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CM (94) PV 2



# Minutes of the 95th Session of the Committee of Ministers

held on 10 November 1994

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MINUTES OF THE 95th SESSION  
OF THE COMMITTEE OF MINISTERS

Strasbourg, Thursday 10 November 1994

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95th SESSION

MINUTES

of the sitting held on 10 November 1994 at 1.22 pm  
in the Palais de d'Europe  
STRASBOURG

PRESENT

ANDORRA	Mr O.	RIBAS REIG
	Mr M.	VILA AMIGO
AUSTRIA	Mr W.	SCHALLENBERG <sup>1</sup>
BELGIUM	Mr F.	ROELANTS <sup>2</sup>
BULGARIA	Mr I.	STANCIOFF <u>Chair</u>
CYPRUS	Mr A.	MICHAELIDES <u>Vice-Chair</u>
CZECH REPUBLIC	Mr P.	BRATINKA <sup>3</sup>
DENMARK	Ms M-L.	OVERVAD <sup>4</sup>
ESTONIA	Mr J.	LUIK

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<sup>1</sup> Secretary General for Foreign Affairs, in place of Mr A. MOCK, Minister for Foreign Affairs.

<sup>2</sup> Secretary General of the Ministry of Foreign Affairs, Foreign Trade and Development Co-operation, in place of Mr F. VANDENBROUCKE, Deputy Prime Minister responsible for Foreign Affairs.

<sup>3</sup> Deputy Minister for Foreign Affairs, in place of Mr J. ZIELENIEC, Minister for Foreign Affairs.

<sup>4</sup> Permanent Representative of Denmark to the Council of Europe, in place of Mr N. HELVEG-PETERSEN, Minister for Foreign Affairs.

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FINLAND	Mr T.	GRÖNBERG <sup>5</sup>
FRANCE	Mr M.	LENNUYEUX-COMNENE <sup>6</sup>
GERMANY	Mr H.	SCHIRMER <sup>7</sup>
GREECE	Mr Y.	KRANIDIOTIS <sup>8</sup>
HUNGARY	Mr L.	KOVÁCS
ICELAND	Mr S.H.	GUNNLAUGSSON <sup>9</sup>
IRELAND	Mr T.	KITT <sup>10</sup>
ITALY	Mr P.	PUCCI di BENISICHI <sup>11</sup>
LIECHTENSTEIN	Ms A.	WILLI
LITUANIA	Mr P.	GYLYS
LUXEMBOURG	Mr J.F.	POOS
MALTA	Mr G.	DE MARCO

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<sup>5</sup> Permanent Representative of Finland to the Council of Europe, in place of Mr H. HAAVISTO, Minister for Foreign Affairs.

<sup>6</sup> Permanent Representative of France to the Council of Europe, in place of Mr A. JUPPE, Minister for Foreign Affairs.

<sup>7</sup> Permanent Representative of Germany to the Council of Europe, in place of Mr. K. KINKEL, Minister for Foreign Affairs.

<sup>8</sup> Deputy Minister for Foreign Affairs, in place of Mr C. PAPOULIAS, Minister for Foreign Affairs.

<sup>9</sup> Permanent Representative of Iceland to the Council of Europe, in place of Mr J. B. HANNIBALSSON, Minister for Foreign Affairs.

<sup>10</sup> Minister of State, Department of Foreign Affairs, in place of Mr D. SPRING, Minister for Foreign Affairs.

<sup>11</sup> Permanent Representative of Italy to the Council of Europe, in place of Mr A. MARTINO, Minister for Foreign Affairs.

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NETHERLANDS	Mr J.S.L.	GUALTHÉRIE VAN WEEZEL <sup>12</sup>
NORWAY	Ms S.	BJERKE <sup>13</sup>
POLAND	Mr A.	OLECHOWSKI
PORTUGAL	Mr V.	MARTINS <sup>14</sup>
ROMANIA	Mr T.	MELEȘCANU
SAN-MARINO	Mr G.	GATTI
SLOVAKIA	Mr E.	KUKAN
SLOVENIA	Mr I.	GOLOB <sup>15</sup>
SPAIN	Mr C.	WESTENDORP Y CABEZA <sup>16</sup>
SWEDEN	Ms L.	HJELM-WALLEN
SWITZERLAND	Mr F.	COTTI
TURKEY	Mr M.	SOYSAL
UNITED KINGDOM	Mr R.C.	BEETHAM <sup>17</sup>

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<sup>12</sup> Permanent Representative of the Netherlands to the Council of Europe, in place of Mr H.A.F.M.O. van MIERLO, Deputy Prime Minister, Minister for Foreign Affairs.

<sup>13</sup> State Secretary for Foreign Affairs, in place of Mr B.T. GODAL, Minister for Foreign Affairs.

<sup>14</sup> State Secretary for European Affairs, in place of Mr J.M DURÃO BARROSO, Minister for Foreign Affairs.

<sup>15</sup> State Secretary for Foreign Affairs, in place of Mr L. PETERLE, Minister for Foreign Affairs.

<sup>16</sup> State Secretary for Foreign Affairs, in place of Mr J. SOLANA MADARIAGA, Minister for Foreign Affairs.

<sup>17</sup> Permanent Representative of the United Kingdom to the Council of Europe, in place of the Rt. Hon. Douglas HURD, CBE, MP, Secretary of State for Foreign and Commonwealth Affairs.

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Mr L. BOSELLI

Director in the Directorate-General of External  
Political Relations of the European Commission,  
responsible for relations with the Council of Europe.

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Mr D. TARSCHYS

Secretary General

Mr P. LEUPRECHT

Deputy Secretary General

Mr H.-P. FURRER

Director of Political Affairs

Mr G. DE VEL

Director responsible for the Secretariat of the Committee of  
Ministers

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The Session opened at 1.22pm with the Chairman, M. I. STANCIOFF, Minister for Foreign Affairs of Bulgaria in the Chair.

The CHAIRMAN made the following statement:

"I declare open this 95th Session of the Committee of Ministers and I wish to welcome, in our midst, the Head of Government of Andorra, Mr Oscar Ribas Reig, and the Minister for External Relations, Mr Marc Vila Amigo, who for the first time represent our 33rd member State. I wish them also a most fruitful cooperation within our democratic pan-European family.

Before proceeding to the Agenda, I would, and I am sure that I speak for the entire committee, express my deepest sympathies to the representatives here of those countries, principally in the South of Europe, whose populations have suffered so severely at the hands of the recent storms and floods which have battered this region. I wish to remind you that the Social Development Fund of the Council of Europe has, as a priority activity, the granting of financial support for the reconstruction of areas struck by natural disasters."

