

1486th Meeting of the Ministers' Deputies (17 January 2024)

Elements for statement by Tiny Kox

President of the Parliamentary Assembly of the Council of Europe

Mr Chair of the Committee of Ministers,

Madam Secretary General,

Mr Deputy Secretary General,

Ambassadors,

Dear colleagues

My two years' mandate as the President of the Parliamentary Assembly of the Council of Europe, is now close to an end. I am grateful to meet you for the last time in the Committee of Ministers. I really appreciated all earlier meetings with you, and I hope you enjoyed them as well.

Monday, the Assembly will elect its new President. I now already put my trust in my successor. I promise you a peaceful handover of the Presidency; I will deliver my Presidential key and hammer and will humbly retake Monday my seat amongst my colleagues in the Assembly, as I did since joining the Assembly 20 years ago. One clear advantage of no longer be President and come back as just a member: I will again be entitled to cast my vote, something I was not allowed to do in the past two years, as President. But I should not complain: without a vote, I did my best to use my voice.

Je pense que vous en conviendrez : ces deux dernières années, nous avons été confrontés ensemble - l'Assemblée, vous, les ambassadeurs, et notre Secrétaire Générale - à une période qui compte parmi les plus difficiles et les plus dangereuses que le Conseil de l'Europe et nos citoyens aient connues depuis la fin de la guerre mondiale et de la guerre froide. Le déclenchement d'une nouvelle guerre mondiale n'était plus considéré comme purement hypothétique. Du premier au dernier jour de ma présidence, notre principal objectif a été le suivant : contribuer à (d'abord) éviter et (ensuite) faire cesser cette nouvelle et horrible guerre d'agression sur le sol européen, qui a déjà causé la mort de dizaines de milliers de soldats et de civils, et qui a poussé des millions de citoyens ukrainiens, notamment des femmes et des enfants, à quitter leur foyer et souvent même leur pays, pour trouver refuge ailleurs, dans l'un de nos autres États membres.

We had to deal with the fact that the leadership of the Russian Federation decided – still being member State of our Organisation - to launch a full-scale unilateral war of aggression against Ukraine at the beginning of 2022. By crossing the borders of Ukraine, Russia did also cross the red lines of our organisation. This unjustified and unprovoked aggression led to our decision to exclude Russia from the Council of Europe on 15 March 2022. It was indeed sad that we had to expel a country after 26 years of membership, but it was a necessary step to take, and I am glad we dared to do so.

In spite of this, we have to recognise that until today, we did fail in our most fundamental goal – to preserve or to restore peace in Europe. And we cannot rest until this failure is remedied and comprehensive, just and lasting peace returns to Ukraine and the rule of law prevails over the rule of force. The territorial integrity of Ukraine must be fully restored within its internationally recognised borders and, subsequently, we must ensure Ukraine's reconstruction, based on strong and resilient public institutions at all levels, good democratic governance and the protection of human rights and fundamental freedoms, in the framework of the respect of the rule of law.

The Russian war of aggression against Ukraine obliged us addressing its consequences. I think we have actively pursued these two past years the agenda of concrete accountability of the Russian Federation for all wrongful acts it has done in and against Ukraine. It is of course our utmost priority to bring peace to Ukraine and to end this horrible war. But we all understand that the war cannot end without justice being done to its victims. We therefore agreed to establish the Registry of Damage Caused by the Aggression of the Russian Federation against Ukraine – the first international legal instrument to address the consequences of this aggression. Registration needs to be followed by compensation, I hope again the Council of Europe will be willing and able to do its fair share. I also am grateful that our Assembly was the first to call for setting up an ad hoc international tribunal for the crime of aggression and we continued to support all international initiatives that could lead to its establishment.

The Russian aggression against Ukraine reminds all of us that the peace and prosperity can never be taken for granted in Europe. We have all to protect and strengthen their foundations – human rights, democracy and the rule of law. I again thank you that together we managed to call, to organize and to follow up the historical 4th Summit of Heads of State and Government in Reykjavik, ever since the last Summit, in 2005, in Warsaw. Please allow me to especially thank the CM Chairs of Italy, Ireland, Iceland, Latvia and Liechtenstein in helping us to find the Road to and from Reykjavik in these two years. I appreciated our close co-operation, together with the Secretary General. You too, dear Secretary General, had the courage to act when needed in these dangerous times, and I thank you for doing so!

