

Ms Yuliia OVCHYNNYKOVA (Ukraine, ALDE): Dear Madam Chair, dear Madam rapporteur, dear ladies and gentlemen,

Discrimination based on social origin is dangerous for social security and may threaten genuine democracy which we are going to discuss during this session.

Social injustice, inequality and exclusion are the favourite manipulative arguments of a populist that eroded this society and may lead to the strengthening of the authoritarian and totalitarian regimes.

Unfortunately, resolution 2393 showed that disparities in all economic and social dimensions have widened in Europe. It will be even more in the current situation of the Russian aggression war in Ukraine and massive migration flows in Europe.

Today, and in the near future, Ukrainian refugees may potentially be in danger and harmed in the receiving societies. Not even by the legal provision but real socio-economic status and lack of the linguistic, cultural skills to be fully adopted in new countries.

I believe that talent and merit should become the bases of recruitment assessment and promotion in the labour market. But to implement it, member States should elaborate on and implement effective and inclusive mechanisms and instruments for social mobility. The biggest value of the represented report is the least of good practices and recommendations on the ways to combat inequalities and social discrimination. One of the

most important is 14.2: "the free, equitable and quality education to all regardless of social origin and throughout each individual's life" and others. It will be good to add also financial aspects, the member states must invest in maintaining social balance in supporting the reduction of the social disparities, specifically in education. And the suggested fiscal policies and spending programmes must be focused on the training and education tracked with the respect to the individual's will.

On the other hand, business and the labour market should involve as more open inclusive and transparent as well as provide opportunities and changes rather than unnecessary and unrounded barriers.

Today, all these proposed measures should also take into account the current refugee crises and support Ukrainians that had to flee from the country due to Russian aggression. So the national legislation that has been adopted in the member States for handling the refugee crisis must envision this action as it has, for example, already been done by Poland, Lithuania and other countries.

So the current situation may teach us a lot about how to avoid social discrimination as such and treat newcomers as equals in need.

Thank you for your attention.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

Now we will try again with Ms Parvin KARIMZADA.

Ms Parvin KARIMZADA, you have the floor.

Ms Parvin KARIMZADA (Azerbaijan, EC/DA): Thank you, Madam Chair.

Dear Colleagues,

Today one of the tendencies in the world is the creation of socially-oriented states ensuring sustainable economic development and social progress, increasing humanity in society, ensuring the equality of people.

Realisation of equal rights for women and men, elimination of unemployment, eliminating discrimination and social isolation are on the agenda of most states.

At the same time, the supremacy of human and civil rights have been accepted by most countries in this modern age. Azerbaijan is one of these countries.

Much has been done in our country to ensure human rights and fundamental freedoms. Today this work continues.

For citizens, Azerbaijan has created quite normal welfare conditions according to modern standards. The fundamental building blocks of national policy, such as assurance of the equality of rights and freedoms of all citizens regardless of race, nationality, religion, language, sex, origin, are expressed in the constitution of Azerbaijan. These concepts are reflected not only in the laws, but also in everyday life of the people.

The international Convention on the Elimination of all Forms of Racial Discrimination, which provides the basis for the civil, political, economic, social, and cultural rights, without discrimination on the basis of race, colour, nationality, or social origin, was ratified by the national parliament of the Republic of Azerbaijan in 1996.

Of course, the social origin of man should not determine his future.

First of all, there should be equal opportunities in education. The number of public educational institutions for all in Azerbaijan is predominant at all levels of education: preschool, secondary education, higher education. People have the right and opportunity to receive a full education regardless of their social origin. Today every young person has the opportunity to receive higher education as well as vocational training.

Regardless of their social origin, everyone has the equal opportunity to have a job. In general, people of different religions, races, and social origins in Azerbaijan consider themselves an integral part of our society. They feel the care and protection of the state and society.

Thank you for the report and thank you for your attention.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The next speaker Mr Mehmet Mehdi EKER.

Mister EKER, you have the floor.

Mr Mehmet Mehdi EKER (Turkey, NR): Madam Chairperson, thank you very much.

Dear colleagues,

First of all I would like to thank the rapporteur, Ms Selin SAYEK BÖKE, for drawing our attention to the issue of discrimination based on social origin.

Fighting against discrimination in whatever forms should be among our priorities at the Council of Europe Parliamentary Assembly.

For this reason, discrimination stemming from social should not be missed out and ignored as a way of discrimination relatively less known since it may coincide with other types of discrimination.

I believe that many of us have experienced or witnessed discrimination based on social origin as the way it is discussed in the report.

Being born in a specific part of the country, or belonging to a particular social class by birth, affects our life and future, free from our educational attainments or social economic status.

All Council of Europe member states are parties to treaties that explicitly prohibit discrimination based on social origin. However, many member states should add explicit references to tackle discrimination based on social origin in their national legislation, especially, if the existing grounds of discrimination laws do not cover this type of discrimination.

This is a topic related to other discrimination, especially, discrimination based on socioeconomic status, but also a very distinct issue. That's why we need to deal with this issue for its own sake as a separate topic, and take the necessary steps to prevent it.

We should fight against discrimination based on social origin as we fight against other kinds of discrimination.

Dear colleagues, I support the recommendations outlined in this report.

To tackle discrimination based on social origin it is essential to prevent by birth disadvantages of people from turning out into negative outcomes in their lives.

I join the call to all member states to contribute to these efforts by enhancing their legislative mechanisms on this issue.

Thank you very much for your attention.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The next speaker is Mr Roberto RAMPI. Mr RAMPI, you have the floor.

Mr Roberto RAMPI (Italy, SOC): Thank you, Madam President,

I believe that the issue addressed in this report is really very, very important: it concerns social discrimination, the lack of social mobility, the crisis of social mobility which was one of the key elements in the birth of democracy.

I have a worry, a conviction: this parliamentary assembly must address the issue of how to get out of the crisis of democracy that is the dominant feature of these times and how to build new forms.

In the Italian Constitution there is a fundamental passage. It says "the Republic takes action to remove economic and social obstacles that prevent full freedom". It is a very important sentence, I wanted to say it in Italian because I believe that there are people much better than me, the translators, to translate it.

The theme of removing social obstacles was the subject of a long discussion by the Italian constituents and concerns precisely the theme that it is not a question of creating norms that avoid discrimination, but of creating proactive norms, which actively modify the initial conditions by acting on them.

What I want to say is that when modern democracies were born, after the Second World War, those people, those women and men who built Europe as we know it, and who built our states, posed the problem, as a fundamental element of democracy, of breaking down those visible and invisible barriers that exist, by state of birth and to put in place economic and cultural actions of great power that could move these barriers.

This is why, for example, the mass school was invented, which did not exist before, because only a few people went to school, why the mass university was invented, and why the social welfare systems we know today were invented.

Today we have to rethink all of this, because for more than 40 years all of this has been progressively going backwards, and not only in the countries that we consider to be new democracies, but also in the countries of consolidated democracy. And all the latest elections point us to this problem.

