



Provisional edition

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Official report of debates

Opening of the sitting num 22

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): The meeting is now in session.

I invite you, dear colleagues, to check that you are seated in the chair assigned to you in order to facilitate the organisation of the debates.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): The first point on our agenda is a communication from the Committee of Ministers.

We begin this sitting today with the communication from the Committee of Ministers to the Assembly, presented by Mr Krišjānis KARIŅŠ, Minister for Foreign Affairs of Latvia and Chair of the Committee of Ministers. This will be followed by questions to Mr KARIŅŠ.

Dear Mister Minister, it's great to have you here with us.

You have been in office, if I was informed well, for only about three weeks. Those who think that we now have a real youngster here amongst us, although you still look great, Mister Minister, you are a skilled politician. From a member of the European Parliament to the post of Prime Minister, you did it all. Until now I think you have had a lot of success during your career.

You told me, when we had a tête-à-tête, that to be minister foreign affairs was always your dream job. I congratulate you that you now have your dream job. I also have to warn you, Mister Minister, as this Assembly will show during all the debates, we are living in challenging and adventurous but also most dangerous times.

I do not have to emphasise what has been happening in the past weeks and months. A lot of things are going wrong in our Council of Europe member states and its neighbourhood. Mister Minister, there will never be a dull moment for you as long as you stay in that dream job. As you have chosen that job voluntarily, I think it is in good hands. Without any further delay, I wish you well with the rest of chairing the Committee of Ministers, and I invite you now to address our Assembly and to answer questions from your colleagues.

You have the floor, Mister Minister.

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.

Communication from the Committee of Ministers

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): Mr Chairman,

Madam Secretary General,

Fellow members of national parliaments,

It's a great pleasure for me to be here with you, especially as I worked in this building for 10 years as a Member of the European Parliament. My seat was, I think, 134. No, 142. Yes, that was my seat. It was my seat for many years, and now it's a pleasure to be here as Latvia's Foreign Minister and Chairman of the Committee of Ministers of the Council of Europe, with the opportunity for a dialogue with you.

I'm not going to speak any more French, because it's probably very difficult to translate. Excuse me, I may have forgotten a few things over the last five years.

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): I'm going to structure my speech and comments in two parts.

1. Some general comments about the Council of Europe;
2. Specifically on the Latvian Presidency over the past, I guess it's five months now, coming into the last one.

The general comment is, I think, we are in and facing some very tough times ahead. The Council of Europe was founded in 1949 at the end of the Second World War, as a reaction to the way that European states used to conduct international affairs: we have a disagreement, we go to war. And the goal has been: if you have a disagreement, then come to the table, discuss, find common ground, but don't bring up arms.

And over the course of those years, democracy has grown and had grown for many many years, especially after 1990, the fall of the Berlin Wall and the fall of the Iron Curtain. That's when my country and many others regained our independence and rejoined the community of democratic nations, and it seemed that democracy was on the rise and was to become ever more powerful, that discussion and compromise had won over aggression and war. And unfortunately, in the past few years, we're seeing the opposite happen.

Of course the war Russia swore on Ukraine and the price that they paid of having to leave the Council of Europe. But we're seeing conflicts which have been long-standing in many parts of the world coming up into very active and brutal stages of war: shooting, deaths, etc. And that means that we as democrats have an even greater responsibility than our predecessors to not only stand a vigil guard over democracy but to really learn to open up our minds and our ears to what the other is saying, even if we disagree with them, even if we have a strongly different point of view. Because there is an alternative to dialogue and compromise, and that alternative is war. And war means deaths.

So, I want to stress the importance of the Council of Europe as being a big part of this democratic dialogue and it's in the auspices of the Council of Europe that we have set the standards for human rights, for the rights of women, etc. etc.

All of these standards are extremely important for any functional democracy to exist. So I implore all of us, because we're all in the same boat, to not let our guard down and to not let those who want to destroy democracy do so, neither from the outside nor, even more perniciously, from the inside.

Those are my general comments. And now some specific comments on the work of the Latvian Presidency.

So, our work has been guided by the decisions taken at the Summit in May in Reykjavík. This is one of the, I think it's the fourth time that the heads of state and government came together in almost 75 years of the existence of this house and chamber.

It shows how tough the times have become when the heads of state and government are yet again reconvening. And this has been our guiding light. So, in July the Committee of Ministers adopted the outline of the implementation process just a couple of months after the hits of state and government met. And we will remain, the Committee of Ministers, at the heart as the supervising body.

Work will be taken forward in a systematic manner by all the thematic groups of the rapporteurs, very important, with regular progress updates along the way. Our goal is to have a clear set of deliverables by the next ministerial meeting in May. And that's important.

Budgetary implications are foreseen in the implementation of the Summit decisions. Budget proposals must be discussed keeping in mind not only the cost efficiency of this organisation, but also the impact of its activities.

Distinguished members of this great Assembly, the consequences of Russia's war of regression against Ukraine continue to dominate the agenda of the Committee of Ministers.

The Latvian Presidency of course stands in full solidarity with Ukraine in its fight for freedom and independence.

I call on continued, strong European-wide unity in providing support to your Ukraine until its victory over the aggressor. We demand complete accountability. This is extremely important. Accountability of Russia for all crimes committed in Ukraine. Russia must bear full legal and financial responsibility for its aggression. Every effort must be made to hold Russian leadership and military personnel accountable. No one is immune. That is why Latvia has been advocating for an establishment of a special international tribunal for the crime of aggression against Ukraine.

It is our strong conviction that impunity cannot prevail indeed for democracy to exist: aggressors must pay.

During our presidency, the Register of Damage caused by the aggression of the Russian Federation against Ukraine has been launched. And if you were to ask me what is maybe the one single biggest thing of the previous five months, it is the launching of this register. As a step towards a future international compensation mechanism, this register must receive all necessary support in order to become fully operational.

Currently, more than 44 states in the European Union have already joined this register, and I applaud all of them. I welcome all those states which have indicated their intention or interest to join. I invite those who have not yet made this decision to take this decision.

As one of the founding members of the Register of Damage we're committed to continuing our outreach in order to make sure that this important initiative gets all the support it needs.

Exactly one month ago, the informal Council of the European Justice Ministers Conference in Riga focused on how to increase support to Ukraine and its justice system.

I welcome the final decision of the conference that also includes the Riga Principles: they provide political guidance on what is required for an efficient functioning of the Register of Damage to Ukraine. This includes a victim centred approach, a firm legal basis, authority and legitimacy, support to Ukrainian national authorities, civil society engagement, coherence, complementarity and interoperability, as well as work towards an effective reparation.

We invite member states to contribute to the Council of Europe action plan on resilience, recovery, and rebuilding of Ukraine.

In a follow-up to the Reykjavik summit, the Justice Ministers also addressed the steps necessary for reuniting Ukrainian children with their families, one of the great tragedies of this war of aggression. The forcible transfer and unlawful adoptions of Ukrainian children to Russia or to temporarily occupied areas as well as Belarus are war crimes: nothing more, nothing less. They are war crimes.

We welcome the arrest warrant issued by the ICC for who architected this crime.

Latvia will continue demanding proper action of international organisations to fully investigate these unlawful practices.

Our presidency has continuously addressed deplorable actions by Russia. Together with this Assembly, the President, and the Secretary General we have jointly condemned the sham elections that took place in parts of Ukraine which are temporarily occupied by Russia.

The Committee of Ministers condemns the worsening human rights situation in illegally annexed Crimea, it has decided to enlarge the scope of its monitoring to all temporarily occupied Ukrainian territories.

We also call on the Russian Federation to comply with its international obligations, including in the field of human rights. Expulsion of Russia from this Council did not end its obligations to implement the judgments of the European Court of Human Rights. We demand Russia to stop its aggression and to withdraw all its forces from Ukraine, from Georgia, and from Moldova.

Dear members, the approach of our presidency has been to maintain a dialogue on all current issues that are on the political agenda of the Committee of Ministers.

The Committee will tirelessly continue to address the human rights situations that require our current attention.

Following the recent events in Karabakh, I have engaged with both parties, recently met with them in New York at the General Assembly, and called for a constructive dialogue leading to a lasting peace agreement between Armenia and Azerbaijan.

De-escalation of the situation will contribute to the stability of the South Caucasus and benefit all people living in the region.

The basic principles of the Council of Europe, including the importance of the protection of human rights and ensuring the rule of law, as well as the non-use of force in political disputes and respecting territorial integrity of each other, should be the principles guiding us all.

Also, here in Strasbourg, the Latvian Presidency has provided a platform for exchanges among the parties involved.

We are ready to contribute to finding constructive ways of engagement of the Council of Europe in confidence building and lasting settlements where human rights would be fully protected and humanitarian concerns addressed.

The Committee of Ministers has also discussed the escalation of the situation in the North of Kosovo.

The Committee continues to stress the importance for all parties to implement the agreements reached in the European Union-facilitated Belgrade-Pristina dialogue.

The promotion of the execution of the European Court of Human Rights judgments is a very central and important part of our presidency's priorities. Member states of this organisation have all agreed to abide by the final judgment of the court, and indeed the Court of Human Rights is one of the sharpest edges that the Council of Europe possesses in its setting of the standards of human rights.

It has therefore been our intention to follow the line of the previous presidency in promoting the implementation of the Strasbourg Court judgments in all cases.

In this light, and responding to expectations of the Committee of Ministers for the presidency to continue the high-level political dialogue on the judgment concerning Osman Kavala in Türkiye, my predecessor and I have engaged in a dialogue with our Turkish counterpart. In my conversation with the minister of foreign affairs of Türkiye during the general assembly in New York a few weeks ago, I stressed the necessity to fully respect and implement the judgments of the European Court of Human Rights.

Friends and colleagues, there can be no exceptions.

We created the Court. We are subject to the Court's final decision. The Court makes a final decision, we have to abide by that. If we don't abide by the Court's decisions, the entire fabric of our peaceful and democratic co-existence starts to unwind.

Friends, we must prioritise the promotion of freedom of expression, safety of journalists, and the digital agenda.

Last week the presidency organised, and I was honoured to attend and to open a really interesting international conference in Riga dedicated to one of the core elements of democracy, namely the protection and freedom of expression and the safety of journalists, also journalists in wartime.

Latvia is proud to have hosted the launch of the new Council of Europe's campaign for the safety of journalists. We were the first to make voluntary financial contribution to this campaign, hoping to inspire other member states to follow. So, please, take our lead and follow in that.

In addition, the work on the new framework convention in the area of artificial intelligence is in progress.

Now, certainly we had hoped at the beginning of our presidency that everything would be finalised by the end of our presidency, next month.

But the task, how should we say, has proven to be a little larger than expected, a little more challenging. The negotiations are ongoing. We will be passing the baton next week to our friends in Liechtenstein, and we certainly are convinced that this must be completed. I think a good timeline is the 75th anniversary of this Council, which is next year.

The Conference of European Ministers of Education, in September, discussed the impact of artificial intelligence on the European educational systems. It affirmed the transformative power of education and the role of youth in promoting democracy and the rule of law. We must support the participation of youth in democratic life and policy decision processes.

In conclusion, I wish to focus on reforms of this house. Efficiency of international organisations depends on their ability to respond to the current or to new challenges: the Council of Europe should lead by example.

But there's one issue that I have raised also today in a meeting with the Secretary General: the issue of individuals with Russian citizenship still holding positions within the Secretariat of this establishment is deeply concerning, to say the least. Russian citizens should not be employed within this organisation from neither a political nor a security, nor a reputational, and I would add, a moral perspective. And I invite the Secretary General to continue to address this issue and take necessary steps.

In following the guidance from the Reykjavik Summit, the Council of Europe's engagement with civil society must be reinforced, including with representatives working towards the future free and democratic Belarus.

And we must also strive, colleagues, for greater transparency and visibility of the work of the Committee of Ministers. To open windows rather than continue working behind closed doors, which only creates misunderstandings. And indeed, I think one of the touching things that I would like to remark, that over the course of my political career I've been involved in very many international fora. And this one strikes me as the one forum that has a very limited interest of the press. And I think this should be a wake-up call to us. What is it that we can do better to re-engage with the press which is simply a reflection of: do people understand our mission? Or is the mission not understood? Is there too much secrecy? Which maybe made sense in 1949, but no longer makes sense in 2023.

As chairman of the Committee of Ministers, I thank the Parliamentary Assembly, all of you, for your meaningful co-operation. I wish all of you fantastic debates this week. I'm looking very much forward to attempting to answer your questions today, and I wish you the best of luck in all of your endeavours.

Thank you very much for your attention.

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

It must give you a good feeling that from here you are addressing the seat where you used to sit as an Minister of the European Parliament. A change of perspective helps us all.

You agreed, Mister Minister, that you would be willing and able to take questions from the Assembly.

We will hear these questions first from the five political groups. Then we will continue with the rest of the speakers' list.

Please be aware that speaking time will be limited to 30 seconds. I remind you that colleagues should ask one single question and not make speeches. It's doable!

The first on my list is Mr Max LUCKS from Germany. He speaks on behalf of the Socialists, Democrats and Greens Group.

30 seconds for you, Mr LUCKS.

Mr Max LUCKS (Germany, SOC, Spokesperson for the group): Thank you, Foreign Minister, for your speech and also for finding words on Nagorno-Karabakh.

Our member country Azerbaijan has decided to use military force to expel 100,000 Armenians. This is a breach of everything this House and the European Convention on Human Rights stand for. A clear response from the Committee of Ministers is needed to ensure that such an action is not repeated. I would like to know from you: what will the Committee of Ministers do to oppose this breach with international laws and human rights, and is there not a need for sanctions against Azerbaijan? Doesn't it need a stop of European gas imports from Azerbaijan?

Thank you very much.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much dear Mr Max LUCKS [spoken in German].

Mister Minister?

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): "Thank you very much for the question [spoken in German]". But I understand our languages are English and French, so I will try to respond in English.

The Council of Europe was set up as a space for political dialogue so that countries, when they have disputes, would not resort to violence.

Well, this is a situation which has gone for various reasons, and I think we all know history rather well, not quite the way that this institution would need, and that is dialogue.

Right now, we have the commissioner for human rights, who has confirmed that she'll be traveling to Karabakh.

We have the special envoy of the Secretary General. I was just speaking with her an hour ago. Also that special envoy will be travelling to Armenia to look at the plight of these migrants, these 120 000 people who have left Karabakh en masse to go to Armenia.

The only long-term workable solution is through dialogue. In the Council of Ministers, decisions are taken by consensus, by unanimity. It's very difficult when there are two members who have, shall we say, conflicting views for both of them to come, because they're still in conflict to, you know, go one way or go another way. So, it's the continued dialogue.

I personally have been involved in speaking with the ministers. We have two people who have the responsibility of fact finding for us. We need to continue to work, because resorting to arms is what happens when there is no dialogue. Even if arms have been resorted to, it's never too late to emphasise that dialogue.

Our presidency has been doing and will continue to do everything with Lichtenstein. Even afterwards, as foreign minister, I will continue. We have to bring the two sides to the table.

There is a possibility to come to a common conclusion, but we're certainly not there yet, unfortunately.

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

The next question comes from Mr Vladimir VARDANYAN from Armenia, who speaks on behalf of the Group of the European People's Party.

30 seconds for you, Vladimir.

Mr Vladimir VARDANYAN (Armenia, EPP/CD, Spokesperson for the group): Mister Minister,

What is the Committee of Ministers is going to undertake to give an end to the deliberate non-execution of the judgments of the European Court of Human Rights and of non-implementation of the interim measures of the European Court of Human Rights by member states?

And the second question:

For more than a year, Azerbaijan has been openly rejecting any authorised visit of Parliamentary Assembly rapporteurs and officials to Nagorno Karabakh. Even after the unprecedented exodus of the Armenian population, what kind of tangible steps are you personally and the Committee of Ministers planning to do to oblige the Azerbaijani authorities to fulfil their obligations before the Council of Europe in good faith?

Thank you.

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

To remind you, we agreed that we would ask one question.

I know we all wanted to ask more questions, but we will allow these two.

The floor is yours, Mister Minister.

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): Thank you very much.

I actually think both questions are very much in order.

It is a profound question that you're asking.

We have all entered the Council of Europe voluntarily.

Indeed there are some countries that want to join where there's still no consensus on that we will take them in.

In joining the Council of Europe we all tacitly and overtly say we accept the judgments of the European Court of Human Rights as final. We will implement these.

Now what do we do when there is a judgment and implementation does not follow? This is the big question. Of course if there is a persistent and a persistent and a persistent non-implementation of the decisions, we as a House only have two decisions.

One is we say: okay we change our rules and procedures. The Court of Human Rights is a suggestion, it's something, you know, if you think it's okay, then implement it. That is water it down.

Or two: come to the hard conclusion that either you implement these decisions or then ask yourself: do you belong in this organisation? That's a tough stance. It is what ultimately comes out of it, but we have to remember that for democracies to thrive - and we are on the decline right now, not advancing - we have to stick by the principles we espouse. We speak of human rights, we speak of democracy, we speak of rule of law. If we don't implement it - I'm sorry, the autocrats will never implement these.

So it's a profound question that I think those few cases that we're all very well aware of, of the non implementation - I also tried to mention that in my address. This is crucially important, because the non-implementation can only end in one of three ways, preferably implementation, non preferably we water down what the Court of Human Rights is, and third, I think also absolutely non preferably we start decreasing the number of our members. But if we decrease the number of our members, the cause of human rights will not progress.

So, this is a real issue that I think all members of this Council seriously need to consider - the consequences of their inaction today. What kind of consequences that can have on themselves in the future.

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

The next question comes from Ms Fiona O'LOUGHLIN from Ireland, who speaks on behalf of the Alliance of Liberals and Democrats for Europe.

30 seconds for you.

Ms Fiona O'LOUGHLIN (Ireland, ALDE, Spokesperson for the group): Thank you, President, Minister.

This Standing Committee had a very fruitful and pleasant visit to Riga at the start of your presidency when your predecessor, now president, committed to ratification of the Istanbul Convention.

We would appreciate an update in relation to that.

Also, if you could advise us of the plan, in the presiding minister, in ensuring that all of the competencies and the organs of the Council of Europe will be employed in the Nagorno Karabach region, and what would be the consequences if not.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Mister Minister.

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): Thank you very much for your questions, plural.

Regarding the Istanbul Convention and its ratification process in Latvia, I headed the last two governments in Latvia. One of the reasons I disbanded the previous government was that we could not come to a political consensus on implementing the ratification through the parliament. This was not the sole reason, but this was one of them.

In forming the new government, my successor Prime Minister Ms Evika Siliņa set as one of the bases of forming the government that we would agree, among other policy issues, to finish this ratification process.

We now have that political agreement, and it is now in the works in parliament. I am quite convinced that this will be completed.

What we have to remember is that my country is one of many countries that borders on Russia. Russia has had a narrative feeding into our society and other societies for many, many years which is based on lies of what this Convention is.

The lies, which I have heard and read that people say, are basically turned. If we ratify the Convention, that means we are against families, and something more absurd, those of us who actually read the Convention cannot imagine. If anything, it strengthens the role of families because it strengthens support for women, who undergo in all of our societies much more, shall we say, difficulty and violence than many of us care to admit. The ratification of this simply is a clear signal to the world saying, yes, also our government, our parliament, views this as a problem, and we want to address it head on, rather than go around it.

My country and many others have been, and many people, also political parties, under the sway of disinformation from the East, but I think we'll overcome it now.

The second part of your "one question" had to do with Nagorno-Karabakh and, you know, how we will we really deal with it. I think this is this is one of the big issues of today and this week and how actually to deal with it.

I've met with one side, and I've met with the other side. I understand very much what what I'm being told. At the end of the day, regardless, say, for these, the question is how we will define these migrants. I think this House, the Council of Europe has a big task ahead of it.

We are facing more and more people movement, shall we say that,- around the world, into, within Europe.

Traditionally we all seem to understand intuitively what is a refugee from war, from conflict, someone who's fleeing literally for their lives.

Then we have another category of people who are looking for a better life. You know, I move to a big city, because I want a better paying job and maybe to a different country and maybe coming into Europe, because Europe has more opportunities than my home country. Maybe there's no conflict, but there's poverty or you know difficulties there.

On top of this we have people who are helping the migrants by smuggling them.

Then we have people who are taking advantage of the migrants and getting into human trafficking.

Then we have yet a fifth category now which Nagorno-Karabakh raises. These 110 000 to 120 000 ethnic Armenians who have now fled or left their homes for Armenia, are they migrants? Are they refugees? This is the question, what will we do.

If we do not address this, our democracies will be facing ever more pressure. As we have more migration, say into Europe from the outside, we get more and more political parties and voters saying, this is somehow bad. We get more and more radicalised in our societies. Politics gets more radicalised and more poisoned.

I'm from the centre of the political spectrum. For years, and I'm still convinced that the centre, as long as the centre, the broad centre holds, and that's not just one or two political families, it's a growing number of political families, the centre meaning those of us who fully buy into democracy as a basic value, human rights as a basic value, the rule of law as a prerequisite to having freedom. This is what's under threat.

This conflict there has gone outside the bounds of talking about it. What we have to do is to bring it back into talking about it, because the alternative is far too brutal. It's not an easy path, but it's one that all of us have to persistently stay on course.

We are all politicians, not because we wanted an easy life but because we think that we have a solution of how life could be better.

All of us in this House, I truly believe that we sincerely believe this is true. Let's continue to fight for it.

When all of us are united across the political families, then things go very well indeed.

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

The next question comes from Mr Oleksii GONCHARENKO from Ukraine, who speaks on behalf of the European Conservatives Group and Democratic Alliance.

30 seconds are for you.

Mr Oleksii GONCHARENKO (Ukraine, EC/DA, Spokesperson for the group): Thank you, Mister President.

First of all, thank you very much, Prime Minister and Minister, for all your personal support and to the people of Latvia for their support of Ukraine.

My question is until Russia goes through the imperialisation it will pose a constant threat to all our countries. What concrete steps should be made by European countries and our organisations to tackle this challenge to protect ourselves?

We are the only organisation, major international organisation, which kicked out Russia from membership. Is it time for other organisations to do the same, including the United Nations where Russia illegally holds the permanent Security Council member place?

Thank you.

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

Mister Minister?

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): Yes, that's the million-euro question, isn't it?

It is a profound difficulty.

I agree with the assessment that the biggest security threat to all of Europe currently is Russia.

Russia has gone over the past 20 years from a sort of like democracy to complete autocracy, a dictatorship, where maybe 15 years ago how the government dealt with opposition and now how they're dealing with opposition is day and night. Not only internally, but the brutal and frontal ongoing war of aggression against Ukraine, which basically wants to annihilate Ukraine, not acknowledge it as a nation, is good old-fashioned imperialism. There's no other way to call it in all of its worst aspects.

What do we do?

One thing that the Council of Europe has done is having said, we're all democrats, you're not, out. Okay, Russia is out. Does that mitigate the threat to any of us? I don't think so, but they have no place here. I'm not advocating for the opposite, but that does not diminish the threat.

What can we do and what must we do to protect ourselves?

I would say there are two general tacks that I would say are both equally important.

The first is, and it's the most difficult one, is to stand guard and strengthen the democracies in our own nations, to not allow those politicians who want to maybe utilise the playbook of democracy to gain power, only to remain in power and to put democracy back on hold.

Fighting populism is another way to say it.

This is easily said. It's often difficult to do. It means fighting disinformation with information. This is the most crucial thing that we all have to do to protect ourselves, because Russia may be a threat from the outside. But let's face it, our democracies are always at an internal threat, which the Russians will use through disinformation to foster, Russia is always looking to foster, unease.

Indeed, if we go back to the Nagorno-Karabakh issue, who is the regional player who does not want a peaceful solution? It's Russia.

It's Russia not letting there be peace. I think time will show what exactly triggered the exodus of people, but I would be rather surprised if there had not been some involvement from the outside in that as well.

That's one aspect. That's the tough aspect.

The easy aspect in terms of idea is to strengthen ourselves militarily.

The world, unfortunately, democracy needs an edge. Our soft arguments are extremely important, but we have to make sure that our soft arguments are backed up by real military strength. Why? The case of Ukraine.

We cannot take for granted that a country such as Russia would not decide to pick another neighbour and attack. The chances of reducing that are one, we are strong; two, we are united. Actually it's three things, I'm sorry, false advertising: strengthen our democracies, strengthen ourselves militarily, strengthen our multilateral ties. Three things.

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

The last question on behalf of the political groups comes from Ms Laura CASTEL from Spain and Laura speaks on behalf of the Group of the Unified European Left. Laura, 30 seconds for you.

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

Referring to freedom of press, Julian Assange is facing 175 years in a US prison for revealing war crimes. Does the Committee of Ministers plan to protect Julian Assange's human rights and more importantly, request the United Kingdom to follow the human rights approach and the CPT recommendations in the judicial proceedings?

Thank you, Chair.

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

Mister Minister.

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): Thank you.

You are right, Mister President, a very interesting question.

I think it is irrelevant what any of us think about Julian Assange. Did he commit a crime? Is he a hero? Did he do something good? Did he do something bad? The important point is that he has a right to a fair trial period. As much as that may pain some who think he has done in egregious, bad thing, we have to understand that a fair trial is one of the fundamental human rights that we have that is not a given, it is something that has been fought for and shall we say, as a result of the ravages of the Second World War where it seems to be quite taken for granted in large parts of Europe today. But here, I think that is the key. Assange is now in Great Britain. I, personally, have great faith in the British judicial system. I think we have to let judicial systems work. But a right to a fair trial stands above anyone's opinion or assessment of what he has done or not done.

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

If you allow me, we will make it possible to have as many people as possible involved. I will take four questions, and I will ask you then to answer these four questions.

First, we will go to Mr Armen GEVORGYAN from Armenia.

Armen, 30 seconds.

Mr Armen GEVORGYAN (Armenia, EC/DA): Mister Minister,

In June, your predecessor avoided a direct answer to my question about the accountability of Azerbaijan for the blockade of Nagorno-Karabakh, thereby awarding Azerbaijan impunity for continuous violence against Armenians in the region.

Now, I want to ask you whether you feel your responsibility on behalf of this organisation for the ethnic cleansings of Armenians from Nagorno-Karabakh by Azerbaijan in September, since it happened during your Chairmanship of the Committee of Ministers and after the Reykjavík Summit.

Thank you.

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

Next question comes from Mr John HOWELL from the United Kingdom.

30 seconds for you, John.

Mr John HOWELL (United Kingdom, EC/DA): In view of there being so many crises in and near Europe, what will the Committee of Ministers do to help reinforce the work and values of the Council of Europe in member countries?

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

And then we go to Ms Sevinj FATALIYEVA from Azerbaijan.

30 seconds for you, Sevinj.

Ms Sevinj FATALIYEVA (Azerbaijan, EC/DA): Mister Minister,

A few days ago the president of Azerbaijan during his visit to neighbouring Georgia stated, "Now we must work hard on the peace treaty to be signed between Armenian and Azerbaijan".

If we succeed in that, then a completely new political situation will emerge in the Southern Caucasus. South Caucasus countries can start collaborating in a trilateral format.

Mister Minister, how, in your opinion, can the Council of Europe contribute to building a regional trilateral co-operation in the South Caucasus in the name of ensuring peace, stability, and security?

Thank you.

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

The last from the first round will be from Mr Peter FRICK from Lichtenstein.

Peter, 30 seconds.

Mr Peter FRICK (Liechtenstein, ALDE): Thank you.

Dear Chairman, dear colleagues, on behalf of the Lichtenstein delegation, I would like to thank you, esteemed Minister KARIŅŠ, for your remarks.

The priority of the Latvian Presidency also includes increasing the transparency of the work of the Committee of Ministers. Could you explain in more detail what measures you have planned and already implemented in this context?

Finally, I would like to wish you much success for your further term of office.

Thank you.

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

We will want to take a second round, so you know how much time you have to answer these four questions. But you are a professional.

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): No, it is like skating on the ice when it is getting too thin. But again, excellent questions.

On what the first speaker asked about Azerbaijan and the blockade and about the responsibility of ethnic cleansing that the Committee of Ministers and the Presidency may have. The question is, of course, with an opinion and I am going to be – it is frustrating I know but I do not want, not only as the Foreign Minister with the responsibility of the Presidency but also as the Latvian Foreign Minister – it is not, I think, the case only that one is right and the other is wrong. There are many layered, especially over time, grievances that all come to a head.

And now we have our two representatives going to the area. The truth has a wonderful tendency and that is eventually it comes out and it shines. So we will see what the actual situation was. Is it what the question had implied? Is the situation maybe a little bit different? But the answer is not to do or to do everything that things turn in a different path that is from action – from military action, from movement of people and troops, to movement of politicians and diplomats to get our jaws moving. And this is where I think the Council of Europe and the Committee of Ministers, the Presidency, has a role and also after my role ends next week and we pass the baton to Liechtenstein, I am still planning on being the Foreign Minister of Latvia and I am very interested as a citizen of Europe to – if I can in any way – play a part in this, of course, to put in my two cents as well.

But the difficulty is if we go black or white and the problem is, of course, from each side's point of view it is a black-or-white issue. But if it is black or white or black and white, there is never any clear way to resolve it. So, it is tough to fathom but it is the best solution we have. But actually, a good solution is to talk, listen, talk, listen, talk, listen, and eventually, it will work, and a solution can be found. I am absolutely convinced that a solution also can be found here. It is not obvious, and it is certainly not easy but the alternative is military, so that is not the way to go. I am sorry that was a long time for one question – because that is the one I remembered.

The second was from the British colleague on making sure our values are working in member states and how to do that. My goodness. I mean, we have our values, we have our human rights court decisions that need implementation. What all of us have to do is lead by example. I can take my own political history, recent political history. I was the prime minister of my country for almost five years. I did very well in the last elections: I won them. I had a stable majority in parliament for Latvia, very good support in the polls. There was even a motion to unseat me which failed utterly and I started to see myself as having quite a bit of power. And then you start to ask yourself: "Why are you in politics? Are you in politics to hold on to that power? Or you in politics to use power to try to enact some good?" And I decided that it is, I think, in my best interests but certainly in the best interests of my country, and my political party, that change in politics is not fought against, it is encouraged. And so, I voluntarily stepped back to encourage a changing of the guard and I am happily now supporting the new government and the new prime minister, not fighting the prime minister who dethroned me. And it is a little bit to think about, all of you in this house, why are any of us in politics? And how long will we stay? And what will we do in order to stay? And it really comes down to that. It is everyone sticking to the principles that we believe in. And if enough of us do that, the world will turn. It is a fantastic question but that is the best answer I can come up with without having thought about that for two weeks.

Regional trilateral co-operation in the Caucasus' dialogue: Yes. That is my answer. This is the only chance of success. Again in the Caucasus, we have a big hegemon who does not want peace, who wants difficulties – conflicts – on its border. If you look at Russia's philosophy of military strategy, their military strategy is to create quagmires on all of their frontiers, to make the potential enemy more involved with fighting each other rather than potentially fighting Russia. It is their strategy. You can read it, it is officially published. It is not speculation. and I am convinced that Russia is not in any way interested in the South Caucasus becoming calm but, we as Europeans, are extremely interested in that. So, the way that we can do that is to foster and foster and foster dialogue.

