



## Speech

by Bert Koenders, Minister of Foreign Affairs of the Netherlands, at the Presidency Seminar on Fundamental Values, Immigration and Integration at Strasbourg, 2 February 2016

**Your Excellencies, ladies and gentlemen,**

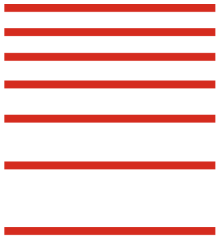
**Welcome to this Presidency seminar on fundamental values, immigration and integration. It's wonderful to see so much expertise and experience from all over Europe gathered here today. The success of this event depends on participants sharing their insights. I encourage you all to do so generously, openly and fearlessly.**

The main catalyst of today's seminar is the refugee crisis. According to the United Nations Refugee Agency, the number of people displaced by war and persecution has reached an all-time high. Yesterday I returned from Ethiopia, which is hosting over 700 thousand refugees from Somalia, Eritrea and South Sudan. There are now at least 60 million displaced persons in the world. If they represented the population of a member state, it would be the fourth biggest in the European Union. And the number is still growing. There are now children who were born into displacement: the life of a refugee is the only life they know.

Many people have fled the ring of instability that surrounds Europe. Last year alone, according to the International Organisation for Migration, over one million refugees and irregular migrants arrived in Europe. That's the highest number since the Second World War.

And only three per cent came by land. The vast majority endured a perilous journey by sea.

The plight of refugees who seek asylum in Europe is not just a humanitarian emergency. It is also a stress test for European values. Eight years ago the financial crisis shook our banking system to its core. The turmoil laid bare the pillars which prevented the markets from collapsing. Today, the immigration challenge is forcing European citizens and governments to examine the principles that underpin our societies. To consider whether newcomers are able to commit to our value system. And to show, through our actions, how committed we are to the values we proclaim. Each member



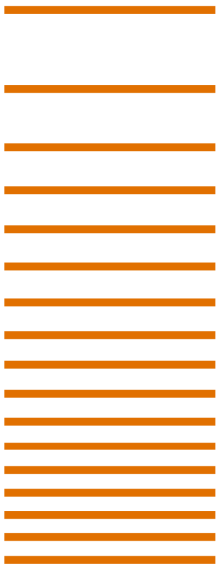
state has a role to play; each country must shoulder its responsibility. On top of that, European Union countries have a duty to act collectively. Many of you have seen Amnesty International's recent campaign, appealing directly to European leaders: "it's not the polls you should worry about, it's the history books."



Yet tensions exist, and we must discuss them openly. The historical and socio-political trajectories of our countries differ. There is heartfelt concern for those fleeing violence and risking their lives at sea, just as there are worries about the social fabric of recipient countries.



We feel horror at the sight of drowned children on Greek and Turkish beaches, but also outrage about the events in Cologne and other European cities on New Year's Eve. These feelings can coincide, for good or bad reasons, and they're provoking heated discussions all over Europe.



During this seminar, we want to connect views and perspectives on the debate about migration and fundamental values. How can we advance our aspirations, while acknowledging the difficult questions about the social and political acceptance of immigration? The institutions and organisations you represent have different missions and different responsibilities. We aim to connect the dots between the Council of Europe, the European Union, civil society, academia, member states and citizens. I feel this is an obligation of the Presidency.

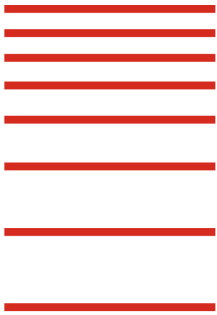
I want to discuss three questions that have emerged from the 'values stress test'. First, what responsibilities do member states have in dealing with the migration challenge?

Second, what should Europe expect from refugees and other migrants? And third, how do European institutions come into play?

First, member states' responsibilities.

Some European Union member states have dealt with high levels of migration before, others haven't. And sometimes there is a difference between the actual numbers and the widespread impression that the flow of migrants is uncontrolled. But all countries face similar tasks. Here are just a few:

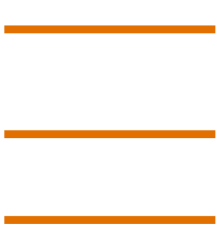
- saving lives and offering protection
- determining the status of those seeking asylum
- repatriating those who are denied admission
- enabling legal migrants to participate in society



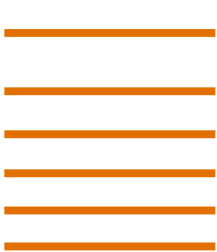
- combating intolerance and hate

Governments are wrestling with dilemmas. What measures should be taken in the short term? How can the long-term integration of migrants be ensured? How far should solidarity within the European Union go? Protecting borders by managing migration flows is an essential task for governments. They have a basic duty to keep their territories safe.

