

**19th International Meeting of Nafplion**  
**« *The challenges PACE has to face 75 years on* »**

**28 September 2024**

**Speech by Ms Despina Chatzivassiliou-Tsovilis, Secretary General  
of the Parliamentary Assembly of the Council of Europe**

Ladies and Gentlemen,

Distinguished guests, colleagues,

It is a great pleasure for me to speak here today, at the 19th International Meeting of Nafplion, on the occasion of the celebrations of the 75th anniversary of the Council of Europe.

I am very happy that an important section of this year's "Meeting" will be dedicated to the 75 years of our Organisation. This evidences the importance that is attached to the Council of Europe, our values and our system of conventions here in Greece. Greece was the first country to join the Council of Europe, on 9 August 1949. Only 20 years later, our Organisation experienced the military coup d'état in the spring of 1967. The Parliamentary Assembly then played a crucial role in evaluating the situation and the practical consequences to be drawn, which led to the withdrawal of Greece at a historic session of the Committee of Ministers in December 1969. This greatly contributed to the isolation and subsequent collapse of the colonels' regime, followed by the return to democracy and the reintegration of Greece into the Council of Europe at the end of November 1974, where it remains a committed member to this day.

As a Greek Secretary General of the Parliamentary Assembly, I take a certain pride in the fact that the Greek delegation to PACE is, and has ever been amongst

the most active delegations, and counts amongst its member a number of heavy political weights of our country. Ms Dora Bakoyannis, head of delegation, worked on the delicate file of Kosovo\*'s accession to the Council of Europe and is now rapporteur on the Middle East, Mr George Papandreou is our general rapporteur on political affairs and democracy, and Mr Aléxis Tsipras chairperson of the subcommittee on Western Balkans. And of course, the Parliamentary Assembly has a Greek president since January, Mr Theodoros Rousopoulos.

Ladies and Gentlemen,

On 5 May the Council of Europe marked its 75<sup>th</sup> anniversary. The Organisation was created in the aftermath of the Second World War as a unique peace project with a clear goal: to prevent a new war in Europe. European countries agreed to collectively build democratic security on the basis of every member State's commitment to the rule of law, human rights and democracy.

Half a century later, after the end of the Cold War, this project finally brought all of Europe together. Despite the challenges and clear setbacks facing us today, we should not forget this: we can be proud to say that the values which the Council of Europe embodies remain our compass and part of our European DNA. They remain as relevant as ever, and I am convinced that these values are the only way to navigate through the rough seas and storms of this 21<sup>st</sup> century.

- **Response to Russia's war of aggression in Ukraine**

For the full-scale aggression launched by the Russian Federation against Ukraine on 24 February 2022 was nothing less than an attack and existential challenge to this peace project and to these shared values.

Supporting Ukraine in this time of great trial is a priority for our Organisation. The Council of Europe manifested its clear will to hold the Russian Federation politically accountable for its full-scale invasion of Ukraine by expelling the Russian Federation as an immediate and direct consequence of this war. The Committee of Ministers took this unprecedented decision following a unanimous call by the Assembly.

But the Council of Europe did not stop here, as the gravity of the Russian Federation's wrongful acts in and against Ukraine warrants the establishment of a comprehensive system of legal and judicial accountability. The Assembly has consistently supported this course of action: calling for the establishment of a **Register of Damage** (operational since April 2024), and for the completion of the system of accountability through the creation of an international **compensation mechanism** and the **use of Russian frozen assets** to rebuild Ukraine and compensate its citizens as the main victims of the aggression, as recently recommended following a debate which saw the participation of the Speaker of the Verkhovna Rada, Mr Stefanchuk.

The Assembly is also the first international body to have called for the establishment of an **ad hoc international criminal tribunal** to investigate and prosecute the **crime of aggression** committed by the political and military leadership of the Russian Federation. In its last resolution on the topic, it considered that the best and most realistic way of creating such a special tribunal would be through an agreement between the Council of Europe and Ukraine, and this is the model that is currently being discussed by our member States and

other States (Core group). This would be unprecedented, as it would be the first time that the Council of Europe would be establishing a criminal tribunal to prosecute and try state officials for an international crime. The Council of Europe, with the Parliamentary Assembly at its forefront, would show to the world that it can innovate and use its own legal tools and powers to ensure accountability for the crime of aggression committed against Ukraine, a crime that is an attack not only against Ukraine but also against all Council of Europe members and the international community at large. The new Secretary General of the Council of Europe promised to make it a priority during his mandate to continue advocating for such a tribunal.