And the fourth question, my goodness, I cannot read my own writing. Reform and transparency, yes. I have worked in the NATO Forum in the European Council, the Council, I do not want to confuse the organisations – I sometimes say the words wrong because in Latvia they translate it again differently – where meetings are held without the press but there are always very clear communications about what was discussed around the table. There is very clear and open transparency, difference of use, because there is incredible press interest in every member who attends, before going in they speak to the press, usually tweet from their seat, and coming out speak to the press and we have a communication. In this institution, what is interesting is that in the Council of Europe, in 1949, it was decided that it should be closed-door. And there are many reasons for closed-door discussions. When the door is closed and the press is not there, people are maybe more open, and if there are conflicts maybe it is better than to have grandstanding to actually talk and find a solution. So I am not saying that it is a wrong strategy, but I think it needs to be re-thought. And how can we cleverly bring in more transparency, to get the interest of the press, to give the opportunity for ministers to state their case to

the press, to bring awareness in society of what this institution is doing? Because my feeling is that the awareness of the importance of the Council of Europe is declining not increasing. But I think that is a tragedy because, I as a politician, think that this Council's work is extremely important. So transparency can bring back the interest and reinvigorate the Council from the outside. That is the best I can do on that one.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Mister Minister, as we started five minutes late, we can have four more questions and then a few minutes for your final words.

The first question comes from, and you know her very well, Ms Zanda KALNIŅA-LUKAŠEVICA from Latvia. 30 seconds for you, Zanda.

Ms Zanda KALNIŅA-LUKAŠEVICA (Latvia, EPP/CD): Thank you, dear President, and thank you, Minister, for your valuable remarks.

And I would like to use also this occasion to thank all my dear colleagues here in the Assembly for all the co-operation that we had throughout the Latvian Presidency.

Without the support of all the delegations, it would be impossible to move ahead with the necessary decisions and their actions.

And thank you so much.

Minister, let me ask you a following rather open question at the end of our debate: from the many achieved goals of the Latvian Presidency, which one would you like to highlight the most, and where do you plan to put an effort during the last months of your presidency?

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Ms Zanda KALNIŅA-LUKAŠEVICA.

The next question comes from Ms Yelyzaveta YASKO from Ukraine.

30 seconds for you, Yelyzaveta.

Ms Yelyzaveta YASKO (Ukraine, EPP/CD): Dear Minister,

This organisation has already pledged a number of times the creation of a special tribunal for the Russian aggression against Ukraine and the register of frozen assets that will be transferred to Ukraine.

Today, Belgium has made a historical statement that they are ready to transfer.

Can we wait for some timelines of this organisation also to take new steps for the creation of all that we have pledged?

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you again, excellent 30 seconds.

30 seconds also go to Mr Pieter OMTZIGT from the Netherlands.

Mr Pieter OMTZIGT (Netherlands, EPP/CD): Thank you Mr Chairman,

8 weeks ago I put some written questions to the Committee of Ministers on the statement by Mr Luis Moreno Ocampo about the ongoing genocide against 120,000 Armenians living in Nagorno Karabakh.

Those questions have not been answered, yet we see that all those people have left Nagorno Karabakh. We're still talking.

When do we stop talking and start taking actions, because it's a clear violation of international law to drive 120,000 people of your own citizens outside of your own borders.

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

The last question comes from Mr Besnik TAHIRI who represents the Assembly of Kosovo.

Mr Besnik TAHIRI (Assembly of Kosovo*): Can you hear me?

Thank you, your Excellency, Minister.

As we all know, Latvia has been the leader in pursuing the truth in this institution.

As you know on 24 September 2023, Kosovo was under a terrorist attack from a uniformed parliamentary group supported by Serbia.

Many institutions including the European Union and the United States have reacted.

What would be the stance of the Council of Europe?

When are you going to react?

What do you think about the international investigation to prove the interference of Serbia in independent Kosovo?

Thank you.

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

3 minutes left, Mister Minister.

Impossible, nevertheless give it a try.

Mr Krišjānis KARIŅŠ (Minister for Foreign Affairs of Latvia and President of the Committee of Ministers): Thank you very much.

Once again, excellent questions from my colleague in Latvia.

If I seriously think of the five short months of our presidency so far, I think what is most important, what will have the most lasting effect is the register of damage to Ukraine that has been set up. It is now in the Hague. This is a very, very significant accomplishment and it's a big step on the way of bringing those who did wrong to justice.

The second question was on the register of frozen assets. I guess that's on the accountability of Russia in Ukraine.

I have participated and spoken with many leaders around Europe on what to do with and how to do frozen assets. Morally and ethically speaking, I think it's a no-brainer: Russia attacks Ukraine, we freeze their assets. Russia damages Ukraine, we take Russia's assets to rebuild Ukraine. It seems very simple.

The difficulty is that we live in a society where there's the rule of law, protection of property, etc., where governments simply do not seize assets of anyone just because it seems right.

There's lots of work being done by many legal minds on how to do this properly.

As a politician, I'm now speaking as the foreign minister of Latvia. I think it's absolutely a prerequisite that we crack the way to use these assets to assist Ukraine in rebuilding itself from the very aggressor whose assets we have frozen, but there are still issues of how to do that properly.

At the same time I have to say, unfortunately, that although as much as I as an individual and a politician and also as a former prime minister, I would want that we just do this and, you know, just do it right now, the problem is I would not want to live in a society where someone else could decide that about anyone else's assets, and it's how to differentiate that. So there is work to do, but we as politicians have to press it.

About the 120 000 Armenians, there was a question. That answer is in preparation. Regarding – and I think this is it's very frustrating I think for all of us – we want action. That's why we're in politics. That's why you are members of your parliamentary assemblies in this Council. You want to take action; I want to take action.

But our action in this Council of Europe, it's a frustrating kind of action. It's not taking the, you know, the crook by the collar and throwing them in jail. It's sitting sides to the table and coming to a common solution. And that my friends is difficult. It's frustrating, but we have to do it.

Regarding the concrete question, that answer is in preparation.

The last question from the seat up there 802 on the Kosovo and the terrorist attack, I think it's from 24 September.

Look the reality is around the Council of Ministers table there is no consensus.

There's no consensus on Kosovo joining the Council of Europe yet. The issue has been put to this Assembly. The Assembly will provide an opinion; that will come back to the ministers. But we in the Council, for better or for worse, on many issues such as this, we work on a consensual basis.

I will now say my view as the Latvian foreign minister.

Of course, complete condemnation. If it bears out to be true that there could be clear, you know, outside involvement, this is not a local but a state-organised or state-backed attack, that makes it even more brutal.

My country has acknowledged Kosovo's independence. We support Kosovo's accession to the Council of Europe, to the European Union. We see you as a democracy that needs support, but there are I think 34 of us in this Council who feel this way. And some 12 who are not sure yet. So it's a process.

As a foreign minister of Latvia I will continue in this process.

As the Presidency of the Council of Ministers I'll work within that bounds.

But I also have a second hat which is the Minister of Foreign Affairs of Latvia. I will continue to work in the vein that I just tried to answer.

I hope that wasn't much more than three minutes.

[Applause]

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much, Mister Minister. And in you capacity as President of the Committee of Ministers, we thank you very much, you managed to answer 13 not so easy questions in time. I wish you well.

Please continue with the presidency, because it lasts until the very last day.

And thank you very much for being here with us. Thank you very much, Mister Minister.

Now we will continue with the next item of business this afternoon and that is a current affairs debate on "Escalation of violence in the Middle East following the recent Hamas attack on Israel". The debate will be opened by Mr Piero FASSINO.

Speaking time in the debate is limited to 3 minutes for all members, except Mr Piero FASSINO who is allowed 7 minutes.

So, in the debate I call first Mr FASSINO. You have maximum 7 minutes. Piero.

Current Affairs Debate: Escalation of violence in the Middle-East following the recent Hamas attack on Israel

Mr Piero FASSINO (Italy, SOC): The whole world is shaken by the chilling images of these days: children killed in their sleep, homes devastated by thousands of missiles on a defenceless population, hundreds of young people slaughtered while peacefully attending a concert, families exterminated in their homes, citizens kidnapped and deported to be hostages or even human shields. Barbaric and terrorist acts that question us as human beings and for which there can be no justification. Nothing really can justify the atrocities committed by Hamas that replicate the heinous acts of Daesh and Al-Qaeda. That is why our condemnation must be sharp and total and our solidarity with Israel and the families of the victims, full. Those images brought us back to the terrible violence experienced by Jews in the pogroms they suffered over the centuries and to the immense tragedy of the Holocaust.

The goal is to terrorise, to make daily life impossible for Jews, to cleanse Palestine of the Jewish presence as Hamas' charter states, and as the fanatical regime in Tehran that is the main supplier of arms and funding to Hamas and the Islamic Jihad it has been proclaiming for years.

In these hours, some invoke the injustices suffered by Palestinians in recent years such as the continued extension of settlement in the West Bank or the abuse of military authorities in the territories. These are injustices that, when they happened, the international community censured without reticence. In no way can those facts justify the brutal and indiscriminate violence of Hamas, violence that cannot be compared with any other act or justified. On this, there really can be no ambiguity.

In the first hours, thanks in part to an unthinkable defaillance of the Israeli security services, Hamas sang victory, but reality is showing the suicidal nature of this war from which Hamas is unlikely to achieve its goals. If Hamas aimed to disrupt the normalisation of relations between Israel and Saudi Arabia, Riyadh has already announced that it intends to pursue that path.

If Hamas aimed to take over the leadership of the Palestinian world, the atrocious violence committed will prevent any international recognition of Hamas leadership.

If Hamas planned to exploit the divisions in Israeli society, a response of compact unity has come from the Israeli political forces, even contemplating the formation of a national unity government.

Finally, if Hamas's goal is to prevent any negotiations, the outcome will be even more negative, making the Palestinian people pay another cost as they risk continuing to live for years more without a homeland or a future.

There is a strong risk of regionalisation of the conflict. A few hundred kilometers from Gaza, the civil war that has been ravaging Syria for 14 years continues, and to the north, in Lebanon, Hezbollah, also financed by Iran, which is the real director of the strategy of aggression against Israel, operates.

Thirty years have passed since that September 1993, when Yasser Arafat and Yitzhak Rabin signed an agreement that was supposed to lead in five years to the "two peoples, two states" solution. Year after year that project has been fraying and many today wonder if an agreement is still possible. After these 30 years many mistakes have been made both by each side and by the international community, wearing down and exhausting that mutual trust, albeit minimal, without which no peace is possible.

Nevertheless, we cannot resign ourselves and therefore even in these hours, everything must be done to stop Hamas aggression and obtain the release of the hostages. Recognising Israel's right to defend itself, we call on the Israeli authorities not to make the Palestinian people pay for Hamas' sins by ensuring that they receive humanitarian aid and essential goods for daily life, as urged also by the UN Secretary-General, and also not to push the Palestinian people into the arms of Hamas.

At the same time, the international community must feel a responsibility to get a political and diplomatic initiative back on track quickly to reopen the way for a negotiated solution, the only one, however difficult, with which to satisfy both sides and ensure peace and security in the land of Abraham.

The words of Yitzhak Rabin apply today as well, "Fight terror as if peace did not exist; make peace as if there were no terror."

We are all aware that the immense tragedy of these days makes the furrow of incommunicability, resentment, and hatred between the parties even deeper. To reknit the threads for a solution will not be simple and will require extraordinary determination, abandoning for good any wait-and-see attitude.

This very war shows that the passive passage of time does not lead to peace. Everything must be done so that the heinous tragedies of these days are never repeated. Yes, never again. As written at the entrance to the Auschwitz death camp.

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

Now first on behalf of the political groups, I give the floor to Mr George LOUCAIDES from Cyprus. He speaks on behalf of the Group of the Unified European Left.

You have 3 minutes, George.

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

Dear colleagues, our Assembly today should send a clear message condemning the brutal terrorist attacks and atrocities committed by Hamas on innocent civilians, amongst them women and children. We also pay tribute to all innocent lives lost during the conflict, both Palestinians and Israelis.

Hamas, in our opinion an extreme right-wing Islamic organisation using terrorist methods, is damaging the just cause of the Palestinian people. Although nothing can justify in any way, as Mr Piero FASSINO said, the crimes committed by Hamas, the tragic events that have unfolded cannot be seen without taking into account the wider picture.

We must not forget the continuing occupation by Israeli forces of Palestinian territory, the longest in modern history, nor the system of discrimination and systematic violations of the human rights of the Palestinian people by the state of Israel, and the apartheid system that they have imposed.

These have been documented in our Assembly's Resolution 2142, adopted in 2017, about the humanitarian situation in Gaza, that highlights the hardships and oppression endured by the Palestinian people in general, and in particular due to the blockade of Gaza, in effect an open air prison.

Unfortunately, none of the recommendations contained in the report have materialised, nor has there been any progress for negotiating a settlement for a two-state solution.

In fact, since 2014, successive governments in Israel were unwilling to engage in negotiations with Palestinians.

As tragic events continue to unfold, with the danger of spilling over to the wider region, we should focus today on actions that need to be taken by all sides, in line with international law and that are in the best interests of both Israeli and Palestinian people.

As Group of the Unified European Left, we fully endorse the statements issued by the Secretary General of the UN and the position of the European Union as it is stipulated by the co-chair statement of the 27th Gulf Cooperation Council and the EU calling for the urgent need for a political solution to the crisis to avoid repeating this vicious cycle of violence: the protection of civilians, and reminding the parties of their obligations under the universal principles of international humanitarian law, restraining the release of hostages and allowing access to food, water and medicines according to international humanitarian law, sustained financial support for UNRWA, the Palestinian authority and for the humanitarian and development needs in the occupied Palestinian territory, revival of the Middle East peace process, the maintenance of the historical and religious status quo of the holy sites in Jerusalem, and a just and fair settlement for refugees.

Dear colleagues, it's our strong belief that in order to promote conditions of peace, security, and stability for both Palestinian and Israeli people, the solution cannot be militarily, but a political one, in accordance with international law and relevant UN resolutions that provide for a two-state solution within the borders of 1967, with Jerusalem as the capital of Palestine.

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

The next speaker is Mr George PAPANDREOU from Greece speaking on behalf of the Socialists, Democrats and Greens Group.

George.

Microphone, please.

Mr George PAPANDREOU (Greece, SOC, Spokesperson for the group): It's heart-wrenching to witness the anguish caused by terror, to feel the pain of families torn apart, and the agony of those whose children are held captive in Gaza.

These horrors are beyond imagination, yet they are an ugly reality. These atrocities transcend the bounds of imagination, yet they are an inescapable reality. In the strongest of turns we must resolutely denounce the extremist Hamas for their unforgivably barbaric deeds.

For many of us in this room, this horror and terror have been part of our life stories, whether it's the wars that follow a breakup of Yugoslavia, the ongoing aggression against Ukraine, recent events in Nagorno-Karabakh or the conflicts in our wider region.

We've seen suffering in the desperate search of refugees for safe havens.

Each conflict has its own unique story.

The story of the Jewish people in Israel traces back to the darkest moments in European history: the Holocaust.

From the harrowing experience of this war, organisations such as ours, the Council of Europe, emerged to safeguard human rights, the rule of law, and democracy as the bedrock of peace on our continent. For this reason these events touch us in a more horrific way.

Yet, in the days ahead we will see more devastation, more suffering, more pain. We will face difficult dilemmas.

We need to stand by the right of Israel to defend itself, yet we know that Hamas is not the Palestinian people, who are unwilling victims of this conflict.

We must press for all hostages to be freed, among them children, women and elderly people. Yet, we also must call for the protection of the innocent Palestinians, where cutting electricity and food supplies to Gaza only fuels extremists.

We must stand against those powers that want to see this conflict escalate and pose a threat to wider peace, or become a pawn in global geopolitical power struggles or those who want to drown out any voice of moderation so that extremists then become the main players in our societies.

Developments that endanger a democratic future for both Israel and Palestine where authoritarianism is their prospect.

I also share with many in this room a sense of frustration. Many of us have worked tirelessly, visited Jerusalem and Ramallah, often for a peace agreement that secures Israel and paves the way for a viable Palestinian state. We know that an enduring peace was so often within our reach.

I firmly believe that our response can only be one. Here at the Council of Europe, as global citizens, we must keep the vision of peace in the Middle East alive. Now we understand that military might alone cannot guarantee security. We know that violence begets more violence. As Mr Piero Fassino has said, simply waiting for the passage of time cannot bring peace.

We must collectively press the international community, the US, the EU, the UN to step up diplomatic efforts for ending the war and work with democratic forces in Israel and Palestine who do believe that a possible shared future can be realised, one that will secure Israel, but also give Palestine the dream for a brighter future, sharing the rewards of peace, prosperity, democracy, and human rights.

A peace founded on our collective international agreements that will guarantee this time, that it will be an enduring peace for all.

[Applause]

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

Next in the debate I call Mr Pablo HISPÁN from Spain, who speaks on behalf of the Group of the European People's Party.

Mr Pablo HISPÁN (Spain, EPP/CD, Spokesperson for the group): Thank you Mister President,

Last Saturday 7 October, while the people of Israel were celebrating their holiday, they suffered the worst terrorist attack they have suffered in the last 50 years.

Hundreds of children, women, families and young people have been brutally murdered.

These sorts of massacres remind of us of events like Srebrenica or Bucha.

For this reason, my words in the name of my Group of the European People's Party, will be a firm, total and absolute condemnation of these crimes against humanity that have been committed by the terrorist group Hamas.

The crime's monstrosity is increased by the dozen of kidnappings they have carried out.

I refer to it as a "crime against humanity" not only because of the brutality of the actions committed, or because now, more than ever, we democrats feel part of Israel, but because many citizens of our countries have been killed, kidnapped or disappeared, also from Spain. It has also been a crime against all of us.

Hamas terrorist attacks go against the values represented by the Council of Europe, but also against a member that has been an observer of the Parliamentary Assembly since 1957.

The same totalitarianism that threatens our societies is the one that wants to end the only democracy that exists in the Middle East. Our reaction must be with serenity and determination.

For this reason, it is necessary to proclaim Israel's right to act in self-defence to guarantee the security of their citizens.

There will be no possible peace in the Middle East unless Israel's right to exist and to have safe borders is acknowledged.

At the same time, this Parliamentary Assembly must carefully observe all the public speeches from the extreme left that intend to justify, protect or legitimise the terrorist acts of Hamas.

Victims are doubly killed when, in our democracies, we have to listen to politicians who refuse to condemn those crimes.

Those statements and attacks on Israel are proof of the persistence of anti-Semitism in some extremes of our societies.

Also, this Assembly must demand the immediate release of all kidnapped women and children, who cannot be exchanged as objects nor be used as human shields.

On the other hand, it is necessary to end the culture of hate towards Israel with which Hamas subjects the Gaza strip.

In order to do so, the international community must review all the policies aiming for this terrorist group to not have Gaza as their safe haven.

Finally, I wish in the name of the Group of the European People's Party to also show our solidarity with the families of the victims of 7 October. To them, all our love and solidarity. Their cause is our cause. Israel is at the root of European identity.

For that reason, the pain of the people of Israel is also our pain.

Have no doubt: with no matter how much hate, no matter how much violence the terrorists Hamas, Hezbollah or Iran will try to attack Israel, Israel will prevail.

We stand with Israel.

Thank you so much.

[Applause]

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

The next speaker is Mr. Damien COTTIER, from Switzerland, speaking on behalf of the Alliance of Liberals and Democrats for Europe.

Mr Damien COTTIER (Switzerland, ALDE, Spokesperson for the group): Thank you, Mister Chairman.

Humanity had learned important lessons from the terrible conflicts of the late 19th and 20th centuries. The Council of Europe is a powerful witness to this.

In the 21st century, these lessons seem to be fading from our memories and our hearts. In Ukraine, alas; in Nagorno-Karabakh, alas; in northern Kosovo, alas. Three crises in our Assembly, debates also this week.

And in Israel, alas. What's happening there is shattering our hearts and minds. Terrorist attacks by Hamas, deliberately targeting civilian populations and even the most vulnerable: young people, children, the elderly, babies – babies! – killed, mutilated, taken hostage, and entire villages murdered. Despicable, inexcusable, inhuman attacks, there is no adjective strong enough to recall the worst hours of humanity and echo the exactions of Daesh or Al-Qaeda.

The Group of Liberals and Democrats for Europe condemns these heinous acts in the strongest possible terms. It calls for their immediate cessation and for the release of the hostages. It expresses its solidarity with Israel. It affirms that no one can support or rejoice in such atrocities, whatever their position on the Israeli-Palestinian conflict. Nothing can justify such atrocities. Nothing, anywhere, ever.

We call on the United Nations Security Council and the member states of the Council of Europe to define Hamas as a banned terrorist organisation, on states to ensure that not a single penny of development aid ends up in terrorist hands, on sanctions to be put in place against the financing of these terrorist activities, on light to be shed on support for the preparation of attacks and the source of weapons and explosives, on diplomatic channels to be activated to prevent the conflict from escalating or spreading, and to bring it to a swift end. Regional powers have a role to play.

Israel has the right to defend itself. We call on it to do so, while respecting its international obligations and demonstrating proportionality by protecting the civilian population in Gaza as far as it can, especially the most vulnerable, notably children. Let's not confuse Hamas terrorists with the Palestinian population. We need humanitarian access. We must not starve the population. We must ease the blockade. Should the Palestinian people commit to providing themselves with leaders other than the Hamas terrorists, who are themselves putting them in danger and suffering?

Mister Chairman,

This atrocious situation must not make us lose sight of the fact that, one day, a just and lasting peace will be needed. Security Council resolutions, an end to the occupation and recognition of Israel's right to exist must be part of this solution.

Yes, peace may seem utopian and remote today, but we are in Strasbourg. Let us remember the tragedies that have converged here, and the enemies of yesterday who have become friends. Peace is always possible, even if the path is difficult.

May the spirit of Strasbourg and the spirit of peace one day blow over the Middle East, and may the spirit of Geneva and the spirit of humanitarian law blow over the Middle East today.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): The last speaker on behalf of the political groups is Mr Zsolt NÉMETH from Hungary. And he speaks on behalf of the European Conservatives Group and Democratic Alliance.

Zsolt?

Mr Zsolt NÉMETH (Hungary, EC/DA, Spokesperson for the group): Mister President, honourable Members,

On Saturday morning, we woke up to terrible news and horrible images of violence flaring up in the Middle East, again. Comparable to the acts of Daesh, Hamas' war of terror has spared no one. Families, women, and children were shot dead in the open street in broad daylight, and almost 300 people were massacred at a youth party.

Israel was attacked from the air and the sea, and on land as well. Hamas' terrorism has shown once again that it knows no borders and does not value human life and dignity. While we pray for the victims, we, the European Conservatives, make two things absolutely clear. Hamas' terrorism is a common enemy of the countries of the Council of Europe and Israel, which is under military attack and has the right to defend itself in accordance with the relevant provisions of the Charter of the United Nations.

While the images in the world press are extremely sad, they are also very worrying, because the political process in the Middle East has been moving in the right direction in recent years. In this region of the world, which is heavily affected by historic conflicts, hopes of real reconciliation and peace between the Jewish state and many Arab countries began to emerge.

The Abraham Accords between Israel and the United Arab Emirates, Bahrain, Morocco and Sudan have taken a new approach to conflict resolution. Reviving the best traditions of diplomacy, they have brought many benefits to the Jewish state and the states concerned. The administration that led the United States from 2017 to 2021 succeeded in implementing this approach after a long period of time, which provides an excellent basis for long-term conflict resolution and long-awaited economic development.

Mister President, while recognising Israel's right to self-defence, I think it is fair to say that Palestine is not Hamas.

We hope that the military chapter of the conflict will be brought to an end sooner and weapons will be replaced by negotiations and diplomacy. This is key because security and stability in the Middle East impact Europe's security but also global developments, too. Diplomatic activity with regard to the Abraham Accords must also continue after Israel has defeated Hamas, as they have produced tangible results in the region in recent years. To achieve these goals, each and every actor in the region must act responsibly.

Thank you very much for your attention.

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

This concludes the five speakers of behalf of the political groups.

Now, first in the debate, I call Ms Meirav BEN ARI from Israel, our observer state. Due to the tragic circumstances, I have allowed Ms Meirav BEN ARI to address us online.

The floor is yours, dear Meirav.

Ms Meirav BEN ARI (Israel): Thanks a lot for your warm and really excited words. I am sorry, I am in the car on my way to a funeral and I already had four funerals, so you will have to excuse me about the condition of my speech.

We have, I think, up to this hour, 1 200 murders in Israel, hundreds of Israelis that have been kidnapped by Hamas, and almost 3 000 injured and still in hospital. Some of them will not survive.

I speak before you today, deeply sad and really concerned regarding the security situation in Israel, specifically, and in the Middle East because of the terrible Hamas attack on Israel.

On Saturday 7 October, as you mentioned, in the act of war, hundreds of terrorists invaded Israel. At a number of locations, simultaneous massive rocket barrages were launched towards Israeli civilians in the south and also in the centre of Israel. These terrorist attacks against Israeli civilians, as well as foreign civilians, occurred on Simchat Torah – I do not know if you know Simchat Torah but this is a day of joy and happiness, and because of these attacks, it has become the worst day for the Jewish people, I think since the Holocaust.

Thousands of terrorists invaded Israel simultaneously by air, land and sea. This is not a small terror organisation, this is an act of war by people who were trained for the last few months, where their only aim is to hurt Israel. They proceeded to murder and kidnap families, children, women, the elderly, and even a Holocaust survivor who is in Gaza now. They went from house to house and massacred hundreds of people. They even burned the houses of the families, then they went to a beautiful musical festival and in a beautiful view, they killed and slaughtered hundreds of young Israelis who only went to dance. Kibbutz Be'eri, a kibbutz that's near the border, a kibbutz of 1 000 people, lost 100 people, children and women.

What's more, is that those horrific acts were celebrated and broadcast live to you and all over the world. Kidnapped women were paraded through the streets of Gaza. Women in the streets of Gaza cheered for those women who were kidnapped. And now the cynical Hamas terrorists is exploiting the hostage crisis and engaging in psychological war and I can tell you that it has hurt us and it has hurt us as a nation.

This disaster has shocked anybody with a conscience and a basic sense of right and wrong. Hamas terrorists, fuelled by radical Islamic ideology; it is founded by extreme external display to the world and the world sees the true face of this radical Islam.

It is a battle between good and evil. Civilisation and barbarism. Self-defence and aggression. This is a battle that has also arrived on your doorstep, many of us here today are familiar with the damage of their radical terror organisation.

Let us be clear: when innocent lives are taken, when children and women are murdered and burned in cold blood, any claim to the moral high ground is lost. There is absolutely no justification for acts of terrorism or the butchering of communities, and we must not turn a blind eye to those who provide money and weapons to this terror organisation.

Hamas is not interested in the safety of the civilians in the Gaza Strip. They are not interested in them, not at all interested, they just see them as a pawn.

I know I have a few minutes left and they wrote to me things but I want to tell you from the bottom of my heart: I just came back from a funeral. Four of my best friends – four – buried their children who went to the party. You cannot understand it. I cannot understand it. People in Israel want to live in peace. We did not accept. We did not think that they would do this, murdering our people.

But you can help: do not look back. Call upon those terrorists to bring back our families: the children, the women, and the older people, who are now in Gaza. They do not have their medicine. They do not have food. They have been kidnapped by Hamas. This is an act of terror. This does not have any connection to free Palestine. It is only terrorists against civilians. You should come to Israel and see the houses next to the border in Gaza. The houses are burned not because of rockets from Gaza but because those terrorists came with missiles, and rocket-propelled grenades (RPG) and shot houses with people inside. We have babies. We have children, young people and old people in Gaza. Please help Israel. The only democratic and liberal state of the Middle East. The only state for the Jewish people. We do not have anywhere to go.

You will have to excuse me because I am entering the funeral of a policeman, and I have to be there for the families and for the police. So, I will try, when I finish, to be here again, but I can promise you that on my next visit to the Council of Europe, I will come and I will tell you all the stories that you should hear.

Please, do not look back, please help Israel and please bring back our families.

Thank you very much for listening.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you very much, dear Ms Meirav BEN ARI.

At the beginning of this session we already had a minute of silence to remember the horrible things that did happen to the people of Israel. I hope that you understand that I had to allow that longer time to participate in this debate.

Thanks again, Meirav, we wish you well.

Next in debate I call Mr Bernard SABELLA from Palestine representing our partner for democracy.

Bernard, you have the floor.

Mr Bernard SABELLA (Palestine): Mister President, distinguished members,

The mea culpas and condemnations that Europe expects from the Palestinians and in particular from the President of the Palestinian Authority, Mr Mahmoud Abbas, missed the point of the tragedy that we all have been facing and living for a long time in the Holy Land.

There is no justification whatsoever for the killing and targeting of any and all civilians and defenceless people, especially children under international humanitarian law and under our respective religious prescriptions, if we do believe.

The equation nowadays speaks of horror stories on the Israeli and Palestinian sides. The scenarios for days to come do not offer any consolation or respite. A friend of mine from West Jerusalem offered in her lamentation from Jerusalem desperate hope that the killing will stop and that maybe out of all this pain, we can finally find the understanding that violence and military might will never be the answer, will never bring us the peace, justice and security that we all crave, Palestinians and Israelis alike.

Another friend from Bethlehem spoke of an Israeli friend of his who informed him that a close member of his family had been kidnapped by Hamas, not to speak of the desolation and devastation experienced by so many, including whole families and communities. A friend of his from Rafah in the Gaza Strip told him that his cousin, her husband and their children were killed when the residential building was bombed by Israeli planes. Many more Gazan families vanished as a result of these serial attacks, including the 13 members of the Shahid family.

The whole population of Gaza, and in fact of Palestine, is being punished as a complete and full siege on the Gaza Strip took effect withholding fuel, food, water, and medicine to the entire population. The UN chief has expressed the stress on the imposition of a total siege with its clear condemnation of the Hamas attack, reminding the world that this most recent violence does not come in a vacuum. The reality is that it grows out of a long-standing conflict with a 56-year-long occupation and no political end in sight.

Today, over a quarter of a million Gazans have been displaced, and they are seeking shelter at schools, mosques and churches. In addition, hospitals really need more medications because of the hundreds of injured and over 900 already killed with close to 3 000 injured. More and more people in the Gaza Strip are feeling the lack and scarcity of essential commodities, such as flour and other needed daily commodities. Water and electricity are scarce or cut off. Some in Europe would like to punish all Palestinians by withholding financial humanitarian aid to the Palestinian authority that essentially and only goes for building schools, water wells, solar panels, assistance to families in need, and easing the consequences of continued occupation, among many other projects, according to the EU website.

Others may want to see all Palestinians punished without exception for the actions of Hamas. To these, I would say that inviting desolation and destitution on the Palestinians will serve no one. Instead we should all put our minds on how to advance prospects for peace that we all miss in the Holy Land. When some speak of the need to restore international order in light of the failure of the Oslo Accords and other accords, Palestinians and others wonder what kind of a new order is envisaged if it continues to turn a blind eye to the legitimate rights of the Palestinian people to a state of their own that would end occupation. Where in this new international order would we place the international resolutions and conventions that speak of the need to end occupation and for Palestinians to exercise their legitimate rights for a free state, living in peace with their neighbours?

I end by emphasising my admiration and commitment as a Palestinian to the values of the Council of Europe and its Parliamentary Assembly that stress the upholding of human rights, the rule of law, and democracy. These values cannot be accomplished in the Palestinian case without an end to Israeli occupation through a negotiated peace process that currently appears unattainable. Mr Piero FASSINO, rapporteur for the Middle East in the Parliamentary Assembly, in his statement on the current war, concluded among other things, that stability and security in the Middle East cannot be achieved through arms. At this moment, everything must be done to halt the conflict and reopen the path to negotiate a solution that can ensure the security of Israel and the creation of a Palestinian state.

May all hear his call and the call and action of all wise persons at this time of great sadness and desolation for all of us in the Holy Land.

Thank you very much.

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

And I allow you also a bit more speaking time because of your special relation to the tragedy that is unfolding.

The rest of the speakers, I call for your solidarity to all stick to 3 minutes.

Next in the debate is Mr Lukas SAVICKAS from Lithuania.

You have the floor, Lukas.