That is why this report is so important, that is why the challenge to which we are invited is so important, because I believe that this is the heart of the journey of this assembly, which must unite us together to try to relaunch democracy as an effective instrument of social mobility, of removal of economic and cultural obstacles.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The next speaker is Mr Lőrinc NACSA but I do not see him in the Assembly. So we will move to Ms Konul NURULLAYEVA. Is Ms NURULLAYEVA here? She is also not here. So we move out or move on to Mr Tommy SHEPPARD. Mr SHEPPARD, you have the floor.

Sorry, your microphone is not working because we had some problems. Mr Lőrinc NACSA is online so maybe we will move to him so you will have your opportunity later.

Can you wait for him to finish? Okay thank you very much and sorry.

Mr NACSA, you have the floor.

Mr Lőrinc NACSA (Hungary, EPP/CD): Thank you for your work on this important issue.

I would like to emphasise the importance of national minorities, and how they shouldn't be discriminated.

The Constitution of Hungary declares that national and ethnic minorities shall have their share of the power of the people: they shall be constituent factors of the state. Accordingly, Hungary has maintained its policy of supporting national minorities based on a solid legislative framework.

However, the issue of national minorities is not a domestic, but a European one, as we also stated in the Strasbourg Declaration drafted during the Hungarian Presidency of the Council of Europe last year.

The Council of Europe, as the continent's leading human rights organisation in protecting national minorities as it should be, has elaborated high-level standards for the protection of national minorities. It provides a widely-recognised normative scheme through the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages with their respective review mechanisms as well as soft law regulations of the Council of Europe's organs and institutions.

I encourage all Council of Europe member states and all of us to build on that scheme and thus ensure the fullest respect possible for national minority rights, which are part of international human rights. This is an excellent opportunity to meaningfully contribute to fighting discrimination based on social origin.

Thank you very much.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

I am told that Ms Konul NURULLAYEVA is also online. Madam NURULLAYEVA, you have the floor.

Ms Konul NURULLAYEVA (Azerbaijan, EC/DA): Dear Madam Chair,

Initially, I would like to thank Ms Selin SAYEK BÖKE for preparing such a detailed and significant report on the topic of discrimination based on social origins.

Although many conventions or laws have been adopted by states, based on the reports thousands of people in the world face discrimination or unequal treatment due to their socio-economic group or caste, which perpetuates inequality in the societies. In addition, the states which are party to the European Convention on Human Rights are obliged to disclose the issues related to discrimination in the countries. According to Article 14 of this Convention, the enjoyment of rights and freedoms embedded shall be secured without discrimination on any ground including national or social origin.

I would like to make few recommendations concerning this global issue. First of all, non-governmental and civil society organisations, as well as groups and individuals responsible for human rights violations functioning in member states, should mobilise action and raise concerns regarding this issue. Such institutions may investigate best practices of institutional processes to develop effective response strategies, including educational programmes and activities on human rights. It may help to improve public awareness about discrimination and prevent it in all the spheres of our lives. Furthermore, I would like to highlight the fact that education could be one of the key tools for tackling racism and discrimination, and building inclusive societies. Therefore, children should be taught early about equality, respect, and tolerance at schools. It will definitely notify children about the negative consequences of discrimination distracting them to take such racist actions.

Moreover, informative projects can be conducted at the national level to raise awareness among policy makers and law enforcement agencies. Such projects would assist to increase the capacity of vulnerable groups to gain expertise in the criminal, civil, and administrative legislative framework regarding anti-discrimination, hate crime, and hate speech.

Dear colleagues, I can assure you that the application of these recommendations will serve to strengthen efforts on reducing and tackling all forms of discrimination. Let's unite against racism!

Thank you.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you and now the next speaker is Mr Tommy SHEPPARD. Mr SHEPPARD, you have the floor.

Mr Tommy SHEPPARD (United Kingdom, NR): Thank you Ms President.

Capitalism creates inequality. I say that not as a judgment but as a matter of fact.

That means that those of us concerned with framing public policy to reduce inequality and eradicate poverty need to be concerned first and foremost with the mitigation and regulation of the economy.

Now perhaps, the greatest instrument of mitigation available to any of our states is that of taxation, where we collect resources from private individuals and corporations and we deploy them in the public sphere in order to provide services and infrastructure, not on the basis of commercial transactions, but on the basis of need.

We know from studies across the world that the size of the public realm and any given economy is in direct proportion to the level of inequality in that society.

But we need also to regulate the private sector. Not just to create better wages and more safe and secure employment, but also to ensure that companies operate within a public sector framework, a public interest framework, where they understand that they have social obligations to serve, and need to be aware of the human and environmental consequences of their activities.

Now, this is a great report. It covers many different areas of policy. I just wanted to focus on two that we are grappling with in Scotland where I represent.

The first is in the field of education. Like many countries, we have a marked difference in outcomes between kids who come from less well-off backgrounds and those who come from better-off backgrounds. We have therefore been deploying additional resources into schools in areas of social need through our pupil equity premium. But we have learned that it is not enough just to do that in the classroom. We also need to take action with breakfast activity, with after school work, and by direct intervention into the home to provide support if those kids are going to achieve the same as their peers.

The second area that I'm most concerned about is in the field of housing. Inadequate and insecure accommodation is a source of much inequality and much poor health in our society. Unless people have a secure base, it is very difficult for them to engage in the society around them.

This is something that simply cannot be left to the private sector.

In Scotland we have a three-fold initiative. The largest programme of social house building in any part of the United Kingdom, combined with new activity to regulate and limit rents in the private sector, combined with bringing back into use homes for families that have been removed and used as commercial short-term lets. By doing that, we hope we can provide secure housing for everyone.

So I would commend this report, but I do think, that as nation-states, we need to find practical action plans that actually make sure that the aspirations here are fully implemented.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The next speaker is Lord Leslie GRIFFITHS. Lord GRIFFITHS, you have the floor.

Lord Leslie GRIFFITHS (United Kingdom, SOC): Madam Chair and Colleagues,

I want to say thank you for the report, or at least a great part of it, but not quite all of it.

I am aware that the rapporteur herself – and I thank her for the report – made it clear that there is a legislative thrust to much of it. There I have no quarrel at all, but she also mentioned in her introduction, the fact that she was seeking something that was holistic. I believe that element of its being holistic lacks one essential element, which is the voice of those who have experienced the lack of progress, the prejudice, and all the other depressing factors that make life difficult for them.

In Britain at the moment, there is a scandal that has been caused and today's papers are full of it, because the deputy leader of the Labour Party, Angela Rayner – who was born in humble circumstances, who had difficulties in her early life and gave birth as a young person, who's a woman and who dresses in an appropriate way, but who has a regional accent – has found herself the butt of reportage in the press, that taking all these factors into consideration at the same time, make it clear – it is mentioned in the report – that the shadow side of one's origins, as being socially outcast, never quite goes away. There is no element, there is no doubt at all about the fact that this matter that is causing such a scandal in the United Kingdom right now, is the result of classism and an perfect example of the analysis that is being offered here.