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Item 1: ADOPTION OF THE AGENDA

The CHAIRMAN made the following statement:

"You will find the proposed agenda on the front page of the provisional annotated agenda (CM(94)OJ2 prov.).

Are there any observations on the agenda?

If not, I declare the agenda adopted. (see Appendix 1)

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Concerning the organisation of our formal meeting, I propose, given the fact that we have already had substantial discussions during our informal meeting, that we start with item 2 (Statutory Declaration of the Secretary General), that we then take item 3 of the agenda on the enlargement and future role of the Council of Europe, and that we finish with item 4, the date of our next meeting, before adopting our Final Communiqué."

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Item 2: STATUTORY DECLARATION OF THE SECRETARY GENERAL

The CHAIRMAN made the following statement:

"I wish to congratulate our new Secretary General, Mr Daniel Tarschys, not only on his election, but on the way he has accomplished his first months of office. I further invite him to pronounce the solemn declaration foreseen in Article 36(e) of the Statute of the Council of Europe."

Mr TARSCHYS made the following declaration:

"I solemnly declare that I will carry out the duties entrusted to me as Secretary General of the Council of Europe loyally and conscientiously, respecting the confidence placed in me. In discharging these duties and in my official conduct I will have regard exclusively to the interests of the Council of Europe. I will not seek or receive any instructions in connection with the exercise of my functions from any government or any authority external to the Council. I will refrain from any action which might reflect upon my position as Secretary General of the Council."

The CHAIRMAN made the following statement:

"In the name of the Committee, I wish our new Secretary General all success in the vitally important tasks which he will have to complete at a moment which is crucial for the Council of Europe. The considerable enlargement will offer a unique opportunity for the Council of Europe, and one which we will have to seize. I am confident that Mr Tarschys will develop a fruitful co-operation with the Committee of Ministers and with the Parliamentary Assembly."

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Item 3: ENLARGEMENT AND FUTURE ROLE OF THE COUNCIL OF EUROPE

The CHAIRMAN made the following statement:

"I propose that we start with the adoption of the texts prepared by the Ministers' Deputies and then continue to listen to some discussions on the various points listed in the draft annotated agenda under item 3; the enlargement, its effects and the follow-up action to the Vienna Summit, especially the protection of national minorities and Plan of Action on combating racism, xenophobia, antisemitism and intolerance.



Firstly, our Deputies have submitted to us their report on the effects of enlargement of the Council of Europe, which can be found under reference CM(94)157 and Addendum. You will notice that the Deputies have already adopted some important decisions on the institutional implications of enlargement and I think that we can congratulate them and their working party for the excellent work done under the chairmanship of Ambassador Moret with contribution of other working parties chaired by Ambassadors Amneus, Winkler and Nowak.

The Ministers' Deputies have left for our final adoption one decision that you will find in the provisional annotated agenda on page 4, in the frame at the top of the page, concerning the application of Article 9 of the Statute on member States' financial obligations. Could we, as they propose, agree that apart from exceptional circumstances having prevented a member State from fulfilling its obligation, Article 9 of the Council of Europe's Statute (on the suspension of a member State) will be applied to any State which has failed to fulfil all or a substantial part of its financial obligation for a period of two years.

I am sure that following our discussions today, the Ministers' Deputies will have much food for thought. We encourage them to pursue and accomplish their work, in particular on the more political aspects of the effects of enlargement, before our next ministerial meeting in May 1995.

This does not exclude, of course, further discussions on certain other political as well as institutional and administrative aspects of the report of the Ministers' Deputies. Such debate could take place after we have adopted the other texts submitted to us.

The second of these is the Declaration on compliance with commitments accepted by Council of Europe member States, which was presented to the Ministers' Deputies last Friday and which you will find in your files under reference CM(94)158.

Can we adopt this text formally?

If there are no objections I consider the text as adopted and wish to thank the Ministers' Deputies, especially their working party for the excellent work they did under the chairmanship of Ambassador Van Weezel (see Appendix 2).

The third text which is submitted for adoption is the draft framework Convention on the protection of national minorities.

Both the competent experts and the Ministers' Deputies have worked long and hard to give a concrete follow-up to the decision taken by our Heads of State and Government at the Vienna Summit. After difficult negotiations where Ambassador Pucci di Benisichi played an eminent role, they came to an agreement on the text of both the draft framework Convention and the Explanatory Report. They have proposed the adoption of the text of the Convention, as it appears in Document CM(94)161, as well as the authorization of the publication of the Explanatory Report thereto, which you will find in the same document.

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If there are no objections I propose that we adopt the text of the draft framework Convention on the protection of national minorities. I also propose that we authorise publication of the Explanatory Report thereto.

Mr SOYSAL (Turkey) made the following statement:

"The Council of Europe has reached a decisive turning point in its history. Our Organisation is gradually taking on a pan-European dimension, as the Heads of State and Government pointed out at the Vienna Summit. If this dimension is to be fully achieved, the current enlargement must eventually embrace all the States on this continent, obviously including those in the Southern Caucasus.

These far-reaching changes necessitate novel structures and working methods suited to the new problems we have to solve. Otherwise, the Organisation will find it impossible to fulfil its functions.

I would like to make a number of points in that regard.

In connection with administrative and financial questions arising out of the enlargement process, we welcome the work done hitherto, including the adoption of a new scale of budgetary contributions. We attach great importance to reinforcing the Secretariat so that it can meet the requirements of the enlargement process. I consider it vital that we avoid under-representing the older member States in the Secretariat. I stress this point because Turkey is the old member country which is most under-represented in all the higher administrative grades. This is an injustice which must be corrected, and I will ensure that this is done as soon as possible in my term of office.

In connection with the requisite majorities for our decisions, I think we must be realistic. If we wish to remain efficient, it is obviously difficult to adhere to the unanimity rule. It is nevertheless of the utmost importance that in applying any new system we take systematic account of the countries' vital interests, in the spirit of solidarity and co-operation which are peculiar to the Council of Europe. It would therefore be useful if we could continue with the consensus tradition as far as possible.

I would like to make two remarks on the Framework Convention for the Protection of National Minorities. The Turkish Constitution provides that the State and the nation are indivisible and that all citizens are equal before the law. For historical and cultural reasons the word "minority" is not in common use in Turkey, except specifically to designate non-Moslem communities. In the Lausanne Treaty, which was concluded before the proclamation of the Republic of Turkey even though it is one of its fundamental components, non-Moslem Turks are described as persons belonging to non-Moslem minorities. The rest of the population constitutes the majority, without any distinctions of an ethnic, linguistic or religious nature. The social fabric of Turkey is a practical example of the application of the

CSCE provisions incorporated into paragraph 43 of the Explanatory Report on the Framework Convention, to the effect that, and I quote, "not all ethnic, cultural, linguistic or religious differences necessarily lead to the creation of national minorities". Turkish legislation is a reflection of this type of social fabric.

