



**Provisional edition**

Tuesday 25 June 2024, afternoon

## Official report of debates

### Opening of the sitting No 18

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Dear colleagues,

The sitting is open.

I remind members that they should insert their badge before taking the floor. As you begin your speech, please press the microphone button once only.

The next item is the second round of voting for the election of the Secretary General of the Council of Europe (Doc. 15968), for which a simple majority is required.

For this election, the three candidates are, alphabetically:

- Mr Alain BERSET
- Mr Didier REYNDERS
- Mr Indrek SAAR

For this election, the vote will take place in the lobby of the Committee of Ministers.

Please note the vote will open at 4:00 p.m. The vote will close at 6:00 p.m.

The counting will take place immediately as usual, under the supervision of five tellers, who have been appointed by the political groups:

For Socialist Group: Ms Heike ENGELHARDT

For Group of the European People's Party: Mr Joe O'REILLY

For European Conservatives Group and Democratic Alliance: Mr Oleksii GONCHARENKO

For Alliance of Liberals and Democrats for Europe: Mr Claude KERN

For Group of the Unified European Left: Mr Paul GAVAN.

I remind these five appointed tellers that they must be in the lobby of the Committee of Ministers at 6:00 p.m.

The results of the polls will be announced before the adjournment of the present sitting.

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In this report:

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

The vote will open at 4:00 p.m. The sitting will continue during this time.

The results will be announced around 7:25-30 p.m.

We will now hear an address from Mr Volker TÜRK, United Nations High Commissioner for human rights. After his address he will take questions from the floor.

Dear Commissioner,

We are very grateful that you are here with us and you have taken time to be here with us and address the Assembly.

It was only last December that our Secretary General Ms Marija PEJČINOVIĆ-BURIĆ attended and delivered the pledge at the the high-level event Human Rights 75 that you hosted in Geneva to commemorate the 75th anniversary of the Universal Declaration of Human Rights.

I know how important this declaration is to you on a personal level as well, as it inspired you to pursue a career at the UN High Commissioner for human rights, leading to your appointment as the UN High Commissioner for human rights in October 2022.

The Universal Declaration of Human Rights was also a key source of reference for the drafting of our own European Convention on Human Rights.

Since 1951, the UN has been a major partner of the Council of Europe, as both are invested in advancing the principles of democracy and human rights.

That said, it is not a surprise that the UN body the Council works the closest with is the Human Rights Council.

We have annual exchanges of news. A joint declaration on the reinforcement of cooperation between our two organisations was signed back in 2013. And the Reykjavík Declaration includes a call for a strengthened partnership.

Therefore we are very happy that you have accepted our invitation to celebrate the 75th anniversary of the Council of Europe with us.

Dear Commissioner, we look forward to your address and I'm honoured to give you the floor.

## **Address: Mr Volker TÜRK, United Nations High Commissioner for human rights**

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** Mister President,

Distinguished parliamentarians,

I'm honoured to address you in this historic Chamber. It's a Chamber that has borne witness to some of the most significant debates on human rights on this continent: on the abolition of the death penalty, on media freedom, on the rights of minorities, on democracy and the rule of law.

Like the United Nations, and as you have just mentioned, the idea of a Council of Europe emerged in the horrific aftermath of two world wars, the Holocaust, the great depression, and the nuclear threat.

Both embody the "never again" sentiment with which people of my generation grew up.

Leaders believe that forming institutions around common goals to achieve greater unity were pivotal ways to help build, and above all, maintain new found peace on the continent and across the globe.

They saw the worth of enshrining the universalist aspirations of human rights in treaties and in institutions.

This year, the Council of Europe will commemorate 75 years of promotion and protection of human rights in the region.

In 2023, the global human rights movement marked a similar milestone with the 75th anniversary of the Universal Declaration of Human Rights.

And despite the current global uncertainty and the geopolitical headwinds we are facing, the Human Rights 75 initiative last year saw a resounding recommitment to the universality, the indivisibility and the interdependence of all human rights: civil, political, economic, social, cultural, right to development, the right to environment.

In a powerful signal, almost 800 pledges were received by my office from 140 member states, but also from the private sector, from parliamentarians, from national human rights institutions and others.

The initiative offered a chance to take stock of the many achievements, but also of the failures, since the Universal Declaration of Human Rights was adopted, and to reflect on what is needed effectively to meet the immense challenges before us. For indeed, these are troubling and precarious times.

The planet is heating up. Polarisation within and between countries is becoming entrenched. Hate speech is proliferating. Inequalities are deepening. Attacks on human rights defenders are rising, and advances in technology are outpacing our ability to take stock of their risks properly.

Egregiously, conflicts around the world are also intensifying fuelled by warmongering tactics and rhetoric.

With the laws of war being brutally violated, and the pain and suffering of the other completely disregarded.

The Russian Federation's full-scale invasion of Ukraine in 2022 –a flagrant violation of the United Nations Charter– was an inflection point.

The use of brute force shook Europe's post cold war security environment to its very foundations.

Once again, this continent is experiencing death, destruction and massive displacement, leaving shattered homes and families.

Tragically, Ukraine is only one of some 59 situations, including Gaza/Israel, Myanmar, Sudan and Haiti, for example, where shocking violence is being wielded without regard for the consequences.

The art of resolving disputes through peaceful means of de-escalation and of peacemaking seems to have become lost.

Wars never stay contained, they spill over borders and into future generations fostering cycles of grievances and hatred if their causes remain unaddressed.

And yet, despite our promises of never again, here we are.

Colleagues, authoritarian tendencies are also on the rise in various shapes and forms.

According to Freedom House, global freedom declined for the 18th consecutive year in 2023. Open civic space, which enables the plurality of voices to exchange and debate, increasingly is being stifled in a number of countries.

The safety of those who stand up for the rights of others, denounce injustice and corruption, and call for accountability, continue to be at risk.

According to data by UNESCO, 72 journalists and media workers were killed in 2023, in large part in conflict situations.

The consideration or adoption of so-called transparency of foreign influence laws in over 50 countries is another worrying trend.

Without proper safeguards, these laws risk having serious chilling effects on the work of civil society and on the fundamental freedoms of expression and of association.

Crackdowns on peaceful assembly with excessive use of force against protesters continue in every region.

Of course people need to be kept safe in large public gatherings, but it is short-sighted to think that heavy-handed disproportionate and securitised responses will work. They only exacerbate tensions and disillusionment without the possibility of an outlet.

For societies truly to thrive they must let the air in. More than ever we need respectful and open debates to overcome divisions and polarisation, and above all to find solutions to the complex issues that we face.

Distinguished parliamentarians, inequalities continue to widen the world over, but also for Europeans.

There is a serious cost of living crisis with affordable housing out of reach, increasingly for young people and vulnerable households.

People are anxious about the uncertainty of the labour market and their place in it.

Despite progress, we still have such a long way to go to achieve gender equality and full respect for the rights of women and girls.

For many people who feel unheard and left behind we can understand that the sense of disillusionment and mistrust in political leadership and institutions creeps in. They see little reason to engage in politics, which leaves the door open for extremists and populists to exploit promising miracles and easy fixes and blaming the other.

And indeed, we are seeing a search in anti-Semitic and anti-Muslim incidents around the world, including in Europe, where anti-Semitism has a horrific history: pogroms and the Holocaust.

More broadly, we are seeing hatred spewed at migrants, refugees and minorities, including Roma and Sinti, as well as the LGBTIQ+ community, often amplified online.

People who are different are often, and often have been, the scapegoats for societies' deepest challenges.

But we now see the scapegoating being amplified by leaders and political figures, including in the context of elections, to distract from the real problems that need to be addressed. These are important alarm bells that must be heeded.

But because we know from the past that hate speech and attitudes that dehumanise the other can be omens of worse to come. The proverbial canary in the coal mine. This is why we must act early to counter hate speech by detecting and preventing it from spreading. By pushing back far more effectively against hatred and lies.

History, of course, has important lessons for us more broadly, but also important legacies we are yet to overcome.

The remnants of colonialism and enslavement by European countries are still present, shaping and fuelling systemic racism against people of African descent for example.

Addressing these ongoing injustices will only work if a profound reckoning with the past takes place. To me this evokes what is understood in German as *Vergangenheitsbewältigung*, the need for a sincere effort by society to deal with the shadow-side of its past. It is not a simple easing of the conscience, nor is it coming to terms with the atrocities that have been committed. It requires a meaningful effort to deal with past wrongs by looking at them in a lucid way. Understanding the root causes, remedying the consequences to the extent still possible, and taking measures to prevent recurrence.

A comprehensive fight against racism is absolutely essential in this regard, as well as more measures to improve the way we interact with each other, and to ensure that public discourse reflects the fundamental truth of human dignity and equality of all human beings.

Initiatives in classrooms across Europe to ensure that students are taught to think critically, to detect conspiracy theories and half truths are important steps.

In remembering and reckoning with the past it is also essential to honour the bravery and the memory of those who have been key to the advances that we now take for granted. Those courageous human rights defenders and torch bearers of feminism, of liberation struggles, of the rights of minorities: Simon Weil, Václav Havel, Lech Wałęsa, Anna Šabatová, Nicolai Georg, Anna Politkovskaya, to name a few.

And I welcome very much the first ever Vigdís Prize for Women's Empowerment awarded yesterday to the Irida Women Center in Greece.

Distinguished parliamentarians, developments in technology are taking place at unnerving speeds.

They present us with opportunities and challenges never encountered before. We all share the excitement and enthusiasm about the potential of generative AI to curb climate change, to advance health and revolutionise our workplace.

But AI and other technologies also generate anxiety and uncertainty.

We are already witnessing the harmful impact of certain technologies on a range of human rights, such as during elections, where AI, including deep fakes, can be used to suppress voter turnout. Or the use of AI to develop sophisticated surveillance techniques to shrink civic space under the guise of national security.

These phenomena remind me of Goethe's *The Sorcerer's Apprentice*, *Der Zauberlehrling*. This tells the tale of an apprentice tired of cleaning the floor himself, who controls up a broom to do the work for him while his master, the sorcerer, is away. But the apprentice is not trained in magic, and soon the floor is flooded leaving him helpless.

In the end, the sorcerer returns, and when all seems lost, he breaks the spell. The lesson being that you should only invoke magic when you actually can master it.

Not surprisingly, I believe firmly that human rights are part of the toolbox we need truly to master AI. They must be at the centre of how we develop, use and regulate technology, including when it comes to the role of the private sector.

On climate we have made remarkable progress on the right to a clean, healthy and sustainable environment, especially since this was also recognised by the United Nations General Assembly in 2022, including new instruments, mechanisms and policies to operationalise it.

In that regard, I wholeheartedly support the elaboration by the Council of Europe of a new legally binding instrument on the right to a healthy environment, which would recognise this as an autonomous right in the region.

The recent judgement of the European Court of Human Rights in this area is ground breaking because in its essence, it understands that the climate crisis is a human rights crisis. I very much hope it will influence courts in other regions too.

Distinguished parliamentarians, before closing, I wish to sound one more alarm.

Increasingly aggressive verbal attacks, threats and reprisals, including viral and social media campaigns, are being levied against international institutions, including the United Nations generally, my office, special procedures mandate holders, the International Court of Justice, the International Criminal Court, and even the European Court of Human Rights.

To me, these attacks are part of the politics of distraction and deception. The politics that divide and stifle. They do not serve societies.

So I urge you to do everything in your power to defend our institutions and to safeguard them from undue interference and attack.

Colleagues, I acknowledge that what I have shared with you today is a bleak state of affairs with many layers of complexity, uncertainty and unpredictability. But I believe that we can rise to the challenge ahead of us by going back to basics, being guided by history, by practising the art of the de-escalation, by keeping the channels of communication open, by ensuring that our multilateral institutions are used as spaces for meaningful dialogue even on the most sensitive issues and in the face of the staunchest disagreements.

We can and must learn from each other because nobody is perfect. And in those discussions, turn to human rights as our guide to help navigate the complexities and difficulties.

The international legal normative and institutional framework set up as states and underpinned by universal principles is a factor of stability among the chaos. The focus now of utmost urgency must be on ensuring that these norms and standards are applied evenly to everyone, everywhere, in the service of peace.

And in the shadow of the monsters of conflict, of violence and hatred, we must hold firmly to these core principles so painstakingly developed over years, and by learning lessons from the past to look to a better future.

The leadership of institutions like the Council of Europe is critical in this joint endeavour.

Thank you very much.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Thank you very much, Mister Türk for your most interesting address.

Members of the Assembly have questions to put to you.

I would like to remind them that questions should be limited to 30 seconds and no more. And colleagues should be asking questions and not making speeches.

But before I give the first questions, since it is almost 4 p.m. I want to remind my colleagues that at 4 p.m. the vote to the ballot for the Secretary General of the Council of Europe is open. And the ballot will close at 6 p.m.

I give the floor first on behalf of the Socialists, Democrats and Greens Group to Ms Petra BAYR.

**Ms Petra BAYR (Austria, SOC, Spokesperson for the group):** Thank you very much, Mister President.

Dear Mr Volker TÜRK, we are really very happy to have you here.

In our Organisation, we face severe human rights infringement in some member countries, just to mention Azerbaijan, Türkiye, Georgia. Of course, we could strip these organisations from their rights to vote or the rights to participate because they do not obey the Convention. But of course, we want them to follow the Convention.

So, my question is what additional UN mechanisms could be applied to make them respect human rights and law in addition to our Council of Europe measures?

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mister Türk, you have the floor to reply.

Just press the button once and wait for a few seconds.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** Can you hear me?

Yes, okay.

First, well thank you very much.

I think it is really important to look at the complementary nature between what you are doing in the Council of Europe especially through the different mechanisms that you have at your disposal, of course, first and foremost the Court, but also what you're doing in the Parliamentary Assembly, through the Committee of Ministers, through the various other bodies, and to see this complementary with the human rights mechanisms.

One of the most innovative solutions that was found within the United Nations was actually the Universal Periodic Review that came as a result of the creation of the Human Rights Council which allows states to undertake a peer review among themselves to actually look critically at their performance.

And I would really encourage you to use the UPR to the fullest, including to make sure that the knowledge that comes from your own institutions is fed into the Universal Periodic Review.

Of course you also have the Treaty Bodies. I mean the 10 core human rights treaties where you have treaty organs that actually review state practices that are able to come up with individual responses to communications and the special procedure mandate holders that are created through the Human Rights Council that focus on various and almost every aspect of the human rights world and can provide very important inputs to the various countries that you're also faced with.

And I think it's really important to see us as a family, as a broader family, what you're doing at the regional level, at the global level, and to see it very much in sync and in a complementary way.

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Thank you, Mister Türk.

Dear colleagues, it is now 4:00 p.m. and the ballot for the Secretary General is now open. As I mentioned earlier, the ballot will close at 6:00 p.m.

I will give now the floor to Ms Catia POLIDORI on behalf of the EPP group.

**Ms Catia POLIDORI (Italy, EPP/CD, Spokesperson for the group):** Thank you, Mister chairman.

Commissioner,

Sexual violence used as a weapon of war is a very serious violation of human rights that must be condemned and combated.

The question of the UN Secretary-General's Special Representative on Sexual Violence in Conflict was certainly a very important first step.

The Istanbul Commission adopted by the Council of Europe also plays a key role in guiding efforts to protect the most vulnerable.

What can the international community do to punish criminals and eliminate sexual violence, even in war zones?

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mister Türk, you have the floor.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** First of all, thank you for your question.

The fact that there is violence against women and girls, especially in conflicts and situations of violence, is truly a scourge, a scourge that we must do everything we can and find every possible means of tackling.

I think that it is, as you said, something very important that we now have in the Security Council, considerations from all situations of conflict and violence to denounce, if you like, situations of sexual violence in situations of armed conflict and violence. But of course, it doesn't stop there.

I think the Istanbul Convention, which is open to all member states of the United Nations too, is a very important thing. We absolutely have to do more and find more accessions, because you've created in your own Council, in the Council of Europe, something that has universal application, and I think we're going to continue to promote this instrument.

But I think the most important thing is really to tackle the causes that are still rooted in patriarchal structures, in structures of domination, in structures of repression and misogyny.

I think we really need to shed some light on this because it will certainly help us deal with this scourge.

Thank you very much.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** On behalf of the European Conservatives Group and Democratic Alliance, Mr Armen GEVORGYAN.

**Mr Armen GEVORGYAN (Armenia, EC/DA, Spokesperson for the group):** Honourable High Commissioner, one of the core obstacles in finding a fair and mutually acceptable peaceful settlement between Armenia and Azerbaijan remains the issue of repatriation of Armenian captives and prisoners of war illegally held in Azerbaijan, including the leaders of Nagorno-Karabakh.

In this regard, I would like to ask: are you aware of this problem? And what is your approach and that of the United Nations to find immediate solutions to the issue of the release of captive Armenians?

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mister Türk, you have the floor.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** No, it is obviously and one of those issues that preoccupied all of us in particular last year with the expulsion of the Armenians from Azerbaijan, from the territory of Nagorno-Karabakh, and we have actually undertaken a number of missions, in particular to Armenia, to find out more about what happened to them and it is part of our dialogue both with Azerbaijan and Armenia to find a solution to this.

There is, of course, the right to return. There is the right to ensure that the properties are respected and protected and it is really important that the peace process continues and that part of the peace process is also issues of accountability and transitional justice.

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** On behalf of Alliance of Liberals and Democrats for Europe, Ms Gyde JENSEN.

**Ms Gyde JENSEN (Germany, ALDE, Spokesperson for the group):** Thank you, chair. Thank you, Mister High Commissioner.

Access to educational opportunities will get a person very far in life. It is the best tool to conquer poverty and inequality and, on the other hand, there are conflicts, hunger crisis and extreme weather events that jeopardise this goal for millions of boys, and especially girls.

My question – our question – would be how and what strategies should we be developing to improve educational opportunities for children in countries that are affected by conflict? And in the regard, and more general: how can the Council of Europe and the United Nations conquer this effort together, because we are a standard-setting measure and have mutual interests there?

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mister Türk.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** I mean, on the humanitarian side, what we have seen over the last couple of years is more focused attention on what otherwise would be a big gap in conflict and violence situations, which is access to education. We know that, in all these wars that I have mentioned, you have unfortunately generations that have lost out on education. So there is indeed a much stronger focus on it, as you know, for instance, the use of schools for military purposes is a great violation of international humanitarian law, and and it's part of the reporting that happens also in the Security Council, but there are a number of humanitarian initiatives both within the UN system, in particular UNICEF, but also UNHCR for refugees and displaced people, but also UNESCO, that really want to put the emphasis on it.

But to be honest, more generally I think there's still a long way to go to achieve the sustainable development goal of education for all, beyond primary education, to include secondary education as an obligation, but also access to tertiary education, and to ensure quality education, which means we need to have much more investment in quality education and the infrastructure around it. Because very often it's seen as, you know, a sort of tick-the-box exercise. We really need to put the emphasis on the quality of it, because if we don't do that we will have lost generations, and we will unfortunately also see it play out in politics, because you will have lost people interested in doing precisely what is so necessary, being engaged on the political front.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** On behalf of the UEL, Ms Nina KASIMATI.