Mr Lukas SAVICKAS (Lithuania, SOC): Thank you.

Dear president, dear colleagues, it is my first time as an MP here in the Parliamentary Assembly of the Council of Europe. This is my first cadency here and I must say it is a very hard one. It is a cadency filled with horrors of war. War in Europe, now war in the Middle East.

Hamas, as an internationally recognised terrorist organisation, launched a massive attack on the citizens of Israel by infiltrating terrorist into communities in the south as well as by launching extensive and indiscriminate missile and rocket fire that targeted Israeli citizens from the south of the country to Tel Aviv and Jerusalem.

The terrorists infiltrated southern communities and began a murder spree, killing families and individuals in their homes, in the street. In addition to kidnapping anyone to Gaza strip and in particular defenceless families, women, children who crossed their path.

This is a deadly and barbaric attack initiated by a terrorist organization led by Hamas. One launched with no legitimate pretext or provocation, prior action on the part of Israel.

If anyone still has doubts, this attack reveals once again the true face of terror organisations.

We all have seen the disturbing images and also the videos. And Hamas would not have been able to carry this murderous attack without financing, logistical support, and weapons. And those who contribute it bear the direct responsibility for Hamas capabilities and therefore bears responsibility also for the use Hamas made of those capabilities.

We, as Parliamentary Assembly of the Council of Europe, must condemn the terrorist attack on Israel's citizens and express clear support of Israel's complete right to defend itself.

Israel has the right and duty to do what is necessary to protect the citizens.

Moreover, we must call for the release of hostages, protection of civilians, and respect of international law.

Because there can be no justification of what happened, and we must do what is necessary to make sure it never happens again.

Thank you.

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

Next in the debate I call Mr Niklaus-Samuel GUGGER from Switzerland.

The floor is yours.

Mr Niklaus-Samuel GUGGER (Switzerland, EPP/CD): Dear Mister Chairman

Ladies and gentlemen, Shalom,

I speak today out of personal concern. My cousins from Israel have now been drafted to defend Israel. This robs me of sleep, as a cousin of mine was already killed in the war in Lebanon 20 years ago. My full sympathy goes to all the victims, hostages, and their relatives. This violation of international law, carried out with indescribable brutality and contempt for human life against the civilian population, is a pure act of terrorism and cannot be justified by anything.

Today, I call for an immediate halt to the acts of war in order to prevent further acts of violence and suffering. The violation of international law and the unspeakable atrocities committed by Hamas against the Israeli civilian population must be clearly condemned and sanctioned by us. The unbelievable massacres also show; Hamas wants to terrorise and is a terrorist organization and must be banned.

As a member of this Council, it is clear to me that this conflict has a long history based on many political, social and historical factors. There are also many opinions and viewpoints concerning Palestine, which I respect. Today, however, I am concerned with Hamas; and they must be put in their proper place. The Council of Europe must now be careful that this conflict is not imported into society, into our member states.

Minority rights, inclusiveness and the rule of law must be protected from violent polarisation. So I ask Mr Bernard SABELLA if the Palestinian Government is ready to clearly distance itself from Hamas? I thank all of you if you will join me in making this world more peaceful again and clearly reject terrorism.

Thank you.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, Mister Niklaus-Samuel GUGGER.

I now give the floor to Mr Claude KERN, from France.

Claude, the floor is yours.

Mr Claude KERN (France, ALDE): Thank you, Mr Chairman.

Ladies and Gentlemen,

I strongly condemn the terrorist attack carried out by Hamas on the territory of Israel, and I would first of all like to express my solidarity and support for the Israeli people.

The news that reaches us tells of atrocious acts of violence and barbaric crimes that appal us all.

How can we fail to condemn in the strongest terms the chain murders of young people who have come to celebrate at a rave party? How can we fail to condemn the massacres of entire families, including children and babies, in their own homes? How can we fail to condemn the massive hostage-taking that Hamas now intends to exploit?

I obviously call for the immediate release of these hostages.

Whatever one thinks of the policy pursued by the Netanyahu government, which can of course be criticised, nothing can justify or excuse the actions of this terrorist organisation, Hamas. This blind and barbaric violence does not serve the interests of the Palestinians, who have legitimate aspirations: on the contrary, it betrays them.

We all know that Israel's security is a non-negotiable condition for peace in the Middle East. This terrorist attack has only one short-term effect: to make a negotiated outlook, the only solution for lasting peace, even more remote.

The situation does not only concern Gaza: I am also concerned by the firing from southern Lebanon and Syria.

France, along with Germany, Italy, the United Kingdom and the United States, has solemnly reiterated its support for Israel in its efforts to defend itself and its people against these atrocities; it has also affirmed that no other actor hostile to Israel must seek to take advantage of these attacks; otherwise we risk a veritable regional explosion.

The Israeli Government has promised a strong response, commensurate with the trauma suffered, with a view to eradicating Hamas. I understand the Israeli government's determination, but in this forum devoted to human rights, we cannot ignore respect for international law and human dignity.

In this respect, a total blockade of Gaza is contrary to international humanitarian law, as both the United Nations and the European Union have stressed.

It is the greatness and honour of democracies not to lose their bearings and principles in the face of barbarity. This is particularly demanding in these circumstances, when everything pushes for vengeance, but it is a necessity for a future of peace and security.

Thank you very much.

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

Now we are going to listen to Ms Sibel ARSLAN.

Sibel, the floor is yours.

Ms Sibel ARSLAN (Switzerland, SOC): Thank you very much.

Dear Mister President,

Ladies and gentlemen,

In the early hours of 7 October, militias of Islamic Jihad and Hamas from Gaza carried out a terrible massacre. Not only did numerous civilians, women, children, and the elderly die, but also, we heard it before, numerous civilians were taken hostage. We have seen horrific images, including of young women. Hamas representatives admitted that the attack was prepared in close consultation with the Iranian leadership and thus probably also with Hezbollah in Lebanon.

We strongly condemn this terror by Hamas against Israeli civilians. These acts leave us stunned. Our sympathy goes out to the victims of this barbaric violence. One thing is clear, these acts must have consequences. In Switzerland, we are therefore discussing what effective sanctions can be taken against Hamas and what measures can continue to be discussed from within the financial system. In other words, we want to know how the Swiss financial system can also be prevented from being used so that Hamas cannot continue to benefit from this system. We, the Greens in Switzerland, also advocate that Switzerland adopt the sanctions of the European Union against Iran, which itself commits massive human rights violations and supports Hamas financially, logistically and militarily.

As always in wars and armed conflicts, and this is the perfidious thing, the civilian population is helplessly exposed to the escalating violence. It is therefore up to the international community to maintain humanitarian support in Gaza and to ensure comprehensive protection of the civilian population, as well as compliance with human rights and international humanitarian law.

We must not lose sight of peace, because violence continues to trigger violence, or violence begets violence. Without also showing the Palestinians a future toward sovereignty and self-determination, difficult times continue to loom in the Middle East both for Israel and for Palestinians.

I want to end with what a Jewish friend of mine in the media said in an interview the other day. This friend said, and I quote, "An incredible number of people in Israel have been cruelly murdered by the terrorist organisation Hamas. I don't want to imagine what it's like to be a hostage of Hamas. These thoughts make me feel sick. In the same way, it makes me sick to imagine myself as a mother with small children, imprisoned in Gaza and now being bombed by the Israeli side."

In order for the Palestinians inside to be able to distance themselves from these types of terror, new political visions for Palestinian society are needed. Not requests for cuts, but a concept of peace is needed.

"Thank you" [spoken in French], Mister President.

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

In the indicator of solidarity, everybody has now to stick to 3 minutes, otherwise people do not get the floor.

Next speaker on our list is Mr Emanuelis ZINGERIS from Lithuania.

Emanuelis, the floor is yours.

Mr Emanuelis ZINGERIS (Lithuania, EPP/CD): Dear Speaker, dear friends, I've just come from my parliament. Just yesterday they voted in favour, seven fractions of Lithuanian Parliament unanimously, of the declaration to support Israeli's right to defend themselves.

We are in front of horrors that are echoes to the Second World War.

Israeli society is composed of survivors of the Holocaust, and one of survivors is in the Gaza strip now captive.

Now, trying to understand how to react to this war declared by a terrorist organisation, I would like to underline that it is not a war between Palestine and Israel. It is a war by an Iranian department under the name of Hamas and from the other side, the Iranian department of influence under the name of Hezbollah.

I would like to ask Mr SABELLA, who has been a good friend of mine for years and years and visiting a number of times of President Abbas, that we would like to have Abbas' statement, who was partner for us for years, distancing themselves from Hamas and Hezbollah movements inside of Palestinian society and having democracy on their side against terrorism. We are expecting to have that.

In front of me I have my colleagues, chairman of the Nordic-Baltic Eight (NB8) delegations, and they asked me to call a statement by eight leaders of eight Nordic-Baltic delegations in our great Assembly. The chairs of delegation of Parliamentary Assembly of the Council of Europe from Iceland, Norway, Estonia, Latvia, Finland, Lithuania, Sweden, and Denmark strongly condemn the unacceptable and inhumane attacks by Hamas on Israel and the Israeli people and deeply deplore the loss of innocent life on both sides.

The chairs of delegations call for an immediate end to the attack and violence and for the immediate release of the captured innocent hostages.

We stand in solidarity with the State of Israel, which has every right to defend itself in accordance with international law. We encourage continued work of long-term stability. Only in this way can it be insured that the Palestinian people and Israeli people can live in peace.

After this statement, which just reflects our Nordic angle of Europe, I would like to say that Iranians cannot avoid the responsibility. The Iranian regime cannot have nuclear weapons, cannot be a new factor in front of us with nuclear weapons in the future. We should do everything to strip the possibility by a regime to receive and to build nuclear weapons.

From another point of view, dear friends, we would like to encourage our Assembly, to encourage the European Union and our partners to defend a democratic country like Israel. In the sense of democracy, we should be intolerant against terrorist organisations and include Islamic Jihad and the Islamic Revolutionary Guard Corps in Iran on the list of terrorist organisations.

Thank you so much.

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

Next in the debate I call Ms Nadejda IORDANOVA from Bulgaria.

The floor is yours.

Ms Nadejda IORDANOVA (Bulgaria, NR): Thank you, Mister President.

Dear colleagues,

We must strongly condemn the unprovoked and horrific massacre of more than one thousand Israelis and citizens of various countries. We support Israel's right to self-defence against the terrorist Hamas with the hope that the conflict would not escalate into a full-scale regional war causing further civilian suffering.

We should also make possible all efforts to guarantee the immediate release of hundreds of children, women, and men held hostage by Hamas. We need to guarantee the evacuation of international citizens who are still stuck in the conflict areas as we speak.

The Middle East has witnessed too many decades of bloodshed, violence, and terror most often aimed at the civilian population that pays the dearest price. The victims of terrorist organisations, such as Hamas, will never be forgotten, and all criminals responsible will eventually face justice for inhuman atrocities committed. The victims of Hamas include civilian communities within Gaza. People who have been forced to live under the criminal and undemocratic Hamas rule. They should not be collectively punished and international humanitarian law should be upheld and respected even in such tragic and difficult times.

The more civilians suffer and the more violence intensifies, the higher the risk for the entire region and the future global stability. The only ones who could benefit from such a scenario are those who have waged war against the existing international world order. We should not allow the atrocities to spill into our European societies, where communities from both sides have lived in relative social peace for years. No matter how hard it seems, if we do not tackle the root causes of conflict, and peace does not eventually prevail, the Middle East and the whole world will continue to live under the prospect of recurring violence, terror, and killing of innocent people.

Thank you.

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

Now in the debate I call Mr Kimmo KILJUNEN from Finland.

The floor is yours, Kimmo.

Mr Kimmo KILJUNEN (Finland, SOC): Mister President,

We are living in bad times.

Dear colleagues,

We are witnessing black pages of European history; military means and cruel violence are used to solve political problems. Power politics is back in its most cruel format. Obviously, everything is overshadowed by this ruthless Russian aggression against Ukraine. We have also witnessed in South Caucuses the deportation of a whole nation from the ancient territories where they have lived – and really lived – a thousand years in Nagorno-Karabakh. And just now, we are witnessing the brutal attack and cruel revenge of Hamas against Israel and the Israeli people.

There is no question that Israel has the right to self defence. Mr Emanuelis ZINGERIS just quoted us eight leaders of the Chairmans of the Parliamentary Assembly of the Council of Europe delegation from Nordic countries and Baltic states. We strongly condemn the unacceptable and inhuman attacks by Hamas on Israel and the Israeli people and deeply deplore the loss of innocent lives on both sides.

We call for an immediate end to the attacks and violence and for the immediate release of the captured innocent hostages.

Mr President, the horrifying situation, violence breeds violence. We have been witnessing a vicious circle of violence and counter-violence for days, weeks, months, years, decades, and even a century. An old saying should be remembered: "Before you embark on revenge, dig two graves". This vicious circle should be stopped. That is the first step to start a new phase where both the Palestinian people and the Israeli people can live in peace together.

Thank you.

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

Now I call Ms Ingjerd SCHOU from Norway.

Ingjerd, the floor is yours.

Ms Ingjerd SCHOU (Norway, EPP/CD): Dear President and colleagues, as said in the statement by the Nordic Baltic Chairs of delegations, Hamas' horrendous attack on Israeli towns last Saturday must be condemned in the strongest terms.

The images we have seen of the cruelty that took place on the Nova music festival and elsewhere during the attack are the worst in humanity.

What happened in Israel was clearly a terrorist attack on innocent people. Taking civilians, young people dancing, small children, old women as hostages is intolerable and nothing but an act of terror.

Inhuman.

President, Israel has an undisputed right to defend itself and its people, yet what is important now is that both sides show restraint and do their utmost to respect and protect civilians in accordance with international humanitarian law.

In only a few days the escalation of the conflicts has resulted in thousands of people fleeing and seeking shelter from bombs and rockets on both sides.

According to the UN food program, there are already mounting challenges in accessing essential food supplies as production and distribution networks are destroyed by the hostilities.

The need of humanitarian aid is great, it must be provided and it must reach civilians.

The conflict, Mister President, between Israel and Palestine is long and complicated. And I'm sure that many of us here in this room today are on different sides. Some of us sympathise with Palestinians, others with Israel. Yet we should all agree that what we have seen these last days from the side of Hamas cannot be justified in any possible way.

No higher goal, no matter where your sympathy lies, can justify actions like this.

Inhuman.

The chair of the Nordic Baltic delegation has strongly condemned the unacceptable and inhuman attack by Hamas on Israel and Israeli people and deeply deplored the loss of innocent lives on both sides.

Thank you, Mister President.

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

Now I call in the debate Mr Petri HONKONEN from Finland.

Petri, the floor is yours.

Mr Petri HONKONEN (Finland, ALDE): Thank you, Mister President.

Dear colleagues, the news what we have here and see from Israel is extremely shocking.

Hamas' brutal attack has led the whole Israeli territory under fear and cruelty. The attack is totally against international law and human rights agreements.

It is almost impossible to describe the cruelties that we have seen and what is happening in the area. Families and children are killed in their homes.

We strongly support Israel in their fight against Hamas terrorist organisations. These crimes have even more nature when they have this kind of antisemitic nature, which makes them even more reprehensible.

We must insist on the immediate release of Israeli hostages.

I also call for international investigations of the attack. Therefore, I ask what is the role of Iran? What is the role of Russia in this conflict?

I see the obvious danger of escalation in Middle East. The international community must not just follow the crisis. We need concrete actions that we can employ together, such as sanctioning of Hamas. All the funds which may go to Hamas must be blocked immediately on the international level.

Civilians are always the first to suffer in conflicts. I hope for a fast ending of the conflict and that civilians are to be evacuated and safe soon.

We will see a large humanitarian crisis in the area. Other countries must help these people to prevent a humanitarian catastrophe.

Having said this, the attack by Hamas is to be condemned in the strongest possible terms.

We stand with Israel.

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

Next in a debate, I call Mr John HOWELL from the United Kingdom.

John, the floor is yours.

Mr John HOWELL (United Kingdom, EC/DA): Thank you, Mister President.

We are all, I cannot imagine otherwise, engulfed in sadness and horror today.

Just as our first speaker, Ms Meirav BEN ARI, was.

To summarise, 1 200 people are dead. Almost 3 000 injured. There are reports of babies beheaded, and 17 people from my own country have also been killed. Still the terrorists come. They come across the sea onto the Zikim beach where they are killed.

The town of Sderot is being evacuated. I mentioned this earlier in the week, because this is where, as a result of the Hamas bombings, the number of spontaneous abortions had gone up by 59% during the previous period.

There are large amounts of weapons, and still large amounts of rockets. I know what's the fear that those create, because I have been in Jerusalem myself when that was attacked by rockets.

If we look at Lord Sacks, the former Chief Rabbi, he said that the Hebrew language has two words for "strength". The first can be found in the strength that you need to win wars, but the second can be found in the courage you need to win peace. Both kinds of strength need to be shown. It cannot be shown by one side only. It needs to be shown by both sides.

In the case of the Palestinians, when I went to Ramallah to see the Palestinians, I was astonished by how backward-looking they were. I was accused of having started the conflict in the Middle East, because, and only because, my grandfather had been in the British Army in Palestine.

Hamas are not the friends of the Palestinian people. What we now have to face is a terrible humanitarian situation that will take us years to be able to sort out.

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

The next speaker is Mr. Didier MARIE, from France.

The floor is yours.

Mr Didier MARIE (France, SOC): Thank you, Mr. Chairman.

Ladies and Gentlemen,

We are stunned by what we discovered on Saturday, and we condemn in the strongest terms the terrorist attack perpetrated by Hamas on Israeli soil. This attack is of an unprecedented scale, in its way. War crimes, massacres and horrors.

The mass killings of civilians, some mowed down just as they were partying, and the latest news of entire families killed on kibbutzes, including babies, are simply revolting. The massive taking of hostages is unbearable, and I demand: we must unanimously demand their immediate and unconditional release.

Everyone here can have their own analysis of the policy pursued by the Israeli government, and for my part I consider that Benyamin Netanyahu's government, allied with the extreme right, is pursuing a policy that calls into question the rule of law, and that the continued installation of illegal settlements in Palestinian territory is unacceptable.

But that's not what we're talking about today. Our opinions on the Netanyahu government's policies in no way relativize the horror of the massacres perpetrated by Hamas terrorists, and even less justify such despicable acts.

In my view, Hamas is the worst enemy of the Palestinian cause for a just and lasting peace. It exploits the distress of the Palestinian people and instrumentalises it for a single purpose: the destruction of the State of Israel, which remains its political and military project. Hamas, I want to stress, is not the resistance army it claims to be: it is a terrorist organization that we must condemn in the strongest terms, an organization supported by foreign powers that must also be denounced and sanctioned.

The attacks unleashed last Saturday are certainly the greatest blow to the prospect of recognising two sovereign states living side by side in security, which appears to be the only solution to this conflict.

Today, Israel must defend itself and face up to the painful problem of the hostages captured by Hamas. Israel obviously has the right to retaliate, but the response must not turn into indiscriminate vengeance against the Palestinians. In this forum, where Israel sits as an observer country, we must recall the importance of human dignity and respect for international law, particularly international humanitarian law. Even and especially in the face of terrorists, barbarity must not prevail. The UN has stressed this, and we must do likewise.

Finally, I am concerned about the risks of regional contagion. I call on our states, some of which have significant influence in this region, to do everything in their power to limit this risk. I also hope that the European Union, as a player and donor, will adopt a clear strategy, as initial reactions have not been.

Dear colleagues,

There is always a road to peace, however long it may be. It's up to us to take it, to reach the only possible solution: two sovereign states, security for Israel and hope for Palestine.

Thank you very much.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, dear Mr Didier MARIE [in French].

Now I call in the debate Ms Marijana PETIR from Croatia. Marijana, the floor is yours.

Ms Marijana PETIR (Croatia, EPP/CD): Thank you, Mister President.

I unequivocally condemn any acts that target civilians, regardless of their nationality, ethnicity or faith. Such actions go against the fundamental principles of humanity. The terrorist attack by Hamas on innocent civilians in Israel which claimed nearly 1 200 lives and left 3 000 injured and 150 kidnapped horrified the world. It is an

attack that killed the most people in the 75 years since the establishment of the State of Israel. Hamas members tied up, set fire to, and executed 40 children. Daesh operated in the same way in Syria and Iraq. It is an act of vandalism against the civilian population that can be considered terrorism.

Israel has the right to defend itself. Its legitimate defence and military response must be directed towards Hamas and Islamic Jihad. Maximum efforts should be made in order to preserve the lives of civilians who themselves are condemned to difficult living conditions in the Gaza Strip due to the very bad policies of Hamas.

Europe must clearly condemn Hamas and Islamic Jihad, terrorist organisations dedicated to destruction of Israel and murdering Israeli civilians by using their own population as human shields. According to media reports, there are also reasons to believe that this attack was co-ordinated and supported by Iran.

Beyond condemnation, Europe has an influence and a role to play. This is not the first time that terrorist activities have been associated with financing by Iran. Thus Iran, in addition to being a synonym for human rights violations in its own country, threatens the respect of human rights in the world. Europe cannot continue its economic relations with countries that support and finance terrorists. By supplying armed drones to Russia, Iran has once again, demonstrated its role in destabilising the international order. In light of these revelations and the impossible connection to terrorism in Israel, the international community sanctions policy must be clear and effective.

The Council of Europe, as an organisation that cares about protecting human rights, cannot silently observe the killing of innocent civilians and must call on all its members to add Hamas and Islamic Jihad to the list of terrorist organisations.

Thank you.

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

The last speaker will be, due to time constraints, Mr Max LUCKS from Germany.

Max, the floor is yours.

Mr Max LUCKS (Germany, SOC): Thank you, Mr President,

Ladies and gentlemen,

please let us not forget; half a week after the anti-Semitic and Islamist Hamas brought terror on Israel. Let's not forget who is the aggressor and who is the victim here.

On the Jewish holiday of Simchat Torah, people were awakened with gunfire and rocket fire. The only safe haven for Jews in the world has been under attack ever since. Last Saturday, more Jews were murdered than at any time since the end of the Shoah, since 1945. The only safe haven for Jews in the world is under attack. And some here seem to have forgotten who is aggressor and who is victim.

Let's end our naiveté about Hamas. Hamas is not representing the interests of the Palestinians. Hamas takes its own civilian population hostage. It hides terrorists in kindergartens, it attacks Israel because it is a Jewish and democratic state. It murders, it massacres, it kidnaps - and Israel very well has the right to defend itself against this.

This House must oppose all forces that question Israel's right to exist, both through words and deeds. Israel's existence is not negotiable, must never be negotiable, and is never subject to the right of the strongest. Israel is wounded, but Israel is not weak. And this is also important to know for those who finance this terror, this cold-blooded terror against Jews and against Jewish women; namely the regime in Iran, the Iranian support for terror against Israel must now finally result in the classification of the Iranian Revolutionary Guards as a terror organization. We need bans against the association of Hezbollah, but also so for Hamas and its supporters.

Dear colleagues, this cowardly terrorist war of Hamas against Israel touches me very much; because I see how many friends in Israel ask themselves every day whether the situation there is still safe. This situation must give us food for thought; in our policy toward the Middle East, in our domestic policy when we see associations close to Hamas in Europe, and in our human rights responsibility - because protecting Jewish life worldwide is our human rights duty.

Mr Tiny KOX (Netherlands, UEL, President of the Assembly): Thank you, dear Max [said in German].

As I told you I now have to interrupt the list of speakers we agreed on at a not time earlier this this week.

I underline that the speeches of members on the speaker list who have been present - and many of you were - during the debate, but did not have the chance to speak, may be given to the Table Office for publication in the official report.

I remind colleagues that typewritten text can be submitted electronically if possible no later than 4 hours after the list of the speakers is interrupted, and then your contribution will be taken into account in the report of this session.

I remind you that at the end of a current affairs debate the Assembly is not asked to decide upon a text, but the matter may be referred by the Bureau to the responsible committee for the report.

I thank Mr Piero FASSINO for his first remarks.

I thank you all for participating in a very emotional and dignified debate.

I wish strength to all those who have become victims of this enormous tragedy.

We are now going to start our next debate, that will be presided by my Vice President Ms Ingrid SCHOU.

Mr Francesco SORBARA (Canada): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Good afternoon Mr. President,

The events of October 7th have shocked us all. I wish to say that myself – and all Canadians – stand with the Israeli people and in full support of the state of Israel, unequivocally.

After Hamas fired thousands of rockets and sent dozens of fighters to infiltrate the heavily fortified border between the Gaza Strip and Israel by air, land, and sea, Canadian Prime Minister Trudeau strongly condemned the terrorist organization for its attacks.

In Canada, Hamas is listed as a terrorist organization, together with Palestinian Islamic Jihad, Hezbollah, the Al-Aqsa Martyrs' Brigades, and other groups, in accordance with UN Resolution 1373 (2001) and Canadian legislation.

Canada stands with Israel and fully supports its right to defend itself in accordance with international law.

While our prime minister, like others, has also called for civilian life to be protected, let us not conflate Israel's legitimate pursuit of terrorists with Hamas' wanton cruelty.

I insist on this point because Hamas did not discriminate in its attacks: civilians were killed intentionally, including children and elderly people. Civilians were taken hostage and are still being held hostage. Their lives are being threatened.

They and their families are in our thoughts, constantly. They must be released.

And yet, in Canada and elsewhere, we've seen demonstrations glorifying Hamas' terrorist violence.

This was despicable behaviour.

To quote Prime Minister Trudeau: "The glorification of violence is never acceptable in Canada."

I would only add that the glorification of violence and hate speech should never be acceptable in any country represented in this Assembly.

I echo our prime minister and other leaders who've condemned the acts of unspeakable violence committed by Hamas.

And as the World Health Organization and UNICEF are pleading for the establishment of a humanitarian corridor to Gaza, we must remember that the fundamental rights of innocent civilians – in Israel and Gaza – must be upheld.

In conclusion, I hope – not just for Israelis and Palestinians – but for the entire world, that this intractable conflict can one day be resolved, and peace achieved.

In these terribly dark days, I do not pretend to know how that might happen. But I do know this: violence will never be the solution; it will only ever be an obstacle.

Thank you.

Ms Boriana ÅBERG (Sweden, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

The images from the terrorist organization Hamas committing bestial murders of Israeli civilians, indiscriminately slaughtering women and children, and desecrating the dead have shaken and deeply disturbed all decent people worldwide.

I'm profoundly outraged that there are others who celebrate these bloodbaths. In Iran, Lebanon, but even here in Europe, within my country - Sweden. I am extremely disturbed that thousands of individuals in Sweden have expressed joy over these acts of terrorism.

They justify their actions by pointing to the poverty and hardships endured by Palestinians. But who is responsible for these hardships? It is not Israel; it is Hamas. Hamas uses millions of US dollars to destroy the state of Israel instead of investing in education, healthcare, and other welfare services for the residents of the Gaza Strip.

But for these terrorists, it is more important to kill Israeli civilians than to help Palestinians, the same Palestinians that Hamas uses as human shields.

Israel is doing everything in their power to prevent harm to civilians in the Gaza Strip.

But Israel has the right to defend itself and its citizens from terrorist attacks. Israel has the right to free the hostages who were kidnapped to the Gaza Strip. Israel has the right to destroy the terrorists' infrastructure, tunnels, and military assets to ensure that no terrorist group in Gaza can harm Israeli citizens again.

The connection between Moscow, Tehran and their protégé Hamas can't be ignored. Their purpose is to crush the state of Israel and incorporate Ukraine into the Russian empire.

Those who cheer for Hamas or relativize what they are doing in Israel are on the same moral plane as Putin, the mullahs in Iran, and Daesh.

Mr Lulzim BASHA (Albania, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Mr. President,

Members of the Assembly, In the wake of the shocking terrorist attacks of last Saturday in Israel, one can clearly gage how forces hostile to the European way of life, are utilizing an array of methods and of terrorist groups to stir conflict and sow instability. As we speak, all eyes and ears are in Israel, where the savage acts of terror by Hamas have caused numerous innocent victims. My thoughts and prayers are with the innocent victims and their families, wishing a quick recovery for the injured. Albania harshly condemns the terrorist attacks and we stand by the people and the state of Israel in this critical time for their nation and for the security and stability of the wider region. In the heart of Europe, a similar terrorist attack was also planned. The terrorist attack of September 24 in Kosovo has once again sounded the alarm bell, not just for the fragile peace in the Western Balkans but indeed for the architecture of security in Europe. What happened in Kosovo is not an isolated incident. Terrorists have been trained in military basis in Serbia, weapons have been smuggled into Kosovo for months, with the aim of provoking a scenario similar to that of Crimea in 2014.

There is no question that nothing of this gravity could happen without the implication of state authorities in Serbia. Nor is this the only operation to reshape borders that Serbia is currently involved in.

Stimulating and motivating the secession of Republika Srpska, trying to overcome the political infrastructure of Montenegro, and the use of armed paramilitary structures in Kosovo to orchestrate the violent take over of part of the territory of an independent state, all fit in the Serb state strategy to dictate on the ground a new reality, which the leaders of Belgrade have begun to publicly label as the Serbian Realm.

It is an attempt to force border changes through de facto partitions and land grabs. The ultimate outcome would upend the Euro-Atlantic security architecture of Southeast Europe and deal a potentially lethal blow to peace and stability in Europe.

Neither Serbia nor the Serbs would be the ultimate benefactors. Far from that, they would suffer terrible and humiliating losses for being played as pawns in a game devised and orchestrated by Moscow with one clear strategy: Destabilize and plunge the Western Balkans into chaos - undermine NATO's Southeastern wing and open a wide new front in the heart of the Alliance against Russia's illegal war of occupation in Ukraine.

My call is for the EU and NATO members not to underestimate or procrastinate addressing this serious threat. An international investigation of what happened on September 24 is needed followed by advanced measures against Serbia. EU member states cannot act as if nothing has happened and continue to feed, with European taxpayers' money, a state machinery bent on causing instability for the region and entire Europe.

Kosovo has on the other side proven that its security institutions are in line with NATO standards, capable to safeguard the life, the safety and the freedom of its citizens.

The four remaining NATO countries must recognize Kosovo, as a contribution to peace in Europe and pave the way for its inclusion in the Partnership for Peace and full NATO membership for Kosovo.

Ms Christiana EROTKRITOU (Cyprus, SOC): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear Colleagues,

We strongly condemn the heinous attack on the state of Israel and its citizens by the terrorist organization Hamas and no one can deny Israel's right to defend itself. An attack that is completely in line and in tune with the modus operandi of ISIS, Al Qaeda, the Taliban and Daesh. Let no one be mistaken. This has nothing to do with anyone's right to self – determination. It has to do with war crimes. It has to do with the prevalence of radical Islam in the Gaza strip. What is at stake here is the spreading of ISIS type ideology further and beyond the Gaza strip. And let also no one be mistaken. Hamas has hijacked and crushed the Palestinian people and has certainly not improved the life of one single Palestinian in the Gaza strip.

The Abraham Accords initiated the normalization of relations between Israel and certain Arab countries. The Abraham Accords served the objective of a peaceful Middle East, with positive implications for security, stability and prosperity for all the peoples of the region. But certain countries, objected to the expansion of this noble cause. Because normalization of relations between Israel and more of its Arab neighbours would lessen these countries' ability to instrumentalize religion and to promote antisemitism which they have done in the past and continue to do today to further their own gains at the expense of peace. Iran and certain other countries found loopholes for Hamas, sheltered Hamas, provided arms, funds, training, assistance and guidance to Hamas. These countries have aided and abetted and still today they aid and abet Hamas to execute heinous crimes. Their aim is to destabilize the Middle East allowing thus their religious fundamentalism to prevail.