This obviously does not preclude recognising the existence of ethnic, religious, linguistic and cultural differences in the composition of the country's population. As it states in its programme, the Turkish Government is determined, in the interests of national unity, to eliminate all legal and other obstacles, and all lacunae and restrictions connected with freedom of expression and the conservation and development of every individual's ethnic, cultural and linguistic specificities.

We are therefore pleased that this Framework Convention sets out all these principles, which coincide with the general thrust of our work in this field.

I would also like to point out that the protection of national minorities cannot be considered in isolation from the concept of human rights in general, which is a universal value. The protection of human rights and the protection of persons belonging to minorities are therefore indissociable. Consequently in the case of millions of persons many of whom have been settled in a country for almost forty years and who are obviously not to be removed from what has become "home" to them, it is only fair and natural that they too should enjoy the rights laid down in this Convention.

This is how we perceive and construe the text of the Convention, and this is the angle from which we support its adoption.

The question of monitoring compliance with commitments accepted by member States is also very important. However, it is also a rather thorny issue which should be treated with the utmost care. We consider it very important to ensure that the monitoring of compliance with commitments be implemented by means of co-operation and mutual understanding.

We must also pay attention to the specific conditions in individual member countries when implementing the Declaration which we are adopting today. In that connection I would like to refer to the interpretative declaration made by the Permanent Representative of Turkey at the meeting of the Deputies on 4 November 1994. Turkey will be applying the Declaration adopted by the Committee of Ministers on the basis of that interpretation, which I would like to recall here.

Turkey considers that the campaign against racism, the protection of minorities and the defence of human rights, democratic security and stability against terrorism must be top priorities in the context of the first provision of the Declaration.

Turkey also trusts that when implementing the Declaration the Committee of Ministers and the Secretary General will refrain from all contact with individuals or organisations resorting to or advocating violence, or publicly condoning terrorism or violence, and that the Committee of Ministers and the Secretary General will also refuse to accept communications from such persons or organisations.

A further matter which I should like to mention is the Plan of Action against racism, xenophobia and intolerance. We welcome the launch on 10 December next of this public awareness campaign. We are also highly satisfied with the work initiated by the European Commission against Racism and Intolerance. In view of the nature and extent of the problem, we consider that this Commission's work should continue in the long term, just as the Council of Europe's work in this field in general should be continuous. That is why, given the need for a legal basis for the campaign, we have presented a draft legal instrument against racism, which we hope will be adopted thanks to the contributions of all members".

Mr COTTI (Switzerland) referred to a matter to which his country attached great importance, namely co-ordination of the activities of various international institutions, notably the Council of Europe and CSCE. There was a considerable need for international co-operation, but resources were limited. His country was in favour of such co-ordination, which had already begun and should intensify as time went on. He was convinced that efforts could be pooled. The main historical components of the Council of Europe's activities were the protection of human rights, democracy and the rule of law. His country was prepared to co-operate with any country wishing to improve the division of labour between the institutions.

The Council of Europe was facing two requirements: firstly, the very definite need, in the interests of the democratic security of the whole continent, to involve at an intergovernmental level countries which had not yet made adequate progress in their institutions, for example the Russian Federation; secondly, the requirement that the Council of Europe maintain its criteria regarding its fundamental standards and values.

The Council of Europe had to find a way of reconciling these two requirements. These countries had to be given effective support in their gradual progress towards compliance with the Council of Europe's standards, and monitoring, although needed, should not be inquisitorial in nature, but should enable all the Organisation's member States to achieve the Council of Europe's main aims.

Mr KUKAN (Slovakia) made the following statement:

"I would like to express that, in accordance with the conclusions of the Vienna Summit of the Council of Europe, the Slovak Republic supports the activities of the Council of Europe leading to the preparation of legal documents in the field of protection of the identity of national minorities. One such legal document is the framework Convention on the protection of national minorities, which has been presented for discussion and signature at the Session of the Committee of Ministers of the Council of Europe.

A very reliable approach of the member countries to the negotiation of the text of this document, resulting from the extraordinary interest of Europe in codification of the rights of national minorities, is proof that the Convention will become a relevant European standard. We understand that on the one hand, this standard will be obligatory for those countries which accepted it, and on the other hand, it will become a concrete indicator for the national minorities themselves of what rate of protection of national minorities is possible and acceptable on the part of European countries. I emphasise this fact because it is the relationship between the State and a minority, or among many national minorities, some kind of right balance has to be achieved, which is thoroughly respected by the Convention. Any kind of violation of the balance, either a crude breach of the rights of national minorities by the state or exaggerated and ever increasing demands and requirements from the side of a national minority, could lead, mostly in case of smaller countries, to political destabilisation. On the other hand, this standard can also be a very solid basis for talks on the issues of national minorities at both the bilateral and regional levels, where the involved countries could and should apply this European standard, while thoroughly respecting its philosophy.

From the viewpoint of the Slovak Republic, the Convention includes many attractive thoughts and ideas, namely that effective protection of the national minorities should be guaranteed legislatively within the legal state, respecting the territorial integrity and sovereignty of the state; and that the Convention emphasises an integration role of the state in the society. The philosophy of the document itself is also very significant, as it is based on a concept of individual rights, i.e., the rights of individual persons.

From the viewpoint of the Slovak Republic it is also necessary to stress that the articles of the framework Convention granting the rights to the persons belonging to the national minorities which have the nature of universal human and civil rights - especially I mean Articles 7, 9 and 17 which refer to the freedom of assembly, association, expression, contacts and so on - the Slovak Republic, like other states, I suppose, understands as the articles applying equally to all citizens irrespective of their nationality.

Even though it does not result from the document directly, I think that the duty of the state to provide a national minority with protection and a development of its identity adequately and within the framework of its own social and economic possibilities, is related to the right of the state to expect that the members of a national minority will be loyal to the state and that they will not seek guarantors for their own minority's rights abroad. Mutual confidence can be the best guarantee for the positive development of conditions for the life of a national minority. We treat every national minority living on the territory of the Slovak Republic as a significant benefit to the cultural heritage of our society, built as it is on the civic principle. From the viewpoint of the Slovak Republic, I consider it necessary to stress the fact that, while the Convention is a clearly designed programme for Europe in many respects, the Slovak Republic has already fulfilled this programme. Generously guaranteed rights and, more importantly, the high standard of consciousness of each individual national minority in Slovakia, create reasonable conditions in order for our small and young country, while implementing social and economic transition, to gradually become a model of a modern European society, an integral part of which are different national minorities.