**Ms Nina KASIMATI (Greece, UEL, Spokesperson for the group):** Thank you, Mister President.

Mister UN High Commissioner for Human Rights, I welcome you as well on behalf of the United European Left in the Council of Europe.

2024 marks the 50th dark anniversary of the illegal invasion of Türkiye in Cyprus.

Cyprus and its people have been suffering for five decades the persistent violation of human rights and of humanitarian law, amidst the violation of international law.

In specific: The fate of almost 1 000 persons still missing; Almost 1/3 of the population of Cyprus continues to face the consequences of internal displacement; Those who remain in the occupied areas are confronted by intimidation and restrictions. Yet, we face within the Committee of Ministers' sessions for Human Rights an

unspeakably ignominious effort of certain states to minimise the aforementioned indisputable reality and even attempt to cease examining the Cyprus Interstate Case's cluster of the Missing Persons on the assumption that the respondent state and the Missing Persons Unit do their job just fine.

Mister Commissioner, how do you see your role as a preponderant Human Rights UN actor in this regard for justice for Cyprus and its people?

Thank you very much.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mister Türk.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** Well, actually, within the Human Rights Council, the human rights situation of Cyprus is discussed every year.

I have to report back to the Council with a report on precisely the various human rights impacts that the situation has, and the issue of missing persons comes up all the time. There is a mechanism and it is absolutely necessary that this mechanism works, not just in the case of Cyprus because we also know that families that have missing persons, if we cannot address their plight, they will suffer and they will hold grievances and rightly so. And by the way, we have just seen it very similarly also in the Syria context, where the General Assembly just established an institution for missing persons, and it is absolutely critical that this is resolved in all conflict situations.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mister Türk, now I will give the floor to a group of three colleagues. So if you want to take notes.

First is Ms Sibel ARSLAN.

**Ms Sibel ARSLAN (Switzerland, SOC):** Thank you very much, Mister Türk, for your comments and thank you for being here.

I would like to know where you see good opportunities for co-operation in specific fields between your organisation and the Council of Europe; where we can improve the situation of people on the move; and how the abuses, for example pushbacks, recently observed on the Greek coast, can be prevented. Can you tell us how you assess climate change as a cause of flight?

Thank you very much.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Ms Doris BURES is next.

**Ms Doris BURES (Austria, SOC):** First of all, Mister High Commissioner, I would like to express my thanks and respect for your almost superhuman commitment to human rights and briefly put two questions to you.

Firstly, your focus is, of course, on human rights violations. But I would like to briefly change the focus and ask you in which areas or regions the human rights situation is improving and what conclusions can we draw from this.

Secondly, what can the Council of Europe do to improve the synergies between the Council of Europe and the Commissioner for Human Rights and the UN and you?

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Next is Ms Seda GÖREN BÖLÜK.

**Ms Seda GÖREN BÖLÜK (Türkiye, NR):** Thank you, Mister chairman, and welcome, Mister High Commissioner.

Despite the recent report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory and Israel, which concluded that the Israeli authorities have committed war crimes and crimes against humanity, we are all witnessing a lack of progress in Gaza.

Even after the UN ceasefire decision has not yet been implemented, how can your organisation regain the binding effect it has lost internationally?

Thank you for your interest.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mister Türk, you have the floor.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** Well, indeed, I think when it comes to people – refugees, migrants – Europe went through a very tragic situation in 2015 but I have to say, having worked previously for the United Nations Commissioner for Refugees (UNHCR) and having seen the massive displacement of refugees and internally displaced all over the world, it was not at all in the type of figures that we have seen in other parts of the world. I mean in Uganda, within a couple of months – just to give you one example – during the same period, Uganda as a country on its own, received about a million people. In Europe, it was a million people but it was all of the countries of the European Union with a particular burden, if you like, for those especially on the southern border and those who are in the external borders. So I think the question of management of migration and refugee issues is always a question of political will, of a whole-of-society approach, respecting the legal obligations, respecting also the history of this continent because let us not forget, refugee law was also born out of the history of this continent where people were pushed back in the past and could not get the protection that they needed. So I think we need a discussion that is evidence-based, that is fact-based, that is also guided by the law and by practical measures that actually deal with the challenges. And I think that is really what is absolutely important. I think we can do it. I think we can actually achieve that.

When it comes to people leaving their current situation because of climate-related events or environmental degradation, it is one of the big issues and often a driver behind conflict. Just look at some of the climate modelling that we see today. Which parts of the world we know will become uninhabitable? And they are usually in the climate hotspots around the world. Somalia, we already know within 10 years, certain parts of Somalia will have over 50°C, which means that people will no longer be able to live there in a meaningful way.

What does this mean? It means displacement but I have to say, against all of the sensationalist reporting, it means primarily displacement internally. So people will try to find, within their own country, a safe space and the world needs to be prepared for it. So all the climate financing and the climate adaptation funding will have to take into account potential movements within countries so that they are able to deal with it. But the climate modelling that is occurring needs to look at these different climate hotspots but also from the perspective precisely of how best we are able to build the resilience that is necessary to face that particular challenge.

Well, you know, I just met with the commission on the abolition of the death penalty because you were asking me there is too much doom and gloom, where are things that are actually working. And I have to say we have seen over the last couple of decades, a real movement towards the abolition of the death penalty and that is extremely important. We have now a much smaller group of countries that still use the death penalty. Unfortunately, they use it too much, I mean it is, as you know, it is in Iran, Iraq, China, in particular, but also in the USA. I mean not to the same extent, of course, but generally, the trend is very clear. The trend is towards the abolition.

We have seen enormous progress, despite the fact that we also see the pushback, on gender equality. We should not underestimate what the world has achieved when it comes to actually achieving better rights for women and girls. It does not mean that there are no problems and we need to be very much aware that this is are hard-won gains that one should not take for granted. But overall, we have achieved quite a lot when it comes to this, but it is still a work in progress.

And we have also seen, and that gives me a lot of encouragement, especially among young people, human rights are some of their top issues. It is often climate change but it is also basic ideas of fairness, justice, of equality that actually guides what they are doing. So there is a lot to be hoped for also for how we deal with human rights in the future.

In the Council of Europe and the United Nations, it is good that we have this strategic dialogue with the different institutions between, especially the human rights mechanisms and the system and ourselves, and there is a lot of potential for working together. You just adopted a Convention on Artificial Intelligence, for example, which is something that we obviously also want to look at from a global perspective and we can certainly learn from this but vice versa, some of the big issues of how we deal with the big issues of food security, climate change and so forth are also dealt with at the UN level that will obviously have an influence here in the discussions that you have at the Council of Europe. I think we just need to make sure that we are strategically aligned, that we act in solidarity with each other and that we reinforce our work because we are trying to do a good thing for this world and it is important to make sure that we have the synergies that precisely help us to move ahead on that.

Look, on the situation that you have referred to, Gaza, it is an unmitigated tragedy. You will have seen a lot of reporting by my office in relation to what is happening. There are very clear Security Council decisions now but also provisional measures that the International Court of Justice has adopted, and it is really high time for the parties to the conflict to implement the decisions that were taken. And I have to say, accountability is absolutely critical in all of this for everyone who has committed these horrible crimes that we have seen on both sides.

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** We proceed now with the next group of three colleagues.

Mr Didier MARIE is first.

**Mr Didier MARIE (France, SOC):** Thank you, Mister chairman.

Mister High Commissioner,

Against a backdrop of rising populism and right-wing extremism in Europe, migration issues are being politically instrumentalised with the aim of weakening the rights of asylum seekers, in defiance of the Geneva Convention and the European Convention on Human Rights.

How do you view this issue, and more specifically, what is your analysis of the measures adopted by certain countries to outsource the processing of asylum applications to third countries, which are unfortunately not always safe countries?

Thank you very much.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mr Oleksii GONCHARENKO is next.

**Mr Oleksii GONCHARENKO (Ukraine, EC/DA):** Mister Türk,

One of the purposes of your office is to respond to serious violations of human rights. One of the most serious violations of human rights is happening now in Ukraine and with Ukrainians.

In general, I want to tell you that Ukrainians were very unhappy about how useless the United Nations looks like and paralysed at least in the situation when an aggressor is a permanent member of the Security Council – by the way illegally.

So what concrete steps will your office take to stop the hell which is happening now with Ukraine and with Ukrainians? Because that is something millions of Ukrainians are waiting for.

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Ms Saskia KLUIT is next.

**Ms Saskia KLUIT (Netherlands, SOC):** Thank you, President.

Thank you, Mister Türk for your wonderful and eloquent speech.

I'm working on a report about the children and women in Gaza. You already said something about it, but I would like to ask you a bit more, because, like the International Court of Justice and International Criminal Court, our organisation is worried about specifically the vulnerable people in the area.

And my questions are:

What is your perspective on it?

And what are your greatest concerns concerning children, vulnerable people, and women?

And what do you think is needed from a regional organisation like ours to improve the humanitarian situation and the human rights situation of the children in Gaza, West Bank, and Israel?

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Thank you.

Mister Türk, you have the floor.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** First of all, when it comes to migration issues, as I said before, the most important thing is to have a dialogue and a debate based on the facts, on international obligations and on good practices that have been developed over decades, and also to act in solidarity with the countries that are most affected; because frankly, when I look at Europe, that hasn't always been the case, because there are countries that were much more affected by migratory flows and refugee flows, where other countries didn't act with the solidarity necessary for these countries to face up to these challenges.

When it comes to externalising this problem or theme, we've seen proposals that clearly don't comply with international law, such as the agreement between the UK and Rwanda; we've also seen other ideas that we know very well won't work.

During my years with the UNHCR, the United Nations High Commissioner for Refugees, I had a lot to do with Australia, and I saw that some politicians in Europe looked at the Australian model as something they could import into the European context. I can tell you, because I know this model very well: it doesn't work. What's more, it dehumanises and has a corrosive effect on an entire society. I think we really have to take that into consideration.

As I said, we have to look at all this with the facts, and also with all the traditions we've had in Europe for the promotion and protection of human rights, which also apply to migrants and refugees; and there are binding legal obligations here.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** Look, on Ukraine again, it's obviously a situation that I've also mentioned in my statement of a thing that I thought we had all overcome in Europe. I thought that we are back in the 19th century, where you see frankly as I mentioned a flagrant violation of the UN charter and flagrant violations of international humanitarian law, international human rights law. And the only thing we can do is to make sure that we support the people of Ukraine in their plight.

I have a big office presence, I have a human rights monitoring mission that is there, that monitors documents and reports, and also makes sure that there are links to the accountability mechanisms that exist. And that is the part of the United Nations that we can do. I mean for us it's obviously the human rights side, but also making sure that it feeds into the Human Rights Council.

I have to go before the Human Rights Council every time there is an official session. We issue about six reports a year and we can only hope that what we document is fed into existing accountability mechanisms. As you know there's also of course the Commission of Inquiry, and there are the different other mechanisms of the United Nations.

Does it do justice to what is happening? Most certainly not, but that is not the issue that is faced by us who work on a daily basis on the ground, sometimes risking our lives in order to address the situation. It is really the Member States who are responsible for having created this situation in the first place, and there is obviously a particular responsibility for the Security Council in that regard.

Look, on children and women in Gaza, I mean 70% are the ones who have been affected both by death and injuries. I mean that's more or less from our own analysis in terms of statistics we have seen. It's devastating. The level of malnutrition before the 7th of October was already very high, so you can just imagine what this means now after almost nine months of war. The level of trauma on both communities is also extremely high, and the only way to get out of this is to make sure that there is a ceasefire implemented as the Security Council has demanded it. And that there is a day after where massive healing can take place and where massive investment has to be going into addressing the mental health issues, the healing but also the massive help for the people. And, frankly, as we always say for a negotiated situation that brings both Israelis and Palestinians together again, which is of course at this point almost unthinkable, but we should not lose sight of that because that's the only way for this situation to be resolved.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Dear colleagues, we have only 2 minutes left but I will try to give the floor to three more colleagues if they keep a time limit and I will kindly ask Mr Volker TÜRK to briefly answer.

So Ms Hajnalka JUHÁSZ is next.

**Ms Hajnalka JUHÁSZ (Hungary, EPP/CD):** Dear High Commissioner,

The concept of national minorities in the context of the United Nations and other international organisations has been ongoing for decades. However, a working definition for ethnic, religious and linguistic minorities has not been accepted yet. Having regard to the 32nd anniversary of the United Nations declarations on the persons belonging to national minorities, what is your position as High Commissioner in respect of the development of the definition of national minorities?

Thank you very much indeed.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Thank you.

Ms Thórhildur Sunna ÆVARSDÓTTIR.

**Ms Thórhildur Sunna ÆVARSDÓTTIR (Iceland, SOC):** Thank you, President. Dear High Commissioner.

Many of us mandate holders hold a torch for the betterment of human rights, democracy and the rule of law, and I think that there's a multitude of us around the world – me myself I'm a general rapporteur for political prisoners, I have a counterpart in the Organization for Security and Co-operation in Europe – we have many mandate holders in the United Nations. What is perhaps a common indicator of all of these mandate holders is that we do not have a big office behind us or a lot of ability to enforce our mandates but what could we do together? And can the UN take a leading role in uniting all of these mandates?

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Ms Laura CASTEL.

**Ms Laura CASTEL (Spain, UEL):** Yeah, thank you, chair. Mister Commissioner.

Recently, an amnesty law has been approved in Spain to put an end to the repression against Catalan activists, political leaders and journalists for political issues.

That is why I would like to know if the current abuse of anti-terrorism law from some judges to persecute them will be reflected in the new Universal Periodic Review of Spain?

Thank you.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Mister Türk, you have the floor.

**Mr Volker TÜRK (United Nations High Commissioner for human rights):** National minorities, I think this is definitely an issue that will require much more attention. And frankly we have looked, I mean from the United Nations, we have really looked at the Framework Convention on National Minorities that you have developed, and I think it's a very important tool, but I think globally the minority issue is in fact addressing almost the root cause of potential conflict and violence.

If it's not addressed we always see problems.

So I think a lot more emphasis has to be put on success stories, when it comes to the protection of national minorities, and I mean minorities in a more general sense, ethnic, I mean, the whole definition that we have in the Declaration.

By the way, I should also mention indigenous populations. You have it less in Europe, but in other parts, especially in Africa, but also in Latin America, there are huge issues on the lack of protection of indigenous peoples. And again it's one issue that will require a lot more attention.

On the resources.. look, I think the human rights system more generally lacks the resources that it needs, to be very frank and open with you. I was shocked when I became High Commissioner to see that I have essentially an underfunded and undecorated office. I don't know, I mean, I think in the Council of Europe probably many of you would say the same when it comes to human rights. I think we need to make sure that the political leadership and those who have the key to the finance ministries actually realise that investment in human rights is actually an investment in prevention, in making sure that we can actually have some more success stories, and in fundamental social transformations that are so absolutely critical for our world.

But I don't think this has yet sunk in. So we need to do a lot more work, and it is clear that all of us need to work much more in unison while respecting our independence but need to work much more together in order to get the best out of all the brain trust that we have within ourselves.

On the last question, to be honest I don't know what will end up in the Universal Periodic Review submissions, but I'm sure they will look at each and every aspect of it, including on... I'm not controlling it, because it's a peer review by member states and obviously not for me to answer that, as such.

Thank you very much.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** So, Mister Türk, we would like to thank you for your address and answering questions of my colleagues. Thank you so much for being with us today.

Dear colleagues, I want to remind you that the ballot for the second round of voting for the Secretary General of the Council of Europe is already open since 4 p.m. The ballot will close at 6 p.m.

And now we are going on to the next item of business this afternoon, which is the debate on the Report titled "Protecting human rights defenders in Europe" (Doc. 15993) presented by Ms Petra BAYR on behalf of the Committee on Equality and Non-Discrimination.

In order to finish by 6:05 p.m., I will interrupt the list of speakers at 5:55 p.m. to allow time for the reply and the vote.

I now call Ms Petra BAYR, rapporteur. Dear Petra, as you know, you have 7 minutes now, and 3 minutes at the end to reply to the debate.

You have the floor.

## **Debate: Protecting women human rights defenders in Europe**

**Ms Petra BAYR (Austria, SOC, Rapporteur):** Don't dare.

Don't dare to speak out, as I know where your kids go to school.

Don't dare to disturb the natural order. We know where you live and we will come and rape you.

Don't dare to spread your crazy ideas, you silly, ugly, useless creature.

Threats against women human rights defenders differ from ordinary threats against other individuals or groups who act in a peaceful and legal way to promote and protect human rights.

The threats against women human rights defenders target their families, they sexualise, they question competences, they criticise appearance, they humiliate human beings, female human beings.

The rise of populism and misogyny made it necessary to work in this very first Report addressing women rights defenders only in particular.

In the Report I especially focus on four different groups of women human rights defenders.

The first one who mainly address women human rights themselves, often combined with sexual and reproductive rights.

The second group are these human rights defenders who had never planned to become human rights defenders, because their families, their beloved, their husbands, are imprisoned, are threatened, have disappeared, and they fight against an undemocratic regime.

The third group are our women human rights defenders who protect the environment and the right of people to live in a healthy environment, many more women than men, by the way.

And last but not least, these brave women who defend women's very, very fundamental rights, like the right for education, participation in social and economic life, and to sheer appearance in public, like in Afghanistan and in Iran and elsewhere, and many of them were forced to flee their countries seeking refuge in Europe.

And the gender movements and undemocratic regimes and their law enforcements institutions, but also private armies of some big polluters see them as a threat because they challenged the so-called traditional vision of women in society. They are afraid that their power could be questioned or that their dirty business as usual could be disturbed.

Women human rights defenders are routinely silenced and denied access to policy-making spaces. Attacks against women's rights are in general the very first attacks against human rights and against democratic structures.

The aim of such attacks is to undermine the work of women human rights defenders and ultimately to silence them and send signals to other potential activists saying, "No, don't dare, or otherwise it will happen to you, too."

To come to these four groups, and starting with sexual and reproductive rights in particular, they are under pressure in countries like Poland, Türkiye, Hungary, and even after a political change like in Poland, it is not easy to really change all the issues and all the demands of women which they have, like the access to sexuality education or contraceptives or self-determination.

Women human rights defenders are among those who made the political change in Poland possible and I totally understand that they are impatient and they want to see quicker changes.

I want to thank the Polish delegation who hosted my visits to their country and for all the interesting talks and insights I had with government representatives, with parliamentarians, with human rights representatives, civil society representatives, and much of this information fed into this Report we have here today.

The second group. In Russia, in Belarus, in Türkiye, we have the situation that many women were forced in the role of women human rights defenders, as their beloved ones are unlawfully imprisoned. We all met here in this Assembly or in the other Evgenia Kara-Murza, Sviatlana Tsikhanouskaya, Yulia Navalnaya and others and we listened to their stories, we know about their struggles against regimes that ignore rule of law and democratic principles.

