

29th Council of Europe Conference of Ministers of justice
“Breaking the silence – united against domestic violence”
Tromsø, 18-19 June 2009

SPEECH

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Chair of the European Committee on Legal Co-operation (CDCJ)

Mr Chairman, Excellencies, ladies and gentlemen, distinguished guests

The theme of this Conference “Breaking the silence –United against domestic violence” calls for a common consciousness and common actions. The European Committee on Legal Co-operation (CDCJ) as a standard setting committee in civil, administrative and procedural law is willing and determined to pay its contribution in this respect.

It is vital – not only to bring the perpetrators under criminal sanctions but also remedy the victims and prevent further violent acts. A working group under the CDCJ recently prepared a report titled “Non-criminal remedies for crime victims”. The report is available here outside this Conference room.

As a background for this report is the 27th Council of Europe Conference of Ministers of Justice, Yerevan, Armenia in 2006 where the Ministers adopted a Resolution on victims of crime.

The report deals – among other things – with the means to remedy victims who are vulnerable by virtue of their personal characteristics or their relationship with the offender, such as women and children.

The report does not propose any further standard setting – in addition to the already existing numerous instruments – but underlines the need for training and awareness raising as well as for dissemination of good practices. However, the importance of rapid payment of the state compensation is specially referred to.

The report certainly deserves to be used as background material for instance when trying to improve the status of victims of domestic violence as further work of the Council of Europe.

Mr Chairman, access to justice for vulnerable groups such as women and children, remedies for crime victims, independence of the judiciary, administrative law are all elements of the Rule of Law which indeed underpin every aspect of the CDCJ’s mission. It is the mould in which its activities are deeply rooted.

A draft resolution on Council of Europe action to promote the rule of law has been prepared to be adopted by this Conference. The CDCJ sees this resolution very pertinent and timely. Excellent work has already been achieved during the Swedish Chairmanship of the Council of Europe, where it has been underlined that the Council of Europe is here in a key leading position. It is interesting and important to note that the rule of law is also high on the agenda of the Swedish Presidency in the European Union. Here the European Union should make use of Council of Europe standards and mechanisms, pursuant to the Memorandum of Understanding between these two organisations.

The rule of law is a wide and horizontal concept, covering many other aspects than the traditional criminal law and the functioning of justice. Let me just mention two areas, which are of special interest to the CDCJ and where the Council of Europe can have even global influence: the principle of good administration, including among others access to official documents and protection of privacy when processing personal data. The Council of Europe Convention on Data Protection has received important international attention and expression of interest by non Council of Europe member states. This shows the important role of the Council of Europe has in the area of rule of law, at national, European and worldwide level. As the Chair of the CDCJ, I look forward to tackling the challenges that you, Ministers of Justice, have outlined as priority areas for our future work.