We show our interest in preparing the Supplementary Protocol to the European Convention on the Protection of Human Rights and Fundamental Freedoms in the area of culture. This Protocol is attractive for us also because it will introduce codification of the individual rights of national minorities in culture.

In concluding, I would like to make two remarks: Firstly, I would like to inform you that the Slovak Republic has decided on 8 November 1994 to sign the framework Convention on the protection of national minorities. Secondly, I would like to propose that the draft framework Convention be incorporated into the Stability Pact so that it may serve as source or guidance principle on the bilateral level. Thank you for your attention."

Mr SCHIRMER (Germany) noted that the Committee had just taken decisions regarding a number of important texts including the framework Convention and its Explanatory Report.

He wished to make the following formal declaration on behalf of the German Government:

"The protection of national minorities plays an essential role in maintaining peace, stability and democratic security in Europe. Not least against the background of the ethnic conflicts with traditional minorities in parts of the former Yugoslavia and in other areas of Central and Eastern Europe, the Vienna Summit of the Heads of State and Government decided, in October 1993, to take up this challenge and to guarantee the rights of national minorities.

The draft of the Framework Convention now before us was elaborated within a few months, and it was necessary to make a number of compromises in order to complete it.

One of these was the fact that Member States retain a high degree of flexibility in implementing the principles of the Framework Convention.

In particular, there is no definition of the population groups to which the Framework Convention applies. It therefore remains the task of the parties to the convention themselves to make this definition. On this basis Germany has from the beginning wholeheartedly supported the elaboration of this Convention.

I would like to take this opportunity to thank the Governments of the Member States, as well as the Secretariat of the Council of Europe, for their excellent cooperation."

Mr LENNUYEUX-COMNENE (France) made the following statement:

"In connection with the Declaration on compliance with commitments accepted by member States, the French delegation would like to point out, firstly, that any terms of reference given to the Secretary General by the Committee of Ministers should be considered as having to be personally executed by the Secretary General. Secondly, any proceedings arising out of the Declaration should remain confidential, unless the State in question consents to their being made public.

In this connection the French delegation considers that the work of the Committee of Ministers should not be systematically opened to public scrutiny. Some matters should remain confidential and related documents should only be declassified by explicit decision of the Committee of Ministers.

On the matter of the requisite majorities for Committee of Ministers' decisions, the French delegation at this stage expresses a reservation regarding the amendment by gentleman's agreement of the statutory rule set out in Rule 20 (a) (i) on the requisite majority for the adoption of Recommendations to the governments of member States. It wishes that the Ministers' Deputies devote further attention to this problem.

Lastly, where partial and enlarged agreements are concerned, the French delegation points out that before giving its unanimous consent to the establishment of such agreements, the Committee of Ministers should ensure that the agreement in question is really going to help European construction and fulfil a demand from all the member States, even if not all of them wish to participate in it".

The CHAIRMAN made the following statement:

"We have now to fix the date for the signature of the Convention. I was informed that the Ministers' Deputies have proposed 10 December 1994 for this purpose, but since several Delegations have proposed to postpone the signature of the Convention a bit, so as to enable several other Delegations to sign at the date of the opening, they have therefore proposed to fix the date during the next part-session of the Assembly which will take place from 30 January to 3 February 1995. I suggest that we decide that the signature will take place during that Session, without losing too much time, in order to allow more countries to sign.

The decisions prepared by our Deputies being taken, I propose that we continue our discussion on the different aspects of the enlargement, of its effects and of the follow-up to the Vienna Summit which are reflected in our draft annotated agenda under item 3, *inter alia* on the protection of national minorities and the Plan of Action on combating racism, xenophobia, antisemitism and intolerance.

But first I give the floor to the Head of Government of Andorra."

Mr RIBAS REIG (Andorra) took the floor and asked if he might make his first speech as representative of a new member State in Catalan, as further evidence of the richness of European culture.

He continued with the following statement:

"I would like first of all to thank all those in the Council of Europe and in Andorra who have worked to facilitate our accession to the Council, the official ceremony for which has just taken place. I need hardly stress the importance of my country's membership of the Greater Europe represented in the Council of Europe at a time when, moreover, the main consequences of the fall of the Berlin Wall are leading to a quest for a new European order to which Andorra is very keen to make a modest but energetic contribution, in a framework of international co-operation which is justly recognised as being exemplary in today's world.

In the context of sovereign equality among the member States, Andorra wishes to co-operate in the preservation of democratic security in Europe, as it attaches cardinal importance to the spiritual and moral values which are the common heritage of our peoples.

Naturally, while Andorra considers all Council of Europe activities important, it will give priority to selected fields, as the Minister of Foreign Relations has informed the Ministers' Deputies, but I can assure you that in order to cope with the new challenges, my country will be actively involved in the effort to update our Organisation's rules.

In this process Andorra will be stressing the need to respect European diversity, seeing it not, as some technocrats would, as a problem, but as a rich heritage to be maintained. We will willingly make the joint effort that is genuinely necessary, with due respect for our national identities.

We believe that Europe is much more than a market, even though, fortunately, it is also a major economic entity on the world scene. It is a cultural, historical and political entity based on quality and diversity. This is a fact which we feel we must stress here today.



Our satisfaction at this encounter, therefore, is only the beginning of a resolute drive within an international organisation which has become essential, *inter alia* because it urges us to fulfil our duties towards future generations in Europe.

At a time when our Organisation is approaching its final configuration, when we are experiencing conflicts in Europe which we had thought eliminated for ever, and when much effort is needed to combat intolerance and reduce economic disparities, we must all take up, and together overcome, this gigantic challenge. Europe has the requisite experience and we in the Council of Europe have the ability to do so.

Thank you for your attention."

The CHAIR assured Mr Ribas Reig, that he and his colleagues were delighted at Andorra's accession to the Council of Europe.

Mr LUIK (Estonia) made the following declaration:

"We congratulate the Principality of Andorra on its accession today and welcome Andorra into our midst.

Today is a special day for Estonia as well. Today, for the first time, my country stands before this forum free of foreign troops on our soil. The moral support that the Council of Europe has displayed on this issue, beginning in 1960 and continually throughout the most recent years, played no small role in helping achieve this goal. For this reason, it is a special privilege to be able to represent my country here today.

During the informal part of our meeting this morning, we discussed at length the political aspects of continued Council of Europe expansion. I would at this point like to add Estonia's thoughts on some of the organisational implications of enlargement discussed in the report drawn up by the Ministers' Deputies.