Not only these women themselves need protection, but it also must be extended to their networks and families, because suppressive regimes often deliberately target the families, colleagues and friends to silence the human rights defenders themselves.

The next group, women human rights defenders focusing on the protection of environmental rights and on the environment itself. And we have examples here in Europe, for instance from Bosnia and Herzegovina, where women there reported about special forces attacking peaceful activities, police insults using sexually loaded language, tearing their clothes and even physically injure more than half of the women who were resisting them. We also see that as environmental women human rights defenders cannot be challenged on facts, opponents often attack them on their look or appearance or infantilise them.

And last but not least, this group of women human rights defenders who are stripped of all the social, political, and economic rights by the Taliban in Afghanistan or the Iranian Revolution Guards. Those who resist face detention, torture, and even death.

We also know about increasing numbers of suicides of women from Afghanistan and Iran, for sure refugees under the Geneva conventions. Thousands of Afghan women and girls who left their country for Pakistan are sent back to Afghanistan, very few made it to Europe. Access to humanitarian visa, swift asylum procedures, and access to education is key to protecting them and providing individual perspectives.

We should amend the Rome Statute, I suggest, and add the crime of gender apartheid, as exactly this is happening in these countries.

To conclude, investigation and prosecution of persons who intimidate, pressure, threat and attack women human rights defenders must be ensured.

I call member states to repeal laws, policies, and practices affecting women human rights defenders.

There can be no impunity for any form of violence against women in all their diversity. Threats and harassment against women human rights defenders must be prevented, investigated and sanctioned, and we must support their work and create an enabling environment.

We must dare. We must be clear and straightforward. We must protect those who enforce human rights, women's human rights. We must dare.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you, Madam Bayr.

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

The first is for Alliance of Liberals and Democrats for Europe, Ms Ingvild Wettrhus THORSVIK.

The floor is yours.

**Ms Ingvild Wettrhus THORSVIK (Norway, ALDE, Spokesperson for the group):** Thank you, Mister chair.

And firstly, thank you to the rapporteur for a really excellent Report!

Women human rights defenders and people fighting for women's rights are courageous individuals who stand at the forefront of the battle for human rights and gender equality, embodying the principles of justice, dignity, and respect. They are activists, health workers, researchers, lawyers, teachers, journalists, and others. Their tireless efforts and unwavering commitment to human rights make them a pillar of societal progress. Often they fight not only for the rights of women. When women are given the opportunity to influence legislative processes, policy and decision making, we have seen that women from other marginalised groups are often included and enhanced.

In the current global context, with a troubling backlash of women's rights in many places – including in Europe – women human rights defenders face unprecedented challenges. They are subjected to gender-specific violence, both online and offline, including public shaming, doxing, and sexual slurs. This violence is not only a direct attack on their personhood but also a strategic attempt to undermine their credibility and to silence them.

In order to protect the right of freedom of speech it is of utmost importance that we do not allow these women to be silenced.

The Parliamentary Assembly must unequivocally express its support for these human rights defenders and the Alliance of Liberals and Democrats for Europe calls upon the member States of the Council of Europe to take decisive action. We must repeal laws, policies and practices that unduly restrict the activities of women human rights defenders. Member states need to sign, ratify and implement the Istanbul Convention. We need policies that ensure the safety of women human rights defenders and we need to ensure that perpetrators of violence against them face justice.

I am very pleased to see that the Report addresses the specific and often extra challenges that trans women, queer women, ethnic or cultural minorities, and people with disabilities meet. We need to address this topic and we need to be aware of the intersectional dimension of it.

I also want to recognise the female human rights defenders of the global south, which during the pandemic their work has become increasingly difficult.

For it is not the top lawmakers, but the grassroots activists for peace and human rights who lay the foundation upon which laws and policies are made.

These are people who work tirelessly for peace and for the advancement of women and women's rights, who continue their work in spite of endless hardship and challenges.

Giving women a greater say in society is a tremendous stabilising and democratising factor, and is imperative for the advancement of human rights in general.

As Vigdís Finnbogadóttir once said, "If the world can be saved, it will be by women".

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now, on behalf of the Group of the Unified European Left, Mr Andreas Sjalg UNNELAND.

The floor is yours.

**Mr Andreas Sjalg UNNELAND (Norway, UEL, Spokesperson for the group):** Thank you, chair.

Thank you to the rapporteur for her important work.

Brave women all over Europe are spearheading the fight for equality, justice and human dignity.

The work is essential not just for women, but for the health and progress of our societies.

Women human rights defenders face numerous challenges, often at great personal risk.

In Andorra, Vanessa Mendoza Cortés, president of Stop Violències, faced years of harassment and threats for advocating the decriminalisation of abortion. Her recent acquittal in January 2024 marks a significant victory, yet underscores the intense pressures such activists endure.

Similarly, in Bosnia and Herzegovina, Tahira Tibolt, Chair of the Kruščica local community, has been a vocal opponent of a hydropower plant construction.

Her peaceful protest was met with violent police raids, sexualised insults and physical assaults, highlighting the brutal reality many women defenders face.

In Azerbaijan, Leyla Yunus, a never-tiring human rights advocate, faced imprisonment and continued persecution for her work in defending political prisoners and freedom of expression. Her story illustrates the severe repercussions faced by those challenging oppressive regimes.

These examples are not isolated incidents, but part of a broader pattern of targeted violence and harassment against women defenders.

They face gender-specific violence both online and offline, including public shaming, doxxing and sexual slurs.

Such harassment aims to discredit these defenders and discourage them from continuing their vital work.

It is crucial to recognise that protecting women human rights defenders is not merely about safeguarding individuals, it is about upholding the very principles of democracy, human rights and equality. When these defenders are silenced, entire communities lose their voices.

The withdrawal of Türkiye from the Istanbul Convention, which aimed to combat violence against women, has had a dire consequence for activists there.

The legal and social attacks on the We Will Stop Femicide Platform exemplify the backlash against those fighting for women rights.

Supporting women human rights defenders requires concerted action from all levels of society. Governments must repeal laws and policies that restrict their activities and ensure that perpetrators of violence against them are held accountable.

Public recognition of their work is equally important, as it provides legitimacy and moral support, inspiring others to join the cause.

Let us remember that the fight for human rights is ongoing, and that women human rights defenders are crucial in that struggle. By protecting them we are not only defending their rights, but also promoting a more just and equitable world for all.

Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now on behalf of the Socialists, Democrats and Greens Group, Ms Heike ENGELHARDT. The floor is yours.

**Ms Heike ENGELHARDT (Germany, SOC, Spokesperson for the group):** Thank you, Mister President,

*Chères collègues,*

We are meeting this week for the first time since the European elections on 9 June. An election whose results have deeply affected us, as they clearly show that right-wing and far-right parties have gained support in a large part of Europe. We human rights politicians are very concerned about this.

It is therefore particularly important to express our solidarity with those who stand up for our democratic values on a daily basis. The important report by our group colleague Ms Petra BAYR makes it clear that all democratic progress is due to the courageous efforts of human rights defenders.

The status quo of human rights, and women's rights in particular, is an indicator of the state of democracy. At the same time, the report impressively describes the risks and dangers faced by those who campaign for human rights in general, for equal rights and for the self-determination of women, queer people and other disadvantaged groups. As human rights activists, women in particular experience harassment, threats, and intimidation both online and offline, ranging from character assassination to physical violence.

What has become increasingly clear in recent years is that right-wing ideology has an enemy that has not yet been sufficiently recognised: women and feminism. In Germany, this is increasingly evident in threats against women in public life, but also, for example, in the right-wing extremist attack in Halle, a city in Saxony-Anhalt, in 2019. A 27-year-old killed two people there. He had planned an anti-Semitic attack on a synagogue. He had previously disseminated a common right-wing extremist motif in videos. He claimed that feminism was being deliberately used by the elites to reduce birth rates in Europe, which in turn would encourage mass migration. Feminism and women's self-determination are viciously declared to be the enemy of right-wing extremism. Yet intersectional feminism, which is directed against interacting mechanisms of oppression, stands for social change, pluralism, gender equality and the participation rights of women and queer people.

Values that shape all our actions as members of the Council of Europe. Values that have no place in right-wing extremist ideology. We cannot accept that people, especially women who stand up for women and human rights here in Europe, experience structural discrimination, are threatened or are not adequately protected by existing laws. With the Istanbul Convention and various resolutions, we have already created a good basis for protecting women's rights activists.

Our democracies must protect those who want to protect our democracy. Let us continue to work on this together. Thank you very much.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you. Thank you very much.

Now on behalf of the Group of the European People's Party, Mr Georgios STAMATIS. The floor is yours.

**Mr Georgios STAMATIS (Greece, EPP/CD, Spokesperson for the group):** Thank you, Mister President.

From this Report, one more excellent work from the Committee on Equality and Non-Discrimination, and one excellent job from Ms Petra BAYR on defenders of human rights.

In this case, all in this report are defenders of human rights. Women human rights defenders play a pivotal role in defending democracy and rule of law and promoting accountability and respect for international human rights standards.

There are people of all genders who work in a peaceful manner to promote human rights and rights relating to gender equality on equal basis with men.

Women human rights defenders have been at the forefront of social movements, social changes that have benefited everyone, fighting for peace, equality, social justice, and social inclusion.

In the current political condition, with the backlash against human rights, women human rights defenders are often targeted with particular forms of sexual discrimination and violence.

Women human rights defenders may be subject to physical and psychological abuse, public shaming, hate speech, online and offline threats.

Special attention should be drawn to female defenders who are facing specific challenges, additional obstacles and multiple discrimination on the grounds of gender.

Furthermore, human rights defenders who belong to vulnerable social groups, such as defenders with a disability, asylum seekers, transgender people, and Roma, are particularly targeted in their work.

Every faction in democracy has to ensure the fundamental human rights to women human rights defenders, such as freedom of speech and expression, freedom of assembly, and freedom of association.

By adopting this report we make a significant stance to ensure to woman human rights defenders an inclusive society, free of violence, traditional stereotypes, and discrimination.

Our main goal is to create a safe and enabling environment for all women human rights defenders, protecting them from all attacks and threats.

In this regard, the report calls on the member states to ratify and implement the Istanbul Convention, implement the United Nations Declaration on Human Rights Defenders, ensure the implementation of the judgments of the European Court of Human Rights, publish laws and policies that restrict the activity of women human rights defenders are made in the criminal laws in order to include discrimination on the ground of sexual orientation, gender identity, and sex characteristics in all threats.

The report also asked from member states to ensure that national human rights action plans include specific provisions on women human rights defenders and recognise the crucial role of human rights defenders in the consolidation and advancement of an inclusive society, and provide them with transparency and protect them in their work.

Recognising the significant effect of education and training, the report recommends the member states to provide training for police officers, judges and other professionals on the role of human rights defenders.

In light of this evidence, on behalf of the Group of the European People's Party, I call you to support this report because it contributes to building a more inclusive society with equality and dignity.

Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

And now on behalf of the European Conservatives Group and Democratic Alliance, Ms Nicole HÖCHST. The floor is yours.

**Ms Nicole HÖCHST (Germany, EC/DA, Spokesperson for the group):** Thank you very much, Mister President,

Dear colleagues,

Ladies and gentlemen,

Thank you very much for this initiative. We are firmly of the opinion that people who defend human rights deserve our protection, regardless of whether they are men or women or diverse. Everything that happens to female human rights defenders, the examples you have given, is disgusting and frightening. It is no less disgusting or frightening when it affects male or diverse human rights defenders. I don't think the atrocities described should be the norm under any circumstances and in any country.

However, the authors of this report are also concerned with pro-choice activists who are dedicated to promoting the alleged female human right to so-called reproductive health. They feel disturbed by so-called pro-life activists who advocate the right to life and the dignity of unborn children. Both groups represent human

dignity and human rights, and anyone who has ever been to a March for Life knows who needs to be protected by the police from the others in this society in Europe. In a democracy, however, both positions must be possible.

Human rights and human dignity cannot be valued highly enough. They must be protected and defended. But I don't see why female or left-wing people who fight for abortion as a human right, for example, should be given more massive support than people who stand up for the right to life. People who stand up for colourfulness and rainbows need the same protection as people who stand up for marriage and family as the nucleus of society.

As the Human Rights Council, we must not be discredited for valuing human rights differently. We must not act like God and support women in Afghanistan and Iran to throw off the shackles of a patriarchal society, but at the same time import this male-dominated society to Europe by the hundreds of thousands, hardly punish them for offenses against women and then demand tolerance for them.

I pay tribute to all fighters for human rights around the world, saying that all people should be equal before the law and before this Council. Men and women have equal rights. The dignity of human beings is inviolable, not only when they have left the womb. A balance must be struck here. We must remind all member states of these principles.

Thank you very much.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now the floor goes to Ms Zita GURMAI. Although maybe she is not here.

So the floor goes to Ms Catia POLIDORI. The floor is yours.

**Ms Catia POLIDORI (Italy, EPP/CD):** Thank you, chairman.

First of all, I would like to thank my colleague Ms Petra BAYR for her important Report.

Today we are dealing with an issue that is as difficult as it is sensitive. We need these women, brave women who defend the rights of other women. We cannot give up their ability to mediate. We cannot give up their courage. We cannot give up their ability to drag other women along and instil this courage.

On the other hand, we are not able to protect these women, women whose courage has dared to challenge social stereotypes, dared to challenge traditions, dared to challenge very strong forms of patriarchy, dared to challenge a difficult and adverse social world. For that, they also put their whole family at risk. These women, for that, are being persecuted, they are being imprisoned, they are being beaten, they are being humiliated, and they no longer have the opportunity to live in the sunlight.

They are women who have a shadow life. They are women who are often forced to flee their country under false names. They are forced to change their lives often, to change their names often. They are women who cannot find work because an official job would allow their tormentors to find them.

They are women who are forced to drag their children around the world under false identities. They are true servants of humanity. They are militants. They do secret civil service. For that, we should be able to defend these rights, and we should be able to defend their space of action, give them a space of action. From my point of view there is only one thing we could do – legitimise them. You can only go through legitimising their work, recognising them as actually being a civil service.

We could also think, to speak just clearly and practically, about a livelihood for these women who have fled with their families in tow. Protection must also come through practical acts. We need to publicise their work by protecting them. This persecution must be seen as the defence of their freedom, because their freedom means the freedom of rights and the freedom of so many other women around the world.

Thank you, President.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Now the floor goes to Ms Mónica DUNAI. The floor is yours.

**Ms Mónica DUNAI (Hungary, EC/DA):** Mister chairman,

Dear colleagues,

Hungary believes in defending the values of a cohesive, peaceful and democratic society, based on the equality of all individuals and the recognition of their inalienable rights without discrimination on any grounds whatsoever.

This is why the implementation of equal treatment and the promotion of equal opportunities are of the utmost importance to Hungary.

In Hungary, the Basic Law and the Act on Equal Treatment and the Promotion of Equal Opportunities strictly prohibit all forms of discrimination and guarantee the implementation of equal treatment and the promotion of equal opportunities.

Women's right to non-discrimination and equality is also guaranteed by Hungary's Basic Law.

Article XV of the Basic Law states that: "All persons are equal before the law. Everyone has legal capacity. Hungary guarantees fundamental rights to everyone without discrimination on grounds of race, color, sex, disability, language, religion, political or other opinion, ethnic or social origin, property, birth or any other circumstance. Women and men have equal rights."

Dear colleagues,

In accordance with the Basic Law, all forms of discrimination are prohibited in Hungary.

Act CXXV of 2003 applies comprehensive regulations and generally provides more extensive protection than current European legislation, so that legal protection against discrimination in Hungary is comprehensive and in line with European legislation and international requirements.

Thank you for your attention.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now the floor goes to Ms Yuliia OVCHYNNYKOVA. The floor is yours.

**Ms Yuliia OVCHYNNYKOVA (Ukraine, ALDE):** Thank you very much. Dear Mister President, dear Madam chair of the Committee, dear Madam rapporteur, dear colleagues.

It is a privilege to address this esteemed Assembly on the crucial topic of protecting women human rights defenders in Europe. Women's leadership is the cornerstone of our societies and it is imperative that we safeguard their contributions, especially in times of crisis.

In Ukraine, the resilience and bravery of women have been a beacon of hope and strength during the ongoing war. Women lead humanitarian and social assistance efforts from paramedics saving lives on the front lines to snipers defending our sovereignty. Women have shown unparalleled courage. By the way, Ukraine has one of the highest rates of women in the Armed Forces among the world's armies, including the NATO armies, and implements all necessary changes to combat inequality, gender stereotyping or discrimination.

Oleksandra Matviichuk is a distinguished human rights lawyer and Nobel Peace Prize laureate who epitomises the spirit of women in the fight for international justice. Her relentless advocacy of human rights and documenting war crimes since 2014, even in the face of immense danger is a testament to the power of women's leadership. She reminds us that protecting human rights defenders is not just a legal obligation but a moral imperative.

The war has also highlighted the indispensable role of women in protecting children. Their efforts have been crucial in mitigating the war's impact on the most vulnerable members of our society. Women – wives, daughters, sisters, family members of Ukrainian prisoners of the war and Ukrainian citizens forcibly disappeared and imprisoned in the temporarily occupied territories of Ukraine became human rights defenders and fought for the basic human rights of their loved ones. Ukrainian women, along with their counterparts across Europe, played a pivotal role in the decision to expel Russia following its full-scale invasion of Ukraine. This decisive action underscored the importance of women's voices in shaping our collective response to threats against democracy and human rights.

And, in conclusion, let us reaffirm our commitment to safeguarding the rights and lives of women's human rights defenders all over Europe. Their leadership, courage and unwavering dedication are vital to our shared values and aspirations. Together, we can create a Europe where women's contributions are not only recognised but celebrated and protected.

Thank you very much.

**Ms Bernadeta COMA (Andorra, ALDE, President of the Assembly):** Thank you.

Ms BANKOĞLU from Türkiye, you have the floor.

**Ms Aysu BANKOĞLU (Türkiye, SOC):** Thank you, Madam chair,

I thank Ms Petra BAYR for this Report which rightly emphasises the increased challenges and risks that women human rights defenders face with the rise of populism.

I take pride in stating that these defenders in Türkiye constitute a significant opposition to the patriarchal mindset of the government.

As a parliamentarian, and more importantly, as one of the thousands of women participating relentless women's rights activism in Türkiye, I dedicate my words today to those women who fight for their rights that are not granted by the mercy of men or political power, women who are still fighting to bring back the Istanbul Convention, thousands of courageous women who participate in the feminist night march in Istanbul every year on March 8th, Saturday Mother's, seeking the truth about their loved ones, to Cigdem Mater and Mine Ozerden who are in prison because of the Gezi protests, as environmental human rights defenders.

Populism emphasis in the Report is crucial. We witnessed how populism targets women's rights defenders. They are lynched for their political views on many platforms. They are lynched in the press, on social media, and on political platforms. Online hate campaigns against them are intertwined with misogyny.

Populist governments often target women's rights defenders using the excuse of morality, family protection, and maintaining a powerful country by ambiguously defining them in a sustaining way of patriarchal order. The withdrawal of Türkiye from the Istanbul Convention is a clear example of this attitude.