- **Follow-up to the Summit of Reykjavik and the Assembly's contribution**

The expulsion of the Russian Federation among others also provided momentum for organising a Summit of Heads of State. At this Summit, organised 18 years after the previous one, our leaders stood together in reasserting their will to support Ukraine for as long as it is necessary and to find sustainable answers to the threats to democratic stability and peace on our European continent.

There, the place of the Council of Europe as guardian and watchdog of human rights, democracy and the rule of law was reasserted. The 4th Summit of Heads of State and Government of the Council of Europe took place to answer key questions about the direction of this Organisation and the direction of our continent in Reykjavík in May last year. A strong parliamentary dimension ran through the preparations for the Summit, and the successful conclusion of the Summit was clear. Now it is up to all actors and stakeholders to work together to ensure that these become not just empty words. The Parliamentary Assembly contributes concretely to the important direction set by Europe's leaders in Reykjavík and tackling the current and emerging questions of our times.

This has included appointing a general rapporteur on democracy as part of the Assembly's actions to strengthen democracy, counter its backsliding, and promoting practices to enhance citizens' trust in democratic institutions. Our actions also comprise enhancing inclusivity in our decision-making processes, combatting all forms of discrimination, and strengthening dialogue with democratic forces who share the Council of Europe's values from Belarus and Russia.

It has further included responding to environmental challenges, agreeing to strengthen existing conventions and co-ordinate action against pollution, climate change and biodiversity loss. The Assembly has been at the forefront of this debate in the Organisation in advocating for the right to a clean, sustainable and healthy environment - a right that should be supported and bolstered by a binding legal instrument.

Looking ahead, the Assembly has also driven forward - and continues to tackle - action on artificial intelligence. It has supported the drafting of the Framework Convention on Artificial Intelligence, Human Rights, Democracy, and the Rule of Law, emphasising the key ethical principles of transparency, fairness, human responsibility, safety, and privacy, which must guide action in this domain. This pioneering agreement, adopted in May, is the first international and human-centred treaty on AI. The Assembly welcomes it and encourages a dynamic interpretation of the convention to adapt to future technological advances and developments.

- **Application by Kosovo\* for membership of the Council of Europe**

As you are probably aware of, Kosovo\* is now an important step closer to becoming a member of the Council of Europe. The Assembly was asked to provide an Opinion on Kosovo\*'s membership application to the Council of Europe. In April this year our members recommended that the member States of the Council of Europe invite Kosovo\* to become a member of the Organisation. Kosovo's accession would have been an important milestone during our 75<sup>th</sup> anniversary, as the last member to be admitted joined our organisation in 2007. Membership offers a chance for Kosovo\* to consolidate its democracy and democratic culture, to gain the trust and allegiance of all nationalities and communities under their jurisdiction, and to become an agent of stability in the region. While the Assembly continues to expect substantial and tangible process from the authorities of Kosovo\* across a number of domains, and to fulfil a range of commitments, it considered that membership would catalyse momentum in Kosovo\* for strengthening human rights, democracy and the rule of law. The ball is now in the court of the Committee of Ministers. In its Opinion on Application by Kosovo for membership to the Council of Europe, the Assembly stated that "While supporting Kosovo's membership of the Council of Europe, the Assembly is aware of the unprecedented circumstances of this application, as a number of Council of Europe member States do not recognise Kosovo as a State. Diplomacy, dialogue and compromise are necessary to ensure that the prospective admission of Kosovo does not create a fracture in the unity of Council of Europe member States, thus undermining the spirit of the Reykjavik Summit." The Assembly also called on "the Committee of Ministers to spare no diplomatic and political effort to ensure that Kosovo's membership is not only beneficial to Kosovo and all those who are under its jurisdiction but is also a factor of stability, democratic security and peace in the Western Balkans and Europe."

- **Implementations of judgements of the Court by Greece**

The PACE has always been a supporter of the European Court of Human Rights. First of all, one of its main responsibilities is to elect the Judges of the Court, and this in accordance with Article 22 of the European Convention itself. We have a specialised committee within the Assembly which is dedicated to this task, it interviews the candidates to the post of Judge submitted by each member State and recommends an order of preference to the plenary of the Assembly, which in turn elects one Judge for each country. But our support and links to the Convention system do not stop here. For over 20 years, the Assembly has appointed a rapporteur on the implementation of judgments of the European Court of Human Rights. The rapporteur publishes a biennial report (last one in 2023), resulting in regular Resolutions and Recommendations of the Assembly. These assess the overall situation, highlight states or thematic areas where there may be an acute problem with judgment implementation, and propose systemic solutions. The rapporteur conducts country visits with high-level meetings; and organises hearings in the Assembly's Committee on Legal Affairs and Human Rights, where government representatives responsible for implementing European Court judgments are questioned by parliamentarians. In this way PACE facilitates a dialogue about judgment implementation, holds states to account; and inspires reforms, both at the national and European level. Looking to the future, the CoE's Committee of Ministers has asked the PACE to carry out even more activities to promote the implementation of the Court's judgments. Also the Head of States and Governments in Reykjavik called on the President of the Assembly to strengthen the political dialogue with national parliaments on the

implementation of judgments. We aim to meet this challenge through more projects and awareness raising activities on the implementation of judgments.