Our common cultural and historical heritage unites those of us in this room. It is this common heritage that gives birth to the shared values we hold in such high regard in this Council. We in Estonia believe strongly in the maintaining and strengthening of those values in potential member States. We worked hard to bring our legislation and implementation procedures into conformity with the standards of the Council and we continue to do so. We encourage others to do the same. It is not for the Council of Europe to alter its standards, but for would-be members to change their approach, to become consistent with objective standards.

The choice we face is simple. We can either decide to lower standards to fit subjective conditions, or we can maintain those standards to the ultimate benefit of European values. Estonia's position on this point is clear. We believe the Council must be careful to apply human and civil rights standards non-selectively. There can be no exceptions because of size or geographical location, because of cultural heritage or history, because States are in transition or because the political situation is delicate. The standards that are applied to one must be valid for all other Council of Europe States. In other words, there can be no rubber rulers.

On a more technical note, allow me to address the idea of increased co-operation between the Council of Europe and other organisations. As a small State with a strong commitment to fiscal responsibility, Estonia wholeheartedly supports increased coordination among complementary bodies as a way to avoid duplication of effort.

Another advantage of increased co-operation is bolstered credibility for the Council. If the CSCE and the Council begin to exchange better and more timely information, if these organisations take into account more fully the work done by others, then every organisation will be regarded with the respect it deserves. In fact, I believe that ignoring the efforts of others could inadvertently undermine the credibility of various bodies and posts, such as special commissioners, which have been created by those bodies.

Finally, increased co-operation also follows a certain political logic. We share the view of others in this room that when Russia meets the requirements of being a democratic State that honours human rights, it should join the Council as a full member. At this time, the Council of Europe possesses limited means to help potential new members meet those standards, relative to organisations such as the UN and the CSCE. For this reason, we should utilise more fully the principle of comparative advantage and co-operate with those organisations which are currently better placed to provide assistance to potential Council members. Such a strategy will lead us more effectively to our goals.

This leads me to the next organisational point to which you, Mr Chairman, refer to in your Non-Paper as the means and resources we might use to achieve or strengthen the standards necessary for accession. In speaking just now of the Council's ways of helping potential member States bring their performance up to standard, I used the word "limited" on purpose. Our mechanisms are limited compared to those the UN and the CSCE enjoy, but we have by no means exhausted the Council's possibilities. Estonia supports the establishment of an even more energetic pre-accession strategy for would-be members, including more legal expertise for getting laws in order, more practical instruction in implementing those laws, more seminars and workshops on the role of the judiciary in law-based States, and so forth. We

speak from expertise - this was helpful in our preparations to join, and we are convinced it will help others. All of this will cost more money, but a stronger pre-accession programme will ultimately work to our benefit, as would-be members will already be in a position to abide by the rules of the game once they join.

I have one more comment on accession, and that concerns timetables. We, in Estonia, were grateful to learn that our neighbour to the South will most likely join us next January. Through this move, the Council will acknowledge what we have recognised for some time: that Latvia's legal system is based on universally recognised principles of justice and that Latvia is a democratic State which honours and fully respects human rights.

Estonia also supports the view that there are other Commonwealth of Independent States countries whose potential membership deserves the same careful attention focused on the Russian Federation. I am speaking here of Ukraine. This State has achieved substantial progress in the theory and praxis of establishing democratic institutions. These efforts deserve to be recognised by the Council.

Estonia has a brief comment on the monitoring procedures that have been discussed here. We support regular and automatic monitoring of Council standards for all members. We believe that an element of automaticity rather than a weak triggering mechanism will help both assure compliance and avoid skewing this monitoring procedure, which should be technical, rather than political in nature.

I would close by thanking the European Commission Against Racism and Intolerance for its energetic efforts over the past year. We support further development of the Declaration and Plan of Action that came out of the Vienna Summit last year, and we are working on ways to implement the European Youth Campaign envisaged in that Plan."

Dr SCHALLENBERG (Austria) said that Austria, in the interest of security and stability, was in favour of a rapid enlargement of the Organisation, and felt that Russia was fulfilling the basic criteria for membership. He also urged *strongly the acceleration of the admission procedure regarding Croatia*, where the process of democratisation was more advanced than in other countries.

He stated that Austria approved of the declaration on monitoring, and welcomed that this text will be applied equally without discrimination to all member States. At the same time he stressed the importance of the compliance with the special commitments accepted by new or future member countries.

He welcomed also the decision by the Ministers regarding the implementation of Article 9 of the Statute.

With regard to the adoption by the Ministers of the framework Convention for the protection of national minorities, Dr Schallenberg felt that this was a milestone for the Council of Europe. He recalled that, just a few years ago, it was felt in the Council of Europe that there was no need for legal instruments for the protection of minorities. The adoption of the framework Convention marks a first step towards creating a European system of national minority rights and thus will contribute to the strengthening of the democratic security in Europe.

Mrs HJELM-WALLEN (Sweden) stated that showing respect for national minorities was of great importance, and that Sweden thus welcomed the adoption by the Ministers of the framework Convention for the Protection of National Minorities, only one year after the Vienna Summit. The elaboration of this first international legally-binding instrument was an achievement of which to be proud. Sweden would have been in a position to sign the Convention on this day, and she regretted that so few other States would have been in a position to do likewise. She hoped, finally, that all States would be able to sign in January 1995.

The CHAIRMAN made the following statement:

" To sum up our debates during this formal meeting, I would say:

a) as concerns the enlargement of the Council of Europe: our Deputies' Drafting Group has proposed a text for inclusion in the draft communiqué which we will adopt at the end of our meeting;

b) concerning the effects of enlargement: we have taken note of the Deputies' work and of the results achieved and decisions taken. We have adopted a decision concerning the application of Article 9 of the Statute and we encourage our Deputies to pursue their work, in particular on the more political aspects of these questions, and to accomplish it before our next ministerial meeting in May 1995.

c) as regards the compliance with commitments accepted by the member States of the Council of Europe, we have already adopted the Declaration prepared by the Ministers' Deputies.

d) concerning other follow-up action to the Vienna Summit:

- we have adopted the draft framework Convention on the protection of national minorities, decided to open it for signature during the next part-session of the Assembly (30 January to 3 February 1995), and authorised the publication of the Explanatory Report thereto.

- We have also reiterated our determination to ensure that work on drafting a Protocol complementing the European Convention on Human Rights in the cultural field by provisions guaranteeing individual rights, in particular for persons belonging to national minorities is continued and completed.

- As regards the Plan of Action on combating racism, xenophobia, antisemitism and intolerance, we have both reiterated the high priority we attach to this matter and to the work of the European Commission against Racism and Intolerance and welcomed the launching on 10 December next of the European Youth Campaign."