Perhaps I could just finish by saying that, I myself, was born in penury. I was raised in a brickyard in one room, one of two children raised by a single parent and with no prospects whatsoever. I could tell the whole story of my life if the Chair would allow me, but she will not. I have found someone, for example, who never wore underwear until he went to University – silly things like that – who never owned a book until I was 16, although I now have degrees in literature. It is simply the fact that you're never quite certain socially – even someone like me – in the Council of Europe, like this, that you are not going to be noticed for some indiscretion that you are unaware of, because it never goes away.

I want the testimony, therefore, for those who, as I have and as Angela Rayner has, have experienced poverty and had to find their way through.

Let me just say in one sentence that all my life I have spent – having been clever myself and found a way out – looking for clever young people and helping them in a mentoring way to come through the barriers that face them. Not just do we have top-down, but we have bottom-up ways of looking at this problem.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you, Lord GRIFFITHS. And I'm sorry we don't have time for your life story, but maybe some other time.

Now we move on to the next speaker, Ms Feleknas UCA.

Madam UCA, you have the floor.

Ms Feleknas UCA (Turkey, UEL): Dear Madam President,

Dear colleagues,

I would like to thank the rapporteur Ms Selin SAYEK BÖKE for the detailed report and of course I support the very important report.

We all have the right to be treated equally, regardless of social origin, national affiliation, religion, gender, language, age, health, or other status. And yet, almost everywhere in the world, we see people being persecuted because they belong to a different group.

Very often we also see in politics that hateful and discriminatory rhetoric fuels hostility and violence against minority groups, that in the constitution all are equal, gender inequality leads to women being much more disadvantaged than men in their work, education and social life. Violence against women and femicide unfortunately have an important link to these discriminatory policies, also due to impunity.

In addition to discrimination based on social origin or gender, discrimination against people with disabilities is at a significant level worldwide; one in ten people in the world is disabled, but in many societies people with disabilities are stigmatized, marginalized, and treated as objects.

The vast majority of people with disabilities live below the poverty line, and women with disabilities are two to three times more likely to be subjected to physical and sexual violence than women without disabilities.

An increasing form of discrimination in the world is discrimination against foreigners. This form of discrimination is often fueled by politicians who look for culprits for social and economic problems in the country.

There have been many cases of mass violence against refugees in various countries around the world. These include killings, looting or arson of stores and businesses.

In some cases, the violence has been fueled by hateful rhetoric from politicians who label foreigners as criminals and accuse them of being a burden on the health care system. Discrimination has also become a key feature in many countries. When dealing with refugees and asylum seekers by the authorities, it is the common duty of all states to prevent inequality in society and likewise to prevent human rights violation.

The discriminatory laws should be abolished by the governments. Everyone should be equally protected from violence.

Measures must be taken to address the root causes of discrimination.

Fighting discrimination is our first duty; we will continue to fight against it in all fields.

Thank you.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The next speaker on our list is Mr Francesco SORBARA. Mister SORBARA, you have the floor.

Mr SORBARA is not here, so we move on to Ms Etilda GJONAJ. Is Ms GJONAJ here? No, she is also not here.

Now we move onto Mr Antón GÓMEZ-REINO.

Mister GÓMEZ-REINO, you have the floor.

Mr Antón GÓMEZ-REINO (Spain, UEL)*: At a time when inequality has increased in our countries, first with COVID-19, and above all over the years where the harmful dogma of austerity in Europe and other parts of the planet has created great discrepancies within societies, we have seen greater discrimination, greater inequality around the world, as reflected by this report.

It is essential to look at how to fight against discrimination due to social, racial and economic origin. We need to do this with social policies but above all legislation.

Fortunately, unlike what happened in the 2008 financial crisis when the austerity policies imposed by the political elites only led to mass suffering and greater inequality in our societies, we can see that in many countries within the European Union, in my country Spain as well, there have been governments that have understood this time that in a moment of crisis, the necessary policies to guarantee social cohesion must be developed.

I remember some years ago I went to the most unequal continent on the planet, Latin America, and I saw graffiti on a wall saying "Inequality is intentional". Inequality and the way it is created is a conscious process. Because inequality and discrimination on grounds of social, racial or economic grounds are not casual, not due to change random market forces, but have an ideological basis and a foundation in social and economic forces.

Sometimes indeed policies are defended that make what is democratically unacceptable legitimate and rational. They defend the indefensible: that the majorities do not work to improve the lot of citizens but to perpetuate the privileges of certain minorities, with profits over rights.

Of course, no matter what people say social origin plays a very key role in all of this. In addition to combating hate speech and discrimination against minorities, strong social and democratic states are essential, committed to making progress on social injustice. This means guaranteeing rights: rights to work, an income, and access to housing, healthcare and education.

Unfortunately, having rights is not sufficient, as my Italian colleague said, there are many different governments that don't really do what their constitutions say. So we need governments that do not disregard, outsource or privatise these responsibilities, that create public policies guaranteeing the abovementioned rights.

The Uruguayan intellectual Eduardo Galeano said that feeding the few becomes the hunger and inequality of the many.

So we in this organisation, the Council of Europe, need to work to eradicate inequality and discrimination which is the result of social, religious or ethnic origin.

Thank you very much.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

And our last speaker is Mr Éctor Jaime RAMÍREZ BARBA.

Mister RAMÍREZ BARBA, you have the floor.

He is online.

Mr Éctor Jaime RAMÍREZ BARBA (Mexico)*: Thank you very much.

First of all I would like to congratulate Ms Selin SAYEK BÖKE and the Committee on Equality and Non-Discrimination for addressing how, throughout Europe, the social origin of people can affect them throughout their lives. Living conditions, education, life-long learning, employment, etc.

At the social level, it's absolutely clear that unfortunately we have a perpetuation of poverty in society because of these particular forms of discrimination.

I fully share the definition of social origin, which is the social or class environment in which the person was born, which marked their formative years. Their origin, formation, and starting point in life.

A person's social background can give rise to attributes ranging from accent to self perception, or distance from personal or professional networks that can affect their perspectives in many life areas and persist throughout life.

We have to make it quite clear that social origin should not be confused with social-economic status, which refers to a person's current situation in terms of wealth, property, housing, education level, etc.

In Mexico, since June of 2011, the political constitution was modified to give absolute priority to human rights and their guarantees.

No discrimination on the basis of ethnic or national origin, gender, age, disability, social status, health conditions, religion, opinion, sexual preference, marital status, or any other reason. That is absolutely prohibited.

Anything that violates human dignity and has the purpose of annulling or undermining the rights and freedoms of individuals is not accepted and is sanctioned by our legislation.

The most affected have been millions of people, indigenous people, in Mexico, who were excluded from the possibilities that exist in education, in health. But now, measures have been taken in order to fight against this.

We have to understand the consequences of discrimination for society as a whole, and for the cycle of life of the particular individuals who are discriminated against.

The necessary safeguards have to be in place. Accessibility has to exist across the board for individuals that have been in the past discriminated against. In health, in education, all the possibilities are to be opened there.

I do indeed, colleagues, hope that you will vote for this report, which is a wonderful one, indeed.

Thank you very much.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

That concludes the list of speakers.

I call Ms Selin SAYEK BÖKE, the rapporteur, to reply to the debate.

You have 3 minutes.

You have the floor.

Ms Selin SAYEK BÖKE (Turkey, SOC, Rapporteur): Thank you very much.