As Council of Europe member states we have an obligation, collectively and individually to stand up against any form of violence, to counter radicalism, to counter antisemitism, to counter all those who still to this day believe that they can play around with the rule of law and human rights and not face any consequences. We have an obligation to encourage all those whose aim is peaceful co existence, we have an obligation to do everything in our power not to let extremism and terrorism to prevail, we have an obligation to convince everyone that Hamas and its state proxies have in reality nothing but pain, blood and suffering to offer.

Mr Andi-Lucian CRISTEA (Romania, SOC): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear colleagues,

Israel has faced barbaric and relentless attacks from the terrorist organization Hamas, in which the unspeakable acts of beheading innocent civilians and shooting them point-blank have horrified the world.

The loss of over a thousand lives, in such a monstrous manner, is beyond comprehension.

No nation should witness such heinous atrocities against its people. We must not only recognize but also vehemently condemn these brutal acts of terror.

We stand resolutely with Israel during these dark times and assert that such inhumane actions have no place in our world.

Our hearts go out to the victims and their families, and we unwaveringly support Israel's right to defend its citizens and its sovereignty.

Thank you!

Ms Zanda KALNIŅA-LUKAŠEVICA (Latvia, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear colleagues, In addition to the common statement by the chairs of the Nordic-Baltic delegations, let me express Latvia's solidarity with the people of Israel and send the deepest condolences to the families of victims. The Foreign Affairs Committee of the Parliament of Latvia on its statement on 7th October strongly and categorically condemned the terrorist attacks on Israel by Hamas. In solidarity with the people of Israel and to honour the victims of terrorist attack, the flag of the State of Israel was raised at the main building of the Saeima, Latvian Parliament. Israel has every right to defend itself in accordance with international law and let me stress the need of continued work for long-term stability. Only in this way can it be ensured that the Palestinian people and the Israeli people can live in peace.

Ms Stéphanie KOCHERT (France, ALDE): *Speech not pronounced (Rules of Procedure, Art. 31.2), only available in French.*

Mr David WELLS (Canada): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Honourable colleagues,

Following the horrific attacks by Hamas terrorists in Israel, it is reported that at least 1,000 people have been killed in Israel and more than 900 people have been killed in Gaza including hundreds of Hamas fighters.

Thousands have also been wounded on each side.

This was the deadliest incursion into Israeli territory since Egypt and Syria's attacks during the Yom Kippur war 50 years ago. Israel's Ambassador to the United States evocatively described it as "Israel's 9/11."

Two fellow Canadians are among the 250 innocent people slaughtered by Hamas at a music festival and a third is presumed dead, while three other Canadians are missing.

Hamas has also brutally attacked and kidnapped civilians inside southern Israel, near Gaza, and claims to be holding more than 150 hostages.

Among those hostages are soldiers and civilians – including women, children, and elderly people. While most hostages are reportedly Israelis, they also include people of other nationalities.

Even more distressing, Hamas has said that it will kill one Israeli civilian hostage any time Israel targets civilians in their homes in Gaza "without prior warning."

Pierre Poilievre, the leader of Canada's official opposition, has labelled Hamas a "terrorist death cult" that doesn't speak for Palestinians and condemns the invasion of Israel by Hamas terrorists and the sadistic violence carried out against innocent civilians.

Make no mistake, Israel has the right to defend itself against these terrorist attacks and moreover, respond against Hamas attackers.

Thank you.

Mr Mogens JENSEN (Denmark, SOC): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Thank you Mr. President

Dear colleagues

It has already been a long debate, and of course it has, because it is an incomprehensible brutal terrorist attack that HAMAS has carried out against the Israeli people.

In the debate, some tries to justify why they happen. But dear colleagues - there IS no justification for terror, murder and kidnapping.

And we have to say clearly to HAMAS that with their actions they are committing a crime against humanity and also against the people they claim to represent.

Therefore, let me here simply repeat the common call from the chairs of delegations from Iceland, Norway, Estonia, Latvia, Finland, Lithuania, Sweden and Denmark that earlier was stated from my colleagues Mr. Zingeris, Ms. Schou and Mr. Kiljunen.

We strongly condemn the unacceptable and inhumane attacks and deeply deplores the loss of innocent lives on both sides.

We call for an immediate end to the attacks and violence and for the immediate release of the captured innocent hostages.

And we stand in solidarity with Israel, which has every right to defend itself in accordance with international law and we encourage continued work for long-term stability. Only in this way can it be ensured that the Israeli People and Palestinian people can live in peace.

Thank you.

Mr Ionuț-Marian STROE (Romania, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear colleagues,

I think today's discussion is improperly called a "debate" - because a debate includes opposing arguments and I do not think anyone here today has a different opinion on who is the victim and who is the aggressor.

I condemn in the strongest of terms the barbaric and brutal terrorist attacks that Hamas has launched on Israel and I am appalled by the horrors and pure evil these so-called "men" could inflict on innocent people. Who can murder and decapitate babies, kidnap, hurt, rape and kill women, grandparents in wheelchairs and Holocaust survivors?

It is painful to even speak of such atrocities, and these terrorist acts are a violation of every code of human morality, not only human rights.

The aftermath of the attacks is apocalyptic, and it has reminded me of the scenes we keep on seeing in Ukraine - and I dare make the parallel between Hamas and Russia, whose declared motives are different, but the essence of their actions is the same.

And we can all see it: we see the same blood on the streets, the same killed, injured or displaced civilians, the same ruthless and random destruction with no respect for the fundamental right to life. And to peace. Russia hopes that we will be distracted - we are not! We see and condemn them both for what they are - criminals.

Terrorism, no matter what language it speaks or what ideology it hides behind, is equally criminal and must be fought with all the tools at our disposal.

I stand with Israel and its people and I fully support Israel's right to defend its people and land from this savage attack. As firm believers in the protection of human rights, we must all, dear colleagues, do our part in fighting this evil.

I want to end by leaving you with a quote of Edmund Burke that I think is essential in this situation: "The only thing necessary for evil to triumph in the world is that good men do nothing".

Thank you.

Ms Blerina GJYLAMETI (Albania, SOC): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear members of the Assembly

Dear colleagues,

We are gathered here today to discuss one of the most sensitive topics affecting peace and stability in the Middle East.

The attack by the terrorist organization, Hamas, on the State of Israel has caused great human losses and severe tensions.

As a member of the Parliamentary Assembly of the Council of Europe, I wish to express my full solidarity with the State of Israel and its people in these difficult moments.

Brutal attacks by Hamas against Israeli citizens are unacceptable and must be condemned in the strongest terms possible.

At the same, time it is of utmost importance that all attacks from Israeli part towards the hospitals and refugees camps should stop immediately.

The dire situation of the people of Palestine should come to an end as they do not deserve to pay the consequences of hideous terrorist acts of Hamas.

They deserve a way out from the hell they are living in. The children need no suffer and live in this terrible situation.

The innocent people does not deserve the rage the war can bring in.

We have been following the recent developments in the Middle East with great concern and our solidarity goes out to every family and person who has been affected by this brutal violence.

We believe in dialogue and peace, and we understand that citizens have the fundamental right to live in peace and security.

Albania is determined to contribute to a lasting peaceful solution to this old and complicated conflict.

Our story has a special dimension in this context.

Albania is a small country; it was the only country that after World War II had more Jews than before it.

Although a small and poor at that time, Albania became a place of refuge for a significant number of Jews who had suffered severe persecution.

This humanitarian act is a great gesture to show that, even in the darkest moments of history, the values of solidarity and support must prevail.

We have been and continue to be a country where Muslims, Catholics, Orthodox and other religions live and interact in harmony and mutual respect.

The cultivation of religious harmony is a tremendous asset of our national identity.

Albania can certainly be an inspiring example for others.

We believe in the values of living together, tolerance and mutual respect.

Our government has expressed its clear position regarding the recent events in the Middle East, clearly condemning the terrorist attacks, and this is a strong, meaningful stand in accordance with the basic principles of international peace and security.

At this sensitive time, we are committed to supporting efforts to bring peace and security to the Middle East.

A lasting peace solution to the conflict based on UN Security Council resolutions and international justice would be the right way forward.

On the other hand, the international community must increasingly unite efforts to stop the financing and recruitment of terrorist organizations that bring violence and unrest to the Middle East.

A strong response to this phenomenon is necessary to maintain peace and stability in the region.

We express our willingness to work closely with our international partners to finding a lasting peace solution in the Middle East., because this is important to the region and to everyone, and we must be prepared to take decisive steps towards this goal.

Thank you for your attention.

Mr Georg GEORGIEV (Bulgaria, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Mr. President,

Ladies and Gentlemen,

Among the moments of national pride in Bulgarian history, there is one we are particularly proud with. The salvation of the Bulgarian jews during the Second World War is our enwritten with golden letters chapter, which teaches us that human life is the highest value. We as Bulgarians, therefore, have an underlined sensitivity when it comes to terrorism inflicted upon so many brothers and sisters, who's family roots could be traced back to the cities and towns of our country.

In this past week, the world woke up to yet another horrific news, this time from the Middle East, caused by the multiple, senseless, and indiscriminate attacks carried by Hamas across Israel. These acts of terrorism are the most serious perpetration against Israel and innocent lives in years, while the escalation is much graver

than the one we remember from 2014. The terrible act shook people and nations across the globe, while millions stand in solidarity with the families and communities who suffer and with Israel, which has every right to defend itself - its sovereignty, people and territory. It's right of peaceful existence.

Today we call for the immediate stop to the attacks by Hamas, of the violence, kidnappings, and chaos. Hostages have been taken among whom children and expecting mothers, also citizens of different countries. We call for their immediate and unconditional release. There is absolutely no justification for terror against any nation, any people, and there never will be. This vicious plan and its execution by Hamas, which I condemn in the strongest of terms, has and will affect both Israelis and Palestinians.

Here I will share some of my greatest concerns. Starting with the war in Ukraine, the situation in Nagorno-Karabakh, Africa, now in Israel – our world is spiralling into an increasing number of serious crises. Aggressive actions of major actors on the global stage reinforce the behaviour of others, as radicals become more forthright and reassured. We need to do our best together to break that dangerous streak. Going back to the Middle East, based on the situation on the ground and the statements made, it seems like this crisis has the potential to be prolonged and painful. It risks to reshuffle the Middle East Peace Process, while finding a peaceful, political solution seems quite far on the horizon. I would therefore urge all of us to work now with the legitimate parties, and with partners from across the region. Our efforts should be directed into the immediate de-escalation, into creating the conditions for a political solution and sending a clear message to refrain at all costs from supporting the perpetrators who in this particular case are more than obvious. Terrorism, which threatens our very way of living has no place in the civilised world so its distribution and cruel manifestations must be stopped with all means necessary.

Mr David SMOLJAK (Czech Republic, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

We stand by Izrael. But not only these days after the horrible terrorist attack against civilian people, but all the time. Czechoslovakia was the first country to help Israel with military support in 1948. And by the way our minister of Foreign Affairs was the first politician to visit Israel, after the barbarian attack of Hamas. We have had a great stable relationship with the state of Israel throughout our existence.

What is the reason for this long lasting relationship?

It is not because we are islamophobic or anti Palestinian.

I think the basic reason is a very close historical experience. At the beginning of our existence our states were islands of liberty and democracy in a region full of authoritative regimes. In our case it was the Nazi Germany and communist Soviet union, which surrounded us.

And what I consider particularly important. People in our countries are committed to democracy. We could see it in Israel several weeks ago. Hundred thousands of people demonstrated against proposals which threatened independence of justice! And for a very similar reason, due to concerns about the independence of the justice, hundreds of thousands demonstrated in Prague a few years ago, too.

When we say: We stand by Izrael, we mean: We stand by democracy! This must be and definitely is an essence of our values.

Ms Gabriela BENAVIDES COBOS (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Given the land and sea attack on the population of the State of Israel perpetrated on October 7, 2023 by the Hamas group, as well as the escalation of violence in the region, the members of the Mexican Senate present this statement in accordance with the following:

Considerations:

Faced with what happened, the international community immediately declared itself rejecting any form of attack by armed groups towards the civilian population and expressing its solidarity with the victims and their families.

On 8 October, the Government of Mexico expressed its utmost concern over the Israeli-Palestinian conflict. It unequivocally condemned the unconscionable attacks against the people of Israel, the use of force by any actor and assured that any terrorist act constitutes a threat to international peace and security.

In this regard, the Mexican Senate expresses its absolute concern at the events taking place in the territories of Israel and Palestine, because they represent a serious blow to the efforts of the international community in favor of regional peace and stability.

The principles of foreign policy of the Mexican State have been formed in full respect for the peoples of the world and their sovereignty; Dialogue, consultation, negotiation and cooperation among nations, we have defended as the only way through which international relations should be conducted, as it is the axis of negotiation and cooperation between States. Our rejection has been permanent, resounding and categorical of any manifestation of violence because it is contrary to the aspirations of stability, respect and friendship that Mexico proposes to the world.

The Mexican State, faithful to its commitment to peace, has historically condemned any terrorist act, defended disarmament and the non-proliferation of nuclear weapons as a necessary element for the sustainable development and prosperity of peoples to occur in an environment of freedom.

Faced with the situation, the senators of the Republic, express vehemently that the will for peace and stability proposed by Mexico must be clearly registered once again before the global community, because our proposal is to achieve a more harmonious world where peace and e! Progress for all the peoples of the world.

Pronouncement:

First: Expresses its strongest condemnation of the terrorist attacks committed by the Hamas group against the people of Israel and expresses its rejection of any act of violence, especially those in which members of the civilian population, especially children, women and the elderly, are indiscriminately involved.

Second: Expresses its profound solidarity with the people of Israel and with all the families of the victims and wounded by the attack perpetrated on October 7. It also stands in solidarity with the innocent Palestinian population affected by these events.

Third. It hopes that, as soon as possible, the missing and abducted persons will return to their daily lives.

Sincerely and on behalf of the Mexican Delegation

Ms Rosangela Amairany PEÑA ESCALANTE (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

With your permission, Mr. President.

The use of force is never a reason to resolve controversies. In Mexico we are assisted by the Estrada Doctrine, which includes the peaceful resolution of disputes together with the non-intervention and self-determination of peoples.

As a member of the Mexico-Israel friendship group of the Chamber of Deputies, I consider the acts perpetrated by the militia that governs the territory of Gaza to be reprehensible and, following what has already been expressed by our government, we condemn "unequivocally the inconducive attacks against the people of Israel on October 7".

It is undeniable that any terrorist act constitutes a threat to international peace and security, even more so when it involves the taking of civilian hostages in which, unfortunately and presumably, at least two Mexican nationals are involved.

Mexico will always condemn the use of force to settle disputes, wherever it comes from, when the loss of civilian lives is involved, as it is contrary to international humanitarian law.

Israel has the right to legitimate self-defense based on international law, but it should be aware that the disproportionate use of force against civilians, as well as suffocating a people by denying them access to basic services, including food, is also reprehensible.

We call for the de-escalation of the conflict. We urgently call on the United Nations Security Council to once again use its power to stop the massacres.

We urge third country governments not to get involved in the conflict unless it is to bring about the peace that the region needs.

Ms Olimpia Tamara GIRÓN HERNÁNDEZ (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Mexico observes with utmost concern the escalation of violence in this corner of the Middle East, which has become a powder keg with unsuspected consequences.

We regret the death of hundreds of civilians, including women and children, the taking of hostages and a high number of wounded, caused by this unnecessary military incursion.

The Government of Mexico has expressed its deepest sympathy to the victims and their families and has made a strong appeal to allow the unimpeded delivery of humanitarian assistance.

It is time for the United Nations to resume its leadership and credibility in the eyes of the world to de-escalate this conflict that could have been avoided if its decisions had been more forceful, leaving behind the lethargy and passivity that has characterized it in recent years.

The Chamber of Deputies of the Mexican Congress of the Union considers strongly condemning all expressions and acts of violence resulting from the attack against the people of Israel.

The most regrettable expression of this type of acts are the civilian victims, which mean an unacceptable cost for the population involved and for the world.

The Chamber of Deputies recognizes and encourages the efforts of follow-up, support and attention carried out by the Ministry of Foreign Affairs of the Mexican government to urgently guarantee the safety and integrity of the nationals who are in the conflict zone.

Mexico's position favours a comprehensive and definitive solution to the conflict, under the premise of two States, that addresses Israel's legitimate security concerns and allows for the consolidation of a politically and economically viable Palestinian State living within secure and internationally recognized borders in accordance with the relevant United Nations resolutions.

We must stake our bets on achieving peace in the region and the world, without hesitation and alignment.

Debate: Pegasus and similar spyware and secret state surveillance

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): The next item on the agenda is the debate on the report titled "Pegasus and similar spyware and secret state surveillance."

It is Document 15825 presented by Mr Pieter OMTZIGT on behalf of the Committee on Legal Affairs and Human Rights.

In order to finish by 6.40 p.m. I will interrupt the list of speakers at about 6.15 p.m. to allow time for the reply and votes.

I call Mr Pieter OMTZIGT the rapporteur, you have...

Ms Yelyzaveta YASKO, yes?

Ms Yelyzaveta YASKO (Ukraine, EPP/CD): Thank you very much.

Well just before we start this point in the agenda, I want to make clear that yesterday my card didn't work on the voting on the French report where I was a rapporteur. I will ask the technicians and the Secretariat to take care of it and please count my vote on that voting, because definitely as a rapporteur I support my report, and I want my voice also to be counted there. Thank you.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you Ms Yelyzaveta YASKO. It's noted. So we will take care of it.

Then we continue. You have 7 minutes now Mr Pieter OMTZIGT - you have 7 minutes now and 3 minutes at the end to reply to the debate. The floor is yours.

Mr Pieter OMTZIGT (Netherlands, EPP/CD, Rapporteur): Thank you.

Imagine you have your mobile phone, and imagine someone takes it over without you noticing it. So, there is no link you have to click on. And your mobile phone turns into a spyware of your own government or another government. It can actually listen in to what you do, can use your camera and knows what you're doing, it can search all your messages and all your emails, it can look at all your pictures.

And if you use a little bit of AI, that spy can actually figure out that you're in love with someone you don't know yourself yet. And it can also see what kind of political context you have, and that may be really important.

I'm just looking at you by accident, nothing particular, Madam Chairman. That's what Pegasus is. It is more than we see in 1984, where, in the novel of Orwell, you have to go to the screen, click on the screen and start talking. And at that point you know you're talking to your government, you know you're being watched.

With this kind of device, you do not know you're being watched, and the other person knows more about you than you ever knew, and that's frightening and that's what we're looking at today.

There is mounting evidence that such spyware as Pegasus was sold to at least 14 EU member states and it has been used by several Council of Europe member states, including Poland, Hungary, Greece, Spain, and Azerbaijan. Against journalists, against political opponents, against human rights defenders, against lawyers.

The Council of Europe's and other international legal standards have been clearly breached.

Think of Article 8 of the European Convention on Human Rights, which guarantees the right to private life.

But also think of Article 18, and please note that it has an incredibly chilling effect if you know that your government is using it. Because you know that you can't communicate freely.

And, in fact, the fairness of the electoral process in countries such as Poland, where it was used against political opponents during the 2019 political campaign, means that that election was not fair.

In the resolution we make a series of specific recommendations to states. We call on the main countries concerned, Poland, Hungary, Greece, Spain and Azerbaijan, to conduct effective and independent investigations on all cases of abuse, and to provide redress to victims of unlawful surveillance. I also ask them to inform the Assembly and the Venice Commission about the use of spyware within 3 months.

Other states which seem to have acquired or used Pegasus (not unlawfully), should also report back to the Assembly and the Venice Commission within the same deadline and inform us about the legal framework and oversight mechanisms. We talk then about Germany, Belgium, Luxembourg, and the Netherlands.

All member states should ensure that their national laws on secret surveillance and their implementation are in line with the Court and the Venice Commission's standards. In the short-term, we need a moratorium, and in the mid-term, we need to regulate specifically both the acquisition and use of spyware, limiting its use to exceptional situations as a measure of last resort. Think of state security.

In the resolution, I invite the Venice Commission to assess the legal framework and practice on targeted surveillance of all member states, in order to check if it contains adequate and sufficient guarantees. Only then should states be able to use it.

If this resolution is adopted, I will immediately send letters to the delegations of the states concerned as a first action for follow-up. I hope we will get at least some clear replies from the national authorities concerned, and the future Venice Commission report on the subject will contain specific recommendations and guidance for the states.

Finally, and that is really important, in the draft Recommendation I propose that the Committee of Ministers adopts a specific recommendation to member states focussing on acquisition, use, sale, and export of spyware. The Committee of Ministers should also examine at a later stage the feasibility of a new Council of Europe convention on this topic.

And let me remind you, because we are in the European Parliament today: We have a really good investigation, from the PEGA Committee here, but the EU has got limited competences in the area of national security.

On the contrary, the Council of Europe's surveillance for national security and law enforcement purposes is at the very core of state power and it must in all circumstances be subject to the rule of law and human rights principles for which the Council of Europe stands for.

So we are the organisation which should do it. Not the EU.

I must say that I tend to agree with those who have argued that Pegasus, given its level of intrusion into a person's smartphone, which can be converted into a 24h surveillance device with retroactive access to all data, could hardly meet the requirements of proportionality under international human rights law. I do understand that states may need to use it in very exceptional circumstances. Think about terrorism, think about state security. But before doing that, we need to have clear legislation, oversight mechanisms, procedural guarantees, and effective remedies. Only then its use could be limited to what is "strictly necessary" in a democratic society, in line with the values of the Council of Europe.

And, mind you, I started this work about 10 years ago, this may be my last week here. I don't know. It is one step at a time. We started with the revelations of Mr Edward Snowden about what it meant to be in a society where the government knows all about you. This goes a number of steps further. And it may look harmless, if your government is a democratic government with oversight.

But you do lay the foundations for a surveillance state and all the foundations are in a state once the wrong party gets into power. So these tools are extremely dangerous and we should practise extreme care in using them.

Thank you.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): [Applause]

Thank you much Mr Pieter OMTZIGT.

In the debate I first call speakers on behalf of the political groups.

The first one is Mr Max LUCKS from the Socialist Group and Germany.

The floor is yours.

Mr Max LUCKS (Germany, SOC, Spokesperson for the group): Thank you, Madam President,

Ladies and gentlemen,

Dear colleagues,

Imagine that your worst enemies are following your every move, listening to your every word, reading your most intimate messages, and seeing your photos. When we think of persecution of human rights defenders, we rightly think first and foremost of political prisoners like Osman Kavala. There is also persecution of human rights defenders that is invisible, yet downright brutal. That states illegally monitor their citizens using spy software is a serious threat to democracy and human rights worldwide.

That is why we need to speak. We need to talk about the injustice experienced by the Russian journalist in exile Galina Timchenko, who was monitored by the Kremlin in my country, in Germany. About the unfair parliamentary elections in Poland in 2019, where journalists, politicians, prosecutors were systematically illegally monitored for political purposes. About the former Greek MEP Nikos Andoulakis who was spied on. Let's talk about the 12 people in Armenia: journalists, activists and a government representative who were spied on by Azerbaijan in the course of the conflict. They all became victims of nice-sounding softwares, Pegasus, an espionage software of NSO Group, or Intelixa.

The perfidious thing is that these companies have the audacity to seriously claim that their software serves security. The opposite is true. These softwares do not serve security in any way. These softwares lead to laying the foundations of democracy. That is why it is so important that we finally put a moratorium on the development, sale, purchase, maintenance, and use of spy software. That's not enough, especially the encroaching spy software Pegasus must finally be banned, because it can be used to manipulate IT devices of civilians for falsification of data and messages. The demands of the PEGA Committee of this European Parliament must finally be implemented, and you must also be an example to other states. Companies that earn from human rights violations through digital surveillance ought to be blacklisted like in the United States.

I would like us as the Council of Europe to have the willingness to take on a pioneering role in the fight against spyware. To this end, I propose that a platform be set up here, in the Council of Europe, to document the use of spyware once and for all, so that this injustice is finally seen.

Thank you very much.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mr LUCKS [in German].

And then we continue with Mr Vladimir VARDANYAN from the Group of the European People's Party and Armenia. The floor is yours.

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

I would like first of all to congratulate Mr Pieter OMTZIGT for this brilliant report, a very timely and topical one.

Nobody knows wherever we have Pegasus here or not, and nobody of you can be sure that somebody's following you, surveilling you.

I remember when we discussed this issue with the Committee on Legal Affairs and Human Rights and Mr Pieter OMTZIGT said that somehow Big Brother is following us and our colleague Mr Serhii KALCHENKO said no, it's not correct anymore, because Big Brother is living with us.

This is the reality; we are now facing a lot of different kinds of technologies which may be used, which may have a dual use, which may be used for good purposes as well as for the purposes of an illegal nature.

We cannot for sure work against the technological development.

Technology will develop despite the fact we want it or we do not want it, because it is life.

Unfortunately the law develops less quicker than technologies, but do we have an answer?

Yes, we have an answer. This answer is in the Report.

Despite the level of technology, what kind of technology you use, please follow the standards of this respective organisation, of European Convention on Human Rights, of the Venice Commission and other institutions specialised in this matter, because when we are speaking about different technologies, we should take into account the very important fact that these technologies should be used in accordance with international standards that we have.

I would like to emphasise a very important thing mentioned in the Report.

Yes, we should criminalise all the cases and such spying which occurred in the non-state actors hands because it would be very complicated furthermore to follow the usage of this kind of spyware.

The Resolution contains a lot of recommendations to several countries.

The situation is not the same in all the countries; some are in worse situations, some are in better situations, but I would like to recommend all of them to continue to start and continue to implement the recommendations mentioned in the Report and in the Resolution.

Finishing my speech, I would like to say the following:

In any case such kind of spyware should be a measure for preventing international wrongful acts, but in no case should we be an instrument for perpetrating international wrongful acts.

If this is the reality we should take very, very, rapid and very tight measures to combat such a usage of this kind of application.

Once again Mr Pieter OMTZIGT thank you for the brilliant Report.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): We continue with Ms Sabina ĆUDIĆ from the Alliance of Liberals and Democrats for Europe from Bosnia and Herzegovina. The floor is yours.

Ms Sabina ĆUDIĆ (Bosnia and Herzegovina, ALDE, Spokesperson for the group): Leading up to the ambitious Reykjavík Summit, we were wondering whether a certain identity crisis that the Council of Europe may or may not be suffering from would be addressed successfully and whether it would be solved. That is actually on these kinds of issues that the strength of this institution and the strength of this institution's capacity to address two key questions in its jurisdiction lie: 1) human rights protection and addressing human rights violations and 2) democratic standards can truly be addressed by the Council of Europe and can we make consequential decisions for the citizens of our member states. When we take into consideration that 14 countries, members of the European Union, bought the Israeli company's software whose sole, essential purpose is to target the opposition, the human rights activist, to use it politically motivated to target those that

we perceive as our enemies, then the question is can we truly tackle this issue when the target is actually ourselves when we need to look at ourselves in the mirror, critically assess whether we can solve these problems?

In this regard, we salute this report. We salute the effort to seriously point out in a measured and responsible way, the vulnerabilities of our system. If these allegations were not serious enough in terms of already targeting our own, within our own countries and targeting members of the opposition and human rights activists, we thought why not export it to countries even more dangerous towards their citizens? Exporting this software by the EU member states to countries with terrible human rights records that we know can be used to endanger lives, let alone their human rights.

In that regard, we fully recommend the adoption of this report. We support the conclusions by the European Parliament of the European Union that this report builds upon. By this report we invite the member states to come fully clean towards the Venice Commission, report their use of the software and make sure it finds itself in the confines of the European Convention on Human Rights and also for ourselves to ask ourselves the question that the experts on this issue have already posed: if software like this can be used at all within the confines of the European Convention of Human Rights and whether governments can be trusted at all to decide whether somebody is worth listening to or, at worst, their life made miserable.

Thank you.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Madam Sabina ČUDIĆ.

We continue to Ukraine to European Conservatives Group and Mr Oleksii GONCHARENKO.

The floor is yours.

Mr Oleksii GONCHARENKO (Ukraine, EC/DA, Spokesperson for the group): Thank you very much.

First of all, I'd like to thank the Rapporteur for an excellent job and not only for this report, but for years in this Assembly.

But I need to start with something else, because in the previous topic, unfortunately, no single Ukrainian MP received the possibility to speak, accidentally, since so many people wanted to speak but for us it's very important because we Ukrainians are living through this terror every day.

When we saw these horrors from Israel, it was so striking for us.

When we saw cars shot down on the road, when we saw the people inside, when we saw children and women killed in cold blood - that is something we are living through every day in our country.

Strikingly, even with the same weapon. Hamas used Iranian-made weapons against Israel and Russia is using Iranian-made drones every day against Ukraine.

Yesterday too, 36 drones again attacked my native city Odessa - 36 Iranian-made drones which Russia, as a terrorist state, is using, as well as Hamas, a terrorist organisation, which is using this.

So for us everything is clear. Hamas equals Iran equals Russia.

We need to stop evil. To stop evil, first we need to name it as "evil".

So, I address all of us to name, in our national parliaments, Hamas and recognise it as a terrorist organisation. I sponsored such a bill in the Ukrainian parliament. Let us do it together.

Speaking about this report, it is extremely important because this is about our modern life; because these modern technologies which make our lives so easy, so wonderful; at the same time everything always has a flip side.

Our aim and our task as members of the parliament, as politicians, is to do everything we can to give our citizens the possibility of using the best from these technologies, but to protect them from the worst things from these technologies: to protect their private lives, to protect democracy, because democracy can be attacked by this too.

From one side, social media today equals democracy. On the other side these modern technologies can be used to attack political activists or lawyers or those who are fighting for human rights or, for those who are fighting corruption, so it is so important for us to defend our people from such events.

So this report is extremely timely.

When it is famous – the wording, "Big Brother is watching you" – we need to do everything we can in our capacity as parliamentarians, that Big Brother should not watch us, but we should watch Big Brother.

Thank you very much and thanks again for a brilliant report.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Mr Oleksii GONCHARENKO.

Then we continue to the Group of the Unified European Left and Mr Alexis TSIPRAS from Greece.

The floor is yours.

Mr Alexis TSIPRAS (Greece, UEL, Spokesperson for the group)*: Thank you very much.

Thank you, Madam President.

Using spyware as a government to monitor political opponents and agents of the state is a breach of the rule of law, and indeed, it is also a breach of the European Convention on Human Rights. We cannot speak of an open society or a liberal democracy if the state and these arrangements are but one when private life is breached, unlawfully and brutally.

Unfortunately, there are governments who have been using and indeed exporting this type of spyware, such as Predator. Unfortunately, that includes my own country. The independent authority that has a remit for this, according to the constitution which is entrusted with the protection of secrecy of communication, has stated that the national intelligence service of Greece unlawfully and without justification monitored ministers, parliamentarians, civil servants, journalists and even a leader of the armed forces. But the Supreme Court, at the time, rather than mandating an investigation into this unlawful surveillance, instead decided to put a block on the investigations that could have taken place, following these revelations.

Recently, the Government in breach of the rules applicable to parliament and without the necessary majority, has changed the membership of this independent authority for a number of reasons, including the fact that any decision regarding sanctions against the intelligence service is to prevent that from being applied.

We find ourselves faced with a dual breach of fundamental rights and the rule of law. Indeed, there is the violation of secrecy of communication in liberal democracies, that is of course, a horrible crime, a horrible offence, but in addition to that you have an attempt to cover up these crimes, and that too is heinous.

Indeed, we are talking about another breach, the breach of the rule of law. Therefore, this tasks us onto the path of an authoritarian state. We have to ask ourselves, "Are we heading towards an Orwellian state or indeed a state inspired by Kafka through these mechanisms deployed by an authoritarian anti-democratic state?"