The implementation of judgments of the European Court of Human Rights is crucial, in order to ensure the protection of human rights at the national level, and also to ensure that the Court in Strasbourg does not become blocked with applications about human rights violations which could have been prevented. My dear colleague, Mr Sicilianos, will probably go into more detail about this.

I simply wished to highlight that Greece finished 2023 with the number of judgments of the European Court of Human Rights pending implementation at its lowest for many years. 10 years ago, the number of judgments of the Strasbourg Court concerning Greece pending implementation had reached its highest ever level, with 495 pending implementation. At the end of 2023, there were only 68 Strasbourg Court judgments concerning Greece pending implementation. This is a great achievement, and the extensive efforts of the Greek authorities are to be highly welcomed.

- **Cyprus**

The situation in Cyprus is a challenge that continues to preoccupy our organisation. Almost 50 years since the division of the island, the frozen conflict in Cyprus “harms the vital interests of all Cypriot citizens and may lead to dangerous escalation”. The Assembly adopted a report during the 3<sup>rd</sup> Part-session in June calling for Varosha to be returned to its lawful inhabitants - either under UN control or as part of a package of reciprocal confidence-building measures between the two communities on the island. The practical moves



made by the leader of the Turkish Cypriot community in Cyprus since October 2020 to re-open Varosha, were condemned as an “unacceptable change” to its status and a grave violation of relevant UN Security Council resolutions. This furthermore undermines the prospects of reaching a comprehensive settlement of the Cyprus issue.

The Assembly praised both municipalities of Famagusta/Gazimagusa for establishing “constructive and future-oriented dialogue” and encouraged them to develop common bi-communal projects aimed at “preparing Famagusta, including Varosha, for a common future following the eventual solution of the Cyprus issue”. They also underlined the possibility for Greek Cypriots who so wish to apply for pecuniary compensation, exchange or restitution of their properties abandoned in 1974 under the “Immovable Property Commission” (IPC) set up in the northern part of Cyprus following a Strasbourg Court ruling, the Cyprus v Turkey judgment (2001). In most cases processed to date the IPC has ruled for compensation in accordance with the claims of the applicants. However, the Assembly also said it understands that, for most Greek Cypriots who are lawful inhabitants of Varosha, applying to the IPC “is not politically acceptable or practicable”.

*[Background elements CMDH meeting:* Cyprus considers that the compensation mechanism put in place by the IPC, by compensating instead of restituting properties in the northern part of the Island to Greek Cypriots, results in the de facto division of the Island of Cyprus along ethnic lines. Given the impasse, Cyprus commissioned a Study to former President of the Court Robert Spano who argues for resolving the issue by asking the Court to provide an authentic interpretation under Article 46 § 3 of the Convention. He also argues that the IPC is not a sufficient mechanism. Türkiye questioned whether Mr. Spano’s opinion

violates the ethical standards of the Court and will raise the matter with the Court itself. The Council of Europe maintains a neutral approach on this issue and the item will be re-discussed at the Meeting of the Ministers' Deputies - Human Rights (CMDH) in June 2025.]

The Assembly is closely following the execution of the Court's judgments delivered in relation to the consequences of the conflict in Cyprus. For instance, in the case of *Cyprus v. Türkiye* (judgment of 2014, just satisfaction), the Court ruled that Türkiye was to pay the Government of Cyprus 30 million euros in respect of non-pecuniary damage suffered by the relatives of missing persons (Greek Cypriot) and 60 million euros in respect of non-pecuniary damage suffered by the enclaved Greek Cypriot residents of the Karpasia/Karpas peninsula. Notwithstanding this clear judgment and several resolutions by the Committee of Ministers, the just satisfaction remains unpaid by Türkiye. The Committee of Ministers has also reiterated its call on the Turkish authorities to continue to ensure that the Committee on Missing Persons has unhindered access to all areas, and information on any places, where remains of missing persons might be found. Our Rapporteur on the implementation of judgments, Mr Constantinos Efstathiou, will most likely assess the stage of implementation of these judgments in its future report.