I'd like to thank all colleagues, who have contributed to, I think, this very fruitful debate.

I'd like to start by saying, Lord GRIFFITHS, you have rightfully mentioned that we need to hear the voice of those who have experienced this unfortunate situation. Indeed, in the the hearing we had in the committee we were lucky enough to hear from both Equinet, as an institution, with regard to the experiences they have collected, as well as Professor Sam Friedman, who was able to give us actually concrete examples through the UK about the existence of classism through, as you said, very personal experiences.

I'm happy that we're now able to underline that what we have on paper here is not what's on paper. It's actually the reality of life, which is a collection of experiences of the millions who don't have their voices heard. I'm happy we have the opportunity to do so.

Now, in the discussion I think we've come up now with three blocks that were very critical in our discussion of the hearing as well, which I'd like to reiterate given the opportunity.

1. Individuals who can't rely on the bank of their mum and dad find it difficult to actually take the risks to do things. Therefore it's the duty of the welfare state to say: I am the bank, I'm here to allow you to try, I'm here to allow you the guarantee of risk-taking. If anybody can do it, you have the opportunity as well. I think education that starts from early ages and goes up to the end of re-skilling, upskilling, throughout our life, in entering to the labour market and staying in the labour market, which were very well identified, I think, in the discussions today.

2. We've learned that networks based on class affinities actually influence people's life chances. The lottery that was mentioned or the obstacles that were mentioned. I think it's our duty to ensure that it's not a lottery, it's actually a right that's protected. That indeed obstacles are not put there by the system, actually the system tries to remove those obstacles. That's what policy should do.

3. Finally, this was very rightfully debated, I think, here today. Cultural affinities feed unconscious biases. We might not even know we have the bias. This can only be overcome if we have common cultural grounds where we mingle. The silly things don't go away. They need not go away. We make sure that those silly things actually remain there, but do not become obstacles, that we learn to accept they are not silly things, and they are actually what make us who we are. I think residential policies, housing policies, education policies, these are actually rights-based policies that we forgot with austerity. I'm glad in today's discussion we were reminded of that.

Last words: I'd like to thank our committee, I'd like to thank the plenary, and especially from the Secretariat Sarah Burton for the immense work they've done to actually have this good discussion.

Thank you very much.

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

Does the Chairperson of the Committee wish to speak?

You have the floor.

Ms Béatrice FRESKO-ROLFO (Monaco, ALDE, Chairperson of the Committee on Equality and Non-Discrimination): Yes, Madam President.

First of all, of course, I would like to heartfully thank our rapporteurs Ms Selin SAYEK BÖKE for her excellent and groundbreaking report. She has shone a spotlight on a reality, which public policy far too often ignores, that is, that our social origin, the circumstances into which we are born, has consequences long into our future.

Often, we concentrate our education in this field, we see it as the key to ensuring that the person's future is not determined simply by the fact that they were born into poverty and disadvantage. Clearly, education is crucial, but Ms Selin SAYEK BÖKE's report shows us that when it comes to overcoming discrimination based

on social origin, we need far more wide-ranging action. We need to overcome the barriers and inequalities that persist into working life and that create the class ceilings, class floors and long-term class pay gaps, which Ms Selin SAYEK BÖKE describes so well in her report.

We need legal measures, of course. Discrimination based on social origin has to be prohibited under major international human rights conventions, including those of the Council of Europe for many decades. Yet, we need to make sure that it is incorporated in our domestic laws and that these laws are effectively applied.

We need holistic measures, just as Ms Selin SAYEK BÖKE mentioned in her presentation, which includes access to lifelong learning, active fiscal and policy measures to break long-term material deprivation, positive action and better implementation by all states of the European Social Charter.

That is what this report calls for. It calls for comprehensive action from all of our States to tackle discrimination based on social origin effectively.

I invite the Plenary to support this report, which was unanimously approved by our Committee. I once again congratulate and heartfully thank our rapporteur Ms Selin SAYEK BÖKE for the excellent work. Finally, if I may, Madam President, today's debate is not the end for this subject, it is the beginning. I call on you to use this report to tackle discrimination based on social origin back at home.

Thank you very much, Ms Selin SAYEK BÖKE.

Vote: Tackling discrimination based on social origin

Ms Maja VUKIĆEVIĆ (Montenegro, NR, President of the Assembly): Thank you.

The debate is closed.

The Committee on Equality and Non-Discrimination has presented a draft resolution, Doc. 15499, to which no amendments have been tabled.

We will now proceed to vote on the draft resolution.

A simple majority is required.

The vote in the hemicycle and via remote voting is now open.

The vote is closed.

I call for the result to be displayed.

The draft resolution in Doc. 15499 is adopted.

I congratulate the rapporteur for her wonderful work.

Thank you.

Free debate

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): We now come to the free debate.

First of all I have to remind you that "Members of the Assembly shall behave in a courteous, polite and respectful manner towards each other and towards the President of the Assembly or any other person who is presiding. They shall refrain from any action that may disrupt proceedings.". This includes use of symbols, signs and gestures that disrespect other members or cause disruption. I invite you to observe these rules during the sittings today and for the rest of the part session.

And this is my first session to share so I ask you to make it easy for me even if we have issues which are very emotional to the members of the Assembly.

I remind members that this debate is for topics not already on the agenda agreed on Monday. Speaking time will be limited to 3 minutes.

The free debate will finish at 8:00 p.m.

I call first Mr Kamal JAFAROV on behalf of his political group.

You have the floor.

Mr Kamal JAFAROV (Azerbaijan, EC/DA, Spokesperson for the group): Thank you very much.

Mister President,

Dear colleagues,

In the light of recent bilateral meetings, we consider that our Armenian colleagues' statements made yesterday were unconstructive. As a matter of fact, those claims were false.

First of all, there is not an administrative unit called Nagorno-Karabakh in Azerbaijan. There is no Nagorno-Karabakh conflict. I know I may sound subjective. I know I may not sound objective but if you check the final communiqué of the Council of the European Union, you will find that there is no mention of the Nagorno-Karabakh and conflict there. As a matter of fact, following that meeting, the Prime Minister of Armenia made the public comment that Armenia accepts five principles put forward by Azerbaijan. We considered those comments very positive. We also expect the same seriousness from our colleagues here.

Secondly, we have also noticed that yesterday, many references were made to the OSCE Minsk group. Let me give you the answer. A mandate given to the OSCE Minsk group for us is *de facto* invalid. I will tell you why. Because since the OSCE Minsk group was established, zero results have been achieved. We understood that the OSCE Minsk group was established to legalise and internalise the Armenian occupation. Of course, we object that now we have resolved the conflict ourselves. Now the issue on the agenda is the normalisation of the relations between Armenia and Azerbaijan.

As a matter of fact, yesterday, the foreign ministers of Armenia and Azerbaijan had a telephone conversation. This telephone conversation happened for the first time, I mean the last two conversations, happened in the last 30 years. This is a good and positive development. Both foreign ministers agreed on the composition of the Joint Border Commission. This is a positive development. They also agreed to convene the next meeting of the Joint Border Commission and also the working group on preparing the peace treaty in the near future.