Now, our responsibility, which forms part of our Charter, our Convention, our responsibility is to prevent this from happening, not just in Greece, but in all member states of the Council of Europe. We must act, therefore. We have an excellent report before the house today. We also have the Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware (PEGA) and the European Parliament Committee report. These are steps in the right direction, taking us towards justice and ending the cover-up.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister Alexis TSIPRAS.

We continue with the speakers list.

The speaking time is a limit of 3 minutes.

We start with Mr Andrea ORLANDO from Italy and the Socialist Group.

The floor is yours.

Mr Andrea ORLANDO (Italy, SOC): I want to thank the rapporteur for the work that has been done. Because it gives us a resolution, a Report that is very balanced but also very courageous. It accounts for the abuses that have taken place or that might have been taking place. It asks for in-depth studies and clarifications from the authorities involved, it points out misconducts and possible violations.

But I do not believe, however, as is right as well that we do, that it should be read as only a censure, a judgment. And I hope that the parliamentarians from the countries that are affected by this matter will not focus exclusively on the censoring aspect. I hope that they do not see this Report only as an anticipation, a repetition of the action that the judiciaries in the different countries are also taking. The ancients used to say "de te fabula narratur." I think that is absolutely true in this circumstance, because even the countries that are not affected are facing the exact same problem: tools that are very strong, pervasive, that can be bought very cheaply, that do not need a great organization to be used, but that are able precisely, as we have seen, to strike at our fundamental freedoms and escape democratic control. Instruments that are able to even allow certain parts of the state to carry out certain actions without the state as a whole being aware of it.

Here this huge issue highlights not only individual behaviors, but also the inadequacy of the rules we currently have. Both procedural and substantive ones. The resolution points to a path that I think we should advocate for very strongly, which is that of a Council of Europe convention. This also faces huge challenges, because in the past, when we had such pervasive instruments, we used very detailed legislation, saying what should be done and what should not be done. It was a legislation that took a long time to be drafted.

Now, we risk making laws that are already old the day they are passed. Because technology advances with such great speed that regulations risk being constantly outdated. This is absolutely a new challenge for lawmakers. Just as it is a challenge to identify procedures that will assess the reliability of the people who are called upon using such tools.

Here, I think we should take up this aspect of the Report as well, because it is the most important one. That is, what can we as legislators do to make sure that these incidents do not happen again, knowing that they will be much more likely to happen in the future because of the growth of technology?

That is the big question that this Report poses, which I think we should answer all together.

Thank you.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Mister Andrea ORLANDO.

We continue with the next speaker, Mr Pablo HISPÁN from Group of the European People's Party and Spain.

The floor is yours.

Mr Pablo HISPÁN (Spain, EPP/CD)*: Thank you very much Madam President,

This report addresses one of the most important topics of the day, a topic of great importance.

I have read the report with great interest.

There are a number of questions addressed here – the tension between national security and individual rights.

Of course, we should be defending, protecting all individual rights.

The issue here is that this is an exercise that could have been a comparative law exercise, to see how these issues are regulated, in different jurisdictions, the protection of individual rights and intrusive technologies, but that is not what has happened here.

In a way it seems to me that the author acted judge and jury in this report. That is not what is applicable in a state governed by the rule of law. We are in a state governed by the rule of law.

Therefore, in terms of the states that are mentioned here – I don't think that the states have an opportunity to defend themselves vis-a-vis the content presented by Mr Pieter OMTZIGT.

They haven't been asked; they haven't been given an opportunity to defend themselves.

We have to also take note of the fact that there are a number of changes in legislation have taken place over recent months. For example, the legislation in Greece has evolved since the rapporteur wrote this report. That has not been taken into account.

Also, Mr Pieter OMTZIGT, I think it would have been appropriate for you to reach out to these countries first, to find out what the situation was in these countries, to find out more about what has taken place.

All of this information doesn't seem to match the conclusions, if I may say so.

I also think there are some false positives, some black holes here, that were removed when they didn't match. I would again refer you to the rule of law. There are many countries mentioned here, including my own country, Spain, where there were circumstances under which judicial warrants were drawn up, and that is a matter for the courts. It seems to me that the supposed victims have sometimes actually presented false positives. It's not quite in sync, or it doesn't quite match the facts and there is no co-operation either with the judicial authorities at times.

Therefore, in terms of spying on individual citizens, of course that is abominable and unacceptable but at the same time we have to abide by a state governed by the rule of law. We cannot adopt a kind of moral superiority here without addressing this from both sides.

Therefore I would argue I am afraid that this is not the right way of working or drafting a report.

I think what should have happened would have been the drafting of solid reports and really addressing this issue with impartiality.

That is what I would have liked to have seen.

Thank you.

[Applause]

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister HISPÁN.

And we continue with Ms Olena KHOMENKO from Ukraine and the European Conservatives.

The floor is yours.

Ms Olena KHOMENKO (Ukraine, EC/DA): Dear colleagues,

Probably most of you carry your phones everywhere you go. We all improved our efficiency and connections with the outer world, but also we all enabled surveillance to an extent we have never seen before.

Pegasus, this seemingly innocuous name, has a far-reaching impact on our fundamental human rights.

It is a technology that can infringe upon the very essence of our right to privacy, a right enshrined in the Convention. Shall we become paranoid about the technologies that surround us? A healthy bit of concern is important, but when it goes as deep as to harm the very human dignity then it is a very worrisome development.

At the same time, we cannot dismiss the importance of this kind of technology for the purposes of national security. Why should we place ourselves in a losing position against criminals and terrorists wishing to harm our democracies and our way of life?

In democratic societies, our elected representatives must play a pivotal role in overseeing the use of such powerful technologies. Parliamentary committees and oversight bodies should strengthen democratic civil control over the security sector bodies to ensure they align with the law and respect human rights.

Proper judicial authorisation of surveillance operations is crucial. Recommendations on behalf of the Committee of Ministers would also be helpful. It may include the experience of the Venice Commission on elaborating the powers of police and security agencies to strike the right balance between different values.

In conclusion, the Pegasus spyware forces us to confront a complex dilemma. We must protect our human rights, especially the right to privacy, while also acknowledging the genuine concerns surrounding national security. The key lies in comprehensive regulations, proper authorisation, and robust control mechanisms, including parliamentary oversight. In this digital age, international cooperation and dialogue are essential to finding solutions that safeguard our rights and our security.

Thank you, dear colleagues.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much Ms Olena KHOMENKO.

We continue to Ms Thórhildur Sunna ÆVARSDÓTTIR from Iceland and the Socialist Group... but she is not in place 91, nor anywhere else...no?

Then, we continue to Mr Lőrinc NACSA from Hungary and the Group of the European People's Party.

Mr Lőrinc NACSA (Hungary, EPP/CD): Thank you, madam chair, thank you colleagues.

Dear ladies and gentleman, I would like to thank Mr Pablo HISPÁN for his words. I totally agree with him. In a different aspect, in the Report of Mr Pieter OMTZIGT, Hungary, along with several other countries, like Poland and Spain, has been accused of the Pegasus surveillance spyware being illegally deployed for political purposes to spy on journalist, opposition politicians, lawyers, prosecutors, and civil society actors.

The Report states that there is mounting evidence, but cannot mention any. Allegation, accusation, but at the same time it's also the verdict. This part of the Report is nothing more than just a copy and paste of the so-called investigation carried out by the European Parliament's PEGA Committee.

The national security area and investigation in this field is a competence of member states. Neither the European Parliament nor the Council of Europe has an legitimation to investigate national security issues.

However, as Hungary has been accused, immediately the Hungarian national authority for data protection and freedom of information carried out a full-scale investigation.

The investigation concluded that the Hungarian national security service did not use any legal surveillance software. All its actions were always in compliance with the legal framework. Again, all its actions were always in compliance with the legal framework, and on the grounds of national security.

After this very thorough investigation, which wasn't taken into consideration by the rapporteur in the Resolution, we can say that what is in this report about Hungary it's not true. It's a great pity that on such a sensitive issue like national security, especially during these difficult times full of security challenges, a politically biased Report has been made.

I think it's a pity.

Thank you very much.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much Mr Lőrinc NACSA.

We continue to Ms Zeynep YILDIZ from Türkiye.

The floor is yours.

Ms Zeynep YILDIZ (Türkiye, NR): Thank you Madam Chair, dear President, dear colleagues,

I would like to congratulate the Rapporteur for his report that draw our attention to the extent of the problem that stems from the illegitimate use of hacking software.

We understand from the findings of the investigation that Pegasus is perhaps the most powerful software that is capable of infecting millions of phones.

Once it infects a phone, it can extract any kind of information from the phone, and is able to locate the targeted person.

To make things worse, even the most security conscious mobile phone users are unable to detect or prevent an attack.

As clearly revealed in the report, widespread use of Pegasus against opposition, human rights defenders and journalists, by several European states, poses an enormous threat against the rights guaranteed by international instruments.

Recent inquiries on the use of Pegasus presented us with quite a complicated picture.

Surveillance of persons such as politicians, journalists, human rights defenders requires us to think of the obligations of states and protection mechanisms in place.

As explained in the report, national legislative frameworks must be put in place to oversee the use of similar software by states, and to provide effective safeguards and remedies for its citizens.

Considering the fact that Pegasus enables states to perpetrate transnational surveillance, we must also focus on a wider international framework that will guarantee the rights of all persons living in Europe.

I hope that we can ensure the existence instruments that could help guarantee the necessary safeguards for the protection of human rights and this report will enable member states to look into their legislative frameworks with a view to protect their citizens from such attacks.

Thank you.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Ms Zeynep YILDIZ.

And then we continue with the next speaker Ms Susana SUMELZO from Spain and the Socialists, Democrats and Greens Group.

The floor is yours.

Ms Susana SUMELZO (Spain, SOC)*: Thank you very much.

All of us here agree that the events we are addressing through this report are happening in a context of technological revolution, which is speeding up. Many of our regulatory frameworks are considered to be obsolete because of this. Technological progress is progress, of course, but there are risks in terms of the proper functioning of our democratic society. That's why we are here.

This report which we are addressing today refers to Spain on a number of occasions.

Therefore, I would like to make clear that Spain is an advanced and consolidated democracy. The government in office at all times is governed by the principle of the rule of law.

The Government of Spain has met its obligations, has committed itself to resolving what we require to overcome the crisis, co-operation with the ombudsman in terms of the investigations and the inquiry, also presenting accounts and reports to the parliament, making sure that the judiciary is free to do this work with one purpose in mind: transparency and providing confidence, inspiring confidence amongst our citizens.

Also the information requested by the courts has been classified, and there have been requests to different international and European institutions. Indeed, in the parliament that just ended its term, there was a reform regarding reserved information.

In addition to this, there are also parliamentarians who recently elected the new speaker to the Congress. We agreed to set up a committee of inquiry regarding the use of the Pegasus programme and other equivalent programmes. Also, when it comes to protecting fundamental rights, I would like to reassure you that you can be absolutely sure that we will protect these principles.

In Spain we have all the necessary mechanisms in order to protect these and to prosecute those who might breach these principles.

Regarding the individuals whose communications might have been intercepted, but with a judicial warrant, the information obtained has not been used for any other purpose other than that of protecting national security.

Their fundamental rights have always been protected with a magistrate from a supreme court who has been in charge of that.

Then, there are individuals whose communications have been intercepted without a judicial warrant. This would be a breach of their fundamental rights, of course, and therefore, for that reason, they would be entitled to take the cases to the courts in order to identify the perpetrators and to obtain compensation for damages sustained.

I conclude that the government, when speaking to the Congress of Deputies on 26 May, towards the end of its mandate, addressed this very topic. It stated that it stood by the democratic regeneration of our country and stood by that mission. We want more democracy, better democracy. Also, mention was made of unconditional co-operation with the judiciary for better accountability in our country.

Thank you.

[Applause]

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Ms Susana SUMELZO

And then the next speaker is Ms Catarina ROCHA FERREIRA, from Portugal, and representing the European People's Party group.

The floor is yours.

Ms Catarina ROCHA FERREIRA (Portugal, EPP/CD): Thank you, Madam Chair, dear colleagues,

Let me start by underlining the importance of this Report, because it analyses the use of Pegasus and similar spyware by several countries. However, the problem is that when a report analyses several countries – more than one country – we cannot think that each one acts the same and condemns all the same way. Each case is different. And what happens is in many cases, the spyware has been used far beyond its original design and it can represent a threat to our democracies. As is what was stated before, Pegasus and similar spyware have been widely misused, namely to attack the smartphones of political opponents, social activists, journalists or just anyone.

We are speaking about untraceable spyware that mirrors everything a person does on their phone and that can access the microphone and camera.

Remembering George Orwell's book *1984*, there were posters all over Oceania saying, "Big Brother is watching you". Today, we have no posters, but this dystopian fiction can be a reality in several places. In fact, anyone could be a victim of such spyware. However, it might not be because that person is a dangerous criminal or a terrorist. If that was the reason, that would be acceptable but anyone can be spied on for political reasons and that is unacceptable in a healthy democracy. That is a violation of the rule of law, of democracy and its institutions.

Article 8 of the European Convention on Human Rights states that everyone has the right to respect their privacy and their family life, home and correspondence. And as the Report states, "spyware must be limited to exceptional circumstances as a measure of last resort for genuine and serious threats to national security or specific and defined serious crimes". So, democratic countries must abstain from using this spyware until their legislative framework is fully in line with the standards of the European Court of Human Rights and the requirements of the Convention.

I believe it is our duty to create measures that mitigate risks to democracy and to protect the fundamental rights of people.

Thank you.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Ms Catarina ROCHA FERREIRA.

And the next speaker is Mr José María SÁNCHEZ GARCÍA from Spain and from the European Conservatives Group.

The floor is yours.

Mr José María SÁNCHEZ GARCÍA (Spain, EC/DA)*: Thank you very much, Madam President.

This report refers to an important issue. It could have been addressed, I think, generally, a bit like cybersecurity and fundamental rights. It could have been approached that way, but unfortunately, that is not what happened here.

This report is a report based on isolated facts related to some countries, the Pegasus system, when we gained cognisance that some governments were using this spyware in 2021.

Now, with regard to Spain, I should point out that in this report, mention is made that the Spanish government spied on 65 persons with Pegasus, including politicians and activists who were subject to surveillance because of this. That was indeed accurate, these politicians and these activists belonged to political parties that, four years prior to that, had actually carried out a coup in Spain. That too, needs to be acknowledged. They declared independence for Catalonia without a basis for doing so.

In terms of what is referred to here in this report, I think we need to point out that in 2021, it was not so much a fantasy, morbid ideation or paranoid inclination. It was actually a constant reality in 2021, because all those politicians from those kept saying during those years that, given the opportunity, they would lead a coup d'état again. Normally, you, the deputies present from many governments and, in general, European public opinion

is misled because what's being said is that the only thing done was voting and that the Spanish government did a bad job because it prevented it. That's a lie, completely false. Really, an illegal referendum was called by the Catalan authorities. What's more, those Catalan authorities disobeyed decisions from the Spanish constitutional court and local courts. Not one, but many, which prevented the proceedings from being carried out.

I wonder what would have happened, say in Germany, if the government of one of the federal regions had acted in defiance of the decisions from the German federal constitution court or by courts of law? Or for example, in Italy, if an autonomous region had acted in that way? I imagine it would have been the same, namely, to curb the actions so as to abide by court decisions.

That is why the surveillance of those politicians at the time, was, in our judgment, done correctly. I would also point out, as we managed to confirm, the Congress of Deputies, of which I am a member, that it was done in accordance with the law. In other words, all of the interventions by the Spanish government to spy on those individuals had been duly authorised by the Supreme Court magistrate in charge of the authorisations. Therefore, everything done was in compliance with the law.

Therefore, many of the recommendations made in this report, which in our opinion are inaccurate, are unnecessary. Lastly, it seems to me that this has truly been false and at an inappropriate speed that in No. 12 at the bottom of paragraph 2 of the report, it says about legislative elections in Poland in 2019 that they were not fair because it was shown that political opponents had been spied on. This is entirely inaccurate, and I truly believe that this House should not be approving reports with such flippant remarks.

I conclude that if we wish, on the other hand, for this report to succeed at least so that, indeed, this Chamber would be required to invite you to the Kingdom of Morocco to find out why it spied on the Prime Minister of Spain, because, of course, this spying of the Prime Minister of Spain by the Kingdom of Morocco was not authorised by the Spanish Prime Minister unless it were in a scene from a Marx Brothers' film.

Thank you.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): You have used 1 minute more than you should and have taken time from other colleagues.

I have to remind you of 3 minutes.

We continue with the next speaker. It's Mr George LOUCAIDES from Cyprus and the United European Left.

The floor is yours.

Mr George LOUCAIDES (Cyprus, UEL): Thank you, Madam President.

Allow me to thank our rapporteur, Mr Pieter OMTZIGT, for this excellent report that highlights the widespread use of spyware by the member states of this organisation.

Let me begin by extending my sincere gratitude to all those journalists, non-governmental organisations, and whistle-blowers who, against all the odds, brought to light the use of spyware by states authorities and how this use seriously undermines the rule of law and other fundamental rights guaranteed by the European Convention of Human Rights.

Dear colleagues, regretfully, neither the European institutions nor any government around the world have shown any willingness to investigate spyware use and put an end to the rampant human rights abuses derived from the use of invasive spyware.

Referring to my country Cyprus, the findings of the European Parliament's PEGA Committee have documented maladministration in the implementation of the EU dual-use regulation and also the institutional and political entanglement of the previous government.

Because of its implication, the previous government did not undertake any substantial initiatives or corrective measures to this effect.

Unfortunately, the new President, despite formally committing in front of the plenary of the European Parliament last June to implement the relevant recommendations of the PEGA Committee and proceed with immediate corrective measures, has until this day not taken any measure to this effect.

At the same time, we cannot turn a blind eye to the unwillingness of the European Council, the Commission, and the European institutions in general to do their part.

They must, without further delay, transpose all recommendations produced so far by all pertinent international actors mentioned in this report into concrete legislation, thereby providing a robust legal framework to better protect the rights of citizens against the illegal use of spyware.

EU member states must be held accountable for any misuse of power, including for the use of spyware, and transparency should be upheld in all circumstances.

The references in this report concerning systemic issues arising from the illegal use of spyware in many member states are particularly important. There is an urgent need for stricter EU-level scrutiny and stronger regulation to prevent abusive practices in conformity with relevant Council of Europe and international legal standards.

Thank you.

Ms Ingerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Mr George LOUCAIDES

The next speaker is Mr Nuno CARVALHO from Portugal and the European People's Party group.

The floor is yours... the microphone.

Mr Nuno CARVALHO (Portugal, EPP/CD): Thank you, Madam President.

Well, first let me congratulate the rapporteur for this Report which is very important because we're talking about monitoring our own democracies. And, of course, first of all it recognises the importance of this instrument in extreme situations regarding terrorism and crimes. And, of course, this is an instrument that may become a very valuable weapon against this type of crimes and threats to our democracy. But also, like any other weapon, if it is misused it may become a threat to our own democracy.

So, the first step that I would like to underline is the importance of democracy to be able to monitor the use of this software. The second is the importance that we need to give to this in order to understand that we may speak of certain countries, but of course that, if a certain country trades this technology with another country, we can actually have a very difficult situation in which we can just enlarge the danger of this software.

So, we need a framework in which all countries that have this technology need to act and need to assume a compromise in order to use this in the better way which also includes not to give this technology away so easily to other countries.

So, this aspect is very important and of course I think it's also important that, if there are countries that are using this spyware, and I do believe that it is important to use them in these specific cases, terrorism or other type of crimes, well they should say that they are using it, they should declare, and they should develop the instruments in order to monitor their actions, monitor the usage of this technology.

Otherwise, if this surveillance on this software does not happen, then we do have a threat to democracy, because it's far far too powerful for its usage not to be surveilled, not to be monitored by all the instruments that democracy, a solid democracy, has.

Thank you very much.

Ms Ingerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Mister CARVALHO.

The next speaker is Mr Didier MARIE from France and the Socialist Group.

Mr Didier MARIE (France, SOC): Thank you, Madam Chairman.

First of all, I would like to thank our colleague Mr. Pieter OMTZIGT for his Report, which has enabled us to adopt an important position on spyware, its use by states and its compatibility with respect of human rights.

I feel I must begin my remarks by saluting the work of the group of investigative journalists coordinated by Forbidden Stories, who helped bring this scandal to light. They have fully played their role as whistle-blowers.

The parallel with George Orwell's novel *1984*, mentioned in the Report, is sadly strikingly true in view of the power of this technology, which is unfortunately capable of taking control of digital devices with a simple phone call. The intrusive potential of Pegasus is also immense, with its ability to access personal data and act as its own receiver of real-time information.

Some countries have realized this, including those in the Council of Europe. The Report notes several illicit uses by member states of our organization, including surveillance of journalists, political opponents, human rights defenders and lawyers. This is unacceptable and contrary to the rights guaranteed by the European Convention on Human Rights.

We also know that certain states have used this spyware against the leaders of our states: Emmanuel Macron, Charles Michel and Pedro Sánchez have all been targeted. I'm not unaware of the realities of the intelligence world, but I believe we must be particularly firm, as the very sovereignty and security of our member states is at stake here.

I therefore endorse the Report's approach of strictly controlling the use of this type of spyware. Point 4 of the Resolution stresses that their use should be limited "to exceptional situations and as a measure of last resort to prevent or investigate a specific act constituting a real and serious threat to national security or a specific and precisely defined serious crime, targeting only the person suspected of committing or planning to commit such acts".

I fear, however, that the notion of exceptional circumstances may be abused by certain states.

Likewise, I question the capacity or real willingness of member states acquiring this type of software to restrict its functionalities and respect the principle of proportionality.

In my opinion, this objective can only be achieved if real control is exercised, notably by parliaments, as mentioned in point 14 of the Resolution.

In conclusion, in the face of these espionage tools, which come on top of other digital threats such as information manipulation, artificial intelligence and *deepfake*, we need to adapt our legislative frameworks to frame and control them.

Then, in the face of states that continue to use them, we will have to use diplomacy but also firmness to put an end to these pernicious uses.

Thank you for your attention.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister Didier MARIE.

The next speaker will be Ms Yelyzaveta YASKO from Ukraine and the Group of the European People's Party.

Ms Yelyzaveta YASKO (Ukraine, EPP/CD): Dear colleagues, dear rapporteur,

Definitely I want to congratulate Mr Pieter OMTZIGT for opening this Pandora's box in this Hall, but I think the problem is that this Pandora's box is still quite small because the problem is much bigger than that.

It's not only about one spyware app. It's about the reality that we live in.

During recent years, when I hear different conversations about the role of artificial intelligence, about different software, I often have very mixed feelings, because from one side much of the artificial intelligence offers some new positive things into our lives, but at the same time the thing that we're discussing here is that we are always under the watch of Big Brother, or Big Brother is living with us.

We actually don't know even what goods we should go and buy, because the internet and the software that we are using suggests what we should buy.

I often hear how much we should use artificial intelligence for different good political purposes, but in fact if we look at what happens - not only in intelligence where someone is watching us - but in our everyday lives and in our political societies, we will see that there is so much more polarisation in this society. There is so much more hatred. There is so much more violence.

In fact, very often, the digital technologies serve as the tools to promote that.

So my question is: when will we start talking about creating something positive with the technology that will not only restrict us and put us into hatred, but - I don't know - maybe will make something good for us? It's quite a philosophical question.

I also want to raise a very interesting thing. While reading some more about the Pegasus software I discovered that Meta and Whatsapp and for instance Apple actually have lawsuits running against this spy software, but we know that lots of technologies are still sharing our personal information, maybe not only for intelligence, but for - I don't know - commercial reasons. Do we want that?

I'm sure that lots of policies are still in our hands, but we should not only just complain and say that Big Brother is watching us. Actually we should be working to prevent these things from happening, not only for the intelligence and that software, but to create positive solutions for our policies in our countries, and to solve the problems of polarisation and hatred and violence, because we have many problems, and it's only one of them that we just discussed now.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Madam YASKO.

The next speaker is from the observation post and it is Mr Stéphane BERGERON from Canada.

The floor is yours.

Mr Stéphane BERGERON (Canada): Thank you, Madam President.

Back in 2019, the University of Toronto's interdisciplinary Citizen Lab investigated possible infections of communications devices by Israeli-made Pegasus spyware.

It appears that several countries have used this spyware to monitor activities and individuals deemed suspicious, so much so that Canada's House of Commons Committee on Access to Information, Privacy and Ethics studied the issue and tabled a report in 2022, in which it was revealed that Canadian intelligence agencies were using investigative and surveillance tools, without mentioning the Pegasus software by name, and recommended the adoption of rules to govern the practice in order to safeguard privacy and the protection of personal information.

The most spectacular case of the use of Pegasus was certainly the one now known as "Catalangate", concerning the Spanish Government's spying on Catalan independence leaders. The scale of this case is unprecedented in European annals.

According to Citizen Lab and its collaborators, at least 65 people were targeted between 2015 and 2020 by the Spanish authorities, among them human rights defenders, civil servants, association leaders, lawyers, journalists and politicians, including exiled Catalan ex-president Carles Puigdemont, now an MEP.

The investigation shows that the targeting took place during the political negotiations and debate on Catalan independence.

According to a report by the European Parliament last May, the Spanish authorities admitted in May 2022 that they were monitoring 18 people with judicial authorisation, "although they presented no warrant or other information" to this effect.

A recommendation in the report calls on Spain to conduct a full, fair and effective investigation into all cases of alleged spyware surveillance, particularly the 47 cases where it remains unclear whether judicial authorisation has been granted.

On 2 February 2023, three UN rapporteurs also demanded a thorough investigation into the use of Pegasus and Candiru spyware to target Catalan public figures and activists in connection with the 2017 referendum on Catalan independence.

In turn, rapporteur Pieter OMTZIGT urges Spain in particular to inform this Assembly and the Venice Commission of the use of Pegasus, Candiru and similar spyware within three months; and to investigate all known and suspected cases of misuse of spyware, and to provide adequate compensation to targeted victims of illegal surveillance.

As a keen observer of the situation in Catalonia, I look forward to seeing whether Spain will comply with these various injunctions and, should this be the case, to learning the outcome of these investigations and the nature of the reparation that will be offered.

Thank you, Madam President.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister BERGERON.

The next speaker is Mr Koloman BRENNER from Hungary.

The floor is yours.

Mr Koloman BRENNER (Hungary, NR): Thank you, Madam President,

Ladies and gentlemen,

I think the discussion so far shows us all what an important topic this excellent report deals with. On the one hand, I would like to point out that I come from a country that has been affected by the Pegasus spyware. As a conservative opposition politician, I am very concerned about the fact that journalists and we, the opposition politicians, are suspected of having been monitored by this spyware.

We believe in a democracy. This includes the fundamental freedoms that have also been held up by the Council of Europe. This also includes the right to privacy in Europe. It also means that we must have a democracy and free and fair elections. You do not give one party access to information, which has certain advantages. There must be a separation of powers, which is of course called into question here. I mean, of course, national security sometimes, in extreme cases, in my view, may allow the use of this software, but I emphasise, these are the most extreme cases. It cannot be that in such large numbers very important, leading politicians have probably been monitored with this spyware in a number member states of the European Union.

This fact alone sets alarm bells ringing for all of us but especially for me since I come from a country and grew up in a communist dictatorship, where the Stasi files, the files of the old communist security service, have still not been published to this day.

Dear colleagues, I have to mention here the film *The Lives of Others*. George Orwell was quoted here by colleagues on a number of occasions but let me quote this wonderful German film: *The Lives of Others*. There really is a great danger here, and yes, I also agree with the previous speakers in this debate, who have said that technology has overtaken us – alright, technology is progressing, but we have basic values and we have to safeguard these fundamental values.

Thank you for your attention.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): The next and last speaker is Ms Laura CASTEL from Spain and the Group of the Unified European Left.

The floor is yours.

Ms Laura CASTEL (Spain, UEL): Thank you, Chair.

First let me congratulate the rapporteur and the Secretariat for this important and brave report.

Last year it was revealed that almost 70 Catalan citizens have been victims of permanent surveillance with Pegasus spyware for the last five years in an unprecedented attack on a democratic movement.

The Spanish Secret Service acknowledged having spied on 18 of them with judicial authorisation, arguing that they wanted to investigate who was organising demonstrations against the imprisonment of Catalan political prisoners. That was in 2019, but the first infraction was detected four years before, and the government deny being aware to whom the secret services were spying on. So, who gave the order?

Many questions remain unresolved. What are the legal provisions that allow the use of spyware on democratic forces? Why cannot the targeted victims have access to the data extracted from their personal devices? Why can't the victims and lawyers have access to the judicial authorisation of this surveillance?

Despite all of these, the creation of an inquiry committee in the parliament was blocked by the far-right party, the two right political parties, and the Socialist Party, so no possibility to conduct parliamentary investigations on that.

The German Federal Constitutional Court recalled that a commission of inquiry performs a function of oversight which by its very nature demands the disclosure of information even against the government's wishes, precisely for the detection of abuses, infringements of law, and to clarify accountability.

Moreover, the official secret committee of the Spanish Parliament is neither useful nor transparent, since its meetings are in camera, and all its members are required to keep secrecy on the content.

We should keep in mind that the Venice Commission has highlighted the need to monitor the security services to prevent them from developing a state-within-a-state mentality.

Finally, the lack of judicial diligence towards the investigation of the Catalan case confirms that justice delayed is justice denied. As we have stuck this case in the courts with no investigation for a half a year ago.

To conclude, the Committee of Ministers stressed that where the cloak of secrecy is used to cover violations of human rights, not only have the state authorities failed to live up to their duty to protect the rights of their citizens, but also democracy and rule of law are seriously in danger.

I encourage all of you to vote in favour of this important report and, of course, against the amendments.

Thank you, colleagues, and thank you to the rapporteur.

Ms Ingrid SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Madam Laura CASTEL.

I will now interrupt the list of speakers.

The speeches of our members on the speakers list who have been presented during the debate but have not been able to speak may be given to the Table Office for publication in the official report.

I remind colleagues that typewritten text must be submitted electronically no later than 4 hours after the list of speakers is interrupted.

I call Mr Pieter OMTZIGT, rapporteur, to reply to the debate.

You have 3 minutes, sir.

Mr Pieter OMTZIGT (Netherlands, EPP/CD, Rapporteur): Thank you dear colleagues,

Thank you for the comments on this work, and also thank you for the co-operation.

Let me start with Mr Koloman BRENNER because that was the most interesting speech, because he doesn't know whether he's been spied on. It's exactly that chilling effect where you know that your government is using it, but you don't know whether the government is using it against you, which is the dangerous thing of this spyware being used.

If we don't realise that here, then we are in complete denial of the infringements on human rights that this particular spyware presents, because for all of our friends.

Let's first go to Hungary. Thank you Mr Lőrinc NACSA for pointing out that I did write a letter to the Hungarian government, it just never got any reply. Yes, there was an investigation, but by the data protection agency - that's not the investigation we need. They don't even have the power to fully investigate state security.

You mentioned that the Polish - the Poles - that I cannot say that their election was not fair. Well they actually spied on Krzysztof Brejza, who was the senator and who was the leader of the Civic Platform at the time, the leading campaigner of the Civic Platform. All his messages were spied on.

The infringement was larger than the Watergate infringement, when the president of the US had to resign. Here, the government knew everything the opposition was doing to try to win the election. If that's the case, then the election is not fair, full stop.

Then let's go to Spain.

Well is there any judicial supervision?