Item 4: DATE OF THE NEXT MEETING

The CHAIRMAN made the following statement:

"The future chair of the Committee of Ministers, that is Cyprus, has proposed that our 96th Session be held on 11 May 1995.

I propose that we confirm this date.

If there are no objections it is so agreed."

ADOPTION OF THE FINAL COMMUNIQUE

The CHAIRMAN made the following statement:

"The time has come to adopt the draft Communiqué of our formal Session.

I wish to thank the drafting group of our Ministers' Deputies, which has prepared a draft Communiqué in collaboration with all other Delegations.

I suggest that we approve the draft Communiqué as it stands.

Is there any objection?

If not, I consider the final Communiqué adopted." (see Appendix 3)

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Mr MICHAELIDES (Cyprus) congratulated the Chairman on the able manner in which he had conducted the Committee's business. Although their acquaintance had been brief he had nonetheless had the opportunity to appreciate his qualities. Mr Michaelides, on behalf of the entire Committee, expressed his thanks to Mr Stancioff.

(Applause)

The CHAIR made the following statement:

"Mr Minister, dear colleague,

Thank you for your kind words to my country and to myself regarding Bulgaria's term in the Chair of the Committee of Ministers of the Council of Europe.

I take them as also applying to my predecessor, Mr Daskalov.

We have all been sincere in our efforts to continue the sound traditions in all the Organisation's activities, with a view to promoting its new pan-European dimension.

I personally would like to voice my firm conviction that Cyprus' term in the Chair of the Committee of Ministers will be an interesting period of historical significance for the development of the Council of Europe.

I wish you and your country every success as you take over your responsibilities today.

I am convinced that you will be equal to the challenges of the crucial period our Organisation is currently going through.

In conclusion, I should like to express our deep gratitude for the understanding and co-operation we have encountered during our period in the Chair:

- to you, my dear colleagues,
- to Mr Daniel TARSCHYS, Secretary General of the Council of Europe,
- to Mr Peter LEUPRECHT, Deputy Secretary General,
- to the Ministers' Deputies and the national Delegations to the Council of Europe,
- to Mr Heiner KLEBES, Clerk of the Parliamentary Assembly, and through him to the Parliamentary Assembly of the Council of Europe,

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- to the Secretariat of the Council of Europe, and in particular to the Secretariat of the Committee of Ministers,
- to all those who have provided assistance and contributed to the success of Bulgaria's term in the Chair of the Committee of Ministers of the Council of Europe.

I hereby close the 95th Session of the Committee of Ministers".

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APPENDIX 1

AGENDA

1. Adoption of the agenda (CM(94)OJ2 prov.)
2. Statutory Declaration of the Secretary General
3. Enlargement and future role of the Council of Europe (CM(94)157 and Addendum, CM(94)158, CM(94)161 and SG/Inf(94)15)
4. Date of the next meeting



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APPENDIX 2

DECLARATION

**ON COMPLIANCE WITH COMMITMENTS  
ACCEPTED BY MEMBER STATES OF THE COUNCIL OF EUROPE**

(Adopted by the Committee of Ministers on 10 November 1994  
at its 95th Session)

The Committee of Ministers,

Bearing in mind:

- the vocation of the Council of Europe to promote the reinforcement of democratic security in Europe, as stressed by the Vienna Summit (October 1993), where Heads of State and Government also resolved to ensure full compliance with the commitments accepted by all member States within the Council of Europe;
- the commitments to Democracy, Human Rights and the Rule of Law accepted by the member States under the Council's Statute, the European Convention on Human Rights and other legal instruments;
- the importance of the strict compliance with these commitments by every member State;
- the statutory responsibility incumbent upon itself for ensuring full respect of these commitments in all member States, without prejudice to other existing procedures, including the activities of the Parliamentary Assembly and conventional control bodies;
- the need to facilitate the fulfilment of these commitments, through political follow-up, carried out constructively, on the basis of dialogue, co-operation and mutual assistance,

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Decides as follows :

1. The Committee of Ministers will consider the questions of implementation of commitments concerning the situation of Democracy, Human Rights and the Rule of Law in any member State which will be referred to it either:

- by member States,
- by the Secretary General, or
- on the basis of a recommendation from the Parliamentary Assembly.

When considering such issues, the Committee of Ministers will take account of all relevant information available from different sources such as the Parliamentary Assembly and the CSCE.

2. The Secretary General will forward to the Committee of Ministers to this end information deriving from contacts and co-operation with member States that are liable to call for the attention of the Committee of Ministers.

3. The Committee of Ministers will consider in a constructive manner matters brought to its attention, encouraging Member States, through dialogue and co-operation, to take all appropriate steps to conform with the principles of the Statute in the cases under discussion.

4. The Committee of Ministers, in cases requiring specific action, may decide to:

- request the Secretary General to make contacts, collect information or furnish advice;
- issue an opinion or recommendation;
- forward a communication to the Parliamentary Assembly;
- take any other decision within its statutory powers.

5. The Committee of Ministers will continue to seek greater efficacy in its procedures with a view to ensuring compliance with commitments, in the framework of a constructive dialogue.

APPENDIX 3

**FINAL COMMUNIQUE OF THE 95th SESSION  
OF THE COMMITTEE OF MINISTERS  
OF THE COUNCIL OF EUROPE**

Strasbourg, 10 November 1994

1. The Committee of Ministers of the Council of Europe held its 95th Session with Mr Ivan Stancioff, Minister for Foreign Affairs of Bulgaria, in the Chair. This Session was preceded by the accession ceremony of the Principality of Andorra, as 33rd member of the Organisation, and by the annual Colloquy between Ministers and representatives of the Parliamentary Assembly.

Enlargement and future role of the Council of Europe

2. The Council of Europe is passing through a crucial stage; as was stated at the Vienna Summit (8 and 9 October 1993), the acceptance of the values of the Organisation by the new democracies is a central element in European construction. Having opened itself widely to these countries over the last four years, the Council looks forward to the accession of the eight candidate States (Albania, Belarus, Croatia, Latvia, Moldova, Russia, "The Former Yugoslav Republic of Macedonia", Ukraine).

3. In the course of an informal exchange of views, the Ministers discussed the future role of the Council of Europe, in view of its enlargement, in the European architecture. They also considered recent developments concerning the applications for membership and relevant debates within the Parliamentary Assembly. The Ministers welcomed the fact that the state of work within the latter should make it possible to welcome Latvia as a member in early 1995.

Reaffirming the principle to apply equal criteria for accession, Ministers underlined their political will to admit Russia and other candidates at the earliest possible date, according to the pace of their democratic development. Ministers welcomed the efforts of Russia to meet the standards of the Council of Europe as well as the progress achieved in building a democratic society since the adoption of a new constitution and free and fair parliamentary elections. They also welcomed positive developments in other candidate countries.