Women's rights are a fundamental part of human rights and at the same time, a significant form of opposition to populist movements.

We need to be very careful about these definitions. We need to reflect on power and morals, their purpose, and how they are evaluated by populism. If women are not considered to be fully included in positions of power or within moral frameworks, then we should redefine these concepts rather than trying to fit women into these existing structures.

This is why women rights defenders are a fundamental part of human rights and at the same time, a significant opposition to populist movements. This is why they constantly target women's rights defenders worldwide.

Therefore, the Council's support to protect these defenders has a crucial role now more than ever in history.

Thank you.

**Ms Bernadeta COMA (Andorra, ALDE, President of the Assembly):** Thank you for your time.

Madam Yasko, from Ukraine, you have the floor.

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

Every Ukrainian woman now knows what it means to live in survival mode. Every Ukrainian woman knows how important it is to talk about human rights. Every Ukrainian woman is scared of tomorrow because we know that our relatives, our children may be under attack.

Unfortunately, there is a significant number of Ukrainian women who lost their loved ones. Sometimes it's actually even maybe— it's hard to say that it's positive—but it's very tragic that sometimes when these women know that their loved ones are dead, it's a tragedy. But sometimes these women don't know if their loved ones

actually are alive any more. Now I'm talking about the prisoners of war, about many prisoners of war that are currently captured illegally on the territory of Russia and occupied territory. There are numerous violations of humanitarian law.

As you know, the International Red Cross and other organisations are denied entry to visit these people. Many of them are women, because in the Ukrainian army there is also a significant number of women and volunteers, and many of them are deprived of the basic rights that should be guaranteed by humanitarian international law.

When we talk about the women human rights defenders, of course, we know that many women are suffering around the globe. I was recently speaking at Oslo Freedom Forum, where I met incredible women who were imprisoned in Iran, in Latin American countries. All of them shared the terrible, absolutely inhuman behaviour that they had when they were under such conditions.

I urge this Assembly that we pay special attention to how the rights of these female human rights defenders are defended. Yes, currently we are in a very hard stage, because we know that we don't have many tools. But if we managed to force to have more political negotiations on release of war prisoners, women, children, with separate groups, I believe that it's possible to have more progress.

I'm wishing good luck to all of us and the rapporteur on this question.

Thank you.

**Ms Bernadeta COMA (Andorra, ALDE, President of the Assembly):** Thank you for your time.

Madam Göka, from Türkiye, you have the floor.

**Ms Meryem GÖKA (Türkiye, NR):** Dear President and dear colleagues,

The subject matter of this Report is very important, and I am glad that we are debating how to protect women human rights defenders in Europe. While I do not agree with all of the points the rapporteur has made, especially the allegations regarding Türkiye, I will try to add to this discussion.

Protecting women human rights defenders is protecting and promoting women at all walks and levels of life. It was us, the AK party governments, who eradicated the military tutelage in Turkish politics and by implementing reforms transformed Türkiye through a silent revolution.

Over the past two decades, Türkiye has embarked on a transformative journey aimed at empowering women in all aspects of society. One pivotal reform of this was the lifting of the ban on the women with head scarves in state institutions in 2013. This significant step towards inclusivity and democracy symbolised our dedication to removing barriers that hinder women's participation in public life.

You see me here among you as one of the women who have fought for the right to be elected. In 2004, constitutional amendments set the principle of equality between women and men and mandated the state to uphold this equality.

Moreover, Türkiye has made eradicating the violence against women a top priority. Our Law No. 6284 focused on preventing violence against women and protecting the family is one of the most comprehensive and effective tools available. It includes concrete provisions for protection and mandates that law enforcement and the judiciary work in harmony to safeguard women.

Our robust legislative framework and strict policy against violence underscores our commitment to protecting women's rights and ensuring their safety. It is also a great example for countries with less effective legal codes and protective mechanisms.

Finally, when discussing women human rights defenders, I am actually disappointed that this Report does not mention the Diyarbakır mothers. The ongoing the Diyarbakır Mothers' sit-in since 2019 exemplifies a powerful struggle of women for life and freedom as these mothers tirelessly fight to reunite with their children lost to the PKK terror organisation, making them true defenders of human rights and freedom.

Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now the floor goes to Mr Marco DREOSTO.

The floor is yours.

**Mr Marco DREOSTO (Italy, EC/DA):** Thank you President,

Ladies and gentlemen,

Burqa-wearing women harnessed from head to toe with only their eyes visible. Segregated women who are forbidden to work. Women who are not allowed to roam freely in their cities, girls who are subjected to violence within the domestic walls, little girls who become brides, so-called child brides, forced into arranged marriages.

Where are we? We are not in the Iran of the Ayatollahs, we are not in Kabul under Taliban control, we are for example in Monfalcone. Monfalcone is a town in northeastern Italy where uncontrolled immigration has caused Islamisation to disrupt habits and identity in that quiet town in the province of Gorizia.

Who has raised his voice in defence of these women? Who took a public stand denouncing these abuses? Salon or gala night feminists? Human rights activists so careful to condemn imaginary violations by the Italian government, but silent in the face of what was happening before their eyes? No, dear colleagues, at the risk of their personal safety, it was the brave women of the League who were willing to intervene by denouncing these situations and violations of women's own rights.

It was the women of the League who were put under escort because they did not want to be silent, because they did not want to bow their heads before political correctness. Here, I would like then on this occasion to publicly thank them, who have been accused of being racist, ignorant, who have been opposed and denigrated. But without their denunciations certain situations would never have come to light.

I do not want to be rhetorical here. And, believe me, provocations are not part of my style, but dear colleagues, remember this when you read those articles that denigrate the Italian government or my party, the League, and listen carefully to that deafening silence of the Italian and European left when it comes to violations of women's rights, particularly those of Muslim women in Europe.

Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now the floor goes to Ms Edite ESTRELA.

The floor is yours.

**Ms Edite ESTRELA (Portugal, SOC):** Thank you, Mister chairman.

First of all, I'd like to congratulate the rapporteur, Ms Petra BAYR, on the quality of her Report. Thank you, Petra.

Protecting women human rights defenders is not just a moral imperative. It is a fundamental condition for promoting human rights and gender equality in Europe. Women human rights defenders are the pillars of our democratic societies, and their security and freedom are paramount to the achievement of justice and equality for all.

At a time when we are witnessing a worrying backlash against women's rights on a global scale, women human rights defenders are facing unprecedented challenges. Women human rights defenders, in all their diversity, are subjected to gender-based violence both online and offline. They suffer public humiliation, unauthorised disclosure of personal data, and vile sexual insults. The intersectional nature of their experiences often compounds the discrimination they face, making their struggle even more difficult and demanding.

The rise of populism and misogyny is having a negative effect on the work of women human rights defenders. Anti-gender movements see them as a threat because they challenge the so-called "traditional vision" of women in society.

The harassment and violence directed against women human rights defenders is designed to undermine their credibility and discourage them from continuing their work. This tactic not only jeopardises the safety of women human rights defenders, but also threatens the progress made in human rights and gender equality.

Gender-based threats and violence against women human rights defenders are designed to undermine their work, challenge their power and authority, and discourage other activists from taking action.

I conclude with two appeals. Let us stand in solidarity with women human rights defenders and their families, defend their cause and ensure that they can continue their work without fear of reprisals and, secondly, let the member states of the Council of Europe who are members of the European Union support the inclusion of sexual and reproductive health and rights in the Charter of Fundamental Rights of the European Union.

Thank you very much.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much. Now the floor goes to Ms Saara-Sofia SIRÉN.

The floor is yours.

**Ms Saara-Sofia SIRÉN (Finland, EPP/CD):** Thank you, Mister chair.

The issue of protecting women human rights defenders is critical. It's critical today and it's critical regarding the vision of the future we have for Europe and for the whole world.

I would like to thank for the insightful Report that has been presented, highlighting the valuable work of women human rights defenders as well as the challenges that they face in their work.

Women human rights defenders play a crucial role in promoting and protecting human rights, including the rights of women and LGBTI individuals.

Their work is important, but their work is never easy.

So many women work in very difficult circumstances and conditions. And yet their work is so very important.

The rapporteur mentioned Afghanistan, and Afghanistan is indeed a very sad example. In Afghanistan it is the women who have the courage to work for human rights and for equality that now are under the biggest threat in the worst imaginable circumstances.

We also heard examples of brave women working in different roles in Ukraine. They need all support possible.

Defenders of human rights all over the world must be able to work without fear and without harassment.

The Report emphasises the importance of providing funding and support as well as the importance of investigating and prosecuting attacks against human rights defenders.

It is important, and I agree with the Report, that all Council of Europe member states need to uphold human rights, combat discrimination, ensure access to sexual and reproductive health services and rights, and promote a legal framework that upholds equality.

This is our responsibility. It is our responsibility not only because it is the right thing to do, but also because these are the very keys to creating successful societies, a better future for our countries.

So we need full commitment and this is all the more important now as the anti-gender movement is doing everything it can to push the development to the wrong direction.

It is our responsibility to work towards a future where each and every individual is treated equally.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Next on the list is Ms Lianne ROOD, an observer from Canada.

The floor is yours.

No.

Sorry, just one second.

I'm sorry, I missed one line.

The floor goes to Mr Claude KERN, from France.

**Mr Claude KERN (France, ALDE):** Thank you, Mister chairman.

Ladies and Gentlemen,

I would like to thank our fellow rapporteur for the quality of her Report on the situation of women who defend human rights and gender equality.

Yesterday, we welcomed the award of the first Vigdís prize to the Irida center, which works to bring about positive change in the lives of women facing poverty, social exclusion and gender-based violence. Today, we're focusing on this subject. It seems to me that the symbolism is very strong, and that it is fully in line with the work carried out by our Assembly, particularly at the instigation of the Committee on Equality and Non-Discrimination.

I would like to take advantage of this debate to call once again on those member states that have not yet done so to ratify and promote the Istanbul Convention, which is a major text in the fight against violence against women. Although data is not always available, reports indicate that women who defend human rights account for a significant proportion of victims of repression. The United Nations and organisations such as Amnesty International and Front Line Defenders point out that women defending rights and freedoms often face specific forms of repression, including gender-based violence, threats of sexual violence and defamation, or public humiliation.

It is one of the merits of this Report to highlight these specific forms of repression, which are intolerable, as are all repressive measures targeting human rights defenders, whether men or women. I hope that the new Council of Europe Commissioner for Human Rights will take this Report into account and take resolute action to protect human rights defenders, whether men or women, in the most appropriate ways.

Awareness is also needed in every member state of our Organisation. In this respect, the Report mentions two French initiatives to which I would like to return: the Marianne initiative and the Simone Veil Prize. The Simone Veil Prize of the French Republic for gender equality is part of France's feminist diplomacy, designed to place gender issues at the heart of its foreign policy. The prize is awarded to an individual or group of individuals, regardless of nationality, working worldwide to promote gender equality and improve the status of women and girls. Created in 2019, it is awarded every year on International Women's Rights Day.

As for the Marianne initiative for human rights defenders, the first class of which was exclusively female, it aims to support the work of human rights defenders both in their countries of origin, through its international component, and by hosting them in France for six months, through its national component.

These are two schemes that I feel are relevant and useful in supporting the work of human rights defenders, and which could be introduced by other member states.

Thank you very much.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now, the floor really goes to Ms Lianne ROOD.

**Ms Lianne ROOD (Canada):** Thank you.

Honourable colleagues,

I would first like to extend my gratitude to the rapporteur for this comprehensive and thorough Report.

As a firm believer in the fundamental principle that everyone's voice should be heard, I stand before you today to emphasise the critical importance of the freedoms of speech and expression, especially when it comes to defending human rights. No individual should live in fear of speaking out, and this is a value deeply ingrained in Canadians. Canadians pride ourselves on respecting and defending human rights and have been strong advocates internationally for gender equality, but we cannot succeed alone. The endeavour requires amplifying each other's voices as we come together to promote this cause.

In her 2024 annual Report, the the United Nations Special Rapporteur on the situation of human rights defenders highlighted a concerning trend, "In the context of backlash against activism on gender equality, girls and young women who are human rights defenders face increased risks of harassment and violence when engaging on related themes."

Rapporteur Ms Petra BAYR echoed these findings, noting that "Persons defending women's rights and gender equality are disproportionately affected by restrictions and attacks against civic space."

Just by facing these challenges, it is precisely the women human rights defenders in the most difficult circumstances who contribute the most to advancing gender equality. Their actions transform harmful norms into tangible progress. We must ensure that women have equitable access to opportunities for change across all domains and that they have the necessary protection to continue their vital efforts.

Ms Petra BAYR's Report highlights several key areas we must focus on. She stresses the need for a robust legal framework that specifically recognises and protects the rights of women human rights defenders. This includes something we here could provide assistance with. That is the implementation of international human rights treaties and the development of national laws that provide comprehensive protections against violence, threats, and harassment.

She also notes that governments should develop and implement gender equality policies that support the work of women human rights defenders in a way that ensures that they have the necessary resources and institutional support, especially providing security and protection mechanisms.

We need to recognise forms of discrimination that these women may face, such as those based on gender, race, ethnicity or sexual orientation. Programmes established should strengthen protection for human rights defenders offering them physical protection, legal assistance, and psychological support.

Hand in hand with this is the duty to enhance the capacity of organisations that support women to work towards equality by providing trainings on security measures, digital safety, and self-care. Sustainable funding for women human rights defenders and their organisations is vital so that they can continue their work without financial instability.

Finally, and it should go without saying, that raising public awareness about the role and importance of women human rights defenders is necessary to build a supportive environment.

All these measures work together with the aim to create a safe and enabling environment for women human rights defenders, allowing them to carry out their crucial work in defending human rights without the fear of violence or oppression.

Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now the floor goes to Ms Sibel ARSLAN.

**Ms Sibel ARSLAN (Switzerland, SOC):** Thank you very much, Mister President,

Ladies and gentlemen,

I am delighted to be able to speak today about this important role of human rights activists in Europe and why their protection is indispensable. I would also like to sincerely thank the rapporteur, who has once again given one of these important topics this substantive focus.

Human rights activists stand up for the rights of others in many areas, be it in relation to women's rights, LGBTIQ rights, but also in migration and multiple forms of discrimination. These courageous women are peacefully engaged as individuals, in groups, perhaps in NGOs, or even in their work; in healthcare, in science, in the arts and as journalists or, like us, many as politicians.

Their commitment inspires social change and they act as role models. So do the politicians, who then also campaign for these issues. Yet these activists and these people are not sufficiently recognised, their contribution is downplayed, and they also face many challenges. They receive threats and are attacked both online and offline. I think I can speak on behalf of all the female politicians in here, too. We all know that we are judged more harshly when we make public statements. Unfortunately, this is also the case in Switzerland, my home country.

There we have decided to take much tougher action against stalking, for example. We are in the process of including stalking as a separate offense in the Criminal Code. Based on the Istanbul Convention, we are in the process of making it much easier for women to ensure that they can report stalking by telephone, but also that they can be protected from discrimination, from multiple forms of discrimination.

We have adapted the criminal law on sexual offenses so that children and women are also protected and do not continue to be confronted with sexuality or sexual assault in these old patriarchal systems. That is why it is also important that we receive these recommendations from the rapporteur, that the member states of the

Council of Europe take up the recommendations and take measures to protect the situation of the respective activists, human rights activists, and women. This includes the implementation of the Istanbul Convention, the revision of discriminatory laws and criminal law measures for this protection.

Let us work together to ensure that the voices of these courageous women are heard and that they are supported in their tireless work for human rights.

Thank you very much.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now next on the list is Mr Markus WIECHEL.

The floor is yours.

**Mr Markus WIECHEL (Sweden, EC/DA):** Thank you, Mister President.

When I read the wide-ranging report by our esteemed rapporteur, Ms Petra BAYR, on the protection of women human rights defenders, my thoughts wondered on two essential figures of our present time, Ms Sviatlana Tsikhanouskaya of Belarus and Ms Yulia Navalnaya of Russia. Of course, how can I not mention such historical figures as the young black woman Rosa Parks who in the year 1955 refused to give up her whites-only seat in an Alabama bus, and who thereby set in motion the entire US Civil Rights Movement. Or send a thought to the thousands of so-called Suffragettes women, who at the beginning of the last century, struggled to win voting rights for women across the Western world. Both the civil rights and Suffragettes' struggles took time before they could bear fruit, but in the end they did.

This brings me to our two present-day heroines, Ms Tsikhanouskaya and Ms Navalnaya, both duly mentioned also in the Ms Petra BAYR's report.

I have had the privilege of dining with and meeting Ms Tsikhanouskaya several times recently. I am struck by her enormous courage and determination in the face of the Belarusian dictatorship's efforts to silence her and the democratic movement as she picks up the fallen mantle of her now-imprisoned husband. The same holds for Ms Navalnaya, who is carrying on the work of her late husband Alexei Navalny murdered by the Putin regime earlier this year. We must protect them. We must give them the safety and do what we can to assist them in their vital mission.

Finally, I wish to give credit to our Rapporteur for her detailed account of the various international treaties and Assembly texts dealing with human rights and gender equality. This said, perhaps more mention could have been made of the growing oppression of women's human rights that takes place in individual homes across Europe in the name of patriarchal religious beliefs. Many women have been beaten and some even killed as they simply stood up for their fundamental rights. They are unsung heroines for gender equality and human rights as the survival of our Western civilisation as we know it now is at stake.

Thank you, Mister President.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now its the turn of Mr Yuriy KAMELCHUK.

I don't see him, he's not here.

So next on the list is Ms Maryna BARDINA.

The floor is yours.

**Ms Maryna BARDINA (Ukraine, ALDE):** Thank you.

Dear colleagues,

Dear Madam Speaker,

Thank you for preparing this Report.

Women truly are at the forefront of all social and political processes today. Unfortunately, because of different discriminations, stereotypes, they often have to pay a high price for their civic position.

Violence against women is a weapon used by Russia in its war against Ukraine. The occupation forces are particularly intolerant of those women who have the courage to defend their community and protect the rights of others.

Today all Ukrainians welcome the decision of the European Court of Human Rights in the first interstate case *Ukraine v. Russia*, recognising the systematic violations of human rights committed by Russia in the temporarily-occupied Crimea.

In this case, I want to talk today about women who dedicated themselves to protecting human rights and were subjected to repression by the Russian occupation authorities in the temporarily-occupied Crimea.

You all know how the Soviet regime mercilessly killed dissidents, including Ukrainian women.

This grim tradition continues by the current Russian dictator's will in the occupied territories of Ukraine.

Ms Irina Danilovich is a human rights activist, a citizen journalist, and medical doctor. She was illegally sentenced to seven years in prison. Irina's case was falsified, and she has already been in prison for a year and a half.

First, Irina was abducted by the FSB, then held in a basement in the temporarily occupied Crimea without any lawyers. She was tortured and later sentenced to imprisonment. Now Irina has been illegally transferred to the territory of the Russian Federation where she is being held without any medical care. Therefore, she has almost lost her hearing.