Well there might be, but judicial warrants after all these years have still not been published. So if you're a victim you can't even have access to the judicial warrant. So what do you think will then happen? There is no openness. If - and I say this to my Spanish colleagues - if everything went according to the rules - and you just were afraid of state secrecy - what are you afraid of if we ask for a full investigation? That could not be

anything you are afraid of, because after this has been used - and I know, I'm aware that having a referendum on independence of part of your territory is something which really impacts your country - but after that has happened and after the episode has finished, you do a parliamentary inquiry to find out how people acted on both sides and how the state acts.

That's the last thing.

For my Hungarian friend who said the Council of Europe has nothing to do with it. The Council of Europe has everything to do with it. The Council of Europe has full competency on state security.

Why does it have full competency?

Because with regards to state security, the most heinous ways of contraventions of the conventions have taken place.

So that's why we need those investigations in those five countries.

That's why we need this Venice Commission report.

Thank you very much.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you so much, Mr OMTZIGT.

Does the Chair of the Committee Mr Damien COTTIER wish to speak?

Yes, that is the case. You have 3 minutes.

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): I thank you [in French].

"Big Brother is maybe living with us", is what one of you said, and actually, this is scary, and that is what this report is all about.

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): We are truly at the heart of our Organization's activity, namely the defense of fundamental rights and freedoms, and this is the essential role of the Council of Europe.

During the preparation of this Report, the Committee held two hearings: one in Bern in 2022 with an expert from the Office of the United Nations High Commissioner for Human Rights and an MEP who is a member of the PEGA Committee; and another hearing in Paris in December last year with three targeted victims of Pegasus or similar software. Our rapporteur has also spoken to other victims outside the hearings, and has closely followed the work of the European Parliament on this subject.

On behalf of the Committee, I would like to congratulate the rapporteur on his excellent work, which is the result of a balanced and meticulous analysis of a subject which, as we have seen, is not easy and requires - as one of you said - courage and commitment.

We've seen how difficult it is in this debate, and we've also seen it in the Committee, with discussions that were sometimes, shall we say, animated.

A month ago, the Committee adopted the draft Resolution by a large majority and the draft Recommendation unanimously. The work will not end here, since, as has been said, the rapporteur will then turn to the states to ask them to provide us with information, not only the member states but also our partners, Morocco and Israel. I would like to invite the states to respond to these questions, so that we can carry out this follow-up work, in particular with the Venice Commission.

We also appeal to the Committee of Ministers, which must assume its responsibilities in this area by preparing a specific recommendation on the subject, because national security and secret surveillance are part of the sovereign prerogatives of our states; this must in all cases be done in a way that conforms to the principles, values and conventions of the Council of Europe, starting of course with the European Convention on Human Rights.

Once again, I would like to thank the rapporteur for his work, which many of you have described as "excellent" and "balanced", work which is truly at the heart of the work of our Assembly and our institution. And once again thanks to the secretariat for its work and support, which is always excellent for the Committee's activities.

Thank you very much.

Mr Dimitrios MANTZOS (Greece, SOC): *(Undelivered speech, Rules of Procedure Art. 31.2)*

The illegal wiretapping scandal implicates certain European governments -and unfortunately among them the conservative government of Greece- in the systematic violation of the privacy of the communications of selected individuals, including journalists and politicians.

As detailed in the Report, the targets include the Chairman of my own party, Nikos Androulakis, MEP and candidate for the presidency of PASOK, at the crucial time. Thanks to his actions, the scandal was exposed in Greece and obtained international dimensions. The first step was taken by the European Parliament, whose special service discovered the suspicious SMS on his mobile phone. Then, thanks to the competent national independent authority, it became known that, at the same time as the attempt to trap Mr Androulakis's mobile phone with the Predator spyware, a surveillance procedure had been activated against him by the National Intelligence Service (EYP).

Unfortunately, however, the wiretapping scandal was followed by a second scandal: the cover-up.

The government has taken advantage of the rule of secrecy, which is also denounced in the report. Secrecy, which ultimately does not protect the national interest but ultimately protects the Government itself and certain officials from their political and legal liability.

Current law provides for secrecy so that the person being monitored is stripped of the right to know the reason of their surveillance -whether there was national security reason and what as it about. The Hellenic Parliament Select Committee did not even examine the owners of the companies that imported the Predator spyware in Greece. The judicial investigation is delayed. And very recently the government, in collaboration with the far right, changed the composition of the independent authority investigating the case on the eve of a crucial decision. Every effort has been made by the ruling party so as the recurring pattern between Predator and state surveillance is not confirmed.

Despite all these phenomena, Greece is and must remain a country that respects the rule of law, a stable democracy. No one - and first and foremost the Government - is allowed to expose Greece by its practices. The whole truth must therefore be revealed and the true culprits, however politically or economically powerful they may be, must be held accountable. Let the truth shine and the clouds over Athens be dispelled.

I am sure that institutions such as the Council of Europe and the European Court of Human Rights will be monitoring this case closely.

Mr Yunus EMRE (Türkiye, SOC): *(Undelivered speech, Rules of Procedure Art. 31.2)*

I would like to start by thanking Mr Pieter OMTZIGT for such an excellent report on this very important topic.

As you all know we are in an era of democratic backsliding. In the past decade or so, we have witnessed a rise in the number of autocratic countries and have seen in our own democratic countries, a backslide in individual freedoms and liberal values.

Technologic developments in communication, surveillance, AI and spyware allowed states to have heightened control and oversight on individuals and on societies as a whole.

There are indeed increased risks for national security in today's world with issues such as terrorism and trans-national organized crime. To a certain extent, the national reflex to use these surveillance and spyware technologies in order mitigate these risks are understandable. However, these surveillance activities should be legal, justified, proportionate, necessary and in line with human rights standards.

It is unfortunate to see member states using Pegasus and similar spyware to spy on journalists, lawyers, politicians and activists without a legal framework. Furthermore, the export of these tools to third countries with autocratic regimes is also contradictory with our values.

This report shows that the problem is not only the use of Pegasus and similar spyware by the governments, but it is the employment of these tools without required legal frameworks and proper justifications along with governments' lack of cooperation and transparency as well as lack of strict and independent oversight.

Moreover, the use of such tools is not only a concern on the human rights front, but also on the front of democracy, integrity of elections and electoral procedures; as they were used and might be used again in the future during electoral periods and against political opponents. Therefore, this topic is of critical importance for democracy itself.

I believe we need stricter regulations and better oversight mechanisms for governments' use of these tools. Therefore, I strongly support the measures recommended to member states in the draft resolution.

As mentioned in the report, the lack of cooperation from the host nation of NSO Group (Israel) makes things difficult during legal procedures regarding the assessment of the use of Pegasus software by certain governments. I hereby call on Israeli authorities and the NSO Group to be more open for cooperation and for requests of international judicial assistance in the future if required.

Mr Aleksandar NIKOLOSKI (North Macedonia, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear friends,

I would like to support this very important report. It rightly says that - The Assembly should condemn the use of spyware by State authorities for political purposes, which amounts to a violation of the right to respect for private life and other rights guaranteed by the European Convention of Human Rights. The use of Pegasus-type spyware should be limited to exceptional situations as a measure of last resort, for genuine and serious threats to national security or specific and defined serious crimes.

States that have reportedly used Pegasus for illegitimate purposes should inform the Assembly and the Venice Commission about its use, conduct effective investigations and provide redress to victims. All member States should refrain from using this type of spyware until their legislative framework on secret surveillance is fully in line with the requirements of the Convention, as assessed by the Venice Commission.

In my country Macedonia there is high concern that the Government is illegally using malicious software to intercept communication of opposition including myself, as well as the leader of the opposition Hristijan Mickoski and other high level politicians. We requested a Parliament oversight where we did not receive a credible denial that in Macedonia there is no surveillance of citizens with so-called malicious software or advanced software, which literally enters into the home of the citizens.

What I can also say is that we, as the largest political party in Macedonia, have a serious suspicion that we are under continuous physical surveillance as opposition politicians, which is most likely done illegally by certain structures that are in the security sector in the country.

What I can also say is that this kind of malicious software was produced in Macedonia. One company, that is the "Sytrox" company, is already on the black list of the USA precisely because of this matter.

Since 2021, different investigative reports have revealed that governments of several Council of Europe member States have acquired and used a spyware called Pegasus. The government of my country is one of this. The big question is how it is used and why there is big suspect that it is used for political purposes violating human rights,

for this proper investigation must be conducted and those responsible must be taken into account for the crimes they did by illegal use of this kind of software for illegal surveillance and wiretapping of the opposition.

Thank you.

Ms Luz MARTINEZ SEIJO (Spain, SOC): *(Undelivered speech, Rules of Procedure Art. 31.2)*

There is espionage; this report does not question it, but rather its use without guarantees.

I would like to state that in Spain political parties and their activists enjoy full political rights, regardless of their ideological orientation, and regardless of their pro-independence stance.

The Spanish government has provided the greatest possible transparency in relation to the espionage and has always maintained the will to clarify the facts, in what it is responsible for with the National Intelligence Centre, in collaboration with the Ombudsman, with accountability before Parliament and collaboration with the Justice system in everything necessary to clarify what happened.

All with one aim: to provide transparency and give citizens confidence, because our rule of law works.

It works for people whose communications have been intercepted with judicial authorisation, justified by the protection of national security and with fundamental rights protected at all times by a Supreme Court judge.

And it works for people whose communications have been intercepted without judicial authorisation, which violates their fundamental rights, for which the identity of those responsible must be ascertained and reparation for the damage caused must be demanded, and this is what the judicial system is for.

Spanish legislation only authorises the National Intelligence Centre (CNI) and the State Security Forces and Corps to use spyware systems, and always with prior judicial authorisation except in very exceptional cases.

The Spanish Government has acted, acts and will continue to act with absolute transparency and the will to clarify the facts. On the one hand, by declassifying the information requested by the courts regarding this case and, on the other, by responding to requests for information from different European and international institutions.

Moreover, parliamentary agreements at the beginning of this legislature include the creation of a commission of enquiry into the use of the Pegasus programme and other equivalent programmes.

Spain's democracy is solid, as shown in the prestigious ranking of The Economist 2022 (made public in February 2023). Our democracy is strengthened and regains its status as a full democracy, in a context in which many countries around us are lowering their ratings due to the consequences of the war in Ukraine.

This is the result of the conviction of the government (now in office), a government that was born of the will to regenerate public life and of constant dialogue with the plurality of political groups that form part of the parliamentary arc.

Mr Theodoros ROUSOPOULOS (Greece, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear colleagues,

The issue we are discussing here today is one of the most hotly debated during this plenary session, as it concerns the very essence of democracy, rule of law and human rights.

Although, many incidents have occurred in many member states, it is at this Assembly's best interests and duty to protect these principles from the use of widespread malicious spyware. And we are tirelessly working to achieve this goal.

Greece, as the cadre of Democracy, is a consistent, persistent and tenacious defender of democracy and civil rights.

Thus, Greece is an outstanding and vocal proponent of the mandate of the Council of Europe and is rigidly determined to uphold its values.

Dear members of this Assembly,

Regarding the topic discussed, I would like to recognize that some institutional insufficiencies enabled uncontrolled circles inside the Secret Services to abuse their mandate to commit malicious acts. But, as soon as the maltreat became known, the Greek Government acted immediately to remedy this infamous situation.

For this purpose, the Greek Government has passed a National Intelligence and Cybersecurity bill in December 2022 aiming at establishing an exemplary balance between privacy protection and national security, in accordance with the Constitution and best international practices.

In a nutshell, the bill has modified the legislative framework by setting clear rules on the conditions for enforcing the removal of confidentiality and the management of the material acquired. Also, it is clearly defined that the removal of confidentiality can be enacted only in terms of national security, terrorism and crime. Furthermore, a new strong cybersecurity protection framework is put in place and personal data protection is strengthened. Finally, a novelty this bill introduced is that it strictly prohibits the acquisition, transfer, use and export of spyware.

Dear colleagues,

Greece as one of the oldest members of the Council of Europe stands firmly against the worldwide decrease of democracy, upholding its obligations stemming from its participation in the Council of Europe. Our values are the pillars upon which a better future world can be built.

Thank you.

Ms Nadejda IORDANOVA (Bulgaria, NR): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Thank you, Madam Chair.

Dear colleagues, rapporteur,

Thank you for the hard work and for the detailed and comprehensive report.

Today's technologies can be a great tool and ally in our efforts for a safer world and fighting serious crime. They can also be a great threat to our rights and freedoms as humans as well as to democracy and rule of law. Spying on politicians, journalists and human rights defenders for purely political purposes clearly does not comply with Council of Europe values, human rights, rule of law and democratic principles.

The Pegasus case is an alarming example for the latter.

Decisive measures should be taken to prevent the abuse of spyware and better address the human rights risks that it poses and the proposed resolution is a timely call for action.

The use of spyware is a huge problem, even more so with the lack of proper control procedures when such a software is acquired by private companies and citizens.

The Bulgarian Government is currently considering a procedure for revoking of the export license of a company for which there is information that might have exported spyware products.

We should also strongly insist the government agencies of our countries and our partner countries to start sharing the information with the software developers about the detected "zero-day" vulnerabilities instead of quietly collecting those and keeping them for future use. It will limit the risks of using such a software. The government agencies tend to collect and store or intentionally install software vulnerabilities and at a later stage use them for different secret surveillance pursuits of their intelligence services.

However, some of those vulnerabilities leak or they are discovered by other players eventually. At the end of the day it puts in risk all parties - users, government agency and software developers.

I will support the resolution as it calls for balanced and yet courageous measures. I will also support some of the amendments proposed to strengthen the court supervision over the use of invasive spyware, even if it is allowed in a very limited number of cases.

Thank you.

Mr Evripidis STYLIANIDIS (Greece, EPP/CD): *(Undelivered speech, Rules of Procedure Art. 31.2)*

I would like to express to the Assembly, as a Member of Parliament and also as a Professor of Constitutional Law, my satisfaction, that the Greek Government has already proceeded with almost all the suggestions of the report.

The case of surveillance that arose in Greece from journalists in the pre-election period, was dealt with immediately and radically.

The Government gave public and convincing answers.

In the Parliament, an Investigation Committee completed its work presenting full findings.

The Parliamentary Committee on Institutions and Transparency met repeatedly, inviting all parties involved.

The case was referred to Justice, to be investigated in all its aspects, in order to establish what is valid and what is not and to assign responsibilities if they exist. In fact, in our committee, the complaining journalist stated that he trusts the Greek Justice.

Finally, a legislative initiative was undertaken modernizing the institutional monitoring framework, with the aim of balancing national security and privacy protection.

Removal of confidentiality for national reasons has been tightened.

Greece had additional reasons to do this for the protection of the EU's borders, because in recent years we had faced the instrumentalisation of migration by smugglers on the Greek-Turkish border, two arrests of agents on the Greek islands, cyber-attacks even in the Greek Ministry of Foreign Affairs and other terrorist threats.

Suspicious software is checked and its use for illegal surveillance is criminalized.

An institutional Cyber Security framework is being created against cyber-attacks.

The privacy protection framework is tightened.

Before the adoption of this legislation, the EU Commissioner as well as the PEGA of the European Parliament were informed.

Greece faced these complaints in the pre-election period. Therefore, these publications were often encouraged or promoted without the slightest justification, for reasons of political impressions. Nevertheless, the Government neither ignored nor despised them, but did what should be done even before this report asked for it.

The Greek State will continue to do whatever is necessary, in order to improve the quality of Democracy.

Artificial intelligence is running faster than legislature. The pooling of personal data on transnational private platforms makes some multinational private companies even more powerful than states.

Our proposal for the Council of Europe is to formulate a modern institutional protection framework for Cybersecurity balancing between national security and privacy protection, so that all Member States can harmonize their policies.

Mr David WELLS (Canada): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Honourable colleagues,

Canadians are observers in this Assembly, but we are directly concerned by this debate.

Pegasus is a spyware created by the Niv, Shalev, and Omri – known as the NSO Group – based out of Israel, which targets individual's personal phones through iOS and Android.

As noted in the report on surveillance and human rights, published in May 2019 by the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Citizen Lab showed that Pegasus was used in 45 countries, including the United Kingdom and the United States.

In June 2022, in a response to a question tabled in Parliament, the Canadian government confirmed the use of on-device investigative tools by the Royal Canadian Mounted Police – the RCMP – our federal police. The name of the software used was not mentioned.

Shortly after, a House of Commons committee studied the issue.

The Minister of Public Safety and RCMP representatives asserted that the federal police do not use Pegasus or any other NSO Group software.

However, it is possible that other agencies, such as the Canadian Security Intelligence Service and the Communications Security Establishment, use Pegasus or similar technology. That information is kept secret.

The Privacy Commissioner of Canada, an independent agent of Parliament responsible for the application of privacy legislation, said that he was not informed or consulted on the RCMP's on-device investigative tools program prior to – or since – its implementation surprisingly. He learned about it in the media.

Among other things, the House of Commons committee recommended modernizing our laws, creating a list of banned spyware vendors, setting up rules on export controls, establishing an independent advisory body, and establishing national standards for the use of new technology by law enforcement.

In its response, the government noted that currently, judicial authorization, and a demonstration that less intrusive options have been explored first.

I concur with the European Parliament's recommendation of 15 June 2023 on its investigation of the use of Pegasus and equivalent surveillance spyware.

In particular, that spyware surveillance should remain the exception and should only be used when necessary, proportionate and strictly limited to cases affecting national security or involving terrorism and serious crime.

Checks and balances are essential to keep surveillance techniques from being abused.

The debate held in the Canadian Parliament supports the same approach.

Mr Percy DOWNE (Canada): *(Undelivered speech, Rules of Procedure Art. 31.2)*

As we are all aware, the electronic devices used to perform our parliamentary duties, and make our lives easier, can also be used to collect information about us to a degree that is hard to imagine.

The use of so-called “spyware” can enable bad actors – private citizens, corporations or hostile governments – to capture information from unsuspecting victims’ phones and other devices, information they can use against the users of these devices.

The Director of the University of Toronto’s Citizen Lab stated: Canadians are not immune to foreign interference with spyware, or “digital transnational repression.”

In this context, I would like to highlight the European Parliament’s recommendation of 15 June 2023 on its investigation of surveillance spyware that emphasized the role of the financial sector.

According to Citizen Lab, “Companies who sell spyware tend to operate using complex sales structures including multiple corporate entities operating from a range of countries, making it difficult to monitor and report on their activities, in particular where companies are applying for and receiving export licences.”

I agree that we must avoid “taxpayer money going to some of these rogue, mercenary companies that are contributing to human rights violations abroad and national security problems in Canada.”

It is bad enough that such companies exist. We should not be expected to support them with our citizens’ tax dollars.

Two years ago, the United Nations High Commissioner for Human Rights told this Assembly’s Committee on Legal Affairs and Human Rights that it was time to rein in the surveillance industry. She called for a moratorium on the sale and transfer of surveillance technology to governments, until compliance with human rights standards could be guaranteed.

Others have made similar recommendations, including the Rapporteur.

Recent developments show that a moratorium is even more necessary today, until the surveillance industry complies with human rights standards, and we develop strong export controls.

In the meantime, this industry is practically unregulated, sells its technology to any government client, making millions of dollars – with the help of the financial sector – and making accountability and transparency as difficult as it can.

Accountability and transparency are the bedrock of justice. We must know who benefits from this trade and hold them to account.

Canada is about to pass beneficial ownership legislation, which will reveal the natural person who benefits from owning these companies.

No more secret ownership in Canada.

Working together we can address these problems.

Ms Rosangela Amairany PEÑA ESCALANTE (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Cyber espionage represents a growing threat in the international sphere and has experienced a significant increase in the last decade, affecting both governments and private sectors.

In the context of cyber espionage, cybersecurity is the set of tools, policies, security concepts, security safeguards, guidelines, risk management methods, actions, training, best practices, insurance and technologies that can be used to protect assets of the organization and users in the cyber environment.

In the context of cyber-attacks, Latin American countries lose around 9 billion dollars every year due to cybercrimes.

The sophistication and frequency of attacks are increasing. In the specific case of Mexico, a significant increase in cyber-attacks has been observed in recent years at a rate of 42% with an average of five attacks per month. We are the ninth country most affected by cybercrime, which is closely related to cyber espionage.

Regarding the Pegasus case, in 2022 the Mexican Ministry of Foreign Affairs (SRE) issued a statement in which it expressed concern about allegations of misuse of digital surveillance tools and stated that such actions would be unacceptable and contrary to the rule of law.

This case highlights the urgent need to regulate and supervise the sale and use of surveillance technologies globally and accountability mechanisms must be strengthened and guarantee the protection of human rights in the digital sphere.

The legislative efforts of the Fourth Transformation are combined with the Sectoral Program for Security and Citizen Protection 2020-2024, among its objectives is the need to have policies that strengthen technological capabilities that allow security institutions at the government levels to exchange information security in the generation of intelligence, prevention and prosecution of crime, as well as preventing cybercrimes.

We have to move forward in a more timely manner to ensure a viable legal framework that is ahead of the speed with which this variable of organized crime operates.

Ms Minerva HERNÁNDEZ RAMOS (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Good morning, everyone. Spy software and secret state surveillance is a phenomenon that threatens the foundations of our democracies. Software programs like "Pegasus" have enabled unprecedented state secret surveillance in the history of our nations; they have been used to spy on journalists, human rights activists, politicians, and ordinary citizens in several nations. As a Mexican parliamentarian, I can tell you that this type of software is used regardless of the political affiliation of the government or the National Project in mind, as has sadly occurred in Mexico, which has been pointed out by The New York Times as the largest user of the spy software "Pegasus", acquired since 2011 and used to date. Governments from both ends of the political spectrum have erroneously allowed, through action or deliberate omission, the use of spy software, even though unauthorized intrusion into people's private lives, under any pretext, is a severe and direct violation of fundamental human rights. Likewise, cyberattacks and excessive state cyber surveillance know no borders; in a context where freedom of expression should be safeguarded, these types of technologies act as a silent, threatening, and omnipresent brake. I consider it essential to standardize, at an international level, strict regulation on the development, sale, and use of cyber espionage technologies. It is an imperative duty to ensure that these tools are not used to suppress voices, pursue opponents, or violate citizens' privacy. Therefore, I welcome the recommendation proposed to the plenary of this Assembly, for member states to establish conditions for the acquisition of this type of software and its application for national security purposes; as indicated, it is essential to consider accountability mechanisms in case of illegal use and for companies that develop these types of technologies to have due diligence standards in human rights matters. I want to conclude by pointing out that the apparent dilemma between security and privacy is a fallacy, a false dilemma; under the parameter of a constitutional, democratic, and lawful state, we cannot allow that in the search for supposed security, we strip citizens of their fundamental right to privacy and freedom of expression.

We must reach a balance where the rule of law and respect for fundamental freedoms prevail. I believe that together, with political will, we can forge a future where technology serves to empower citizens, not to spy on them.

Thank you very much.

Vote: Pegasus and similar spyware and secret state surveillance

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mr Damien COTTIER.

The debate is closed.

The Committee on Legal Affairs and Human Rights has presented a draft Resolution (Document 15825) to which 12 amendments have been tabled and a draft Recommendation (Document 15825) to which two amendments have been tabled.

We will start with considerations of the draft Resolution and then move on to consideration of the draft Recommendation.

I understand that the Chairpersons of the Committee on Legal Affairs and Human Rights wish to propose to the Assembly that Amendment 3 to the draft Resolution, which was unanimously approved by the Committee, should be declared as agreed by the Assembly.

Is that so, Mr COTTIER?

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

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): You confirm. That's so.

Does anyone object?

You have to raise your hand in that case.

That's not the case.

As there is no objection, I declare that Amendment 3 to the draft resolution has been agreed.

I understand that the Committee on Legal Affairs and Human Rights also wishes to propose to the Assembly that Amendments 11, 13, 14, 8, 12, and 10 to the draft resolution (Doc. 15825), which were rejected by the Committee with a two-third majority, be declared as rejected.

Is that so, Mister COTTIER?

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): I can confirm this, Madam President.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): If it is so, are there any objections to this proposal?

No, there are not. Does nobody object?

Amendments 11, 13, 14, 8, 12 and 10 to the draft Resolution are rejected.

Please, I think we have gone through that.

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I call Mr Pablo HISPÁN to support Amendment 4.

You are there, yes, and you have 30 seconds.

Mr Pablo HISPÁN (Spain, EPP/CD)*: Thank you Madam Chair.

Big Brother is more like this report, which judges and condemns sound democracies, like the Spain.

In Amendment 4, I'd like to suggest that it's them - these 65 people who have allegedly made accusations that they were targeted and spied on with no proof.

It's them who have said they have been spied on.

We don't have any rulings from the courts, neither the Spanish courts nor the European Court of Human Rights on these cases.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you.

Does anyone else wish to support this Amendment?

Does anyone wish to speak against the Amendment?

The floor is yours, please, Mister OMTZIGT.

Mr Pieter OMTZIGT (Netherlands, EPP/CD, Rapporteur): Well, it actually makes the problem clear. These people cannot get access to the documents from the courts whether they have been spied on, so that is very, very problematic.

And by the way, it was not just that they declared it themselves, it was also declared by a number of journalists and publications. Not all of them came forward. And this is exactly the same language in my Report as we just used by the PEGA Committee or in the European Parliament, so that is why I would recommend against this Amendment.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister OMTZIGT.

What is the opinion of the Committee?

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): Madam Chairman,

The Committee supported this Amendment by a narrow majority.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): A small majority supported the amendment.

I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Yes, and Amendment 4 is rejected.

Then we can go further on. I call Mr Pablo HISPÁN to support Amendment 5.

You have 30 seconds.

Mr Pablo HISPÁN (Spain, EPP/CD)*: Thank you.

Our proposal is that any use whatsoever of this type of technology must systematically be subject to judicial supervision.

The rapporteur uses a negative here in this sentence, and I would do the same thing.

The idea is that in all circumstances, programmes of this type may be only used under the supervision of judges.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister HISPÁN.

Does anyone wish to speak against the amendment?

Yes, Mister OMTZIGT, the floor is yours.

Mr Pieter OMTZIGT (Netherlands, EPP/CD, Rapporteur): Well we accepted other amendments, indeed to do everything under court supervision and we thereby go one step further than the European Court of Human Rights does.

But in this particular case, I reject using under court supervision.

We are talking for the purpose of the use of spyware and for the misuse of power and that's Article 18 of the Convention.

We're not asking for it to be general terms. In this case it doesn't make sense.

So I would ask you to vote against this Amendment.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister OMTZIGT.

What is the opinion of the Committee?

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): Madam Chairman,

A majority of the Committee opposed this Amendment and followed the rapporteur.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): The majority supported, did I understand? Oh against. The majority against.

I shall now put the Amendment to the vote.

The vote is open.

The vote is closed.

I call for the result to be displayed.

Amendment 5 is rejected.

Now we go to Amendment 6.

I also call Mr Pablo HISPÁN to support Amendment 6.

You have 30 seconds again.

Mr Pablo HISPÁN (Spain, EPP/CD)*: Thank you Madam President,

With this Amendment I am proposing that any investigation only takes place after judicial proceedings.

Moreover, the rapporteur does not refer to parliamentary investigations here; he just refers to political investigations in general with no precision in this Report.

Several dozen people have already turned to the courts, the courts are examining this, it's their task to find out what really happened.

We should then decide what reforms should be taken. There's no sense in doing this afterwards.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you.

Does anyone wish to speak against the amendment?

Yes, Mister OMTZIGT?

Mr Pieter OMTZIGT (Netherlands, EPP/CD, Rapporteur): Well, this would be problematic.

In any inquiry, take the parliamentary inquiry on Corona, you're not waiting for all court cases to be finished. And the court cases here were run for years and probably even a decade, because people do not even know who was spied on. So if you don't want any investigation by the parliament or by the government, you should say we wait till the end of the court case, and then we could even end up here at the European Court of Human Rights.

I think it's time for Spain to start an official investigation, and that's why I strongly feel you should reject this amendment even though it was accepted by one vote in the Committee. But, please, vote against it.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister OMTZIGT.

What is the opinion of the Committee?

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): Madam President, I can confirm what the rapporteur just said: the Committee supported the Amendment, but with the shortest possible majority of one vote.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you.

And I shall now put the amendment to the vote.

And the vote is open.

And the vote is closed.

I call for the results to be displayed.

And Amendment 6 is rejected.

I call now again Mr Pablo HISPÁN to support Amendment 7.

Still 30 seconds.

The floor is yours.

Mr Pablo HISPÁN (Spain, EPP/CD)*: In this Amendment I propose the paragraph be deleted.

Spain is a state under the rule of law.

It is a signatory state to the Council of Europe.

In Spain, the courts function.

There are no black holes. There is no vacuum. There is nowhere in Spain where individuals are not able to go and address the courts and to be heard.

So this statement by the rapporteur should be deleted, I think.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you.

Does any want to speak against the Amendment?

Yes Mr OMTZIGT, the floor is yours.

Mr Pieter OMTZIGT (Netherlands, EPP/CD, Rapporteur): Well, it says that the people that have been targeted should have access to information.

They do not have access to information in Spain.

They don't even get the judicial warrant from which it was claimed that permission was given, so if you don't get that, you don't get any information.

So we ask this from all five governments which have been found, but we definitely ask it from Spain.

So I definitely ask you to reject this Amendment.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you Mr Pieter OMTZIGT.

The opinion of the committee?

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): Madam President, a short majority of the Committee was against this Amendment.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you.

I shall now put the Amendment to the vote.

The vote is open.

The vote is closed.

I call for the result to be displayed.

The Amendment is rejected.

I once again called Mr Pablo HISPÁN to support Amendment 9.

You have still 30 seconds.

The floor is yours.

Mr Pablo HISPÁN (Spain, EPP/CD)*: Thank you, President.

In this Amendment, the author suggested that the information be sent to the Venice Commission. Of course, we support that.

At the same time, he points out that there are about 10 countries, which he stigmatises, and for none of those countries have there been rulings against them. There have not been condemnations of human rights.

In other words, he's using this parliamentary Report of the Parliamentary Assembly to stigmatise these countries despite a lack of proof or evidence.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister HISPÁN.

Does anyone wish to speak against?

Yes, it's still Mr Pieter OMTZIGT.

The floor is yours.

Mr Pieter OMTZIGT (Netherlands, EPP/CD, Rapporteur): Well, we found five countries, and we've determined that they've used it.

When we asked the Venice Commission to write a report, we don't stigmatise any country. We just say these are the five countries where we found Pegasus, take them with priority. If you need any other ones, also do so. For good measure I've also added countries which are using Pegasus, but where we've not yet found any misuse.

One of those countries is the Netherlands, my own country.

I am not afraid of mentioning my own country to be taken a closer look at.

I'd really like you to reject this Amendment.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Thank you, Mister OMTZIGT.

What is the opinion of the Committee?

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

The clear majority of the Committee was against this Amendment.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): Clear majority against.

I put the Amendment to the vote.

And the vote is open.

The vote is closed.

I call for the result to be displayed.

And Amendment 9 is rejected.

We will now proceed to vote on the draft Resolution contained in Doc. 15825, as amended. A simple majority is required.

The vote is now open.

The vote is closed.

I call for the result to be displayed.

The draft Resolution in Doc. 15825 is adopted.

We will now consider the draft Recommendation contained in Doc. 15825 to which 2 Amendments have been tabled.

I understand that the Chairperson of the Committee on Legal Affairs and Human Rights wishes to propose to the Assembly that Amendments 1 and 2 to the draft Recommendation (Doc. 15825), which was unanimously approved by the Committee, should be declared as agreed by the Assembly.

Is that so, Mister COTTIER?

Mr Damien COTTIER (Switzerland, ALDE, Chairperson of the Committee on Legal Affairs and Human Rights): It is so, Madam President.

Ms Ingjerd SCHOU (Norway, EPP/CD, President of the Assembly): It is so, thank you.

Does anyone object?

Then you have to raise your hand.

I see no hand.