Therefore, we firmly believe that relations between two countries should be resolved by two countries. If there are those who want to help, they should help. If there is any unconstructive interference, we will not allow it. This is our position.

Thank you very much.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Thank you very much.

Now, Mr Damien COTTIER, for the Alliance of Liberals and Democrats for Europe.

Mr Damien COTTIER (Switzerland, ALDE, Spokesperson for the group): Dear Mister President, congratulations on your appointment to the post. *[delivered in German]*

Dear colleagues,

On behalf of Alliance of Liberals and Democrats for Europe (ALDE), I would like to express our dismay at the life sentence handed down to Mr Kavala by a Turkish court. The European Court of Human Rights issued a final judgment in 2019 demanding "his immediate release". The Court's judgments are binding on all member States of the Council of Europe. By taking a decision that goes against the grain, Turkey puts itself in a very delicate position with regard to our Council, its values, and its processes. We, therefore, call on Turkey to reconsider this development.

Secondly, I would like to draw the attention of this Assembly to the threats against our former colleague, Mr Dick MARTY, who was chairman of two committees and rapporteur on several dossiers that have greatly contributed to the reputation of our Council.

In addition to the famous reports on the CIA's secret prisons, he presented a report on organ trafficking committed by certain KLA commanders who later became political leaders in Kosovo.

This report had a great impact. Although Kosovar officials denied the allegations, it contributed to the establishment of the "Specialised Chambers" in The Hague where, after years of investigation, Kosovar officials are held accountable.

However, as we have learned from the media, our former colleague has been living for the past 16 months under enhanced police protection because the Swiss authorities have received serious information that there is a threat to Mr Marty's life, in fact, that a contract has been drawn up to have him assassinated.

According to public information, this threat would come from certain Serbian circles with the aim of discrediting the Kosovar authorities. The Serbian authorities have denied these allegations. The Swiss justice system is investigating, but the threat against our former colleague remains.

Such threats against a rapporteur of the Assembly are unacceptable. The Committee on Legal Affairs, which I chair, has spoken about this today. I say this on its behalf: all the facts must be made known and the Council of Europe must react strongly against such threats, which also risk reducing our capacity to act. I therefore welcome the firm condemnations expressed earlier by the Secretary General of the Council of Europe, The governments concerned must assume their obligations towards our Assembly.

Finally, Mister President, I would like to thank, on behalf of the Swiss delegation, Mr Daniel Zehnder. He has been the loyal secretary of our delegation for 19 years. 19 years. Mr Zehnder will retire at the end of this week. As luck would have it, he will end his professional career here in Strasbourg, which is very symbolic. We would like to thank him for his commitment and loyalty, and wish him all the best for this new chapter in his life.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Thank you Mr Damien COTTIER.

Now, on behalf of the Group of the Unified European Left, Mr Paul GAVAN.

Mr Paul GAVAN (Ireland, UEL, Spokesperson for the group): Thank you.

According to the Rome Statute of the International Criminal Court of 1998, the legal definition of apartheid has three elements.

1. The existence of an institutionalised regime of systemic racial oppression and discrimination.
2. That that regime has been established with the intent to maintain a domination of one racial group over another,
3. Which feature inhumane acts committed as an integral part of the regime.

We know that Israel operates a separate two-tier legal and political system in East Jerusalem and the West Bank for Israeli Jews and Palestinian Arabs. Against the grain of the 21st century, Israel assigns or denies these rights based on ethnicity and nationality. 700 000 Israeli Jewish settlers in East Jerusalem enjoy rights of Israeli citizenship, the right to vote, a European standard of living, Israeli courts, and Jewish-only settlements. Three million stateless and rightless Palestinians in the West Bank and East Jerusalem, in contrast, are living under military occupation, with separate roads, military zones, a per capita GDP one 13th of Israel's economy. And the steady confiscation of Palestinian land for settlements.

That's before we even mentioned the 2 million Palestinians living in the largest open-air prison in the world in the occupied Gaza Strip. There is no question that the intent of Israeli government is to dominate one racial group over another. To quote the current Israeli foreign minister Yair Lapid, he says "my principles say maximum Jews on maximum land with maximum security and minimum Palestinians". Or current prime minister Naftali Bennett, and again I quote "I oppose a Palestinian State and I'm making it impossible to conduct diplomatic relations that might lead to a Palestinian State".

As with the inhumane acts, I only have time to highlight the headlines: denial of the right to life and liberty, denial of full participation in society, dividing the population on racial lines, exploitation of labour as a racial group torture, collective punishment, arbitrary killings, and internment without trial including the internment of children.

Earlier this year, Amnesty International became the latest NGO to recognise what so many of us already knew to be true. That Israel is an apartheid state. It did so via an incredibly detailed and evidence-based report. In doing so, it joined over 450 other NGOs around the world in recognising that Israel is practising apartheid on a daily basis including a number of very courageous Jewish immigrants groups such as B'Tselem.

Indeed those courageous Jews activists put the lie to the claim to say that Israel is an apartheid state is anti-Semitic. It is no such thing. It is simply telling the truth. So my questions to this assembly is simple: when will the Council of Europe and this assembly recognise that what has been practised by Israel is apartheid and call clearly for an end to apartheid in occupied Palestine and the Israeli State itself?

Thank you.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Now, I give the floor to Ms Selin SAYEK BÖKE, on behalf of the Socialists, Democrats and Greens Group.

Ms Selin SAYEK BÖKE (Turkey, SOC, Spokesperson for the group): Thank you very much.

Today I'd like to speak to you about those who were stripped from their freedom through an unlawful process that was highly political.

The supposedly legal process concerning the countrywide peaceful Gezi Park protests of 2013, participated by the millions, in Turkey.

A human rights defender who runs from court to court defending especially the social rights of the victimised, Can Atalay. A famous architect who has devoted her whole life to defending the right to city, as the chair of the Chamber of Architects, Mucella Yapici. A city planner who has put his skills to public use in building more liveable cities, Tayfun Kahraman. A human rights activist, businessperson, Osman Kavala. And many others, whom I cannot refer to given my time limitations.

Osman Kavala was given an aggravated life sentence. The other defendants were sentenced to 18 years in prison for allegedly assisting his so-called crime.

It is these people, these very people I just defined who have been stripped from their freedom with the political verdict.

People who give flesh to democracy through their activism. Therefore, it is these values that they gave life to, that they are being imprisoned for through this unlawful and highly political court proceeding.

I say it's highly political not out of just a free word. I can give you a few highlights to show you it's a political process.

For example, one of the appointed judges who ran the process was actually running for political positions as a candidate for the governing party. He gave the verdict.

The defendants were previously acquitted. Since then, no new evidence was added to the file.

Now, with the same evidence, going from an acquittal, we've come to life sentences.

What changed?

Politics.

Defendants who have attended all hearings for years, have been arrested, based on the grounds of, I quote, "suspicious escape". Even those, for example, like Çiğdem Mater, who returned from Germany to the court. If she was to escape, would she have come there?

Clearly, the verdict is political and not legal.