This is how the occupation authorities have treated Irina. This woman was not afraid to tell the truth about the problems in the healthcare system, including the occupation authority's response to the Covid-19 pandemic.

I would like to emphasise that Article 49 of the Geneva Convention prohibits the forcible individual or mass transfer or deportation of civilians from the occupied territories to the territory of the occupying power. Illegal deportations are serious violations of the Geneva Convention as they constitute war crimes.

Another brave woman who is being politically persecuted by the occupation of authorities in Crimea, she is a Crimean Tatar, and her name Lutfiye Zudiyeva. Ms Zudiyeva highlights the problems of political prisoners in Crimea and their trials since 2016.

These are two stories of human rights defenders, and we can only imagine how many other women suffer from the Russian Federation.

Human rights defenders today need our support more than ever.

Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

I remind colleagues that the ballot for the second round of voting for the Secretary General of the Council of Europe is open. The ballot will close at 6 p.m.

Now next on the list is Mr Randolph DE BATTISTA. The floor is yours.

**Mr Randolph DE BATTISTA (Malta, SOC):** Thank you, Mister chair.

I start first by saluting Marceline, Francesca, Sarah, Charlene, and Undine. Five women with different backgrounds who have one thing in common: their resilience, their unwavering commitment, through their art, their research, their activism, to fight for equality in Malta. These five women are the protagonists of a Maltese short film entitled "No Woman is An Island". A film which sheds light on the struggles of women human rights defenders in Malta.

These five women join other brave activists like Lara, Isabel, Andrea, and Natalie in fighting for the right to bodily autonomy and an end to patriarchy and gender-based violence, brave women whom I had the pleasure to join last March in Malta's largest ever women's rights demonstration.

Dear colleagues, human rights defenders are being abused, attacked, killed, forced to flee their countries, or to commit suicide, in Europe and around the world, just because they are fighting for the values that this organisation should protect.

Dear Petra, thank you for this extensive Report with an intersectional approach and for establishing yourself as a human rights defender through your dedicated work over the years.

Three important points mentioned in Petra's Report: the importance that this Assembly recognises the important work of these activists do, access to funding, and ending impunity to perpetrators. But there's another point I'd like to highlight, point 56, the high levels of stress and burnout suffered by activists. In other words, the effects of all the intimidation on the mental health of these activists. As someone who identifies himself as more of an activist than a politician, I can attest to this.

My mind now goes to Georgia and the struggles activists are facing as we speak. I salute Atina, a feminist campaigner, and my dear friend Giorgi, founder of the Tbilisi Pride.

This quote from Atina should touch the hearts of all of us and prompt us to vote in favour of this Report.

"The other day I was looking at a picture I took in 2013 with my friends who are queer activists, and I realised that 90% of them have now left Georgia for other European countries."

People are fleeing their countries because of fear of persecution for defending their values, our values. But we have an obligation. To protect civil society. To protect journalists seeking the truth. Poland is the perfect example of what can be achieved when the resilience of civil society is joined by the political will of those in power.

That's why I, too, believe that we need an official channel of communication between human rights defenders and the Council of Europe.

I end with a quote by Francesca, one of the five women activists I mentioned earlier, "Being called a feminist is a compliment. To fight for equal rights? Who wouldn't want to do that?"

Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now, the floor goes to Ms Magdalena BIEJAT. The floor is yours.

**Ms Magdalena BIEJAT (Poland, NR):** Thank you, Mister chair.

Yes, it is true, we should all be equal before the law and sometimes we are on paper but it is not always the truth when it comes to practice. It is definitely not the truth when it comes to how we are presented in the public eye. Women in the public sphere are many times ridiculed and are subject to abuse, attacks and even more so, human rights defenders who are very rarely in positions of any power. And so, yes, we need that Report. We need to protect them, especially in these times of rising divisions, of rising attacks towards women and vulnerable groups. So, thank you. and I congratulate Ms Petra BAYR for that Report.

I stand here before you as a woman but also as a representative of Poland who has its place as a case study in this Report, and also as an MP who was elected for the first time last term. During the previous government, I had the pleasure and the privilege to work with many human rights defenders. Yes, those who worked in the area of sexual and reproductive rights but also those who worked for the better lives of people with disabilities or for a better environment. They were ridiculed. They were attacked without any regard by both the public media and right-wing media. They were attacked on the internet. They were sexualised by the haters. They had to endure that, and their families had to endure all that. But they stood firm and they, as it was rightly mentioned, were the ones that helped us mobilise society during the last elections.

We still have many fights before us. The elections haven't changed so much as we expected. There's still fights to fight but I am really proud to say, and I'm very happy to say, that many of those women human rights defenders are at last treated by the government, by the administrations, as they should be, as people, as women who are experts in their fields. As people, as women who have much to say and who can influence the public policies and the law. Many of them, I would like to see much more, but many of them are right now working in administrative institutions. This is a very good case. I wanted to stress that that part of defending human rights defenders, of supporting them, is to treat them as they are – not only as heroes but especially experts and those who should, as my colleague from Malta said, who should have a direct connection and link to those who rule and those who establish the rules.

Thank you so much.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you.

Thank you very much.

Now the floor goes to Ms Anna-Kristiina MIKKONEN.

The floor is yours.

**Ms Anna-Kristiina MIKKONEN (Finland, SOC):** Thank you, Mister chairman.

Dear colleagues,

Women human rights defenders, in all their diversity, play an essential role in promoting and protecting human rights, including the rights of women and LGBTI people, and in promoting gender equality.

Who are women human rights defenders? They are a source of inspiration for societal change. They are individuals or groups who act, peacefully and legally, to promote and protect human rights. They are activists, members of non-governmental organisations, health professionals, private-sector players, researchers, lawyers, students, teachers, artists, trade unionists, bloggers, civil servants or journalists. They are the everyday heroes who often lack recognition.

The rise of populism and misogyny is having a negative effect on the work of women human rights defenders in Europe. It is essential to combat misinformation about women's rights and women human rights defenders, and to ensure their digital security. We must ensure that those who intimidate, pressure, threaten and attack women human rights defenders are investigated and prosecuted.

We parliamentarians also have a responsibility to support human rights defenders. Messages of solidarity are important, but they are not enough.

Pride month is celebrated internationally in June, which is an important event for defending the human rights of sexual and gender minorities and celebrating diversity.

Europe needs peace, love and human rights defenders.

Thank you for your attention.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

Now, next on the list, Ms Jennifer O'CONNELL from Canada.

The floor is yours.

**Ms Jennifer O'CONNELL (Canada):** Thank you.

Honourable colleagues,

It is an important topic that we are here speaking about today. Thank you for the opportunity.

It was this Assembly that adopted a resolution in 2018 on protecting human rights defenders in the Council of Europe member states. A year later, Canada's House of Commons sub-Committee on International Human Rights released a report on the unique challenges facing women human rights defenders in which it recommended that the Government of Canada develop an action plan to support these women.

Later, in 2019, the Government of Canada released a revised version of Canada's guidelines on supporting human rights defenders, to quote, reflect the specific experiences of women human rights defenders.

In these revised guidelines, we recognise the challenges and threats human rights defenders face. The support they need may vary accordingly, because they belong to one or more specific identifiable group that faces discrimination.

The first identifiable group found in those is women.

In her 2023 annual report, the UN Special Rapporteur on the Situation of Human Rights Defenders analysed the particular situation of women human rights defenders and found that they are subjected to additional violations because of the work that they do, and because of who they are.

Our guidelines emphasise that Canada strongly supports the work of the UN Special Rapporteur on the Situation of Human Rights Defenders, just as the work of this Assembly today for protecting women human rights defenders.

In this respect, I'd like to thank the rapporteur, Ms Petra BAYR, for outlining different concrete measures for increasing support for women human rights defenders in her report. Among other things, she suggests that feminist diplomacy for development and peace policies are additional tools which could be used to protect human rights defenders.

Seven years ago, the Government of Canada issued its first Feminist International Assistance Policy. Canada's Feminist International Assistance Policy takes an explicitly feminist approach to Canada's foreign policy and international development to target gender equality and the empowerment of women and girls. As such, it ensures that Canada's international assistance is provided in accordance with an approach based on human rights which include the right for women to defend human rights.

As a Canadian, but above all as a woman working in the public sphere, I wholeheartedly support this report and the calls for all Council of Europe member states to ensure that national human rights action plans include specific provisions on women human rights defenders.

While Canada is only an observer state here, rest assured we will continue to work hard in this space to ensure our shared values.

Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

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 may be given to the Table Office for publication in the Official Report.

I remind colleagues that the type-written texts can be submitted, electronically if possible, no later than four hours after the list of speakers is interrupted.

I call Ms Petra BAYR, rapporteur, to reply. You have 3 minutes.

**Ms Petra BAYR (Austria, SOC, Rapporteur):** Thank you very much, Mister President.

Before I reply, let me thank you first of all for this really very rich and sometimes also diverse debate.

I think it shows that the Report was really timely and necessary.

And secondly let me thank Elodie for the great co-operation and the support for this Report: it wouldn't be there without your support.

I would like to tackle three things that were mentioned.

And first of all, thanks to all of you who mentioned issues which I did not because I didn't have the time to do so. Like co-operation between parliament and civil society, the intersectional dimension, the global south and that we really have to take care of it, public recognition of women human rights defenders, all the mental stress, the visibility or the lack of visibility of feminine human rights defenders, and that we need a direct channel between the Council of Europe and human rights defenders, where they can report problems they face.

Second, and I would like to make this part in German, as it was mainly a German debate.

**Ms Petra BAYR (Austria, SOC, Rapporteur):** When Ms Heike ENGELHARDT says that feminism has been chosen as the new enemy of the right, then that is obviously correct if we follow this debate.

If the right's understanding of human rights and women's rights is to force a woman through an unwanted pregnancy, then that is indeed a very, very different understanding of women's rights and human rights than the vast majority of people here in the Assembly have.

To be honest, I think it's very good that this sets us apart, because we are on the right side. We are on the side of women, and we can communicate that to these women.

**Ms Petra BAYR (Austria, SOC, Rapporteur):** And to come to a third point, I am very grateful for Mr Georgios STAMATIS, from the Group of the European People's Party, who mentioned that it's so important to really implement the judgements of the Court of Human Rights and I would like to take this occasion to invite you all

to a side event that we have tomorrow at 1 p.m. in Room 3 and it's exactly on how we can improve and what is the role of the Parliamentary Assembly to improve the implementation of judgements of the Court. I hope that you all come there because I think we still have a lot to do when we say that we face all the lacking implementation and enforcement of what we and the Court think is important to say, is important to realise.

So please follow me tomorrow at 1 p.m. in Room 3.

Thank you very much.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you, Madam Bayr.

I must say that the ballot is now closed.

Would the tellers please go to oversee the counting of the votes.

Does the chairperson of the Committee wish to speak?

In this case you have 3 minutes.

**Ms Mariia MEZENTSEVA (Ukraine, EPP/CD, Chairperson of the Committee on Equality and Non-Discrimination):** Dear President,

Thank you very much. Thank you for chairing our important files. You are there always for us. It's no coincidence.

Dear Petra, someone might say that you know there was a brief encounter into the topic, but you opened up a very important issue for many member states and beyond, because today human rights defenders are very often starting to experience violence and prosecutions themselves, because of the nature of their operations.

Yesterday the International Day of Women in Diplomacy was celebrated, and I would like to congratulate all women of this house and, of course, human rights defenders who are conducting a sort of international law diplomacy across the globe.

Of course, we have heard today dear friend Mr Volker TÜRK, and his participation at the Assembly was very important.

As Petra said that there is a global backlash against women's rights. We might even be losing in a way some democracy and independence. When women's rights would be at level one to be targeted, just by nature, because you are of a gender, woman, of course, the defence of women's rights is extremely vital. As many of my colleagues from Ukraine mentioned today, our country showing that we're not only able to receive Nobel Prizes, as was done by Oleksandra Matviichuk, who often asks at the first place for weapons, not for international law instruments. This is weird, but we're living in such a world when sometimes we have to reinforce international law by such interesting requests.

Hopefully, international law would work and weapons would be silent.

But we have heard that many women rights defenders are exposed to gender specific violence online and offline violence, which our committee suggested to discuss in a separate report.

We in the Parliamentary Assembly must give better support for human rights defenders in terms of effective legislation and pressure, and exclude or undo pressure of a restrictions of their activities.

Last but not least, friends, you've mentioned and some of you mentioned the stories and the private cases of human rights defenders. They must be heard. Share them, talk about them, because human rights defenders have names and stories behind their activities.

Thank you.

**Ms Tamara VONTA (Slovenia, ALDE):** *(Undelivered speech, Rules of Procedure Art. 31.2)*

Ladies and gentlemen,

Allow me to express my sincere gratitude to the rapporteur Ms PETRA BAYR for preparing an excellent overview Report honouring the tireless efforts of women human rights defenders and identifying their key challenges. These courageous individuals are on the frontlines of the battle for equality, justice, and human dignity. Their work is not just important; it is indispensable in the face of growing attempts to re-traditionalise societies even in developed European democracies.

In recent years, we have witnessed a concerning trend of certain political movements seeking to revert to traditional gender roles, undermining decades of progress in women's rights. These attempts threaten to roll back hard-won gains in gender equality, restrict women's freedoms, and reinforce patriarchal norms that limit women's potential. In this climate, women human rights defenders act as critical vanguards of progress, challenging regressive ideologies and advocating for inclusive societies.

However, the difficult path they tread is fraught with harassment, intimidation, and sometimes even violence, aimed at silencing their voices and deterring their efforts. In addition, they face systemic barriers such as lack of access to resources, limited political representation, and cultural stigmas that delegitimise their work. Often, defending women's rights is not just challenging—it is dangerous.

Despite these obstacles, women human rights defenders continue to fight with determination. Yet, it is clear they cannot do it alone. Governments, international organisations, and civil society must collaborate to create safer environments for women human rights defenders, which includes enacting and enforcing laws that protect them from violence and harassment, providing financial and institutional support, and amplifying their voices on national and international platforms. We must foster a culture of respect and appreciation for their work. Education and awareness campaigns that recognise contributions of women human rights defenders can inspire future generations to continue the fight for equality.

In conclusion, protecting women human rights defenders is not just a moral imperative; it is essential for the advancement of human rights globally. With our calls to member states, the Parliamentary Assembly of the Council of Europe must stand in solidarity with these courageous women, supporting them in their quest for justice and equality. Together, we can create a world where women's rights are respected, protected, and fulfilled.

Thank you.

**Ms Olena MOSHENETS (Ukraine, ALDE):** *(Undelivered speech, Rules of Procedure Art. 31.2)*

I thank the rapporteur Ms Petra Bayr for raising such an important issue. This May, a young policewoman from Mariupol, Mariana Chechelyuk, was returned to Ukraine as part of a prisoner-of-war exchange. She is only 24 years old. When the Russians surrounded the city in 2022, they imprisoned her due to her profession. She was tortured and her health worsened. Her loved one, the defender of Azovstal, is still in captivity. This story is not an exceptional one. Since the beginning of Russia's full-scale war against Ukraine, women human rights defenders in the occupied territories found themselves in a situation where the law does not apply. Russian troops destroy residential buildings, churches, museums, schools and hospitals. They are shooting civilians in evacuation corridors, torturing people in filtration camps, abducting, robbing, raping and killing civilians in the occupied territories. Human rights activist and Nobel prize winner Oleksandra Matviychuk correctly noted: "I cannot wave the Geneva Convention in front of a Russian tank. Because it will not stop a Russian tank." Today human rights activists ask for weapons to protect these human rights. Russian occupation forces are oppressing women human rights defenders and their families. In 2023, a Russian-controlled court in Crimea sentenced human rights defender Irina Danilovich to seven years in prison for illegal possession of an explosive device allegedly found in her glasses case. Being in custody has affected the woman's health, but she is not provided with qualified medical care in the detention center. To get a visit to a doctor, Irina Danilovich had to starve. She suffered a stroke and is losing her hearing. In February this year, Russian security forces inspected the house of journalist and human rights activist Lutfiya Zudiyeva. She was accused of "abusing freedom of the media" for reposting Radio Liberty materials without labeling the media outlet as a foreign agent. The Parliamentary Assembly should express its strong support for women human rights defenders and call on Council of Europe member states to lift laws, policies and practices that affect and restrict their work, and to end impunity for perpetrators of any violence. It is necessary to support Ukraine in its fight against the aggression of the Russian Federation and to support Ukrainian women human rights defenders who find themselves in the occupied territories and in detention. Both personal and public advocacy are important. Thank you for your attention.

**Ms Gökçe GÖKÇEN (Türkiye, SOC):** *Speech not pronounced (Rules of Procedure, Art. 31.2), only available in French*

**Ms Béatrice FRESKO-ROLFO (Monaco, ALDE):** *Speech not pronounced (Rules of Procedure, Art. 31.2), only available in French*

**Ms Gwen BONIFACE (Canada):** *(Undelivered speech, Rules of Procedure Art. 31.2)*

Dear colleagues,

I would like first to thank the rapporteur for this very comprehensive report.

With it, she sheds light on issues that are often overlooked: violence against human rights defenders, and more specifically against women who take a stand and defend human rights around the world. Yet, as she notes, those women “play a crucial role, which should be widely recognised.”

The United Nations reports that, “Although restrictions of and attacks on civic space affect all defenders, [women human rights defenders] are specifically targeted and face additional and specific obstacles, risks, violations and impacts.”

It is therefore crucial that we ensure the protection of women who dare to speak out in the public sphere in defence of human rights, women who dare to stand up for their convictions, despite the sheer risk of simply being a woman.

In her report, Ms. Bayr states that, “Repression of demonstrations of women human rights defenders, intimidation, including of family members, arbitrary arrests and detention, threats and attacks on headquarters of women human rights defenders’ organisations are a reality in Europe.”

I would even venture to say that this is a reality around the world and that their role is important in every country.

For example, in her 2023 Annual Report, talking about the contribution of women human rights defenders to peace and security, the UN Special Rapporteur on the situation of human rights defenders found that, “Women’s organizations in Afghanistan have assisted, and continue to assist, with the protection, relocation, rehabilitation and provision of financial support for women who are targeted by the Taliban.”

She added: “This is all the more necessary in a context where women in Afghanistan have been failed by international actors.”

On 4 June 2024, the Senate of Canada adopted a motion to call on the Government of Canada to recognize the erasure of Afghan women and girls from public life as gender apartheid.

While the concept of gender apartheid is not recognized yet under international law, it is a reality in Afghanistan today, as the Taliban regime is erasing the humanity of women.

Accordingly, the actions that women’s organizations take on the ground are essential, just as are those we must take as parliamentarians to protect and support their work.

As Rapporteur Bayr so aptly puts it, “Parliamentarians also have a responsibility in supporting human rights defenders, including women human rights defenders.”

Thank you.

## **Vote: Protecting women human rights defenders in Europe**

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much.

The Committee on Equality and Non-Discrimination has presented the draft Resolution to which no amendments have been tabled.