With the aim of enabling these countries to join the Council of Europe as soon as possible, and for the most advanced of them in the course of 1995, the Ministers decided to intensify political dialogue and cooperation programmes with all candidates and to target more precisely - before and after accession - the most important reforms.

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The Ministers took note with keen interest of the results of the visits by the Chairman of the Committee of Ministers and the Secretary General to Albania, Belarus, Moldova, Russia and Ukraine. These visits confirmed a strong desire on the part of these States to become members of the Council of Europe and a will to proceed with the necessary reforms.

4. The Ministers considered a first report of their Deputies on the political and institutional effects of the enlargement which the Council of Europe will experience, as well as the growing involvement of the Organisation in the establishment of a more stable democratic Europe. They welcomed the first results achieved, and invited the Deputies to accomplish their work, in particular on the more political aspects of these effects, which were discussed at the present Session, before the May 1995 ministerial meeting.

#### Compliance with commitments accepted by member States

5. Conscious of the vocation of the Council of Europe to contribute to the reinforcement of democratic security in Europe, and of the importance of full respect for commitments accepted by all member States concerning democracy, human rights, the protection of national minorities and the rule of law, the Ministers adopted the "Declaration on compliance with commitments accepted by member States of the Council of Europe" (appended to this Communiqué).

#### Protection of national minorities

6. The Ministers adopted and decided to open for signature during the 1st part of the 1995 Session of the Parliamentary Assembly (January-February 1995) the framework Convention for the protection of national minorities, which constitutes an important result of the decisions taken by the Heads of State and Government at the Vienna Summit. It is the first international treaty exclusively devoted to the protection of national minorities to establish substantive legal principles and to incorporate a monitoring mechanism under international law for their implementation. The Ministers expressed the hope that the Convention would enter into force as soon as possible.

The Ministers reiterated their determination to ensure the continuation and completion of drafting a Protocol complementing the European Convention on Human Rights in the cultural field by provisions guaranteeing individual rights, in particular for persons belonging to national minorities.

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Combating racism, xenophobia, antisemitism and intolerance

7. Reiterating the high priority they attach to the Action Plan adopted by the Vienna Summit on combating racism, xenophobia, antisemitism and intolerance, and to the work of the European Commission against Racism and Intolerance, the Ministers took stock of the state of implementation of the Action Plan and, in particular, welcomed the launching, on 10 December next, of the European Youth Campaign. They expressed the firm hope that this would have the desired impact in all sectors of the population.

Date of the next meeting

The Ministers decided to hold their next meeting on 11 May 1995.

APPENDIX 4

**CEREMONY OF THE ACCESSION OF THE  
PRINCIPALITY OF ANDORRA**

**Address by Mr. Daniel TARSCHYS,  
Secretary General of the Council of Europe**

"In recent years, the Council of Europe has been expanding its membership at a rate which is unprecedented - at least since the early years of our Organisation. In doing so, it has of course been looking eastward, to the new democracies of central and eastern Europe which have liberated themselves from Communist rule.

Today however, we celebrate the closing of a further gap in the geographical coverage of our Organisation, but one which is to be found in the south-west of the European continent. That gap is, admittedly, a small one in terms of surface area or of population. But our pleasure in welcoming Andorra as the 33rd member State is none the less for that. For it is a fundamental principle of the Council of Europe that all its members, large and small, are on an equal footing. Furthermore, the Council of Europe represents Europe in all its diversity. In that sense, the cultural and political heritage of the Principality is a great contribution to it.

The admission of a new member State to the Council of Europe implies recognition of its full national sovereignty. It also implies a full commitment on the part of that State to the principles of democracy, human rights and the rule of law. We have followed with admiration the major reforms, constitutional, institutional and legislative, which have recently been so resolutely undertaken in Andorra and which have made its membership possible.

We count now on the Andorran Government's support for the protection and advancement of these principles and values on the European scale.

In our experience, the degree of enthusiasm with which our member States have participated in the Council of Europe's work is not a function of their demographic or economic weight. Some of the smaller countries have made contributions out of all proportion to their size. Naturally, I venture to hope that may also be the case with Andorra!

The Principality of Andorra and its people are heartily welcome as they take their place in the European family."

APPENDIX 5

**CEREMONY OF ACCESSION OF THE  
PRINCIPALITY OF ANDORRA**

**Address by Mr Oscar RIBAS REIG,  
Head of the Government**

"If I tell you that today is an historic day you will probably not be surprised, because from the point of view both of Andorra, which has just acceded to the Council of Europe, and of the Organisation of European democracies, a page has been turned and an anomaly ended.

Allow me first of all to express my very sincere and profound satisfaction at this accession, and the Andorran Government's gratitude to you for implementing the procedure needed. I am sure that all the citizens of Andorra also welcome this event. Our identification with Europe has been reaffirmed. I say reaffirmed because this identification is centuries old. In fact our European destiny goes back to the time of Charlemagne; indeed, our national anthem begins with the words "Charlemagne, our father ...". So you can understand our joy, because we are not entering unknown or foreign territory. On the contrary, we are coming back home through the front door: the Council of Europe.

We have always maintained that tradition and modernity are not incompatible and that our status as Europeans could be recognised without our ceasing to be Andorrans. We consider Europe as being a family that embraces everybody without excluding or imposing its will on anybody, and one that is spared the impoverishment brought about by uniformity. This does not prevent patriarchal Andorra from gradually giving way to a more modern Andorra better equipped to cope with the challenges of our future.

Andorra did not have to pass through the cleansing waters of Jordan to accede to the Council of Europe. Our legal system needed no major transformations. The reality was much less spectacular. For historical reasons, despite its independence, our country had never had full sovereignty and had never been able to participate as a full member in any international organisation. It was neither our political regime nor our system of freedoms which prevented us from becoming a member of an organisation like the Council of Europe. It was rather a set of peculiarities dating back over five hundred years, influenced by medieval customs and institutions, structures which began under the feudal system based on a balance between the County of Foix and the Bishopric of Urgell, but which in any case always ensured the protection of human rights. Consequently, we Andorrans are convinced that we have long lived in a traditional, "sui generis" democracy and therefore do not see anything new in respecting human rights; we share the ideals which are the Council of Europe's mainstay.

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In some ways the peculiarity of having two Heads of State has proved very judicious, because while one of our Co-Princes, François Mitterrand, as President of the French Republic embodies the Declaration of the Rights of Man and the principles of "Liberty, Equality and Fraternity", the pillars of the Enlightenment, our other Co-Prince, Martí Alanís, Bishop of Urgell, bears witness to the message of solidarity and fraternity among all people, that is to say the Christian philosophy. Viewed from the historical angle, these two elements are not contradictory but are in fact the cornerstones of modern Europe, and in our country, so far from degenerating into the Inquisition or the Terror, they have developed into something positive.