Therefore, it's on us to identify the politics of it. The political goal is to intimidate the people, the democratic opposition, the rights defenders. And I underline, it's not because of the power they hold, it's because of their weakness. It's because of the power that is held by the democratic forces. Those of us who are fighting to build-up democracy, to protect the human rights.

We have no doubt, we have no doubt that we will not allow for hypocrisy to win. Hypocrisy that speaks the words of principles, but does not act the action of those principles. It is the political fight of the Turkish people who will build that democracy. I have no doubt. Why? Because in the last local elections, this is what we did. Why? Because in Gezi we protected, we protected the green of the city. Why? Because democracy will be alive as long as the democrats fight for it.

I have no doubt we in Turkey will build that democracy.

Thank you.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Now on behalf of the Group of the European People's Party, Mr Ionuț-Marian STROE.

Mr Ionuț-Marian STROE (Romania, EPP/CD, Spokesperson for the group): Thank you Mister Chair.

Dear Colleagues,

It is very important that we turn our attention today to the horrific development of the war of aggression against Ukraine. One that solidifies Vladimir Putin's place as one of the totalitarian leaders of our history. I am referring to the deportation of over 500 000 Ukrainian citizens from the occupied territories to remote areas of the Russian Federation. Five hundred thousand people, dear colleagues. That is twice the population of Strasbourg. To displace half a million people, without their agreement, is without a doubt a war crime, the act of a totalitarian regime, and a clear breach of the Geneva Conventions.

To make matters worse, according to President Zelenskyy, there are at least 5 000 children too from Mariupol alone who have been deported to Russia.

Furthermore, the Russian side has set up so-called filtration camps, where they seized passports and phones before distributing the people to various Russian areas. There have been reports of people getting killed in these camps, of girls and women being raped. It is clear that the handling of Ukrainian citizens is indisputably inhumane. There is no need for me to elaborate further on the concept of filtration camps and the connotation this concept carries out for all of us. I know my blood ran cold when I read about them, and I am sure you are just as shocked.

We ask of you, dear colleagues, we ask of us, the Council of Europe, to take immediate action and track down these people to find out where they are exactly and what is happening to them. This is a human rights issue and well within our scope. We should collaborate with other organisations who are already taking action on this matter, such as the Red Cross and the others.

Let us not turn a blind eye to this tragedy, and let us remember the promise we made, the goal we all share to create a better, safer life for our citizens.

Thank you very much.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Thank you very much.

Now we come to the list of speakers not on behalf of the political groups.

And this is Ms Sevinj FATALIYEVA. Is she in the assembly?

Now you have the floor.

Ms Sevinj FATALIYEVA (Azerbaijan, EC/DA): Thank you.

Mine clearance remains an important issue in the post-conflict period in Azerbaijan. And Azerbaijan is one of the most mine-contaminated and unexploded ordnance countries after the liberation of territories from occupation. The main goal of the Azerbaijani government is the safe return of citizens to their native lands. The timing of this return depends on the demining of the territories and today more than 30 people have died from mines in the liberated territories, both military personnel and civilians. And also, although Armenia has provided Azerbaijan with maps of mined areas, the accuracy is unfortunately just 25%.

The Armenian occupying forces mined thousands of hectares of lands that would be resources, even cemeteries, and the failure by Armenia to provide all the accurate maps of mined areas is a war crime under international law. It is the presence of a large number of mines in liberated territories that seriously slows down the restoration process being carried out here. And this testifies to the scale of humanitarian catastrophes that Azerbaijan has faced and which is a real threat.

Today, my country carries out real steps toward the establishment of life in the liberated territories in order to speed up the return of refugees and the opening of transport corridors, while the Armenian side continues to do everything possible to make some obstacles in this process and today we came up with a peace agenda and there was no real response from Armenia, unfortunately. An international organisation also showed little interest in that and so we put forward a proposal consisting of five specific principles. Armenia has accepted these five principles after the Brussels meeting and thus the leadership of Armenia has officially stated that it

recognises the territorial integrity of Azerbaijan and has no territorial claims to Azerbaijan and will not do so in the future. This is an essential moment for the post-conflict period and we have intended to conduct further negotiations based on these five principles.

It is also very regrettable that international organisations called upon to ensure the implementation of humanitarian conventions and the rule of international law treat the situation rather superficially and do not exert the necessary pressure on Armenia. I am speaking here in the pre-debate, I call on the Parliamentary Assembly to push the member State Armenia to respect international law to take all necessary steps forward in normalising the relationship with Azerbaijan.

Thank you.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Now Ms Arusyak JULHAKYAN has the floor.

Ms Arusyak JULHAKYAN (Armenia, NR): Thank you, Mister Chair.

Dear Colleagues,

Earlier today Mr Tiny KOX stated that he sees this platform as an agora rather than an arena. I do share this approach. Unfortunately, sometimes we use this respective platform as a battle field, forgetting the initial idea the Council of Europe is based on: the idea of gathering European nations together to find solutions to common problems, the idea of rebuilding and maintaining peace on a shattered continent, and the idea of upholding human rights in Europe.

Yesterday and today, my Azerbaijani colleague declared that Azerbaijan has done and still does everything to reach peace. I understood that being in the same organisation we, however, have different perceptions concerning the core values the organisation is based on. We have different perceptions of peace, different perceptions of human rights.

For example, when you shell a maternity hospital, it does not lead to peace. When you behead an elder civilian, this does not lead to peace.

When you create a trophy park with degrading and de-humanising mannequins of Armenian soldiers in the heart of your capital, when you proudly take your children to that park and show them these mannequins and so-called trophies, this does not lead to peace. This can lead to disrespect, maybe hatred, but not peace.

When you refuse releasing prisoners of war, other detained people, when you make them a subject of bargaining continuously demanding more and more concessions, this does not lead to peace. When you give no importance to the ECHR rulings, resolutions of the PACE and the European Parliament related to the Armenian prisoners of war denying the international instruments designed for the protection of human rights, this does not lead to peace.

When, even after the war, you shoot at villages, at peaceful civilians living in their homeland, using small and large calibre weapons, this does not lead to peace.

When you intentionally blow up the gas pipeline and deprive a peaceful population, including children, of heating in the coldest weather conditions, leaving them to freeze, this is not about peace.

When your armed forces using loudspeakers, threaten the peaceful population prompting them to leave their homes and native villages, this is not peace.

When you destruct, annihilate Armenian churches, historical-cultural monuments, cemeteries, even after the ruling of the International Court of Justice, respective resolutions by the PACE and the European Parliament, when your president publicly orders to erase the ancient Armenian manuscripts from the Armenian churches in Nagorno-Karabakh, thus erasing the Armenian trace from these territories, this is not about peace.

Dear colleagues, speaking about peace, let's make sure that here in this agora we understand that word the same way. Maybe this will help us to start a confidence-building process, peace-building process and eventually bring a real peace to our region.

Thank you.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Thank you.

Now is Mr Aleksandar NIKOLOSKI.

He has the floor.

Mr Aleksandar NIKOLOSKI (North Macedonia, EPP/CD): Thank you.

Respected members of PACE,

The strongest European institution for the protection of human rights is under the jurisdiction of the Council of Europe: the European Court on Human Rights.