We will now proceed to vote on the draft Resolution contained in Document 15993. A simple majority is required.

The vote is open.

The vote is closed.

I call for the result to be displayed.

*The draft Resolution is adopted.*

## **Debate: Ensuring human rights-compliant asylum procedures**

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** The next item of business this afternoon is the debate on the Report titled "Ensuring human rights-compliant asylum procedures", Document 15997, presented by Ms Stephanie KRISPER on behalf of the Committee on Migration, Refugees and Displaced Persons.

In order to finish by 7.25 p.m. I will interrupt the list of Speakers at about 7.15 p.m. to allow time for the reply and the vote.

I call Ms Stephanie KRISPER, rapporteur.

You have 7 minutes now, or when you're ready, and 3 minutes to reply at the end of the debate.

The floor is yours.

**Ms Stephanie KRISPER (Austria, ALDE, Rapporteur):** Thank you, dear President, dear members of the Assembly, dear colleagues.

As we are gathered here today, millions of people are fleeing war, persecution and human rights violations, and only a small percentage of those fleeing are seeking refuge in Europe from war-torn countries mainly, like Ukraine, Syria, and Afghanistan.

Protection seekers on European soil often experience violence. Also from national police especially at borders via pushbacks. Chaos and suffering are the consequences. Those individuals who are lucky to be able to raise a claim for international protection are confronted then with another obstacle to seek protection and I will call it "the asylum lottery" because there are highly divergent recognition rates among the member states of the Council of Europe.

This is exactly also what my fact-based Report demonstrates. And it is an unbearable situation that asylum seekers' human rights are guaranteed or not depending on what route they have to take and where they end up claiming asylum.

States have an interest and it is of high importance to have control over who is entering the territory to give the population the justified feeling that control and security are ensured. Incidents such as the instrumentalisation of migration are to the contrary. But has it not been proven in the last decade that practice of violent pushbacks between states' deterrent policies bring neither order nor security?

My Report, along with the Resolution, recalls what we do not question in other areas where our own citizens are concerned. The only way to guarantee security and order is to uphold rule of law. National security and human rights protection stand in no hierarchy. They do not condition each other. Rule of law and human rights support the cause of safety and security. It is therefore our responsibility to ensure that the common standards among the Council of Europe member states are implemented on a level that guarantees that human rights of protection seekers are met.

And, as you may realise, I am just focusing in my report on the core issues, not to experience violence and to have access to a fair procedure. Therefore, this Report in its deriving resolution recalls only the core obligations towards people seeking protection, respecting the principle of *non-refoulement* and ensuring a fair individualised and effective examination of asylum claims.

In this sense, I finalised the Report when in Brussels the EU pact on Migration and Asylum was about to be adopted and that's why I decided not to bring a fact-finding visit to the field like Lesbos, Calais or Lipa where have been anyway before but to go to Brussels. Because it is after years of negotiations that member states

of the European Union agreed on how they wanted to proceed on asylum and migration in Europe. And they now have two years to implement the Pact and also the Pact is affecting border countries to the EU nations and hence most Council of Europe member states.

The success of the Pact will depend on the political will of national authorities to make it work. Attention must be invested, also proved by the necessary budget. The new procedures must be applied in good faith and the necessary resources have to be allocated to make the Pact a success and also to mitigate justified human rights concerns from the risk of inadequate reception conditions, the risk of systemic detention, especially for vulnerable groups like children and families, up to the Pact's refined definition of safe third country concept and the restriction of free legal assistance only to the appeal stage.

Then, if necessary resources and good faith are approved by the member states, it is my strong opinion that the Pact can be a unique chance to reaffirm our commitments to human rights and the rule of law while increasing also control and order.

To reach this goal, effective co-operation between the EU and the Council of Europe member states can be supportive and should be used and I will continue my work in this spirit. Such efforts are only possible until now and in the future thanks to other persons and I want to express my gratitude to the national parliaments for delivering numerous replies to the European Centre for Parliamentary Research and Documentation (ECPRD) questions I submitted, to all stakeholders who greatly contributed to the elaboration of the Report, also the representatives from the EU institutions and Council of Europe bodies and civil society, and to the Secretariat especially, the Secretariat of the Committee on Migration, Refugees and Displaced Persons.

And I close my pledge, dear colleagues, to support this Resolution and I thank you all. Thank you.

**Mr Marco NICOLINI (San Marino, EPP/CD, President of the Assembly):** Thank you very much, Madam Krisper.

The first on the list on behalf of the Group of the Unified European Left is Mr Paul GAVAN.

The floor is yours.

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

I want to warmly congratulate the rapporteur on a very timely and important Report on asylum procedures.

I agree with her when she asks, "Is Europe legalising a race to the bottom when it comes to incorporating human rights into asylum procedures?"

It's important to stress the background against which this debate is taking place. It's one of continuing mass drowning of human beings in the Mediterranean, in which tens of thousands have already perished.

It's the withdrawal of state-led rescue missions to save lives in the Mediterranean. It's the disgusting ongoing European Union support for the Libyan Coastguard, which has seen 150 000 human beings rounded up since 2016 to be penned in detention camps where they are subject to rape, mutilation, torture, and death.

It's the pushbacks by Frontex and European Coast Guards which have become mainstream practice throughout Europe. It's the insidious deals with Tunisia and Egypt, countries with appalling human rights records to act as mass holding pens for human beings.

The rapporteur is therefore quite right to state in her conclusion that:

"The reality faced by individuals approaching Europe in the search for protection and security is harsh. The series of procedural and political barriers which are employed is extremely concerning, not just for the safety and the civil rights of those who are directly affected, but also because it reinforces a belief that acting in breach of international human rights law in the field of asylum and migration is somehow necessary and acceptable."

I agree with the important call in this Report for EU accession to the European Court of Human Rights although I doubt it will happen.

I also agree with the detailed concerns expressed over the impending implementation of the EU Migration Pact. This pact is in fact designed to copper-fasten the race to the bottom that the rapporteur herself references. More than 50 human rights bodies have already expressed their deep concern, with Amnesty International predicting it will “set back European asylum law for decades to come. Its likely outcome is a surge in suffering on every step of a person's journey to seek asylum in the EU.”

Amnesty also predicts the pact will lead to more families and children being put into *de facto* detention centres at EU borders and more people channelled through sub-standard border asylum procedures.

This is where I do respectfully disagree with the rapporteur. I think what we needed here in the Report is a clear rejection of this particular pact.

The current EU Migration Pact is a roadmap to a locked down fortress Europe. We do need a common approach and effective solidarity, but building more fences, more walls and compromising human rights standards is never the right approach.

Thank you.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Gavan.

Next speaker is Mr Fabian FUNKE on behalf of the Socialists, Democrats and Greens Group.

Mister Funke, you have 3 minutes.

**Mr Fabian FUNKE (Germany, SOC, Spokesperson for the group):** Dear Madam President,

Dear colleagues,

The Report also describes very well the extensive challenges we face when it comes to migration and when it comes to finding a way of managing migration in Europe that protects human rights and takes place under fair conditions.

I would like to highlight two or three things. First of all, the European Court of Human Rights as one of the greatest, if not the greatest historical achievement of the Council of Europe, because it is the commitment to a democratic rule of law. After all, it is not governments that determine whether their laws are in line with the European Convention on Human Rights, but an independent judicial body.

This makes what is currently happening in the debate on asylum policy all the more dangerous. The fact that there are governments in Europe who believe that this independent body is an obstacle. They would rather ignore the European Court of Human Rights and its principles and formulate unlawful plans as a solution than find regulations that are in line with it.

We as the Parliamentary Assembly, who elect the judges of the European Court of Human Rights out of conviction, must clearly criticise this. This applies both to the British Rwanda plans in their current form and to all those who are trying to copy this form of migration management one-to-one. The right to asylum or, more precisely, the legal right to a constitutional examination procedure for a reason for asylum, is an integral part of the European Convention on Human Rights.

If asylum procedures are now being demanded in third countries with the aim of denying as many people as possible access to Europe, then this is not about an asylum assessment procedure in accordance with the rule of law and human rights. If this were the case, then the meaningfulness of the European Convention on Human Rights or the European Court of Justice would not be called into question, but a constructive dialogue would take place on how the principles of the rule of law and human rights can also be applied in third countries and on refugee routes. We would think about which international partner organisations need to be brought together to create safe escape routes and establish grounds for asylum before the deadly journey across the Mediterranean, but this is not happening. The political goal is to put people who enter the country without a visa directly on a plane to Rwanda, regardless of their origin and their reasons for entering the country, in order to evade responsibility under the rule of law.

I therefore invite all of you here who are committed to the protection of human rights in Europe and beyond. Resist the supposedly simple solutions to complicated problems. Rwanda is not a magic wand that will make the problems disappear. Let's talk about how we can actually organise asylum and migration in accordance

with the rule of law and human rights, how we can offer people fleeing danger real prospects and at the same time organise migration better. This is what we need for a European migration policy in Europe that respects human rights and the rule of law.

I would like to thank you for the Report, which takes up many issues and addresses many things correctly, so thank you very much.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Funke.

The next Speaker in the debate is Mr Norbert KLEINWÄCHTER on behalf of the European Conservatives Group and Democratic Alliance.

**Mr Norbert KLEINWÄCHTER (Germany, EC/DA, Spokesperson for the group):** Thank you, Madam President.

Dear colleagues,

Europe, this Organisation, our nations will only have a democratic future if we stick to the rule of law and if international conventions aren't used against the people as it's often the case with asylum and refugee procedures.

This Report demands human rights compliant asylum procedures. What it actually means is a borderless open door policy, free access to any territory for anyone, and procedures taking many, many, many years to make sure they stay.

Whereas the citizens have to suffer through a rise in crime and the deterioration of our schools, our infrastructure, of what they feel was home.

And every time someone complains, human rights are cited against him incompletely, as in this Report.

Finally, it comes down to the question: is it against the human rights to prevent a stranger from entering our country? This Report clearly says yes. It references the right to liberty, to a fair trial, even the Geneva Convention Article 31, which says that no refugee should be penalised for entering a country illegally.

But the true answer is no, because the same Article in the Geneva Convention limits this right to enter a country illegally to those people coming directly from a territory where their life or liberty is in danger. There is even a provision in the European Convention on Human Rights, Article 5, Paragraph 1.F, that says that people can be detained if they try to cross the border illegally.

A migrant has to prove his refugee request. So we need to finally distinguish illegal migrants from refugees. Mainly only claim refugee status but are no refugees to gain access to our countries.

So the question is absolutely paramount. Are they coming directly from a territory where their life are freedom are in danger?

That may be the case for most Ukrainian refugees, but it's clearly not for most people coming from Afghanistan or Sudan, which is at least 10 countries away. If you pay 10 000 dollars for a smuggler and wait for weeks to have a boat, you're not coming directly from an unsafe territory.

If you show up at the German border with Austria coming from Austria, you're not coming from an unsafe territory. Austria is safe.

We have a figure of more than a million people applying for asylum in Europe annually. We need to finally make this distinction.

What is especially making me furious is that this Report complains about asylum being regarded as an emergency procedure.

Well, of course it is. It's the essence of asylum, that the refugee has no other choice than to breach the border and to overrule the country's sovereign decision of how it wants to live because of their personal situation.

As soon as migration is a choice, it's not asylum.

So please, in order to preserve democracy, in order to preserve the rule of law, read the conventions the way they were meant, not against the citizens.

Thank you.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Kleinwächter.

The next speaker in the debate is Mr Olivier BITZ on behalf of the ALDE group.

Mister Bitz, the floor is yours.

**Mr Olivier BITZ (France, ALDE, Spokesperson for the group):** Thank you, Madam President.

Ladies and gentlemen,

First of all, I'd like to thank our colleague Ms Stephanie KRISPER for her extremely comprehensive Report. It is a very serious and highly topical piece of work.

Need I remind you, obviously yes, the European Court of Human Rights, in its 2016 *Chahal* ruling, very clearly affirmed that states enjoy the "undeniable right to sovereignly control the entry of foreigners into their territory". But this undeniable right is obviously exercised in compliance with international law, in particular the 1951 Geneva Convention on Refugees, and European law, in particular the European Convention on Human Rights.

However, our colleague's Report perfectly illustrates the ever-increasing difficulties faced by asylum seekers. Decisions on asylum applications, mostly from people from war-torn countries, have been rising steadily for several years. Their number has quadrupled between 2017 and 2022, raising many challenges for all our member states, and all the more so as some states are faced with hybrid destabilisation actions, in which asylum seekers are used.

We cannot ignore the strong migratory pressure to which many of our member states are subject, nor the confusion often made between illegal immigration and asylum applications, against a backdrop of rising populism in Europe. I am fully aware, in particular, of the sensitivity of the debate on compliance with the obligation to leave the country if an asylum application is rejected.

Yes, the challenges are many and important, and politically very sensitive. No one can deny that. But it is the virtue of this Report that it reminds us of our values in the processing of asylum applications. In particular, I agree with the rapporteur's analysis of the growing policy of outsourcing asylum. The notion of a safe, third country must not be overused, while bilateral agreements must not lead to a reduction in the rights of asylum seekers.

Finally, I welcome the progress made at the European Union level with the adoption, last April, of the Pact on Asylum and Migration. The texts adopted should enable rapid and effective asylum and return procedures to be put in place, with reinforced guarantees for applicants, such as free legal advice and an independent assessment of the procedure in terms of respect for fundamental rights. In order to relieve the burden on member states of first entry, notably Greece, Italy, and Spain, relocation schemes are planned. Lastly, a solidarity reserve is to be created to enable financial support measures to be taken for countries taking in refugees. These measures, which will come into effect in 2026, have been eagerly awaited.

At the same time, the Council of Europe's monitoring bodies must continue to work to guarantee the safety of asylum seekers. I am thinking in particular of the prevention of human trafficking, violence against women, and violence in places of deprivation of liberty. I hope that our new Commissioner for Human Rights will be vigilant on these issues.

On behalf of the Alliance of Liberals and Democrats for Europe group, I therefore call on you to support the draft Resolution as presented to us.

Thank you for your support.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Bitz.

In the debate I call next Mr Christophe CHAILLOU.

The floor is yours.

**Mr Christophe CHAILLOU (France, SOC):** Madam President,

Ladies and gentlemen,

Allow me in turn to thank our colleague Stephanie KRISPER for the high quality of her Report, which reminds us –and I can only agree with what our colleague Olivier BITZ has just said– of the need to put in place asylum procedures that respect human rights and the values we share.

We have to say it from the outset, despite what some may think. No one flees their country in good faith. The people who come knocking at our door seeking asylum are first and foremost victims of war or persecution. Welcoming them and enabling them to assert the rights set out in the Geneva Convention and the European Convention on Human Rights is a prime duty of humanity.

Yet the steady rise in the number of asylum seekers since 2015 has prompted our Organisation's member states to tighten the conditions for access to the right of asylum. Unfortunately, these restrictions have all too often been accompanied by xenophobic rhetoric, confusing asylum with irregular immigration, and linking issues of national security, particularly the fight against terrorism, to better control of migratory flows. They are also often accompanied by the increasingly frequent questioning of the European Court of Human Rights.

This is, unfortunately, also the case in my own country, France, where we can see that the current election campaign is giving rise to one-upmanship, demonstrating the ever-increasing pressure of the extreme right on debates.

Of course, states are sovereign over their territory, and governments have a duty to guarantee the safety of their citizens. But they also have an obligation to allow the right of asylum to be exercised satisfactorily. There should be no opposition between these two principles; both are necessary and part of our values.

In this context, the contribution of the Council of Europe's bodies is more vital than ever. GRETA and GREVIO, in particular, must continue to develop practical monitoring tools and prevention mechanisms to support asylum seekers. Similarly, the bodies of the Council of Europe, in particular the Commissioner for Human Rights, who has very long experience within the European Union, will be particularly useful in assessing respect for human rights in the context of the implementation of the adopted Pact for Asylum and Migration, which has just been mentioned again by my colleague Mr Olivier BITZ and which was therefore adopted before the end of the last term of office of the European Parliament.

This pact, as has just been mentioned, is designed to streamline asylum procedures within the Union. It will obviously involve substantial financial investment to ensure that asylum applications are processed fairly and rapidly and that asylum seekers are received in decent conditions. Of course, all these reforms adopted within the framework of the Pact will have to test the willingness of member states to genuinely comply with procedures that respect human rights. I certainly hope so.

Finally, before concluding, I would like particular attention to be paid to the situation of minors, which is a real problem in a large number of countries, including France. The Council of Europe has a duty to be vigilant on this issue, and to develop appropriate tools to help member states take better care of them.

In view of all this, Madam chairman, dear colleagues, I can only support and vote in favour of this draft Resolution.

Thank you for your support.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Chaillou.

In the debate I call next Ms Sandra ZAMPA.

The floor is yours.

**Ms Sandra ZAMPA (Italy, SOC):** Asylum Procedures. First of all, I want to thank my colleague Ms Stephanie KRISPER very much for this important Report on asylum procedures, both for the quality and the commitment, which I was able to see and follow closely.

This is a very important work that appeals and speaks to our consciences as European citizens. First of all, human rights-compliant asylum procedures, this must be remembered, are part of every member state's obligations under the international law of the European Convention on Human Rights.

Instead, with enormous concern, we are witnessing an increasing erosion of these obligations that states have and also the adoption of political reforms that restrict not only the right to obtain, but even the right to seek asylum, and finally the right of access to asylum territories itself.

Europe, and I refer in particular to the pact approved in April, increasingly resembles an exclusionary fortress that believes that human rights belong increasingly and now almost only to European citizens, but do not extend to and cannot be enjoyed by others. Yet, it is precisely human rights and the rule of law, which are the beating heart of Europe and are the basis on which Europe has founded itself.

We know, on the basis of the 1951 Geneva Convention, that people have the right to an individual examination of their condition when they may seek asylum from a country. Instead, we see border procedures that no longer guarantee this right in any way. We wonder, the moment it is decided that a person for example is not entitled to asylum, what happens to that person and who checks that the right to asylum is actually respected.

We also see a kind of outsourcing, Tunisia and Egypt have already been called out, the same role of Frontex, unclear and increasingly ambiguous. Tunisia, Egypt, Libya and, also, right now we are very concerned, just because of the contracting out that is happening in Rwanda, but also Albania, and a Europe that says this procedure can be an acceptable procedure. That is why I express my absolute agreement and support for the Report but also reiterate here a deep concern about the fate of the right of asylum.

If it were to fail, it would be a tragic loss for this continent.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Madam Zampa.

In the debate I call next Mr Alain CADEC from France.

**Mr Alain CADEC (France, EPP/CD):** Madam President,

Ladies and gentlemen,

First of all, I would like to thank our colleague Ms Stephanie KRISPER for this Report on the need to guarantee asylum procedures that comply with human rights.

Given the political situation in many of our countries, it is necessary for our Assembly take a clear stance on this subject in line with the humanist values that bring us together here.