This background places us in an excellent position to construct a Europe of mutual respect, fundamental freedoms and economic and social development, in short, a Europe based on diversity and on pooling all that can be to the general weal of the citizens and the peoples.

I would like to draw your attention to a fact which is often overlooked: our democracy and our respect for human rights were not born in 1993 with the adoption of the new Constitution, but long before. We are proud of having lived in a democracy long before obtaining our full international status, even if it was only with the latter that we were finally able to harmonise our institutions with those of the rest of Europe.

Political processes sometimes achieve immediate success, but it is generally only with the passage of time that we can assess the results. Historical processes take years, indeed centuries, to bring forth fruit, and the longer they take the sounder are the eventual gains. European construction is an historical development which will take a long time, even though its roots are daily growing stronger. We Andorrans understand this very well because our country took enormous effort to build up. We only really appreciate things which we have had to struggle to achieve. The value of effort is a major quality of individuals, peoples and States, though it generally takes a long time to achieve tangible results. The Council of Europe is at a crucial point in its history; Andorra is in the right place at the right time.

Those of us who place more trust in human beings than in material wealth have never considered Europe as a mere market. Of course Europe is a major economic entity, but it is also the source of a very rich cultural heritage based on quality and diversity. Furthermore, it is increasingly becoming a first-rate political force for which progress, freedom and peaceful and happy coexistence are indispensable values which must be consistently upheld.

We are mountain dwellers who identify with these principles. That is why Andorra is at home in Europe. This new Council of Europe member State represents one of the most ancient peoples in the old continent, a people which has demonstrated its ability to combine tradition and modernity while preserving its identity and becoming integrated in supranational bodies. We are a people overjoyed to take up our place among the other free peoples of Europe, and we voice our hope that we will all progress together towards the future."



APPENDIX 6

**CEREMONY OF ACCESSION OF THE  
PRINCIPALITY OF ANDORRA**

**Address by Mr Ivan STANCIOFF,  
Minister of Foreign Affairs of Bulgaria**

"It is an honour and a real pleasure for me as Chair of the Committee of Ministers to welcome the Principality of Andorra to the Council of Europe. The accession of smaller States to our Organisation on an equal footing is a sign of genuine democracy. Our continent is a real mosaic, with smaller and larger stones, but as is often the case in mosaics the small stones are the brightest and give radiance to the whole picture.

This is the case with the "Pearl of the Pyrenees". We welcome the firm will of the Andorran people to anchor themselves solidly to the new Europe which is under construction.

We have followed with great interest and satisfaction the institutional reforms which enabled your country to join the Council of Europe. We also welcome the fact that today you have not only acceded to the Statute of the Council of Europe and signed the European Convention on Human Rights, but have also signed Protocol No. 11 to this Convention, which should, we hope, enable the single Court of Human Rights to begin operations in the near future. This is a gesture which we greatly appreciate, and we hope that it will soon be followed by the ratification of these instruments.

In becoming a member of the Council of Europe, the Andorran democracy is taking on a new dimension, that of a Europe without borders or limits to human capacities. We know the qualities of the people of the Andorran valleys, and they will enrich our shared values. These qualities include the well-known rectitude of your fellow-citizens, and you will allow me in conclusion to quote from a compilation of traditional texts from the 18th century, the "POLITAR ANDORRÁ", which, in a free translation from the Catalan, enjoins Andorrans "Always to act with integrity, and bear this principle constantly in mind in government". The same compilation also recommends: "Choose for all undertakings the men of the greatest integrity, discretion and experience".

Mr Prime Minister, I have great pleasure, on behalf of all my colleagues, in welcoming you into our great European family and inviting you to add the efforts of your country and your people to those of the rest of the continent in constructing 21st-century Europe."

APPENDIX 7

**CEREMONY OF ACCESSION OF THE  
PRINCIPALITY OF ANDORRA**

**Address by Mr Miguel Ángel MARTÍNEZ,  
President of the Parliamentary Assembly**

"A little over a month ago the Assembly unanimously came down in favour of the accession of the Principality of Andorra to the Council of Europe. We had no doubt about the Committee of Ministers' response to our favourable opinion, and today we are particularly happy to see Andorra joining the great family of European democracies.

On behalf of the Parliamentary Assembly of the Council of Europe, therefore, I would offer the warmest possible welcome to the Principality as the 33rd member State of our Organisation.

Andorra's accession to the Council of Europe is an acknowledgement of the changes in the Principality, with the adoption of its Constitution and the reform of its institutions. These fundamental changes, which our Assembly encouraged, supported and scrutinised, have made Andorra a law-based State with its rightful place in our Organisation, which is home to democracy and human rights. Although additional work remains to be done on the Andorran Constitution, the Parliamentary Assembly trusts the Andorran Government and Parliament, and therefore the Andorran people, to carry out this task. The Assembly is convinced that the undertakings given in this field will be scrupulously honoured.

My dear Andorran friends, I would like to congratulate you on having been able to make your country a democracy similar to the other European democracies, while respecting the Andorran identity based on freedom, equality, justice and tolerance.

Allow me, at the time of your country's historic accession, to tell you a personal anecdote which I have already recounted before the Assembly and which will give you a clearer idea of all my feelings and emotions at this juncture.

For many, too many, years Andorra was the only country where I, an exiled anti-fascist resistance fighter, could meet my father, an anti-fascist resistance fighter living in Spain. Both of us being democrats, we suffered a twofold prohibition on the part of the dictatorship: he was banned from leaving the country and I was banned from entering it. Only Andorra generously offered us the right and the warmth of reunion, as Spanish citizens were free to enter the country and exiles had no difficulty crossing the border.

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This public expression of gratitude for Andorran hospitality is my way of telling you that, to some extent, the Council of Europe is, in welcoming Andorra today, welcoming something that is part of my memory.

My dear Andorran friends,

For many years it was the Austrian flag which was the first in alphabetical order among our member States. Pending the accession of Albania, your flag is taking over today, because from this day onwards Andorra will be heading the list of States belonging to the oldest and largest European institution.

Some of us consider that the figure 33 has something magical and mystical about it. I am sure that this figure will bring luck and happiness to the Andorran people, its neighbouring peoples, the whole of Europe, and certainly the Council of Europe.

I have great joy as an affectionate neighbour of Andorra and the Andorrans, but also as a European compatriot, in welcoming you to the Council of Europe today."