In the European Court, tens of thousands of citizens from all over Europe are seeking justice that they cannot find in their domestic courts when their basic human rights, the right of freedom of speech, the right of association, the right of national self-identification, and right to use their mother language, have been violated.

Macedonians from Bulgaria have been fighting for these rights for decades. They have always lived there, and they want to exercise their national linguistic and cultural life. But unfortunately, Bulgaria refuses to do so. Refuses to register their associations throughout which they want to exercise their rights.

You will agree this is an undemocratic act by a member state of the European Union.

Ladies and gentlemen, there are 14 judgments of the European Court of Human Rights that referred to Macedonians in Bulgaria. So far, none of them has been implemented by Bulgaria, none.

This has a strong undermining of the courts credibility and that is why the Council of Europe must act.

In the conditions of war in Ukraine, when human rights are not respected, bad examples are not needed in Europe.

I would like to highlight two of the 14 judgments of the European Court, which for me, in a very symbolic way, show where Bulgaria is in this process.

The first, is for the refusal to register a Macedonian club for ethnic tolerance in Bulgaria. What is disputable if a Macedonian club for ethnic tolerance is registered, when ethnic tolerance is the highest goal of the Council of Europe?

The second verdict also refers to the society of the repressed Macedonians in Bulgaria, victims of communist terror. Communism has reigned in Bulgaria for 45 years, and I see no reason for Bulgaria not to face its past and to admit that there are victims of communist terror, who among other things, suffered also because they were Macedonians.

This is no coincidence that the analysis of the Secretariat for Enforcement of the Judgments expressed its deep concerns that in the latest registration procedures initiated by the Macedonian applicant associations in Bulgaria, the courts have again disregarded the principles set out in the European Court's judgments and interim resolution of the Committee of Ministers.

Ladies and gentlemen, Bulgaria is constantly blocking Macedonia in the European path.

Macedonia cannot start accession talks with the EU because Bulgaria constantly vetoes it.

At the same time, Bulgaria does not respect the rulings of the European Court of Human Rights.

This is the hypocritical policy I seek to end. Macedonia to start EU membership negotiations because the citizens of Macedonia deserve it, and Bulgaria to allow basic human and linguistic rights of Macedonians in Bulgaria. Only such an approach can lead to good neighbourly relations and friendly relations between the Macedonian and Bulgarian people.

Thank you very much.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Thank you.

Now I call Mr Vladimir VARDANYAN for three minutes.

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

I hope Mr Kamal JAFAROV is still here and Mr Samad SEYIDOV, who will follow me and would, speaking about genuine democracy, listen to me very carefully.

When I was a student, I did some research in history. I remember the small historical documents on the speech of one of the architects of the Armenian genocide with the German ambassador to the Ottoman Empire, who said precisely, –and this is maybe the first phrase I have ever heard in French– "*La question arménienne n'existe plus.*"

100 years after, here in the core of Europe, after the genocide, Holocaust, a lot of crimes committed, a lot of things done, what we are listening to here, what we are allowing ourselves to listen to. Mr JAFAROV stated there is no Nagorno-Karabakh, there is no people of Nagorno-Karabakh. A couple of weeks ago the head of the delegation of Turkey, I don't know, if it was done deliberately or not, he said in the political Committee, "Why are Armenians still in Azerbaijan? Why do Armenians still exist?"

I'm surviving, and my family has been surviving for more than 100 years. Yes, I will call this precisely mentioned that everybody born equal, but only rare of them win the lottery to be born in the wealthy and healthy societies or healthy and wealthy families.

I understood this position. I understood the position of Mr JAFAROV. He doesn't want to admit the existence of Armenians. This is a serious issue. I would like to refer to you, Mister Chairperson, it was not just a speech during the free debate; it was speech on behalf of the political group.

Do we still accept this behaviour?

Mister JAFAROV, I cannot blame you or I cannot criticise you because you do not know, unfortunately. You were born in the country which has no interconnection with democracy. As soon as you understood, you would see what a genuine democracy is. You would understand that Nagorno-Karabakh exists, that the people of Nagorno-Karabakh exist, that Azerbaijan exists, that Armenia exists, that Turkey exists, and we may live together in peace.

Democracy is okay.

I wish for you to become a democratic state somehow.

Thank you.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): So now we have a point of order just to the procedure and not to the rise to the bait.

Please, Mr Ahmet YILDIZ.

Mr Ahmet YILDIZ (Turkey, NR): Thank you, Mr Chairman.

Mr Vladimir VARDANYAN misquoted my question in the Monitoring Committee and the Bureau. It is unfair to the Bureau and I should correct it. I questioned why are Armenian soldiers in Azerbaijan territory, not Armenian natives.

Thank you.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Yes, point of order. You can answer but he explained.

Mr Vladimir VARDANYAN (Armenia, EPP/CD): I would like to have a video if it is possible. He actually said "why are Armenians", "why are Armenians", not "Armenian soldiers".

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): So this is something we cannot clarify here. What is said in the Committee but I think it is a good signal that he explained that he meant "soldiers".

So now the next speaker is Mr Samad SEYIDOV.

Mr Samad SEYIDOV (Azerbaijan, EC/DA): Thank you very much, Mr President.

It is not so easy in this very difficult situation to be polite or precise. Actually, we should think about how can we deal with this situation. And yesterday, I already mentioned that the only one way to find the way out of this very difficult situation is to follow the values which we have here in this Assembly.

As a leader of the Azerbaijani delegation, I have to repeat that this is our suggestion: to sit together with Armenians, with the Armenian delegation, and discuss all these kinds of problems. Not only here, in this hemicycle, but face-to-face, and start to communicate with each other. Not to make speeches for your internal audience, not to be so great hero of your nation, but to do some real steps and the first real step I can present to this very respectable audience.

Officially, as a leader of the delegation, I invite my Armenian colleagues to sit together with Azerbaijanis and to discuss, first of all, humanitarian problems. First of all, confidence-building measures. This is the first. But, in any case, being a politician, I have to answer in a very polite form to my friend and colleague, Mr Ruben RUBINYAN. He said about Armenians in Azerbaijan, but I have to clarify the situation. During the war, before the war, we had, we have and we will have Armenians in Azerbaijan. Approximately, today, in Baku we have 30 000 Armenians and Armenians in Karabakh, they are citizens of Azerbaijan, and we respect them. But can I ask Mr Vladimir VARDANYAN, do they have even one Azerbaijani, one Azerbaijani, in Armenia? No. What about the ethnic cleansing of all Azerbaijanis from Armenian territories? That is why instead of shaming and pointing the finger at us, look at the mirror and then start to make some statements.

But I wanted to avoid this kind of behaviour. I wanted to follow the recommendation which my President said here. That is why, again, my dear colleagues, if you really and sincerely want to have peace in the region, let us sit together, let us discuss humanitarian questions, let us follow human rights, democracy and the rule of law – values of this organisation.

Thank you very much.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Thank you.

Now, Mr Ziya ALTUNYALDIZ.

Mr Ziya ALTUNYALDIZ (Turkey, NR): Thank you Mr Chair.