- **Türkiye**

In April 2017, the Parliamentary Assembly decided again to place Türkiye under the monitoring procedure. Since then, it has closely followed the developments in the country in a spirit of dialogue and co-operation with the Turkish authorities. The Assembly has paid particular attention to the unaddressed structural deficiencies in the functioning of Türkiye's democratic institutions, as identified by the Council of Europe's monitoring mechanisms.

An electoral observation mission observing the presidential and parliamentary elections of 2023 found that Türkiye does not fully respect the basic principles for holding a democratic election, mainly due to continued restrictions on the freedoms of assembly, association, and expression. In addition, according to the recent findings of the Assembly's Monitoring Committee, government critics are often prosecuted and convicted on the basis of terrorism-related offences, key political and social figures are in prison even after judgments of the European Court of Human Rights ordering their release, media freedom is severely restricted and Türkiye is a long way from creating fair election campaign conditions. Serious doubts persist about the independence of the judiciary, mainly due to the politicized composition of the Council of Judges and Prosecutors, responsible for judicial appointments. Concerns are also raised about poor conditions in penitentiary facilities. The Assembly will therefore continue monitoring Türkiye closely.

Most recently, the system for the European Convention on Human Rights has faced a direct challenge, through the continued imprisonment of Turkish philanthropist Osman Kavala. Osman Kavala has been imprisoned in Türkiye since 2017, on charges that the European Court found were brought to silence his human rights work. Despite the European Court ordering Mr Kavala's release – and the Committee of Ministers initiating infringement proceedings when he was not – Mr Kavala remains in jail. The Parliamentary Assembly has taken a keen interest in this case. In October last year it awarded Mr Kavala the Vaclav Havel human rights prize, held an urgent debate on his case based a report prepared by the Austrian parliamentarian Petra Bayr, and issued a Resolution calling for Mr Kavala's immediate release.

**Azerbaijan** The credentials of Azerbaijan's delegation to the Parliamentary Assembly of the Council of Europe were challenged on the opening day of the 2024 winter plenary session. Among the reasons for this were the situation of political prisoners in the country, the violent displacement of people from Nagorno-Karabakh, the hindering of Assembly rapporteur's visit to Azerbaijan at least three times during 2023, and the lack of an invitation to observe the country's 7 February presidential election. 76 out of 90 voted against the ratification of credentials of Azerbaijan's delegation. The Assembly stated as a condition for Azerbaijan's return that the country needs to meet the obligations under the rules of procedure of the Council of Europe.

However, instead of contributing to a constructive dialogue, Azerbaijan has taken retaliation measures. In July, the scheduled visit of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment was cancelled. The government of Azerbaijan will not allow visits from any body of the Council of Europe as a reaction to the non-ratification of credentials. Azerbaijan's refusal to invite PACE election observation missions to the extraordinary parliamentary elections on September 1st also indicates a lack of political will to normalize relations. Furthermore, suspicions about the existence of a blacklisting of the Parliamentarians who had voted against the ratification of Azerbaijan's credentials arose in February, when a member of the Swiss delegation to PACE was denied access to Azerbaijan when traveling as part of an OSCE election observation mission. This suspicion was confirmed in August, when the Foreign Minister of Azerbaijan announced that certain members of PACE would be considered *personae non gratae*.

I hope for a swift solution to this travel ban and that the authorities of Azerbaijan take the necessary steps, so that we may welcome Azerbaijan's delegation back to the Assembly in the near future.

Ladies and Gentlemen,

Dear guests and colleagues,

The Parliamentary Assembly plays an active role, as the political engine of the Council of Europe. It has proven throughout 75 years of history that it plays a leading role as initiator of major conventions. Our Assembly is often the trailblazer in the Council of Europe in calling for new thinking on human rights issues, adapting our legal framework if necessary and putting in place multilateral co-operation mechanisms to work together to find the best ways forward.

Let me recall that holding its very first session on 10 August 1949 in the main lecture hall at Strasbourg University, the Assembly identified the protection of human rights as a priority, asking the Committee of Ministers to draft a convention to this end.

The European Convention on Human Rights was the first instrument in the world aimed at giving effect to certain rights laid down in the Universal Declaration of Human Rights.

It made them binding. Its ratification became an obligation for all Council of Europe member States.

Over 75 years, the Council of Europe has not lost an each of its *raison d'être*. It has a clear role and purpose in today's international landscape, and it is capable of reacting to new challenges and of taking proactive steps in previously unknown territory. I would like to thank you again for the opportunity to speak to you today. I have no doubt that the discussions will be both engaging and rich.