As there is no objection, I declare that:

Amendment 1 and 2 to the Draft Recommendation have been agreed.

We will now proceed to vote on the Draft Recommendation contained in Document 15825 as amended.

A two-thirds majority is required.

The vote is now open.

The vote is now closed.

I call for the result to be displayed.

The Draft Recommendation in Document 15825 as amended is adopted.

Thank you.

[Applause]

Debate: Preventing and combating violence against women with disabilities

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Can we start?

The next item on the agenda is the debate on the report titled "Preventing and combating violence against women with disabilities", presented by Ms Béatrice FRESKO-ROLFO on behalf of the Committee on Equality and Non-Discrimination.

In order to finish by 8:00 p.m., I will interrupt the list of speakers at about 7:50 p.m. to allow time for the reply and vote on the draft Resolution.

I call Ms Béatrice FRESKO-ROLFO, rapporteur, you have 7 minutes now and 3 minutes at the end to reply to the debate.

Please, wait 1 minute. Please sit on the chair.

Thank you. You can start.

Ms Béatrice FRESKO-ROLFO (Monaco, ALDE, Rapporteur): Thank you, Mr. Chairman.

Dear colleagues,

First of all, I'd like to point out that writing this Report was first and foremost a series of wonderful encounters, as I had the honor of speaking with courageous, determined and, above all, inspiring women.

I also had the opportunity to talk to spokespersons for associations and social workers, all of whom were able to enrich this Report with their testimonials, all dedicated to a noble cause.

In all, more than 19 people contributed to this Report, not to mention all the government and association representatives I met in Denmark. Above all, I must thank them.

Women with disabilities make up a significant proportion of the population, with one in five women affected by a disability.

Dear colleagues,

Imagine that your disabled daughter lives in an institution and suffers repeated sexual assaults without being able to report them or find help.

Imagine your friend with a motor disability enduring her husband's violence and denigrating words, and finding herself increasingly isolated, far from her family and loved ones.

I don't think we can ever get used to situations like these.

This Report is, in a way, the sum total of our societies' difficulties in tackling this issue. It was essentially undertaken and written to make women with visible recognisable disabilities live as fully fledged citizens, able to live their lives and make their choices with equal rights. However, this is often a world of silence and unspoken words, with eyes discreetly closed to unacceptable situations.

Violence against these women can be physical, psychological, sexual or financial; it can be neglect, social isolation, imprisonment, deprivation of healthcare, even forced sterilization and contraception.

We must understand that women with disabilities are twice as likely to be victims of domestic violence and to suffer abuse over a longer period of time. They are often not, or no longer, taken into consideration, as they are more often than not subject to economic, material, family and institutional dependence, which makes them even more vulnerable.

All too often, the means and the will are lacking to give them access to education, housing, suitable jobs or financing, and thus to give them independence.

Most of them have no control over their own bodies: they are treated as objects to be cared for. Others have few sexual and reproductive rights, as they are often controlled by those around them, with the use of sterilization and forced abortion, something that should be banned.

They suffer sexual assaults without being able to find help: little evidence and, all too often, no legal capacity. They have difficulty in being recognized as competent and credible witnesses by the police, legal bodies and the courts.

Added to this is the families' fear of losing social support or a place in an institution.

I'm not going to ignore the fact that women with disabilities are also sexually exploited and married off without their consent, particularly in times of conflict.

If we were to add age, social origin, ethnicity, language, religion and sexual orientation to the disability criterion, you'd have the perfect explosive cocktail of intersectionality. Multiple forms of violence and discrimination have devastating effects on these women.

We need to develop specific, comprehensive programmes for people with disabilities, with a focus on the women who suffer from this intersectionality. Preventing and combating violence against women with disabilities must become a political priority.

Let's support these women so that they can make their own decisions.

Let's appoint more social workers to increase monitoring visits to homes, to deal with this prevalence of domestic violence.

Let's appoint trained experts to investigate sexual violence against them.

Appoint bodies to carry out checks in institutions, when the deinstitutionalization proposed by our Assembly in another resolution has not been possible.

Let's train our police in how to gather information and give them the means to communicate with victims.

Let's collect data on the accessibility of administrative services.

Let's ensure that digital services are easy to use for anyone with a disability, by setting up specific training courses.

Let's support home carers, both morally and financially, especially as they age.

Finally, let's give these women the means to be independent, as a first step towards greater security.

I would add that no national plan or public policy should be adopted without the full participation of representatives of disabled people and their families. They must be included not only in consultative bodies, but also in decision-making bodies.

Nothing for us, without us. Inclusion must be visible and concrete.

To conclude, I'd like to quote Elisa Rojas, who said at our hearing: "Society forces disabled women to accept conditions and representations which turn them into an easy prey and guarantee impunity to those who aggress them and who perpetuate rights against them."

Thank you very much.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you, Madam Béatrice FRESKO-ROLFO.

Now we continue with the speakers on behalf of the political groups.

In the debate I call first Ms Elvira KOVÁCS from Serbia from the Group of the European People's Party.

You have 3 minutes.

Ms Elvira KOVÁCS (Serbia, EPP/CD, Spokesperson for the group): Thank you.

Distinguished Chair, dear colleagues,

First of all, I would like to congratulate the rapporteur for this excellent report. She managed to emphasise the situation and formulate recommendations about what could be done.

Unfortunately, there is a great deal of prejudice against people with disabilities in our societies. It is obvious that these people are among the most marginalised. They experience stigma, prejudice, and suffer many different forms of exclusion from society and, unfortunately, violence as well.

Therefore, it is obvious that all of the Council of Europe member states must work together to contribute to the change in the perception of persons with disabilities. Women with disabilities are not only largely absent from official statistics and service, they are even rarely disaggregated by gender, and data on gender rarely specifies disabilities.

In that sense, our talking is not just about the disability issue, but at the same time about gender equality.

Like gender, disability is socially constructed from biological reality, from that point of view, for women with disabilities inaccessible society caused by physical, communicational, and attitudinal barriers creates exclusion and inequality. Similarly, for all women, social structures and power relations that frame not only laws and policies, but also the economy, social dynamics, family and community life create the same exclusion and inequality.

In practice, unfortunately, access to rights for persons with disabilities is still inadequate. It is necessary to find practical solutions to their most serious and most common problems and to foster equality of opportunities. On behalf of the political group I'm representing I must confirm that we are all against gender-based human rights violations, and we are strongly opposing unacceptable behaviour towards women especially based on disabilities.

We all agree that our countries must take actions and protect the victims. They must strengthen women's rights, step up, and fight against gender-based violence.

I would like to stress that only by sharing practical experiences and encouraging conversation around the topic of violence against women with disabilities can we give public the confidence to move from being a bystander to becoming an upstander.

In conclusion, every person is unique and different and has a fundamental right to life free from violence. Inclusion is a philosophy that urges communities to welcome and value everyone regardless of differences.

Individuals with disabilities have the right to be independent, socially integrated, and to participate in communities they live in.

Thank you for your attention.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): The next one is Ms Sona GHAZARYAN from Armenia from the Alliance of Liberals and Democrats for Europe.

The floor is yours.

Ms Sona GHAZARYAN (Armenia, ALDE, Spokesperson for the group): Thank you.

On behalf of the Alliance of Liberals and Democrats for Europe, let me first of all congratulate you on an excellent Report.

Let me admire your personal and strong commitment to women's rights in general.

I would like to start on a positive note and state that with the ratification of the United Nations Convention on the Rights of Persons with Disabilities in many member states, we mark a real turning point in making inclusion and participation priorities.

However, the voices of women with disabilities are less listened to, with a lack of participation of women with disabilities in decision-making processes both in governments and parliaments.

The lack of accessibility fosters dependency, significantly weakening women with disabilities.

The fact of being financially dependent on a family member is definitely an obstacle when it comes to reporting cases of domestic violence.

The fear of leaving home in general for women with disabilities, mildly speaking, makes this situation terrible.

We should be aware of all of these obstacles and work together.

You, dear rapporteur, perfectly mentioned good cases that we in general should follow: such as in Georgia, that offers free legal aid; Iceland, appointing rights protection officers; there is actually a technical solution in Serbia, the application called the Sound of Soul that can help women with disabilities; changing the concept of regulations from the medical model of disabilities to the social model like in Armenia. And adopting the law on the rise of personnel with disabilities in national parliaments can also be a good case.

But what I would like to bring your attention to is women with disabilities during armed conflicts.

Unfortunately we need to speak about this as well, as they are at higher risk when they need access to bomb shelters or they need to leave their houses.

In the twenty-first century, in the heart of Europe, Ukrainian women with disabilities had problems accessing bomb shelters. That's a general issue actually.

The same with Nagorno Karabakh last month, when women with disabilities had difficulties in leaving their houses.

So what should we do together is to improve the situation, we will need to work together.

But first of all education is key.

We need to have people with disabilities at schools from an early age in order for them to be integrated into society and to be able to make friends.

National disability policies must incorporate a gender dimension as well.

I need to be very sincere and bring my own example forth.

Only with the help of my friend, a member of parliament, woman with disabilities, it was only possible to work with her and filter all the legal amendments that will come to the parliament. So what I say is that: the more women with disabilities we have in parliament and government, the more inclusive and carefully written and well considered policies we have together.

Thank you.

[Light applause]

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next one is Ms Sally-Ann HART from the United Kingdom from the European Conservatives Group and Democratic Alliance. You have 3 minutes.

Ms Sally-Ann HART (United Kingdom, EC/DA, Spokesperson for the group): Thank you, Mister Chair,

Ending all forms of gender-based violence is an urgent priority for the UK government and our commitment to the Istanbul Convention and in our international and domestic strategies to combat violence against women and girls is well-documented.

We must, as societies and a collection of nations, work to protect those who cannot always protect themselves and this resolution is a very positive step in that direction and it deserves our support. Violence against women is a global issue, affecting different cultures, ages and social groups. It is not a singular issue that affects a minority of women. One in five in their lifetime face domestic violence.

However, the invisibility of disabled women puts them at an even greater risk, not only by intimate partners but by carers, family members and the public.

Unfortunately, disabled women can be extremely vulnerable to violence. Disabled women struggles are diverse. They are more socially, economically and educationally isolated, which creates space for increased violence with the added inability to escape from it.

Studies have found that nearly 80% of women with disabilities have experienced either psychological or physical violence over their lifetime. This statistic is simply unacceptable.

Those with disabilities have an increased chance of being exploited by those willing and wanting to hurt them. Their abusers can withhold medication from them, remove aids to mobility communication devices, deny the use of paid care assistance and stop medical intervention. These abusive tactics make it harder for victims to escape.

Accessing refuge or escaping is not easy for disabled women due to the reliance many have on those actually abusing them. Often alongside the lack of outside support, including financial.

Many disabled women have said that they feel a lack of support from adult or disabled services, mainly due to a lack of knowledge or understanding of how to deal with issues of violence within the disabled community.

There is simply not enough discourse on violence towards disabled women. Support services and training for those working in the sector must be improved. Learning the signs of abuse that are less common and more specific to those with the disability is key.

Some victims do not even have the cognitive ability sometimes to understand that they are actually being abused and they need more support because they are especially vulnerable. We need better support systems.

A study by *The British Journal of Social Work* asked disabled women where they felt the greatest issues needing reform were, and they stated that people need to be more informed, listen to disabled people more, and create more accessible domestic violence services for disabled women and stop threatening institutionalisation of disabled women if no refuge space is available.

If women do not feel that they can reach out – due to a lack of support, they are far less likely to access it when they really need it.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next speaker is Ms Anne STAMBACH-TERRENOIR from France.

The floor is yours.

You have 3 minutes.

Ms Anne STAMBACH-TERRENOIR (France, UEL, Spokesperson for the group): Thank you, Mister Chairman.

First of all, on behalf of my group, I would like to thank the Rapporteur for her excellent work. It is a long-awaited contribution regarding the living conditions of women with disabilities.

Being a woman in our society already means being more exposed to moral, physical and sexual violence. In France, for example, 82% of domestic homicide victims are women.

But what your report clearly shows is that the situation is even worse for women with disabilities. For example, according to Spain's Ministry of Equality, 13.8% of women have been exposed to physical or sexual violence by one of their partners; and the figure rises to 20.7%, or more than one in five, for women with disabilities.

Certain mental, cognitive or psychiatric disabilities are particularly prone to violence. And my conviction, after reading your report, is that we are facing a serious, systemic challenge that we need to grasp as a whole, and that we are only at the beginning of the road.

The first key is autonomy. In most of our countries, the accessibility of buildings, services, housing and jobs is far from guaranteed, and the inclusion of everyone is a real challenge – from school to adulthood.

When you are dependent on someone close to you or on an institution, it can be difficult not only to be aware of being a victim of violence, but also to lodge a complaint, because you have to overcome the fear of denouncing the person on whom you depend, the fear of not being believed, the fear of leaving the home or the institution, and the fear of no longer having access to the care you need.

What's more, even today, 13 European Union member states authorise various forms of forced sterilisation, in defiance of the Istanbul Convention. And even in other countries, we understand that consent to sterilisation is not systematically assured, that the woman's informed consent is not certain. Sterilisation is sometimes even a condition of access to an institution.

As a human community, we cannot accept this infantilisation, this attack on women's dignity and their fundamental right to bodily autonomy.

The resolution that you put forward, opens up various approaches to prevent this violence.

For example, it is crucial to have means-testing for people with disabilities independent of partners. In France, this was finally enacted last year, something my political family had been calling for for years, as it removes the financial dependence of women with disabilities. I would add that the various governments should also bring this into effect in line with the current minimum wage, to ensure a decent standard of living.

As for care and support for victims, the example of the Maison des Femmes mentioned in the report is interesting and invites us to think about the creation of special structures for disabled women whose lives are in danger, to enable them to leave their homes or specialised accommodation and to access safety.

But in general, it's accessibility and inclusion at all levels that need to see major advances in our respective countries, and we must all act to advance deinstitutionalisation as recommended by the UN.

Ana Peláez Narváez, whom you quoted, summed up our vision perfectly: that we have the right to live and be included in society, whatever the cost.

It's up to all of us, dear colleagues, to make this a priority, together and tirelessly.

Thank you all very much.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next speaker is Ms Hripsime GRIGORYAN from Armenia from the Socialists, Democrats and Greens Group.

You have 3 minutes.

Ms Hripsime GRIGORYAN (Armenia, SOC, Spokesperson for the group): Thank you Mister Chair,

On behalf of the Socialist Group I want to recognise the excellent extensive work of the Rapporteur Ms Béatrice FRESKO-ROLFO towards firstly, raising awareness, and secondly calling for action on the issue of this debate.

The very theme of this report is highly complicated and sensitive.

As very rightfully stated in the report, women with disabilities are under disproportionate risk of discrimination.

Moreover they are under the risk of multiple discriminations and even more intersectional discrimination, as women with disabilities having an affiliation to this or that minority group for instance.

If we add to this, factors such as complex situations, they even further aggregate the risks of violence against women with disabilities.

The report presents the case of Ukraine where the majority of residents in institutions are women and girls with disabilities.

Another very fresh example is a huge group of disabled persons, 9 000 of them, having been subject to forced displacement from Nagorno Karabakh, among them very many women, including many elderly women.

Preventing and combating any issue requires knowledge and data about it.

So, one of the essential points is the need to have relevant disaggregated data, disability-sensitive data, in order to understand the specificities, the scale [and] structure of the issue in a given society to make it possible to efficiently combat it.

But even before that, the decision to make the inclusion of persons with disabilities a priority on a state level – I think we can see that Denmark has done, can be one effective way to address the issue.

Once prioritised and mainstreamed, the chances to achieve better results in shorter times are higher.

Looking at the very many obstacles faced by women with disabilities, another greatly elaborated section by the rapporteur in the explanatory memorandum: it is easy to observe the huge extent of socially constructed obstacles: vulnerability as a notion essentialising women with disabilities; the huge extent of stereotypical views of women with disabilities; their treatment as persons of lesser value or unequal.

I firmly believe that these kind of socially constructed obstacles have a very strong correlation or even causal relation with the social norms of a given society.

Here it is highly important to transform these social norms.

There comes my final point in this intervention: the core importance of inclusive education that cannot be underestimated.

A reality where persons with and without special needs are studying, playing and spending much time together since early years – developing norms and attitudes of care and respect towards each other, where the diversity of disabilities, the multitude of realities as the rapporteur puts it, is recognised and comprehended since early years.

I believe that having this, our coming generations will be much more successful in building and strengthening inclusive societies where stereotypical views and discriminations will be far less common and violence: unacceptable.

In all the complexity of the issue the good news is that at least we can do something as parliamentarians.

We do have the means to act.

A huge thank you Ms Béatrice FRESKO-ROLFO again.

I am calling all of you dear honourable colleagues to vote for this report, as of course the Socialist Group is going to do.

Thank you very much.

[Light applause]

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

Next is Ms Petra BAYR from Austria from the Socialists, Democrats and Greens Group.

The floor is yours.

Ms Petra BAYR (Austria, SOC): Yes, thank you very much, Mr. Chairman,

thank you very much, Ms. Béatrice FRESKO-ROLFO, for this wonderful report. I would like to talk about one specific issue, and that is the issue of sexual violence. And we know that usually in Europe, one in five women is affected by sexual violence. Among women with disabilities, it is one in three, even more. This means that women who live with a disability are much more exposed to sexual violence and the social impact of that violence. Either in the family context or in the institutions. Outside of that closed world, they don't have many people they can speak to. They do not have access to strong social networks, friends they can confide in and who can stand by them, who can help them.

Apart from that, women with disabilities, when they are sexually harassed, also struggle with the fact that very often they have not had a good and adequate sexual education and have not learned, for example, how to defend themselves, have not learned that they can say no - say no when they don't want something to happen to them. And what is more, there are often no materials and no information for these women that is really accessible to them, so that they can find out what they can actually do, how they can defend themselves, how they can legally defend themselves, such as turn to the police, the courts and whoever else and thus really escape this sexual harassment. This means that these women need our political commitment to make it easier for them in such a situation.

What is particularly important for me to say now is that I don't want to give the impression that I think these women are weak. The opposite of that is true. I think these women are incredibly strong because they are - as you said, they are intersectionally disadvantaged. They're women, they're disabled, they have maybe one more discrimination characteristic. And this society is really not built for them. But I think we can learn a lot from them - from their strength, from their flexibility to really deal with this society that is so not built for them at all, ultimately. I think we can even learn to build and change a society that is understandable, open and ready for these women, and also allows them to have a good life.

Thank you very much for the good report, dear Ms. Béatrice FRESKO-ROLFO.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next speaker is Mr Fazil MUSTAFA from Azerbaijan.

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

Violence against women with disabilities is a prevalent, serious and preventable violation of human rights. Changes in the landscape show how intellectual disabilities and ableism intersect to drive a higher rise of violence against women with disabilities.

Ableism is when people without disabilities are privileged and people with disabilities are disadvantaged and excluded because of social standards about who is worthy or normal.

It is also critical that women with disabilities be involved in all prevention work and participate fully in leadership, governance, and decision-making processes. Women with disabilities are uniquely able to identify effective ways to combat violence against other women with disabilities and to identify barriers to disability-inclusive programming.

International organisations have also made efforts to include women with disabilities in reporting and planning for the future.

Azerbaijan has taken a main approach to include disability in policy development. Many advocacy groups whose primary focus is not on advancing disability rights have similarly integrated disability advocacy into their work.

The state has provided equal opportunities to persons with disabilities to participate in all spheres, all of society, without discrimination based on the sign of disability to create the necessary conditions for them to lead a life according to their individual abilities and interests to eliminate or reduce the risk that causes disability providers rehabilitation and comprehensive development of persons with disabilities.

The state ensures that persons with disabilities are not subjected to torture and other cruel inhuman or degrading treatments and punishments, the practice all forms of exploitation, violence, and insults at their place of residence, and the inviability of their private lives.

Thank you for your attention.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next speaker is Ms Mónika BARTOS from Hungary.

You have the floor.

Ms Mónika BARTOS (Hungary, EC/DA): Thank you. Mister Chair, thank you for the floor. Thank you very much to the rapporteur for bringing this important topic to us.

Women and girls with disabilities account for 16% of the female population in the European Union and 60% of the 100 million disabled population. Data show that these women are two to five times more likely to be victims of violence than other women and girls.

In the European Union, 34% of women with health problems or disabilities have experienced physical or sexual violence from their partners during their lifetime.

Such acts of violence include domestic and institutional violence, forced sterilisation, contraception and abortion, harassment, including sexual harassment.

In Hungary the number of women with disabilities can be estimated at 400 000 to 500 000.

I consider it important in relation to violence directed against them and its prevention: comprehensive research would be needed on the needs, demands, and situation of women with disabilities, social attitude formation, and full unhindered access to justice.

It would be very important to ensure and create spaces where victims of violence can be accommodated, and, in connection with this, to ensure barrier-free access to healthcare.

Becoming a victim means both material and emotional, spiritual, and often mental harm.

The task of the state victim assistance system is to create conditions in which victims can access help in a greater proportion, without necessarily having to initiate official proceedings, exposing the victim to fear, secondary victimisation or the sense of shame, which, we always emphasise, the perpetrator should feel, not the victim.

In Hungary, Victim Support Centres operate.

The state provides persons with disabilities with adaptations appropriate to the procedure, age, and physical and mental condition. In order to take the needs of victims into greater consideration, it makes the assessment of individual needs mandatory. It avoids the office atmosphere, so victims can experience a more confidential and relaxed atmosphere. Emotional support from psychologists is available.

We strive to co-operate with as many organisations as possible in relation to the victims. The Ministry of Justice has many, now nearly 140 co-operating partners. One of our most important partners is the police.

There is still plenty of work to do. Our goal is to expand the Victim Support Centres into an national network.

Last but not least, I thank my fellow representatives for the valuable thoughts expressed and the rapporteur for the important work she has done.

Thank you for your kind attention.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): The next speaker is Ms Christiana Erotokritou from Cyprus.

You have the floor.

She's not here, so the next speaker is Mr Yuriy KAMELCHUK from Ukraine.

Mr Yuriy KAMELCHUK (Ukraine, EPP/CD): Dear Chairman, dear colleagues,

Thanks to Ms Béatrice FRESKO-ROLFO for the excellent report.

Our world is incredibly technologically advanced. However, there are problems with education and basic respect for people with disabilities.

We can admire how soldiers save their fellow soldiers in war. We can show respect to people in uniform and we sometimes forget about civilians. We ignore their needs and do not care enough about the safety and comfort of the environment. As a result, [there is] isolation, the inability to fully enjoy all the benefits of civilisation, and sometimes even violence.

The reason is insufficient attention of governments to these problems, problems in education and insufficient awareness of people with disabilities regarding their rights and opportunities to be full members of society.

We ensure access to education, employment, and culture by investing in accessibility and promoting their participation in economic, cultural, political and public life, and by supporting in particular the empowerment of women with disabilities.

We must educate health and social workers, law enforcement officials, courts and authorities about the rights, dignity, independence, and needs of women with disabilities.

We must ensure access to post-traumatic care, including long-term psychological support for all survivors of gender-based violence, taking into account the special needs of survivors of sexual violence with disabilities during conflict.

Millions of people with disabilities can be full members of society in their communities.

They can work, participate in social initiatives. You just need to create appropriate conditions.

Non-governmental organisations that already have extensive experience in combating gender-based violence and supporting victims can help us in this.

The government in each country is obliged to find funds for the operation of such programmes.

There is nothing to debate about the problems of inclusion; they must be solved. There are simple technological and architectural solutions. They just need to be implemented.

By ignoring the problems of people with disabilities, we deprive our society of the opportunity to develop fully, taking into account all diversity, showing tolerance, humanity and caring for those who can teach us to be human.

Thank you.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next one is Ms Pelin YILIK from Türkiye.

Ms Pelin YILIK (Türkiye, NR): Thank you, Mister Chair, dear colleagues,

Firstly, I would like to congratulate the rapporteur for her work on this sensitive issue which holds importance for me as a female politician who is focused on the rights of women, and especially women with disabilities.

Gender-based violence against women is a serious violation of human rights and a life-threatening health and protection issue. It is rooted in gender inequality and the abuse of power and, unfortunately, women with disabilities are more likely to experience domestic violence, emotional abuse and sexual assaults than women without disabilities.

Women with disabilities are silenced by discrimination and stereotypes prevailing in society and their will is mostly ignored. Thus, another obstacle is in front of them. On the other hand, an important issue faced by women with disabilities is sexual abuse and sexual violence. Some disability groups, especially women with mental disabilities, are unable to identify the abuse or violence they have suffered. Their inability to understand sexual violence and their inability to convey this situation leaves them under the threat of sexual violence. When they are subjected to abuse they cannot understand this situation they experience due to their insufficient knowledge about sexuality. This situation also prevents them from getting help.

Preventing disabled women from getting married or preventing married disabled women from having children is also an example of intersectional discrimination. It is a must for every country to have policies aimed at helping disabled people live full lives by providing opportunities for schooling, helping them to gain skills through education and vocational training and taking informative action whenever necessary to ensure they find suitable work.

Moreover, women with disabilities are often discriminated against in their participation in social life and access to basic human rights, such as education, health and employment.

As stated in the Report, women with disabilities should be supported to have a greater presence in politics. We need to increase our social awareness of people with disabilities and women with disabilities.

Thank you for your attention.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next speaker is Ms Tonia ANTONIAZZI from the United Kingdom.

You have 3 minutes.

Ms Tonia ANTONIAZZI (United Kingdom, SOC): Thank you, Chair.

It's excellent that the Assembly has dedicated work to this issue.

I welcome the report from the Committee and the rapporteur Ms Béatrice FRESKO-ROLFO.

Violence against women and girls is widely rampant globally. One in three women will experience violence in their lifetime.

Women with disabilities are particularly vulnerable due to intersecting forms of discrimination and barriers, up to four times more likely than other women to experience violence.

Women with disabilities are disproportionately at risk from all forms of abuse. They are also more likely to experience abuse over a longer period of time and to suffer more severe injuries as a result of the violence.

Violence against women with disabilities can also take some acutely harmful and distressing forms including forced sterilisations and forced abortions. This is because in too many countries disabled women are not empowered to make choices about their own sexual and reproductive health.

It's imperative, imperative that violence against women and girls in all of its insidious forms is tackled everywhere.

In order to properly eliminate it, that specific experiences that disabled women, the disproportionate risk to violence demands our full attention and has got to be incorporated into any strategy if it is going to be successful.

As this report mentions, there is a lack of data and research into the prevalence of violence against women and girls with disabilities, which is in itself a problem.

More data must be collected, especially disaggregated sex data and disability, and is even more important for same-sex intimate care for women.

More research must be undertaken in order to properly understand the scale and the nature of the issue and increase the visibility of disabled women and their experiences. It's also imperative the support and protection services be provided for. Women with disabilities are not only at more risk the violence, they're also more severely impacted by low quality services or lack of access to them. Victims of violence have got to be able to access the support and protection that they need. For disabled women, these services have to be specialised because they have specific needs.

There's a concerning trend playing out with regards to the decommissioning of specialist services as service providers are generalising to adapt to difficult funding environments, but safe specialist services are vital to tackling violence against women.

It's widely acknowledged by expert service providers that women spaces are crucial for the recovery from violence and abuse, just as women-specific services are vital for tackling violence against women.

Specialist services for disabled women are essential for aiding their recovery from violence and abuse.

I'd like to thank you, Chair.

[Applause]

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next one is Ms Zdravka BUŠIĆ from Croatia.

You have the floor.

Ms Zdravka BUŠIĆ (Croatia, EPP/CD): Thank you very much.

I congratulate the rapporteur for her really excellent Report and express my sincere appreciation for the efforts dedicated to this very very sensitive issue, which really needs our close attention and calls for a long term solution.

Although the most relevant documents, such as the United Nations Convention on the Rights of Persons with Disabilities and the Council of Europe Convention on Prevailing and Combating Violence against Women and Domestic Violence outline clearly the basic guidelines for member states, the implementation of recommendation in practice varies from country to country.

At the same time, the majority of countries align their national legislation with the mentioned recommendations, and certain positives are visible.

However, the overall results are still far from desirable.

In your Report, Madam Rapporteur, you rightly urged the members of the Council of Europe to step up the process and double their efforts in achieving the desirable change in attitudes — which really is very important — and behaviour toward women with disabilities. Because ratification is not enough. Full implementation should be duly carried out.

When discussing this delicate issue, we always must keep in mind that we are talking about double discrimination.

Firstly, women are discriminated against because of gender. And secondly, because of the disabilities.

It should also be added that women and girls are exposed to yet additional forms of discrimination such as country of origin, class, age, migration status, religion, ethnicity, etc.

In addition, we have to bear in mind the recent challenges faced and we still are facing with, such as the pandemic, the war of aggression in Ukraine, the escalation of tension in the Middle East you discussed recently, and climate change and various natural disasters. All of that affects us terribly, especially women with disabilities. All these disasters and misfortunes affect women much harder, especially those with disabilities.

They become more isolated and dependent on families and institutions. We have seen this clearly during the pandemic period. It is a high time to act. Women in general, and especially women with disabilities, should have better access to work and should be more included in the social life of their communities.

I sincerely hope that this Report and our discussion today will further raise the awareness and need to act.

Once again, Madam rapporteur, thank you very much for your efforts in this direction.

Thank you.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you very much.

The next one is Mr Jean-Pierre GRIN from Switzerland.

You have the floor.

Mr Jean-Pierre GRIN (Switzerland, ALDE): Thank you, Mr Vice-President.

First of all, I'd like to thank Ms Béatrice FRESKO-ROLFO for her excellent report on a major problem in our society: violence of all kinds, but particularly against people with disabilities, especially women.

People with disabilities, in all their diversity, are particularly vulnerable to various forms of violence and discrimination, whether they be men or women.

In many countries, however, violence against women with disabilities, including sexual violence, forced sterilisation and abortion, is still an unacknowledged taboo.

As the report clearly explains, this gender-based violence against women and girls is rooted in gender inequality, which is still deeply entrenched in many societies in our various countries.

A society that isolates people with disabilities is neither fully democratic nor inclusive. Their participation and integration in the social, economic and political life of our various countries is beneficial on many levels.

In my country, Switzerland, not everything is perfect, but great efforts are being made in various areas, such as accessibility for all to all public and cultural buildings, and the inclusion of young people with disabilities in schooling.

This integration is very important in order to support them in living independently from an early age, which is a very effective way of preventing violence against them.

For all these reasons, it is important to promote concrete measures to prevent and effectively combat the various forms of violence that are inflicted on them gratuitously and for no real reason.

To achieve tangible results, prevention and combating violence at every possible level must become a priority for all Council of Europe member countries.

Information campaigns must not only raise public awareness of the various problems of violence, but also restore a certain confidence in these disabled people, proving to them that they have a useful role to play in the active life of our society.

In a way, it gives them a certain human dignity and a sense of life.

Our colleague Béatrice FRESKO-ROLFO's draft Resolution offers some excellent ideas, both in terms of inclusion and the training of education professionals, but also for the adoption in each of our countries of inclusive national action plans aimed at combating gender-based violence and providing financial support for non-governmental organizations working to improve the integration of women with disabilities.

Finally, this Report should help to break the wall of silence surrounding sexual violence against women with disabilities, both in institutions and in society at large.

Thank you for your attention.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next one is Ms Lucie MONCION from Canada. You have 3 minutes.

Ms Lucie MONCION (Canada): Thank you for allowing me to add another perspective on such an important subject: violence against women with disabilities. I would also like to acknowledge the remarkable dedication of the Rapporteur, Ms Béatrice FRESKO-ROLFO, in her excellent report.

In Canada, as in Europe, women with disabilities are disproportionately affected by gender-based violence. Between invisibility, lack of financial support and insufficient sustainable social services, we must act quickly to meet the needs of our fellow citizens.