First of all, I'd like to point out that the number of asylum seekers in Europe is growing. In 2022, according to Eurostat data, the European Union will receive around 966 000 asylum applications, compared with 630 000 in 2021. Most asylum seekers come from Syria, Afghanistan and, of course, Ukraine. War and authoritarian regimes remain the main reasons why asylum seekers flee their home countries.

The Council of the European Union has, for the first time, implemented the temporary protection scheme to help Ukrainians fleeing the war of aggression waged by the Russian Federation. This scheme guarantees rapid and effective protection for displaced persons, while ensuring a fair distribution of responsibilities between member states. I am delighted with the support given to Ukrainian refugees.

However, they are far from being the only ones to flee their country and seek refuge in Europe. We must be able to process all asylum applications with dignity, in a spirit of responsibility.

We must welcome asylum seekers in decent conditions. That goes without saying. But at the same time, we must ensure that asylum procedures are not abused to promote economic immigration and combat illegal immigration. We must also ensure that, if an asylum application is rejected, the obligation to leave the country is enforced.

This is a highly sensitive political issue. The assaults to which our fellow citizens have been subjected, by people whose asylum applications have been rejected and who are subject to an obligation to leave the country which has not been enforced, have contributed to the hysteresis of debates on these issues in my country. This must be taken into account. Guaranteeing the right to asylum and combating illegal migration with firmness and humanity are two sides of the same coin.

Migration will be at the heart of the challenges facing our societies in the future. We need to start preparing now for the next migration crisis. It is therefore up to us to reaffirm right now the fundamental principles that asylum application procedures must respect and to put in place the necessary means to avoid reliving the situation we experienced in 2015 and 2016.

At a time when the European Union was able to adopt the Pact on Asylum and Migration before the end of the last parliamentary term, the Council of Europe's expertise in this area will be particularly welcome.

I will, of course, be voting in favour of this Resolution.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Cadec.

In the debate I call next Ms Nicole HÖCHST from Germany.

The floor is yours.

**Ms Nicole HÖCHST (Germany, EC/DA):** Colleagues,

Ladies and gentlemen,

In July 2016, the Commission presented a proposal for a new Asylum Procedures Regulation with the aim of introducing a truly common procedure for international protection that is fair and efficient while removing incentives for secondary movements between member states.

The common EU asylum procedure regulation contains rules to ensure that applications for international protection are decided fairly and efficiently in accordance with human rights and the law. For example, it should be possible to submit asylum applications in third countries. This highly sensible, life-saving regulation is being criticised. But people who can apply for asylum conveniently and as locally as possible no longer have to risk their lives in the Mediterranean. I consider this to be great humanitarian progress.

Constantly redefined human rights are to be enforced through further standards that are to be imposed on asylum-receiving countries in the future. Gender equality or the consequences of climate change are now to be guaranteed and enshrined in the Council of Europe alongside the actual recognised grounds for asylum, namely flight from war zones, flight from persecution and violence. In simple language, this initiative is intended to establish that practically the whole world has a right to asylum in Europe. States are to be finally denied the right to reject migrants. All migrants should first be regarded as asylum seekers, as refugees. An effective asylum procedure based on the rule of law protects the human rights of each individual refugee.

Ladies and gentlemen, with this initiative you are committing, excuse the drastic language, a crime against the inhabitants of Europe if you want to construct a human right to migrate to Europe for the whole world and enforce it here. Please take a look at the world map, at the size of Europe, at the density of the existing population and look at the rest of the world and the demographics that prevail there. Your proposal is doomed to failure.

It's true; no human being is illegal. But far too many people are already here in Europe illegally. Ladies and gentlemen, the implementation of an asylum procedure is the responsibility of the nation in which the person seeking protection submits their application. A host country also has the right and the duty to protect itself and its citizens, something that is often forgotten.

Thank you very much.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Madam Höchst.

And the next speaker is Ms Ingvild Wetrhus THORSVIK.

Please, take the floor.

**Ms Ingvild Wetrhus THORSVIK (Norway, ALDE):** Thank you, President.

Firstly, thank you to the rapporteur Ms Stephanie KRISPER for a very important and a very good Report.

Every person has the right to seek safety and to have access to human rights, whoever they are, wherever they come from, and whenever they are forced to flee.

And they have the right to have a human right compliant asylum procedure, regardless of which state they seek asylum in.

The last year has been a frightful year of war and war crimes, destruction, murder on a scale that we have not seen on our continents for many years, and perhaps not since the Second World War.

We also see the atrocities of the war in Gaza. We see that civilians have become a target. Millions of people have lost their home and far, far too many have lost someone they love. More people than ever are fleeing from war conflict and persecution.

The right to seek asylum is fundamental. However, present trends have shown a troubling erosion of the right-driven that policies that are said to prioritise state security, and this is being prioritised over human rights obligations.

The asylum landscape in Europe is marked by complexity and challenges. The majority of asylum seekers come from war-torn countries like Afghanistan, Syria, and Ukraine, fleeing from unimaginable violence and persecution. And despite their legitimate claims, these individuals face what can only be described as an asylum lottery.

Recognition rates vary dramatically between member states leading to arbitrary and often unjust outcomes. Legal aid for asylum seekers is inconsistent across Europe further worsening their plight.

In some countries legal aid is robust and state-supported, while in others it's minimal and provided solely by overburdened non-governmental organisations.

This disparity creates a system where chances of obtaining asylum can depend more on geography than on the merits of the case.

We cannot ignore the numerous human rights violations occurring at our borders, from restricted access to asylum procedures, to pushbacks and violent deterrence.

The practices in some member states are not just breaches of law, but affronts to human dignity. Mechanisms to monitor these actions are often too weak and the implementation of the European Court of Human Rights judgements remains inconsistent and slower in some of the member states.

I think the amendment to the Report are good, taking into account specific vulnerabilities faced by asylum seekers in extra vulnerable groups.

And, in conclusion, the path to a more humane and just asylum system in Europe requires courage, compassion, and a steadfast commitment to our shared values.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Madam Thorsvik.

The next Speaker is Mr Franz Leonhard ESSL.

Please take the floor.

**Mr Franz Leonhard ESSL (Austria, EPP/CD):** The rule of law and human rights are values that we strongly represent in this Assembly and are irrefutable principles for the work and decisions in this Assembly. This applies to all areas and, of course, also to guaranteeing asylum procedures that comply with human rights. For me, these are self-evident.

However, the debate as it is being conducted now seems to imply that every asylum seeker automatically has the right to be granted asylum. The fact is, however, that the reasons have to be examined, and by no means everyone who claims asylum has a good reason to be granted asylum. Many people move to another country for other reasons because they believe they may be better off economically. However, it is good and important that rules are laid down to protect asylum seekers. However, the rules must be observed by everyone involved.

As already mentioned, not everyone who applies for asylum has a real objective reason for seeking asylum. There is also abuse. We also have examples of this in Austria. A man came to Austria and applied for asylum and after going through the procedure for a year, he received a negative asylum decision and returned to his

home country. But what happened next? A few months later, this man returned to Austria, albeit with his whole family, and applied for asylum again. However, the conditions have not changed during this time and now the machinery has been set in motion again. A negative decision has been issued again. Legal remedy, appeal. The appeal has been rejected. Then there are resourceful, not to say enterprising, lawyers who have taken this all the way to the Supreme Court, and a formal error has occurred. Now the asylum procedure has started all over again and after five years the negative asylum decision has finally become legally effective, just like the first decision. Then they had to leave the country again and, of course, the family and children were the ones who suffered.

I would like to say and express that it is not only necessary to guarantee asylum procedures that comply with human rights. We must also stand by the fact that there are sanctions. These must be enforced, and asylum seekers must also abide by the rules. The aim must be to help people in their countries of origin so that they do not move to another country in the first place.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Essl.

In the debate, the next speaker is Mr Pierre-Alain FRIDEZ.

Mister Fridez, please take the floor.

**Mr Pierre-Alain FRIDEZ (Switzerland, SOC):** Thank you, Madam Vice-President.

Ladies and Gentlemen,

Dear colleagues,

Wars, famine, extreme poverty and global warming are preventing people from continuing to live at home: migratory phenomena can be explained by human tragedies, and they are clearly likely to get worse in the future.

Everyone has the right to seek help and protection, to apply for asylum, even in the case of so-called "irregular migration". The right to asylum, the right to seek asylum and protection for everyone, is an essential principle enshrined in the ECHR, which for us is a bible, an essential value.

I've been a member of the Committee on Migration, Refugees and Displaced Persons for almost ten years now. I've traveled a lot and seen a lot. Basically, I've seen it all: refoulement, pushbacks, violence against migrants, the detention of migrants as young as 15 years old, undignified living conditions, deportations to unsafe third countries, collective expulsions, conditions under which procedures are investigated that fail to meet standards in terms of legal support, translators or the right to an effective remedy.

What I have seen above all is that, unfortunately, there is often a lack of humanity towards people who have already been through the greatest tragedies, the worst tragedies imaginable in a lifetime, with unspeakable suffering: first a difficult life, tragedies in their country of origin, war, famine, hunger, with a forced departure to survive; journeys of every danger, the loss of loved ones.

In Greece, I saw a 13-year-old girl who had been raped and was six months pregnant. I saw living conditions that were outrageous; I saw the Calais Jungle. Above all, I've seen and heard about unfair procedures, with a lack of translators, legal support and protection, and this is essential. And that's what this Report is all about: ensuring that people in these situations have fair procedures, with the right of access to an effective remedy. And above all, in the event of a negative decision, they must never be sent back to an unsafe third country. It's a question of respecting the values of the ECHR; it's a question of respecting the values of justice and solidarity for which Europe stands.

I'd like to lend my support to the Report by Ms Stephanie KRISPER, with whom I had the opportunity to travel on a mission to study the problems of pushback. I'm well aware of her commitment, and this is a truly high-quality Report.

Well done, Ms Stephanie KRISPER.

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Dear colleagues,

I now have the honour to announce the results for the election of the Secretary General of the Council of Europe.

It was the second round, as we all know.

The total number of members voting: 246.

Number of spoiled or blank ballot papers: 1.

Number of valid votes: 245.

*The votes were cast as follows:*

*Mr Alain BERSET: 114*

*Mr Didier REYNDERS: 46*

*Mr Indrek SAAR: 85*

*Mr Alain BERSET, having obtained the majority of votes cast, is elected Secretary General of the Parliamentary Assembly of the Council of Europe for a term of office of five years, which shall commence on 18 September 2024.*

Dear Alain, I wish you all the best. I wish you to have a dynamic, as peaceful as we can term of five years, and of course I look forward to your fruitful work and to the working together of the Assembly with the Secretary General.

I would like to invite you now to greet our colleagues.

**Mr Alain BERSET (Switzerland, Secretary General of the Council of Europe):** Mr President of the Parliamentary Assembly of the Council of Europe,

Madam Secretary General of the Parliamentary Assembly,

Ladies and Gentlemen of the Parliamentary Assembly of the Council of Europe,

A few moments ago, you elected me as the future Secretary General of the Council of Europe.

I would like to take this opportunity to thank you for your confidence and support.

I am fully aware of the immense challenges facing our continent and our Organisation, and I would like to commit myself here, with you, to working in close collaboration with you, the members of the Assembly, and with all the bodies and institutions of the Council of Europe.

This evening, of course, I would also like to say a word of thanks to the Secretary General of the Council of Europe who will be leaving her post in a few months' time, Ms Marija PEJČINOVIĆ-BURIĆ, who led the Secretariat for five years and positioned the Council of Europe in the changed times brought about by Russia's aggression against Ukraine.

I'd also like to thank my country, Switzerland, for supporting this candidacy, and also the other two candidates, Mr Didier REYNDERS and Mr Indrek SAAR, with whom we had the opportunity to come and meet you and put forward our ideas.

Mister Chairman, Madam Secretary General, Ladies and Gentlemen,

We will be judged collectively on our ability to advance democracy, the rule of law and human rights on our continent. This path is not linear, it is not easy, but it is essential.

Thank you for your trust and support.

[Applause]

**Mr Theodoros ROUSOPOULOS (Greece, EPP/CD, President of the Assembly):** Thank you, thank you.

Dear Alain.

I would like to congratulate for the civilised dialogue and all these efforts that they put in front of this Assembly, to other candidates Mr Indrek Saar and Mr Didier Reynders.

I wish that this civilised dialogue will continue within this Assembly for the good of all because we are all united, as you know, under the same values and we are not talking only about the 46 states but we are talking about personalities a set.

So, thank you again. Congratulations to Mr Alain BERSET and we are going to continue now with the list of Speakers.

Sorry.

Mr Didier MARIE is next.

**Mr Didier MARIE (France, SOC):** Thank you, Mister chairman.

Ladies and gentlemen,

I too would like to thank and congratulate our colleague Ms Stephanie KRISPER for her humane Report, which perfectly highlights the migratory challenges facing Europe today, as well as the issues at stake in terms of respect for human rights.

Following a recommendation adopted by our Assembly in 2019, the Committee of Ministers reiterated its commitment to the right of asylum. Let me remind you that the 1951 Geneva Convention relating to the Status of Refugees aims to protect anyone fleeing their country because of a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion". Protection is thus granted on an individual basis.

However, against a backdrop of rising populism in Europe, we are seeing migration issues being politically instrumentalised with the aim of weakening the rights of asylum seekers, in defiance of the Geneva Convention and the European Convention on Human Rights.

Beyond the political reforms progressively limiting the right to seek asylum, which I condemn, I am particularly concerned by practices aimed at limiting the right of access to asylum territory, in violation of the principle of non-refoulement, and by the reforms initiated by some states or envisaged by others aimed at outsourcing claims to countries which, for many of them, have nothing to do with safety.

The most striking example, which our Assembly has had to debate, is of course the law passed by the British Parliament to allow the UK to send to Rwanda people who have come to seek asylum or arrived in the country irregularly, in contravention of international rules. We shall have to monitor the implementation of this policy, should it continue. I note, however, that other member states of our organisation have implemented such cooperation agreements, and that the European Union itself has even signed agreements with Tunisia and Egypt, which are not paragons of virtue in terms of human rights.

I feel it is important to state here that no member state of the Council of Europe should implement such bilateral agreements, which do not guarantee full compliance with the Geneva Refugee Convention and the European Convention on Human Rights.

This position of principle seems to me all the more necessary as the Pact on Asylum and Migration adopted by the European Union provides for increased bilateral cooperation with third countries, which is likely to lead to the conclusion of bilateral agreements with countries that do not fully respect human rights. I therefore believe that it is essential for the Council of Europe and the European Union to work together to ensure that the implementation of the Pact respects the fundamental rights of asylum seekers, and for us to exercise the utmost vigilance.

Last but not least, I believe that we can't do without an in-depth reflection on the rights of climate refugees. This will undoubtedly become a major issue in the coming decades, against the backdrop of climate change. We need to prepare for this by adapting our legal frameworks, without ever denying our values of humanity.

Thank you for your attention.

**Ms Snježana NOVAKOVIĆ BURSAĆ (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Marie.

The next speaker is Mr Petri HONKONEN.

Mister Honkonen, please take the floor.

**Mr Petri HONKONEN (Finland, ALDE):** Madam President,

Dear colleagues,

I want to congratulate the rapporteur, Ms Stephanie KRISPER, for a timely and important Report. As the number of people seeking asylum in Europe is ever-growing, asylum seekers are increasingly being used as means of hybrid tactics at many European borders.

The current situation reflects Europe's failure to take effective measures to deal with immigration and asylum. We could do much better than to just respond to crises. That's why I would like to underline the importance of co-operation between the EU and the Council of Europe. Co-ordination is key also at the external borders of Europe. States need common practices and tools for efficient management of asylum applications while complying to a fair and human rights-based process.

The strength of the Council of Europe is its ability to ensure the human rights standards to be applied in the asylum-seeking procedure. This is needed to distinguish those who truly need asylum from those who do not. States need tools for human rights-compliant recognition mechanisms. Artificial intelligence, for example, is increasingly used in asylum procedures. It enables effective identity checks and analysis about asylum applications. The Council of Europe should adopt common safeguards for ensuring that human rights standards apply to new technologies as well.

I believe that stronger co-operation and more effective tools equals stronger human rights-compliant asylum procedures. Strong procedures might also have a positive impact on the often racist discourse surrounding migration.

Madam President, thank you.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Honkonen.

The next Speaker is Mr Andreas Sjalg UNNELAND.

Please, take the floor.

**Mr Andreas Sjalg UNNELAND (Norway, UEL):** Yeah, thank you, President, and thank you, rapporteur, for your important work.

This issue sits at the heart of our shared humanity and our collective future ensuring human rights-compliant asylum procedures.

As we navigate through an era marked by unprecedented global challenges, the treatment of those seeking refuge from war, persecution and environmental disaster is a profound test of our values and our commitment to justice. The Report sheds light on a troubling trend. Across Europe, the management of asylum seekers is increasingly characterised by restrictive reforms that undermine the fundamental right to seek asylum. This shift is often justified under the disguise of a national security concern, which is amplified through disproportionate media coverage and political rhetoric. Yet this narrative not only distorts reality but also erodes the very foundation of the rule of law and human rights.

Human rights-compliant asylum procedures ensure the safety and dignity of individuals fleeing unimaginable hardship while upholding the principles of fairness and justice that are essential for social cohesion and security. These procedures are enshrined in international law which mandates effective access to asylum process. Despite the legal framework, many asylum seekers face overwhelming barriers even before reaching our borders. The lack of co-ordinated policies among States results in an inconsistent and often unjust application of asylum laws. This disparity not only jeopardises the lives of those seeking protection but also fuels mistrust and inefficiency among nations.

The Report calls for a unified human rights centered approach to asylum procedures. This involves harmonising policies across member states, ensuring robust legal aid and establishing effective monitoring mechanisms to safeguard the rights of asylum seekers. We must also address the root cause of forced

migration through comprehensive international co-operation and support for countries of first entry. By upholding our principles we will not only protect the vulnerable but also reinforce the values of justice, solidarity and respect that are the bedrock of our societies.

Let us rise to the challenge with compassion and resolve ensuring that our actions today pave the way for a more just and humane world.

Thank you.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you.

The next speaker is Mr Larry BROCK.

**Mr Larry BROCK (Canada):** "Thank you, Madam President. My dear colleagues." [spoken in French]

Let me begin by thanking the rapporteur for bringing the critical issue of human rights-compliant asylum procedures to the forefront of our attention.

As highlighted by the Report, the movement of those seeking protection across borders often under perilous conditions is growing. The moment calls for a response that prioritises both humanitarian and national security concerns. In 2023 Canada received a record of just over 144 000 asylum claims, more than doubling pre-pandemic figures.

Globally out of the 3.6 million in individual asylum claims made last year, Canada ranked fifth-highest according to the United Nations High Commissioner for Refugees.

Canada remains steadfast in its commitment to asylum and the non-refoulement principle, aligning with Article 33 of the 1951 UN Convention relating to the status of refugees. However, borders should be managed in a rules-based manner to uphold the right of asylum seekers while ensuring safety and border integrity.

To determine the validity of all asylum claims, Canada has set out fair procedures and applies strict policies.