Dear colleagues,

As you all may recall, that in last year's session our Assembly held several debates and adopted four reports on the issues related to climate change and its implications on human rights and democracy.

I like to indicate that I had the honour to be the rapporteur of the report on criminal and civil liability in the context of climate change that was adopted unanimously with the contribution of you, esteemed members of the Assembly.

Sadly, on the contrary, climate change and global warming are getting irreversible day by day. For all these reasons, my dear colleagues, I believe that our Assembly should follow up its significant amount of work that has been done on this delicate subject.

There is no widespread agreement that human rights norms apply to the environment issues including the right to a safe, clean, healthy and sustainable environment.

In order to safeguard human rights in relation to the environment, we have to develop a set of legal norms and ensure that they are put in force by all states.

Therefore, in my report on climate change, I envisaged the need for establishing state criminal and civil liability in the context of climate change. Since climate change has a global nature, the address, and it affects everyone, liability must be reinforced at a European and global levels.

In order to maintain deterrence and corrective justice, we have to identify the victims and perpetrators that harm the environment and inflict the change.

All purpose is to provide for adequate compensation and to prevent further damage to the environment. Hence, I strongly believe that the introduction of the polluter pays principle is key for a greener world for the future generations.

My dear colleagues, to address the current challenges related to climate change, the state must consider introducing the crime of ecocide in their national criminal legislation, as they should all recognise universal jurisdiction for ecocide as well.

To sum up, at both European and national level, we must establish a legal framework that will safeguard our environment and people against the threat of climate change. By doing that, I wish all of us to live in a more sustainable world together.

I thank you, Mr Chair. Let me also raise the issue that my Armenian colleague raised.

I am really disappointed that our Armenian colleagues raise a again and again some historical event. I believe that we should leave historical events to historians and we should open all our archives and let them study.

My country, Turkey already opened its archives and invites for the establishment of a joint committee. Our initiative to our Armenian colleagues are still valid and open. We invite them to take constructive and participate in this study on history.

I thank you.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): So, now we have a speech by Ms Konul NURULLAYEVA.

You have the floor.

Ms Konul NURULLAYEVA (Azerbaijan, EC/DA): Thank you.

Dear Chair, the honorary members of the Council,

I would like to note that in the autumn of 2020, Azerbaijan implemented four resolutions of the UN Security Council adopted almost 30 years ago on the liberation of Azerbaijani territories. During the 44-day war, Azerbaijan strictly adhered to the basic principles of international humanitarian law. Immediately after the end of the Second Karabakh War, Azerbaijan offered peace to Armenia. Again, I want to mention: peace to Armenia.

At present, the peace agenda of Brussels has been formed. Thus, a meeting between the leaders of Azerbaijan and Armenia took place on December 14, 2021 in Brussels, on February 4 in video format and on April 6 this year in Brussels at the initiative of President of the EU Council Charles Michel. Prior to the April meeting, Azerbaijan has presented to the other side five basic principles for the normalisation of relations between two countries. These principles include the recognition of each other's territorial integrity, the legal obligation not to have territorial claims against each other, the avoidance from threatening each other's security, delimitation and demarcation of borders, the establishment of diplomatic relations, and the opening of transport and communications. The principles proposed by Azerbaijan are the basic principles of interstate relations between any country.

Azerbaijan is ready to negotiate with the other side in the Baku-Yerevan format. We also expect real steps from Armenia, as my colleague mentioned. I want to underline: real steps from Armenia. However, unfortunately, despite these agreements, Armenia is taking steps to disrupt peace by committing provocations on the border.

Azerbaijan also suffers from landmines planted by Armenians in the liberated territories; and since the tripartite statement signed on November 10, 2020, more than 200 Azerbaijanis, mostly civilians and even media representatives, have been killed or injured. At the same time, the fate of about 4 000 Azerbaijanis who have been missing since the first Armenian-Azerbaijani war should be clarified.

To sum up, international organisations should play the role of a platform that contributes to the process of building mutual trust between Azerbaijan and Armenia and the establishment of the integrated South Caucasus region. This is important first for straightening lasting peace and cooperation in the region and second for ensuring the well being of our people in the region.

Thanks for the attention!

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Thank you very much and now the last speaker for today is Ms Nigar ARPADARAI.

Ms Nigar ARPADARAI (Azerbaijan, EC/DA): Thank you Mr Speaker.

Dear colleagues, ladies and gentlemen.

We here in the Council of Europe are now facing fundamental challenges. We currently have a hot phase of the largest military conflict in the Council of Europe space since its establishment. The geography of the Council of Europe has changed and we cannot avoid a very open discussion about how we should move further. We have to openly ask ourselves: what is the new European security system, the new law and order, going to look like? Military separatism, secessionism and territorial claims towards other countries, these are the proven biggest threats to the security system of our continent of the last decade. They brought conflict, destruction, wars, mass violations of human rights, extremism and terrorism. In the new Europe that will be reborn soon, this must be different. All Council of Europe countries should have similar guarantees and should be able to use all the mechanisms that provide for efficient protection of our nations against external aggression, against internal threats, such as aggressive militarised secessionism, territorial claims and separatism.

We, finally, should stand for these principles everywhere, be it Western or Eastern Europe, if we want to have a Europe in which such organisations as the Council of Europe or OSCE are able to fulfill their mandate. There must be clear sanction mechanisms for the members or individuals who support separatism through illegal means. There must be a commitment by all members not to support it in other countries. Too often, separatism is used as a pretext to invade or occupy a neighbour. Not seeing this is impossible. This is impossible. And without fixing this, we will not be able to sustain a whole and safe Europe without division lines. We Azerbaijanis know that because we have faced aggression, we faced occupation of our lands by Armenia, total destruction of the lands to the level when one of the most beautiful cities of Azerbaijan, Agdam, is called Hiroshima of the Caucasus.

Because if we did not create security and rule of law in Europe, we will not be able to promote human rights codes, as there is a clear link between the ability of a nation to sustain its integrity and the ability of a nation to promote and protect human rights. And if we fail this, then why would you need the Council of Europe?

And at the end, dear Chair, my colleague Mr Vladimir VARDANYAN is not here but I still want to ask him, I still want to join my Turkish colleague, and ask him why the Armenian army is still in the territory of Azerbaijan?

Thank you.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Is that a point of order or a request to speak? So we have three minutes. You can have both.

A point of order is shorter.

Mr Ahmet YILDIZ (Turkey, NR): Shorter.

Respecting this Assembly, I checked what I said in the Political Committee.

I quote "Miste YILDIZ asked why Armenian soldiers were still on the territory of Azerbaijan and called for peace."

This is against the accusations.

Mr Armin LASCHET (Germany, EPP/CD, President of the Assembly): Okay. This is the proof, but the colleague is not there.

I propose you tell it to him personally, buy a coffee or something else.

I thank you all.

I see no other requests to speak.

I thank you all. You made it easy for me today.

It was a respectful, good and polite debate on issues that are very important for every speaker. We saw the emotions as well.

The debate is closed.

The Assembly will hold its next public sitting tomorrow at 10:00 a.m. with the agenda that was approved on Monday.

The sitting is adjourned.