In Canada, a number of measures have been put in place to combat gender-based violence, including against women with disabilities. For example, the National Action Plan to End Gender-Based Violence recognises that women with disabilities are disproportionately affected by gender-based violence, and stresses the importance of improving services and programs to support victims of violence.

The plan is in line with the resolutions cited in the report, with its emphasis on preventing and combating violence against women. It also aims to build a responsive justice system.

To remedy violence against women with disabilities, we need to tackle the issue of poverty, among other things. In 2018, in Canada, 28% of people with severe disabilities lived in poverty. Figures also show that women with disabilities are more likely to live in poverty than their male counterparts.

Poverty isolates women and increases the risk of violence and abuse.

That's why we believe it's so important to empower women with disabilities. The Action Plan for the Inclusion of People with Disabilities recognises the need to ensure the personal and financial security of people with disabilities through the guiding principle "Nothing without us". The Plan commits to creating policies and programs for people with disabilities, drawn up by and for people with disabilities.

Also in line with this desire to reduce poverty, in June 2023 Canada passed legislation to reduce poverty and strengthen the financial security of people with disabilities through more adequate benefits.

These are just a few examples of the work our country is doing to better address these issues. We know, however, as Ms Béatrice FRESKO-ROLFO reminds us: much remains to be done to enable these women to live with dignity.

Let us make the inclusion of people with disabilities a priority, by supporting their access to education, employment and culture, and investing in accessibility so as to bring an end to this cycle of gender-based violence.

Thank you.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you very much.

The next one is Mr Thibaut François from France.

The floor is yours, you have 3 minutes.

He is not here.

We are going to the next one, Ms Luz MARTINEZ SEIJO, from Spain.

Ms Luz MARTINEZ SEIJO (Spain, SOC)*: Thank you, President.

Thank you for this very real, difficult report. Just like life itself.

We are talking about women with disabilities and these women are clearly subject to double discrimination. There is also a problem of gender-based violence. In other words, their disabilities are further highlighted by the social ills they suffer from.

We have seen far too many examples of women being killed in examples of domestic violence, simply because they are women. Women are victims of violence or indeed murder. Despite all the progress that we have made in terms of protection in my country, Spain, it continues to be marked by male violence against women. Hardly a week goes by without there being a gender-based murder.

Since 2003, there have been 1 233 women murdered. 20% percent of the women had a registered disability. The ONCE Foundation published figures a few months ago, which demonstrated that more than 40% of disabled women have been subjected to some kind of violence from their partner. And in many cases, they have been subjected violence, including sexual violence to a greater extent than their non-disabled counterparts.

At the same time, a high proportion of disabled women are disabled because of gender-based violence, either from their partners or because their mothers were subjected to violence during pregnancy.

The reality is that violence exists and it is also important that we denounce the lack of autonomy for women because they find themselves in a situation of poverty. A lack of autonomy is one of the factors which severely aggravates the problem of gender-based violence.

However, disability is not such an aggravating factor as being a woman, because abusers follow the same pattern: to undermine the victim's self-esteem and confidence, while encouraging an increased emotional dependence for them. That is the breeding ground for gender-based violence against women with disabilities.

The most vulnerable find it hardest to report what happened. They are the most invisible in society. When they suffer abuse, they need proper support throughout the whole process of reporting what happened. They have to be given proper support to rebuild their lives.

In Spain, we have introduced a hotline together with video-interpreting services. We have invested in improving accessibility to police stations. We have ensured that we have properly trained, specialised staff, but as in other countries, we have a great deal to do. We have to ensure that we have appropriate reception services for people subjected to different types of violence. And above all, we need to raise more awareness, starting with our education systems, which must become more inclusive. The majority of these women are faced with a potential risk of becoming once again victims of gender-based violence. So this is why there are those calling out for an attitude of general presumption as an effective way of erradicating violence given their double vulnerability.

I would like to wind up by quoting that women with disabilities are more likely to suffer gender-based violence because they have two factors of vulnerability and invisibility, with the additional difficulty of being less able to report such crimes and access support within the system. That is why this Report is so valuable.

Many thanks.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you very much.

The next one is Ms Marie-Christine DALLOZ from France.

You have 3 minutes.

Ms Marie-Christine DALLOZ (France, EPP/CD): Thank you, Mr Chairman,

First of all, I'd like to thank our colleague Ms Béatrice FRESKO-ROLFO for her remarkable work on a serious and much underestimated subject.

The #Metoo movement has raised awareness of violence against women, but unfortunately has had no noticeable effect on the particular situation of women with disabilities, which is still largely ignored and passed over in silence.

Disability makes women even more vulnerable, because of the gender inequalities that still persist. The maintenance of economic dependence is an aggravating factor, and I'm grateful to you for highlighting this point in your report.

The situations faced by women with disabilities can be particularly abject. The infantilization of which they are often the victims prevents them from imposing their choices, particularly when it comes to healthcare.

Gone are the days when only able-bodied people could decide the fate of people with disabilities. Segregation, long considered the ideal solution, is now rightly being called into question. The inclusion of as many people as possible in society is a human choice that is proving to be a source of wealth. We must strive to achieve this as far as possible.

Urgent steps to be taken:

- First and foremost, it is imperative that facilities for women with disabilities be subject to independent, uncompromising monitoring. Rape and other cases of abuse must be systematically reported, punished and prevented.
- Banning sterilisations and forced abortions is also a priority. Imposing such a decision is unbearably violent.
- Specific measures to improve access to justice for women with disabilities must also be at the top of the list of improvements and priorities to be encouraged. Society has a duty to provide effective protection for vulnerable people.

- Measures enabling greater financial autonomy, such as awarding benefits to people with disabilities without considering their partner's income, must be encouraged and implemented as quickly as possible. France adopted this measure last year, and I'm proud of it. The financial dependence of women is no longer acceptable.

Naturally, I shall be voting in favor of this report.

Once again, my thanks and congratulations to the rapporteur for her work.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The next one is Ms Edite ESTRELA from Portugal.

You have the floor.

You have 3 minutes.

Ms Edite ESTRELA (Portugal, SOC): Thank you, Mr Chairman.

Dear colleagues,

Today we commemorate the anniversary of the International Day of the Girl. I am proud to have worked with the United Nations when I was a member of the European Parliament to create the International Day of the Girl.

The inequality associated with being born a woman will only end when we succeed in achieving the right to education and health, and the abolition of harmful practices such as female genital mutilation and early marriage.

Without wishing to bore you, allow me to quote a few figures:

- Worldwide, one in five girls gives birth before the age of 18.
- 40% of pregnancies are unplanned, many of them the result of rape.
- It is estimated that between 100 and 140 million women have been subjected to female genital mutilation.
- Every day, more than 30 000 girls are forcibly married.
- More than 30 million girls of school age do not attend school.
- Girls are the most vulnerable to poverty.

Imagine the vulnerability of women and girls with disabilities.

The report by Ms Béatrice FRESKO-ROLFO, whom I congratulate, draws our attention to the invisibility of women and girls with disabilities, highlighting the many human rights violations to which they are subjected.

Just as we have witnessed in recent years a setback on the road to equality between women and men, largely due to the pandemic, but not only, so we have seen the growing visibility of the problems affecting women and girls. But while they are increasingly obvious, the intersectionalities that push people towards inhumane systems of treatment are less and less debated. Disability is one such intersectionality.

Among the recommendations proposed in the resolution, I would like to highlight the following: the fight against domestic violence; the prohibition of forced sterilisations or abortions; guaranteed compensation for the victims of these practices; the right of access to justice and protective measures; and the encouragement of the participation of women with disabilities in political life.

For all these reasons, I consider today to be a good day to raise the world's awareness of gender equality and violence issues, as well as to call for reflection on the prejudices and stereotypes that hinder the education and personal lives of girls, placing them in a situation of inequality and profound vulnerability, especially those who suffer from some type of disability.

Thank you very much.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you very much.

The last speaker is Mr Peter FRICK from Liechtenstein.

You have 3 minutes.

Mr Peter FRICK (Liechtenstein, ALDE): Dear President, dear colleagues,

At the outset, I would like to thank our esteemed colleague Ms Béatrice FRESKO-ROLFO, for her work. Intersectional forms of discrimination still receive too little attention. Reports like this one therefore fulfill an important role. The pandemic has highlighted how widespread violence against women and domestic violence, as well as the related gender inequality, still are in Europe.

To actively counteract this, Liechtenstein joined the Istanbul Convention on Combating Violence against Women and Domestic Violence two years ago. The ratification is an important step in achieving gender parity. I therefore call on all States that have not yet ratified it, to work towards doing so. In order to also effectively counter intersectional forms of discrimination, Liechtenstein has already signed numerous other human rights conventions.

In the coming months, the Liechtenstein Parliament will be signing the United Nations Convention on the Rights of Persons with Disabilities. This important step, as well as the implementation of the conventions, will effectively contribute to the further realisation of the rights of persons with disabilities in Liechtenstein.

Thank you once again.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

I must now interrupt the list of speakers.

The speeches of members on the speakers list who have been present during the debate but have not been able to speak maybe given to the Table Office for publication in the official report.

I remind colleagues that typewritten text must be submitted electronically no later than 4 hours after the list of speakers are interrupted.

I call Ms Béatrice FRESKO-ROLFO, rapporteur, to reply to the debate.

You have 3 minutes.

Ms Béatrice FRESKO-ROLFO (Monaco, ALDE, Rapporteur): Thank you, Mister Chairman.

First of all, I would like to thank all the speakers this evening – those who have been able to speak and those who, I'm sure, had prepared speeches but were not able to deliver them. I encourage you to send those to the secretariat together with all the colleagues who worked with me in the Committee discussions of this Report and Resolution. And I would like to thank our Chair, who is always so enthusiastic and motivated.

You've said a lot of things - I'm talking to the speakers. You've said some words, some phrases, and I like to write them down. These include, gender issues, barriers, dependency, women's autonomy, an enlightened agreement – that is what we want; access to healthcare, including post-trauma care, humanity, having strategies, dealing with special needs, fighting isolation, participation and integration, information campaigns; giving them back their confidence and human dignity.

One of you spoke about #Metoo, and the fact that it has not been applied to women with disabilities; of the infantilisation of women; of the violation of human rights. Finally, the Istanbul Convention, was mentioned which is a major text in our committee and in all the work we do here in the Parliamentary Assembly of the Council of Europe.

Ms Petra BAYR spoke of political commitment to sex education. I heard people say that women should be a part of decision-making; that we need to make a special focus for countries which are suffering from conflict or natural disasters. Finally, we talked about improving because everything can be improved and we still have a long way to go until our societies have improved enough.

Thank you very much.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you very much.

Does the Chair of the Committee wish to speak?

You have 3 minutes.

Ms Mariia MEZENTSEVA (Ukraine, EPP/CD, Chairperson of the Committee on Equality and Non-Discrimination): Absolutely, dear Chairman,

Thank you, thank you, dear President.

Dear Madam Béatrice FRESKO-ROLFO, I would like to thank you for your tremendous work on behalf of the Committee, for the work of the Secretariat, which exhaustively helped to improve this report, and to all those, Ian and Etilda, who have submitted four Amendments, which were adopted unanimously, one of which has already been taken on board by the Ukrainian Parliament for the legislation, to rule actually for those victims to have the remedies and compensations if they do face violence.

Thank you also for mentioning trainings for the judges and the police, which is also a long way to justice.

Today we have been talking not only about our sub-continent, but also a very exhaustive topic which is currently happening in the Middle East.

Colleagues, the very essential thought which came to my head right now as we are discussing this report is that there are women who are becoming disabled, unfortunately, somewhere in Israel, somewhere in Ukraine, somewhere else in the world.

We hope that the Nagorno-Karabakh armed conflict will be finalised with a peace settlement and that all civilians across the globe will stop suffering. But statistically, the highest number of sufferers are among women and girls.

Indeed, in her report Ms Béatrice FRESKO-ROLFO addresses suggestions to pay attention, for very concrete steps to ensure inclusion, to ensure accessibility to those who are disabled, who were taken out in terms of education, because propaganda also takes part in the education processes. This accessibility to it is quite essential.

The approach "nothing about us without us" is very essential, because after visiting Denmark, after talking to other colleagues from the member states, Ms Béatrice FRESKO-ROLFO could insert positive changes from other states.

I am very proud that in my constituency, with UNFDP, we opened an office to combat sexual violence, offer free legal services and to support women and girls with disabilities.

On the International Day of the Girl Child, I would like to say that these children, these girl children will become women.

They should know, colleagues, that we not only have voted in favour of these documents and resolutions, passing them further to our national parliaments and governments, but we also took action.

Indeed, one in five people has or will have a disability. I have had a disability myself.

Let's prevent all this, not only on paper, not only in words, but also through actions.

Ms Béatrice FRESKO-ROLFO, I congratulate you with this exhaustive work being conducted. I salute our Committee for this file.

Last but not least, I hope we will not debate such important topics at 8:00 p.m. in the January session!

Thank you colleagues.

[Applause]

Ms Minerva HERNÁNDEZ RAMOS (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Good morning, everyone.

Addressing and analyzing the issue of violence against women with disabilities is a matter of paramount importance and urgency. Sadly, we forget that women with disabilities face multifaceted challenges in their daily life that deepen even more when they are victims of violence. Discrimination, marginalization, and gender-based violence cruelly intensify when intersecting with disability, generating a vicious cycle of oppression and exclusion that we are obliged to eradicate.

For instance, in Mexico, 67% of Mexican women have experienced events of violence against them and considering that women with disabilities total more than 3.5 million, it turns out that violence against this group is 8% higher than that afflicting the female population.

Therefore, it is not simply a matter of social justice and human rights, but of affirming our commitment to the principles of equality, dignity, and opportunity for all, without any exception. We need to consider the specific needs and unique challenges that women with disabilities face to be effective in this fight from an inclusive and accessible approach. For this reason, the active participation of women with disabilities in the design, implementation, and evaluation of legislative strategies and public policies is fundamental. Their experiences, knowledge, and skills are essential to ensuring that any proposal is genuinely inclusive and effective.

Therefore, I receive with great hope the resolution proposed before this Assembly because it is crucial to promote an environment that gives women with disabilities the power and autonomy to make decisions about their own bodies and lives, which implies ensuring access to education, employment opportunities, and health services, including those related to sexual and reproductive health.

Undoubtedly, as the resolution points out, awareness and education are key elements. We must work tirelessly to dismantle negative stereotypes and systemic barriers that hinder the full participation of women with disabilities in our society. It is time to intensify our efforts to ensure a future in which all women, regardless of their physical or mental ability, can live free from violence and discrimination.

Let us not allow inaction and indifference to perpetuate injustice.

Thank you very much.

Mr Andreas Sjalg UNNELAND (Norway, UEL): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Thank you president

If there is one group society all too often overlooks, it is people with disabilities. But it is not people who are disabled, it is society that is unable. Unable to make arrangements so that all people, regardless of their level of functioning or disability, can participate equally.

It is us, as a society that is failing. And it is us, as a society that loses when not everyone can participate and develop.

If you have a disability, you experience discrimination in a number of areas. If you are a woman and disabled, you experience double discrimination. Because in the same way as the health care system is largely built on men's premises, women with special needs end up being doubly discriminated. Policies of inclusion must therefore take the needs of both women and disabled, and especially disabled women, into account.

People with disabilities face 1.5 times more violence than people without disabilities. This People with disabilities face 1.5 times more violence than people without disabilities. This can be violence and oppression from people on whom you depend. If you don't have a health system and a welfare state that can look after the needs of people with disabilities. Nor can one break out of violent relationships.

Therefore, it imposes a special responsibility on states to uncover this violence in order to secure the rights of those who in reality cannot report. And a responsibility to offer facilities that enable one to live a free, good life. As the report points out, forced sterilization is still permitted in thirteen of Council of Europe member states. The Council of Europe has undertaken to ban this practice. We cannot accept that this is happening in member states. It must come to an end.

Unfortunately, this is just one example of a practice that cannot be accepted.

This report focuses on an area that deserves more attention. We must direct the spotlight on how we, as a society, do not adequately look after those who need society to facilitate for them so that they can participate on an equal basis with others.

I hope we can do better. Thank you.

Ms Yuliia OVCHYNNYKOVA (Ukraine, ALDE): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear Mr President, dear Madam Rapporteur, dear colleagues,

The issue we are raising and discussing today is about human dignity and respect and protection of fundamental rights, violence against women with disabilities seems to be one of the tabooed issues.

Unfortunately, violence against women remains one of the most widespread violations of human rights worldwide and is now firmly at the forefront of the international development agenda as an urgent human rights issue requiring national and international action. This Report is concrete actions that should be done in European countries that will help to tackle the situation of vulnerable groups of women better and also will make our societies more inclusive, more caring and less stigmatizing.

Women with disabilities can experience different types of violence, it is direct violence, with an intention to hurt; that's also a negligent attitude when a person is hurt because they depend on another person who does not care about them. Let's not forget about so-called structural violence when a person is hurt by a system, rules, societal structure or societal discriminatory practices. If the first case is more about family support, health and social care, the third one is about the whole society, about general rules and culture of democratic and inclusive co-existence.

I would also like to call on reversing the narrative. Women with disabilities can be warriors, scientists, volunteers and athletes, then can contribute in a remarkable way to societal development, being an example of personal strength, willpower and determination to overcome any obstacles.

The story of Yana Zinkievych, a young military veteran, Ukrainian MP and the commander of a Ukrainian civilian medical battalion "Hospitaliers" will be inspiring for many Ukrainian female veterans who survived but got injured.

Olena Hakobyan is a Ukrainian athlete who was attacked and stabbed in the back, as a result of which she could not move independently without a wheelchair. Olena is a champion and multiple medalist of the Summer Paralympic Games in swimming,

Raya Panasiuk, a person with a big heart, created a unique centre for people with disabilities "HARMONIIA" in Vinnytsia. Unfortunately, she is no longer with us. She changed the perception of people with disabilities in the country.

For Ukraine and Europe, this is a vital issue, to support and prioritize more inclusive and comprehensive care and policies to empower women with disabilities and make their life quality better.

Thank you.

Ms Tuula HAATAINEN (Finland, SOC): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Mr. President, dear colleagues,

Thank you for this comprehensive and very topical report. Women and girls with disabilities face multiple discrimination. This happens in all the European countries, and even in Finland, my home country, which is a Nordic welfare society and where one would think that the situation is somewhat better. Sadly, this is not always the case.

According to Finnish Disability Forum's report women with disabilities are more likely to live in poverty because of their low labor market status, low education level and minimum basic income, and their participation in the labor market is lower than that of men. Survey data on the income level of women with disabilities is only available for women with visual impairments: their income is 65 cents per euro.

Almost half of the female respondents to the Disability Forum's survey said they had experienced inappropriate treatment in health services, particularly in relation to parenting, family planning and child custody.

Persons with disabilities experience more violence than the rest of the population, and women with disabilities experience violence 2-3 times more than women in general. Women with disabilities also experience sexual harassment and sexist, gendered and identity-related hate speech up to five times more than men. Being a member of several minority groups exposes people to multi-faceted hate speech.

Currently, measures are being taken in Finland to improve these issues. For example, support groups for disabled women receive various types of public funding. The support groups focus on the status of women, the problems women face and parenting as a disabled mother. As social and health services move from municipalities to welfare areas, organizations are included in the planning work and attention is paid to the development of accessibility in facilities and services such as health centers and shelters.

On the European level, we have Istanbul Convention. The Convention has been a strong tool for taking issues forward. But not all the countries have ratified it.

Now is the time to work hard to increase the number of states that ratify the Convention and fulfil its obligations. This benefits the society at large, both socially and economically.

Thank you!

Mr Francesco VERDUCCI (Italy, SOC): *Speech not pronounced (Rules of Procedure, Art. 31.2), only available in Italian.*

Mr Claude KERN (France, ALDE): *Speech not pronounced (Rules of Procedure, Art. 31.2), only available in French.*

Ms Rena DOUROU (Greece, UEL): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear colleagues

Preventing and combating violence against women with disabilities should be a must not a luxury! It must a priority for our societies. This is a target we have to achieve. Women with disabilities are invisible. Disabled women and girls face higher rates of violence and discrimination than non-disabled women. They are suffering of a double exclusion. A kind of double sanction because of their social isolation and dependence. In fact, they are the victims of gender stereotypes and of stereotypes concerning disabled people. That is why they need the organized support of society in order to achieve their inclusion according to UN Convention on the Rights of persons of disabilities.

The current Report is part of a broader strategy of inclusion, implementing the establishment of the rights of people with disabilities according to the UN. That is why we, societies, elected officials at local, national, European levels, Mps, citizens, we have to take initiatives towards the social inclusion of women with disabilities. "A society that isolates persons with disabilities is neither fully democratic, nor inclusive. Persons with disabilities have the right to live fully included lives in the community. Their participation in the social, economic and political life of our countries is beneficial on many levels". The words of the Rapporteur Béatrice FRESKO-ROLFO, describe the need for systemic changes in order to tackle the structural causes and prevent gender-based violence against women with disabilities. This is the one-way action we should take for promoting inclusion and the rights of women with disabilities.

I know, we all know that a Report of the Council of Europe is not enough for changing long rooted stereotypes, achieving inclusion of women with disabilities and preventing violence against them. Although this Report is a great tool, a helpful tool presenting the best practices in countries such as Denmark or Spain. It is an important tool for action in national level in our societies.

Ms Lianne ROOD (Canada): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Thank you, Mr. President,

I am honoured to be here today to speak in this Assembly for the first time, to discuss an important topic and one that we can work together to eradicate.

We know that gender-based violence can affect all people, but some are more at risk, including women with disabilities.

A survey in Canada found that in 2018, more than half of women with disabilities experienced some form of intimate partner violence in their lifetime.

And women with a disability were more likely than women without a disability to have been sexually assaulted – 39% versus 24%, respectively.

Finally, women with a disability were more likely than women without a disability to have experienced online harassment.

I am sure this is not just a Canadian problem, but one that many of your countries are experiencing as well.

Collectively, what can we do?

In Canada, we have a parliamentary committee, the House of Commons Standing Committee on the Status of Women, that focuses its work on tackling major challenges facing women and gender equality. That committee, made up of members from across political parties, has published some important reports.

For example, last year it released a report on addressing and eliminating intimate partner and family violence. This report recognized that not only is disability a risk factor for violent victimization, but that experiences of violence can lead to various kinds of disabilities. It also highlighted the challenges faced by women with disabilities in reporting violence in the case that the perpetrator may be a primary or sole caregiver. Finally, it identified challenges that women with disabilities have in accessing supports and services that meet their needs.

This report made important recommendations, including the need for implementing a disability benefit, that Canada has this year passed into law. It also discussed the need for research on traumatic brain injuries and their effects on survivors of intimate partner violence.

In Canada, as I know is the case in your countries, we strive for equality, where everyone, regardless of who they are, can be safe, and have equal opportunity to succeed.

I look forward to hearing from you about the work you are undertaking and how together, we can all step up to prevent and address violence against women with disabilities.

Thank you.

Ms Gabriela BENAVIDES COBOS (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Thank you very much, Mr./Madame President!

It is an honor to be present again in this place, in the framework of the celebration of the Fourth Part of the 2023 Ordinary Session, representing my country, Mexico, which is a permanent observer in this honorable Parliamentary Assembly of the Council of Europe.

I take this opportunity to congratulate Madame Béatrice FRESKO-ROLFO for this presentation.

From a social and human rights approach, people with disabilities face physical and/or mental conditions that limit them. They are vulnerable to violence and discrimination. They face barriers in the social environment; in addition, they challenge the incessant economic and social dependence in a vulnerable context that obstructs their daily life.

The nation-state has the primary commitment and obligation to prevent and combat violence against women with disabilities.

In light of this draft resolution, we know that, although significant progress has been made in one of the main objectives of the United Nations Convention on the Rights of Persons with Disabilities, there is still much to be done by the member states of the Council of Europe, and my country is no exception.

In Mexico, statistics from INEGI (National Institute of Statistics and Geography) and ENDIREH (National Survey on the Dynamics of Household Relationships) show that 22 million women with disabilities or limitations are victims of violence throughout their lives (57.6% and 58.2% with limitations and with disabilities, respectively), followed by sexual violence (53.4% and 48.7%), physical violence (40.4% and 44.6%) and economic violence (31.4% and 34.9%).

The proposed resolution urges the Assembly to create the conditions for women with disabilities or limitations to be able to make use of their legal capacity.

We agree that preventing and combating violence against women with disabilities should be a political priority.

For this reason, in 2020 the Mexican Congress reformed the Constitution of our country, so that the State guarantees economic support to persons with permanent disabilities, with priority given to those under 18 years of age, indigenous and Afro-Mexicans, as well as people in conditions of poverty, with the aim of reducing the economic dependence of women with disabilities.

In 2022, reforms were made to address sexual violence against women, such as pretrial mandatory detention for child molesters, the "Olímpia Law" and the "3 of 3" Law against gender violence.

Since 2011 we have a General Law for the Inclusion of Persons with Disabilities".

Since 2019 we have requested the Mexican Government to accede to the Istanbul Convention, which seeks to prevent and combat violence against women and domestic violence.

In this sense, the Group of the Green Ecologist Party of Mexico in the Senate presented a bill reform the "General Law on Women's Access to a Life Free of Violence", with the aim of eradicating existing inequality and promoting the inclusion of all women without any discrimination.

We know the challenges, we are aware of the democratic relevance that permanently forces us to introduce concrete measures and develop public policies to prevent violence against women with disabilities, we must all continue working for it.

Thank you for your attention!

Ms Paulina RUBIO FERNÁNDEZ (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

Discrimination against women with disabilities in the world becomes more critical for Latin American women who have two aggravating factors: being of indigenous origin and being poor. That is a type of multiple discrimination that it's shown before you today, with the intention of making the great challenges globally visible, so that these women in Latin America finally can be heard.

Just as an example of scope, in Mexico according to our 2020 Population and Housing Census, there are almost 65 million women, representing 51.2% of the total population, which means that more than three million women live with disabilities

In my country, with data from 2017, a little more than 6.8 million indigenous people were accounted for of which around 484,000 are people with disabilities and a little more than half are women. This means that for example, we have an entire city of Braunschweig, Germany of disabled, indigenous and poor women, and we can see that disability in the country's indigenous population is higher than that observed in the total population.

Countries are obliged to improve living conditions and eradicate poverty conditions.

The enormous challenge is to promote the social inclusion of all people with disabilities, including rural and indigenous areas within the framework of the commitments acquired by the country to achieve the full implementation of the 2030 Agenda for Sustainable Development.

Although resolution A/68/L.1 of the Millennium Development Goals assumes the commitment of Member States to ensure that, in all development policies, including those related to the eradication of poverty, social integration, full and productive employment, decent work, and access to basic social services, as well as in their decision-making processes, take into account the needs and benefits of indigenous people with disabilities, the challenge is still a pending issue on our continent.

Our commitment begins by eradicating discrimination and ensuring that indigenous women with disabilities enjoy health services, food, education and employment as basic fundamental rights.

Being born with a disability or acquiring one should not become a limitation that prohibits the development and use of a person's potential, and being born in an indigenous community should not be a factor that aggravates the condition and marginalizes them to abandonment. This is how we take a first step, by making them present and heard.

In Mexico, we have the representative Norma Angélica Aceves, who has a motor disability and is the author of the legislative initiative to declare September 12 of each year as -National Day of Women with Disabilities-.

I will listen with great interest all other perspectives as how other Congresses have addressed this problem in their own countries.

Thank you very much for the opportunity, I reiterate the commitment of the Mexican Congress in the matter.

Thank you for time and attention.

Ms Olimpia Tamara GIRÓN HERNÁNDEZ (Mexico): *(Undelivered speech, Rules of Procedure Art. 31.2)*

With your permission C. Chairman

Both women and men with disabilities may be subject to discrimination due to their condition. However, it is women who face a greater disadvantage, as discrimination may be aggravated by their gender and disability status. In addition, this situation may be aggravated by their belonging to an indigenous community, their age or their sexual orientation.

Thus, there is a multiplicity of identities and discriminations embodied in women's bodies, which can manifest in double or triple discrimination.

Women with disabilities are more likely than other women to experience violence, whether from family members, partners, caregivers and institutions. In addition, they are the most vulnerable, face the greatest difficulties and barriers when filing complaints, and are the most excluded by society.

In Mexico, at least 6.1 million women aged 15 years and older have some type of disability, that is, 11.9% of women in the country, while 31.7% have some limitation, that is, they have some difficulty in performing at least one of the activities of daily living.

According to the 2021 National Survey on the Dynamics of Household Relationships:

- 72.6% of women with disabilities over 15 years of age and 75.1% of women with limitation have suffered some type of violence throughout their lives, which contrasts with 66.7% of women who have suffered it who do not have any disability or limitation.

- 58.2% of women with a disability have suffered psychological violence and 53.4% of women with a disability have suffered some type of violence.

- 53.4% of women with a disability and 48.7% of women with a disability suffered sexual violence.

The figures are really alarming despite the fact that there are several regulations that allude to affirmative actions in favor of women with disabilities.

In electoral matters and during the 2018 process:

- Of the 629 federal candidacies, only 61 of those registered were for women and men candidates with disabilities, that is, 0.33 % of the total number of positions that were elected. Of which 21 were for women and 40 for men.

- In this electoral process, and based on affirmative actions, out of a total of 500 seats, 8 persons with disabilities were elected for federal deputies, of which 5 were women.

The Mexican government headed by President Andrés Manuel López Obrador, a world leader who ranks second in popularity internationally after Modi, has taken great care to protect the population with disabilities, especially women, through the Pension for the Welfare of People with Permanent Disabilities program, whose general objective is to contribute to improve the household income of Mexican people with permanent disabilities, children, adolescents and young people from zero to 29 years old and people between 30 and 65 years old.

Currently the number of beneficiaries is 1.2 million, of which 43% (500 thousand) are women and 113% are indigenous or Afro-Mexican people.

In budgetary terms, the Chamber of Deputies has approved historic amounts for the program, as it went from an average of 2,150 million pesos (million pesos) in previous administrations to 26,577 million pesos in 2022 and continues to grow.

To conclude, I believe that it is not only with welfare actions but also with justice and security actions implemented by governments that there can be an effective protection for women with disabilities in the face of the enormous adversities they face in daily life, hence we must bet on the progressiveness of rights and their permanent monitoring by the State.

Vote: Preventing and combating violence against women with disabilities

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

The Committee on Equality and Non-Discrimination has presented a draft resolution [Doc. 15828] to which four amendments have been tabled.

I understand that the Chairperson of the Committee on Equality and Non-Discrimination wishes to propose to the Assembly that amendments 1, 2, 3, and 4, to the draft resolution (Doc. 15828), which were unanimously approved by the Committee, should be declared as agreed by the Assembly.

Is that so Ms Mariia MEZENTSEVA?

Ms Mariia MEZENTSEVA (Ukraine, EPP/CD, Chairperson of the Committee on Equality and Non-Discrimination): Yes, dear President, that is correct.

All Amendments were adopted unanimously.

Mr Darko KAEVSKI (North Macedonia, SOC, President of the Assembly): Thank you.

Does anyone object? If so, please ask for the floor by raising your hand.

As there is no objection, *I declare that Amendments 1, 2, 3, and 4 to the draft resolution have been agreed.*

We will now proceed to vote on the draft resolution contained in Doc. 15828. A simple majority is required.

The vote is now open.

The vote is closed.

I call for the result to be displayed.

The draft resolution in Doc. 15828 is unanimously adopted.

The Assembly will hold its next public sitting tomorrow afternoon at 2:30 p.m. with the agenda which was approved on Monday.

The sitting is adjourned.

Thank you very much.

See you tomorrow.