We also continue our efforts to combat human smuggling and criminal organisations who profit from those seeking refugee at our borders.

Beyond establishing efficient and human rights-compliant border mechanisms, we must also strongly encourage asylum seekers to choose legal pathways over irregular ones to mitigate the risks. This involves providing clear and accessible information about legal migration options and enhancing safer regular channels. For instance, last year Canada launched new family-based humanitarian pathways for Colombian, Haitian, and Venezuelan foreign nationals, and another for people affected by the conflict in Sudan.

In 2018, we established a refugee labour mobility complementary pathway, called the Economic Mobility Pathways Pilot, reflecting our commitment to expanding practical and durable solutions for those in need of refuge.

In addition, Canada recognises that international co-operation is required to respond to the crisis of those forcibly displaced. We are willing to collaborate on initiatives to share best practices with our international partners and stakeholders.

Last year in Geneva, Canada committed to resettle more than 40 000 Afghan refugees with the assistance of the International Organization for Migration.

In sum, let's continue to collaborate to prioritise human right-compliant solutions that uphold the rule of law and national sovereignty to deter irregular migration in Europe and the rest of the world.

Thank you.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Brock.

The next speaker is Ms Tamara VONTA.

Madam Vonta, please take the floor.

**Ms Tamara VONTA (Slovenia, ALDE):** Thank you.

Today we address a matter that transcends policy debates, delving into our shared humanity and commitment to human rights. Ms Stephanie KRISPER's Report underscores the urgent need for human rights-compliant asylum procedures across Europe. As members of the Council of Europe, our countries are bound by international refugee and human rights law to uphold the dignity and rights of asylum seekers within our borders.

The current asylum management trends are deeply concerning, with an increasing inclination towards policies that restrict the right to seek asylum and access to our territories. This trend, often justified by a false narrative linking asylum seekers to national security threats, is both misleading and dangerous as it fuels xenophobia and undermines the rule of law.

Our obligation is clear: provide a fair, individualised, and effective examination of asylum claims. This requires allowing entry to our territories and ensuring asylum procedures respect human rights and uphold the rule of law. The principle of *non-refoulement*, which prohibits returning asylum seekers to places where they may face persecution, is non-negotiable. Yet, numerous violations of this principle are evident across our continent.

The Report highlights how some member states have adopted emergency mechanisms and restrictive policies, leading to inhumane treatment of asylum seekers, including detention. This not only violates their rights but prolongs their suffering and despair. Additionally, the lack of co-ordination and harmonisation in asylum procedures results in an "asylum lottery," where outcomes vary dramatically based on the processing location.

We must address also the externalisation of asylum procedures, where asylum seekers are transferred to third countries with questionable human rights records. Such practices undermine the international protection system and expose asylum seekers to further risks. Our focus should be on enhancing our own procedures, ensuring adequate resources to handle asylum claims effectively and humanely.

In EU member states, the recently agreed Pact on Migration and Asylum will have to be rigorously tested against Council of Europe human rights standards in order to reaffirm our commitment to human rights and the rule of law.

We must reject fear-driven policies and embrace approaches that uphold the dignity and rights of asylum seekers. It is our duty to ensure that our asylum procedures are fair, transparent, and humane. Let us work together to create a system that meets our legal obligations and reflects our shared values of compassion, justice, and respect for human rights.

Thank you.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Madam Vonta.

The next speaker is Mr Robert TROY.

Mister Troy, please take the floor.

**Mr Robert TROY (Ireland, ALDE):** Thank you, Madam Speaker, Madam President and thank to the rapporteur for a timely Report.

Those seeking asylum is an issue that will be with us for many years to come because of the war, the famine and the torture that exists across the globe, and to my mind, it is not an issue any developed country can address on their own.

The lottery of birth very often determines the future of any citizen. And I will never forget the image of the eight-year-old Syrian boy who was washed up on a Turkish beach trying to flee the Syrian war and make it to the Greek island of Chios. No one chooses to be born into war. No one chooses to be born into famine. And when we speak of this issue, we must never forget that we are speaking about fellow human beings and no one life is any more important than another.

The rule of law must be implemented if we are to ensure to avoid the far-right exploiting this issue. We need a rules-based immigration system that respects both the integrity of our own borders and the dignity of people trying to access asylum. When I speak of a rules-based system, I speak of one that is fair and not open to exploitation, one that penalises those who seek to exploit the vulnerable – people traffickers who are making vast sums of money on the back of people's misfortune and misery, but also a system that ensures those seeking asylum, those who are genuine, will have their applications processed in a timely manner, ensuring that they can integrate into their new communities, but equally those who are not genuine are returned to the countries they come from.

We need to ensure that people who are waiting to have their asylum processed, that their rights are protected, that they are provided with accommodation, food and security, and treated with respect. We also must bring our people with us on this issue. And therefore, we must not ignore the genuine concerns and fears of people in our countries. In doing so, we are leaving the space wide open to those on the far-right to exploit and to sow division.

As a small country that welcomed over 100 000 Ukrainians fleeing the war, I believe we need a system that is fair, a system that is based on rules, for if we fail to have that we run the risk of destabilising many democracies into the future.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you.

The next speaker is Mr Simon MOUTQUIN, from Belgium.

Please take the floor.

**Mr Simon MOUTQUIN (Belgium, SOC):** Dear colleagues,

I'm starting my political memoirs because this is one of my last speeches, and I'll try to tell you as honestly as possible.

I spent five years dealing with migration issues in the Belgian Parliament, five years trying to convince those who didn't believe that human migration was important.

Unfortunately, I have to tell you, the figures that show us, for example, that 80% of people actually migrate to the region they come from and not to Europe, these figures don't work to convince some people. Reason no longer works when it comes to migration. The rules don't work either: no matter how many times we point out European Court of Human Rights convictions, the various convictions, the rules of international law, the Geneva Convention, it doesn't work for some people.

Today, I'm particularly addressing the Conservatives, who apparently didn't read our excellent colleague's Report before making their speech, which is for certain being promoted on social media, because in fact it's a succession of monologues without even listening to what democracy is or even reading what's in the Report.

I'm addressing you, dear Conservatives: go and look in the eyes, go and look in the eyes of those 15-year-old young women who passed through Libya and were raped for months; go and look at the hands of the people who passed between Croatia and Bosnia and were bitten by dogs; go and look them in the eyes and tell them that they're not good migrants, that they're not migrants fleeing wars, but that they're only migrants fleeing climate disruption, fleeing poverty. Have the courage to look these people in the eye, instead of having the cowardice to come here and make speeches without even reading the reports that are supposed to be the basis of our work.

On a different level, I come from Belgium. In Belgium, we've had a migrant reception crisis for two years now, a crisis that has left 3 000 people on the streets. And this reception crisis is perhaps a rather insidious pushback; it's a slow pushback, a soft pushback that consists of telling people: "Yes, yes, you're going to be able to apply for reception but you're going to wait for a year, two years on the street and maybe one day we'll find a place for you". And yet, solutions do exist, whether at European or Belgian level: a distribution plan in

the municipalities, in the communes; removing from reception centres, from asylum centres, those people who cannot be expelled, such as people from Afghanistan - we don't have a readmission agreement with the Taliban and I think that's a rather good idea; we don't have the possibility of sending back the Gazans, Gaza has unfortunately been destroyed for decades.

I think that this reception crisis in Belgium shows us that, in fact, there is no longer any rationality in migration policy: there is fear, there is the ideology that you stir up all day long, and there is no reason for it.

I call on us democrats, us progressives, to perhaps reclaim a narrative on migration, to perhaps dare to be courageous, to have the courage of another narrative. Let's stop giving way to those people who stir up fear and, finally, let's create hope. Let's create hope for a different migration policy.

We need migration. There has always been migration. No, migration is not the problem: the problem is hatred, the hatred that some people are spreading today.

Some people talk about waves of migration: the only waves that exist in Europe are the waves that carry thousands of people to the bottom of the Mediterranean Sea every year. These are the waves we have to worry about in this Assembly.

This Assembly is the Assembly of Human Rights. And more than ever, dear progressives, dear democrats, in the face of this hatred, let us reaffirm, let us reaffirm human rights within Europe.

Thank you very much.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Moutquin.

The next speaker is Ms Valérie PILLER CARRARD, from Switzerland.

Please take the floor.

**Ms Valérie PILLER CARRARD (Switzerland, SOC):** Madam chairman,

Madam rapporteur,

Dear colleagues,

I'd like to welcome this Report: thank you for drafting it, which has come at just the right time, with the rise of the extreme right in Europe.

For some thirty years now, the issue of migration and asylum in particular has been a recurring topic of debate, exploited for political ends, with the notoriously false assertion that asylum is in crisis. In many countries, this is a populist argument that serves as an outlet for many political forces and, unfortunately, is used in particular to introduce accelerated asylum procedures, which all too often violate human rights and undermine the foundations of the rule of law.

Here and there, political reforms are being adopted to progressively restrict the right to seek asylum. It is true that the number of asylum applications is rising in the European Union, in line with the increase in global demographics; but if there is a crisis, it does not have the face too often portrayed by conservative forces denouncing abuses.

The Report shows that in 2022, 84% of asylum applications were granted temporary protection. Not surprisingly, this rate is high, since the vast majority of applications come from people from war-torn countries such as Afghanistan, Syria, Iraq and, more recently, Ukraine.

The real problem, if it can be called that, is that there is a real asylum lottery in the European Union, with so many differences in approach from one state to another. The Report points the finger at differences in the granting of refugee status, citing the example of Afghans admitted at 100% in Norway and just 8% in Austria. Of course, the countries on the European Union's external borders are under a great deal of pressure, much greater than the others, with the principle of responsibility of the first country of arrival.

I would therefore like to take this opportunity to express my disappointment with the European Pact on Migration adopted by the European Parliament in April. It misses the opportunity to challenge this principle, so that responsibility is finally shared equally between member states. Above all, this pact perpetuates the shortcomings of the current system, which prioritises returns and expulsions over the respectful application of

the right to asylum. The pact also prioritises deterrence, increased use of detention and the outsourcing of asylum application processing via various existing agreements, the most recent of which allows the UK to send its asylum seekers to Rwanda.

Ladies and Gentlemen,

A human rights-based approach to asylum is more necessary than ever. We need to strengthen the protection of the most vulnerable, to put in place legislation that allows asylum claims to be processed fairly, and to ensure that everyone worthy of protection is indeed protected.

I invite you to support this draft Resolution.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you very much.

Last on the list of speakers is Mr David WELLS.

Mister Wells, please take the floor.

**Mr David WELLS (Canada):** Thank you, President.

Dear colleagues,

The Report we were debating today highlights the critical importance of upholding the right to seek asylum. People who have a well-founded fear of persecution deserve an asylum system that's fair and compassionate. At the same time, it's crucial to recognise that fairness to refugees is enhanced when the asylum systems are also orderly and efficient.

People cross borders for a multitude of reasons. It's to the benefit of refugees and to our societies at large when we can quickly and fairly distinguish refugees from other migrants, such as economic migrants or individuals who may be embedded in migration flows for nefarious reasons.

For example, there have been concerning efforts by Russia and Belarus to weaponise migration, cynically using migrants to overwhelm asylum systems, test the security of borders, and damage social cohesion.

The international community must stand firmly against all efforts to undermine the right to asylum and to destabilise countries that respect the rights of refugees. As part of our response to those reprehensible actions, it's essential to quickly identify and remove individuals who do not have legitimate claims to asylum or who engage in serious criminality.

Further, the safe third country concept is an important tool that can be used to promote fairness and efficiency between countries and to avoid duplicating assessments of the same asylum claim in multiple jurisdictions.

However, as the Report recognises, the safe third country concept can be misused to undermine the rights of refugees, including through the legal fiction of listing countries that are not genuinely safe.

In Canada, our experience with safe third country concept is limited to our agreement with the United States. This agreement requires most asylum seekers to make their claim in whichever of the two countries they first enter. It also includes appropriate exceptions, exemptions, and review obligations to ensure that the rights of asylum claimants are safeguarded on an ongoing basis.

While the legal and practical context differs from your Europe, Canada's experience shows that the safe third country concept can be a useful tool in the efficient management of asylum claims between like-minded countries.

Fairness and efficiency in asylum procedures are too often seen as competing goals. The international community can and must find ways to improve both fairness and efficiency for the sake of vulnerable refugees and for the well-being of our societies.

Thank you, colleagues.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you.

The list of speakers is concluded.

I now call Ms Stephanie KRISPER, rapporteur, to reply.

You have 3 minutes.

**Ms Stephanie KRISPER (Austria, ALDE, Rapporteur):** Thank you very much.

I want to thank all the supportive voices that I heard in the debate, and especially also Canada, because you raised issues that are almost forgotten sometimes in the debate, like the legal pathways via resettlement that are not even more in the core of discussion when we talk about asylum seekers in Europe.

And it was also good to hear from you that you can do without a safe country concept, which brings me to the critical voices, where I also have the impression that some of them, most of them haven't read the Report, because to reflect also a bit on the question which countries would receive most of the asylum seekers arriving in Europe, is it Serbia? Where you have pushbacks. Is it Hungary? Because I'm from Austria. Where not even an asylum claim is taken any more since years.

And I haven't seen in the Report any issue where new human rights are discussed. As a colleague from this direction envisioned, it's not about long procedures, it's about accelerated procedures, but that apply based on rule of law. It's also about effective returns and it's about, because it was said, well, everybody is treated like a refugee, yes, because you have to have the positive prejudice that you're in front of the refugee, because you have to check if it is one or she is one. And that's why individualised asylum procedures are in the core of the Report, and the principle rule of law, because as Mr Paul GAVAN, Mr Pierre-Alain FRIDEZ, Ms Sandra ZAMPA, Mr Simon MOUTQUIN, Ms Ingvild Wettrhus THORSVIK, Mr Petri HONKONEN, etc., all my colleagues from this side said the reality is about death, it's about torture.

Everybody who hasn't seen it yet is invited to join us for the next fact-finding visit on the field. And acting in breach of human rights law like this is not only leading to much suffering and pain, but it's not useful, it's not a solution, and it's in fact totally unlawful. And to the core and not new to human rights of our basic values here to the principle of non-refoulement.

And I think it is proven in the last decade that it is not the way to go. And if we are reminded of the fact how many refugees from Ukraine suddenly Europe was able to handle and receive with open arms, you see it's a lot about political will if it works or not.

And that's why I can understand also the worried voices, the critical voices, from this side regarding the New Pact on Migration and Asylum.

But I really would like to also in the spirit of the report work on human rights-based implementation of the Pact. I think it is now a very delicate time when you Member States are asked to identify their needs for this human rights-based implementation. And I think it's important to stay in constructive dialogue between here, where we elaborate on our core values, and Brussels, where there is the political activity and the money, and I will continue my efforts in this sense.

And in this spirit, thank you.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Madam Krisper.

Does the chairman of the Committee wish to speak?

Yes, Mister Goncharenko, you have the floor.

**Mr Oleksii GONCHARENKO (Ukraine, EC/DA, Chairperson of the Committee on Migration, Refugees and Displaced Persons):** Thank you.

Thank you, Madam chair.

Dear colleagues.

The Report presented before you by Ms Stephanie KRISPER was endorsed by the Committee on Migration, Refugees and Displaced Persons. It provides an important reminder of the common rules applying across all member states on asylum policies. In essence, what this Report says is that procedural rights are neither a

luxury nor a favour. The right to access the territory of asylum, to excess a fair and the individualised procedure is a fundamental human right. This is enshrined in international law, is confirmed in the case law of the European Convention of Human Rights.

I would like to thank Ms Stephanie KRISPER for her significant effort to provide the Parliamentary Assembly with facts on the reality of asylum. The situation is clear and should encourage us to ask ourselves how to do better not just because we should but because we can.

As you saw in the Report, many good practices exist in the member states to ensure access to free legal aid to help train lawyers and judges on asylum law. The Council of Europe is here to accompany these efforts and many programmes already exist.

This Report is also an occasion to take stock of the many differences across member states in asylum policies and practices. The challenges are real financial authorities. The Report speaks about these challenges clearly, ensuring fair individualised procedures requires proper resources, proper training, sufficient resources in courts as well as effective return procedures.

The Report also speaks about the issues faced by countries of asylum including the instrumentalisation of migration by some countries to pressure their neighbours.

Dear colleagues, it is very important that migration should not be weaponised like Belarus is doing like with Lukashenko's regime, like the Russian regime is doing on the border with Finland and so on. This is very important.

Dear colleagues, addressing these issues is legitimate for member states, but denying procedural rights to asylum seekers cannot be the solution. The Committee which I am representing today before you is of the strong opinion that the rule of law and human rights are not playing against the security of states. Quite the contrary, the Report provides very concrete recommendations to parliamentarians and to member states including on border monitoring so that asylum procedures comply with human rights obligations. It is possible. The instruments exist.

Last week, we marked International Refugee Day. Let us remember that any of us could, one day, be forced to leave our homes. As a Ukrainian, I know this better than many others, unfortunately. Irrespective of our political differences across this room, our responsibility as politicians is to ensure that the common framework which we adopted 75 years ago is protected.

Let me finish, dear colleagues, by quoting Madam Vigdís Finnbogadóttir, the first woman elected president in Iceland whose legacy was honoured through the awarding of the Vigdís Prize in this very room yesterday. She said, "The fight against prejudice is a movement towards peace".

Dear colleagues, let us fight against prejudice against asylum seekers as part of our efforts towards peace and democracy. I thank you in advance for your support of this important Resolution.

Thank you.

## **Vote: Ensuring human rights-compliant asylum procedures**

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Thank you, Mister Goncharenko.

The debate is closed.

Now I will consider the amendments.

The Committee on Migration, Refugees and Displaced Persons has presented a draft Resolution, Document 15997, to which two amendments have been tabled.

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

I would like to remind you also that any amendment which has been unanimously approved by the Committee seized for the Report shall not be put to the vote in the plenary and shall be declared as definitely approved unless 10 or more members of the Assembly object.

I understand that the Chairperson of the Committee on Migration, Refugees and Displaced Persons wishes to propose to the Assembly that Amendments 1 and 2 to the draft Resolution, which were unanimously approved by the Committee, should be declared as approved.

Is that so, Mister Goncharenko?

**Mr Oleksii GONCHARENKO (Ukraine, EC/DA, Chairperson of the Committee on Migration, Refugees and Displaced Persons):** Yes, you're absolutely right.

**Ms Snježana NOVAKOVIĆ BURSAC (Bosnia and Herzegovina, NR, President of the Assembly):** Is there anyone who wants to object those Amendments?

I cannot see anyone who wants to object, so I consider the Amendments to be approved.

Now we will proceed to vote on the draft Resolution contained in Document 15997 as amended. A simple majority is required.

The vote is open.

Please, the vote.

OK. The vote is closed.

I call for the result to be displayed.

*The draft Resolution in Document 15997 is adopted with 48 votes in favour, 4 against and 5 abstentions.*

Thank you very much.

The agenda is...

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

Thank you very much, and the sitting is adjourned.

Thank you.