I dare to say that many decisions taken in Reykjavik have been at least partly inspired by our Assembly, which really was strong and wise enough to act as a modern European agora, focusing on credible answers to incredible difficult questions. I am grateful that we shared and developed our ideas with you, the Committee of Ministers and the Secretary General of the Council of Europe. I am also grateful that after years of austerity, we now see a sustainable increase of the budget. Great that our Heads of State and Government finally also put their money where their mouths rightfully were in Reykjavik!

When I was elected President of the Parliamentary Assembly, I called for this synergy between the activities of our Assembly, the Committee of Ministers and the Secretary General. I promised that I would invest in a fruitful dialogue of us all. I thought that alone we tend to be rather weak, together we could show the strength one might expect from Europe's oldest and broadest treaty-based organisation. I hope I indeed delivered on this promise, we now have a robust and constructive communication and collaboration between the statutory bodies of this organisation. I ask you to preserve this co-operation as crucial element in ensuring full implementation of the Reykjavik declaration: how to end the war of aggression and deliver justice, how to oblige us all to the Reykjavik Principles of Democracy, how to make the Istanbul Convention really the golden standard in protecting rights and lives of women and girls, and how to deliver on environmental human rights.

De nombreuses autres questions urgentes figurent à votre ordre du jour et au nôtre. Nous ne pouvons pas nous permettre de fermer les yeux sur ces défis, aussi difficiles soient-ils. Si nous ne contribuons pas à un accord de paix durable entre l'Arménie et l'Azerbaïdjan, de nouveaux affrontements vont se produire. Si nous n'œuvrons pas pour une « solution chypriote » durable, nous resterons confrontés à un « problème chypriote », source d'instabilité, et à la partition illégale de notre État membre. Si nous ne parvenons pas à faire en sorte que tous les citoyens des États membres aient accès au système de la Convention européenne des droits de l'homme, des « trous noirs » persisteront dans plusieurs de nos États membres, en Géorgie, en Moldova. Nous devons également nous occuper de notre voisinage géographique et politique, en particulier au Moyen-Orient, et de nos partenaires pour la démocratie. Afin de préserver l'essence même de notre système européen unique de protection des

droits de l'homme et des libertés fondamentales, nous devons - nous les États membres et le Conseil de l'Europe - améliorer durablement le niveau et la qualité de la mise en œuvre des arrêts de la Cour européenne. Si Osman Kavala n'est pas libéré dès que possible, nous serons tous perdants.

Next week I will hand over the Assembly's Presidency to my successor. And he or she will have to run a very busy and exciting session from the very first day in this position. Next Tuesday we will welcome in our hemicycle two Presidents – Cyprus and Montenegro and there will be interesting, though-provoking and politically relevant exchanges with them. The Assembly will also elect a new Council of Europe Commissioner for Human Rights, who will try to fit the huge shoes of Dunja Mijatovic, whose work in this position I strongly admire. The Assembly will not stand aside the discussions on the consequences of the Russian aggression against Ukraine and we will debate the situation of the Ukrainian children who perhaps are the main victims of this horrible war. We will also hold debates on the recent developments in the Middle East, on the use of the theme of migration and asylum in electoral campaigns, on the changing role of OECD since the Russian aggression against Ukraine, on the democratic future of Belarus, on countering SLAPPs and many others. The Prime-Minister of Liechtenstein Mr Daniel Risch will address our Assembly and the Chair of the Committee of Ministers Ms Dominique Hasler will present her communication. We will of course hold our traditional exchange with you, dear Secretary General. Finally, elections of new judges of the European Court of Human Rights in respect to Bulgaria, Lithuania and Luxembourg will take place. So, this is just a sneak preview for you of what promises to be a very interesting though intensive session.

But this will be next week under a different PACE President, but this afternoon I only wish to say again: thanks a lot, for your wisdom and support. It was an honour to be allowed to become President, now its is time to be hanged – at least as my picture, in the President’s Office. Let me use this opportunity to thank my Private Office and the Secretary General of our Assembly and all of the Assembly’s Staff for all their support. I hope to see them tomorrow afternoon and raise a glass. I also hope to do this during Monday evening’s reception in our Restaurant. I thank the Dutch ambassador for granting me this chance.

For the rest, I myself hope to stay well as long as possible, and I wish all of you the very best. It has been an honour and a pleasure!