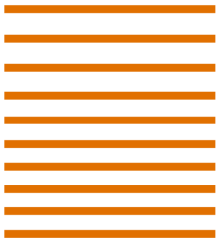
And that means screening migrants to guard against the threat of terrorism. Logistics alone poses a formidable challenge.



The Dutch Presidency is keen to improve the capacity of member states like Greece, for example by making sure that the 'hotspots' become fully operational. Partnerships with neighbouring countries like Turkey are just as important in managing migration flows. We have agreed on a set of measures, and now we need to see through their implementation. Even then, decisions are full of value-ridden choices.



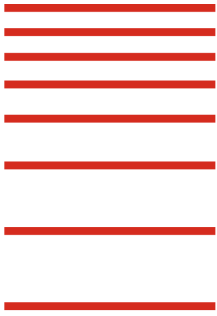
It's not easy for European societies or migrants to find a balance between tolerance and fixed social norms, between integration and assimilation. Each country must continually weigh up the interests of group identities against the interests of what in some societies is called the lead culture. The resulting balance will be different in each country, but one thing is clear: any outcome that lacks respect for basic values and human rights will be short-lived.



The crisis is sparking alarming developments all across Europe. Just a few days ago, masked men in Stockholm attacked people who fled their homes to get away from bloody conflict.

The Netherlands is not immune either: we are witnessing intimidation and the threat of violence against asylum centres. What is the best course to take when it seems that upholding abstract values comes at a price?

Let me stress from the outset the general principle that fundamental values aren't just words, or luxuries we can only afford in good times. The member states of the European Union distinguish themselves as free and peaceful communities. The death penalty has been abolished. In the European Union, rule of law trumps rule by law. All the member states have signed the European Convention of Human Rights and have to abide by the Charter of Fundamental Rights of the European Union when implementing EU legislation. These rights, which include the right to a fair



trial, freedom of expression and human dignity, are common to all and afford protection to everyone on European territory.

These principles form the core of our European identity, and they are the bedrock of European cooperation. They make us proud to be Europeans. Of course, many different democracies thrive in Europe. This is not a matter of 'one size fits all'. But there are limits. The rule of law cannot be set aside for the sake of elections or the will of the majority.



No government can ever uphold the rule of law by applying it selectively. No society can ever defend human rights while excluding certain groups from its protection.



It is one thing to profess these principles, it is quite another to stick to them.



No individual country can claim a monopoly on virtue. We all have blemishes. But the true strength of our democracies is that we can identify these blemishes, debate them, acknowledge them and fix them. That is what democracy is about.



Secretary-General Jagland of the Council of Europe [who is here with us today] once remarked, 'Our identity is an integral part of our richness, of our strength. But identity must never come at the expense of what holds us together as a society: our common values.' I fully agree, and I would add: to abandon our common values would be to betray our identity.



European governments have a responsibility to uphold fundamental values, but so do newcomers to our societies. Everybody who lives in the European Union has an obligation to participate and contribute to society.



Refugees and immigrants, like any other citizens, must play by the rules that apply to us all. Whether they live in Italy, Poland, France or the Netherlands, much is expected of those who are welcomed into our communities. That's what living in Europe is about.

All who reside within our continent's borders live in freedom. But that freedom entails a duty to respect the freedom of others. This is the social contract that binds our societies, and it is up to governments to protect and guarantee it. Breaches of this contract are disruptive to society. Take the mass assaults on women in Cologne and other European cities – acts that prompted shock and outrage. This was a violation of their freedom, and it is now up to the state to bring the perpetrators to justice, whoever they may be. This is when the



rule of law proves its worth.

The events in Cologne and other places have unquestionably influenced the European debate about migration. Let's not shy away from this fact. Taboos are counter-productive. We need to talk about integration in a frank and open manner. But not in terms of 'us' versus 'them'. Dehumanising a group runs counter to the very values we seek to protect. The same applies to the refusal to accept entire groups of refugees, based on supposed cultural or religious incompatibilities.

Instead, it is essential to hold individuals accountable for their actions. The strength of the European Union derives from our freedom, our tolerance and our respect for human rights. We must not allow crises to divide us, or prompt a race to the bottom among the member states.

It's unrealistic to expect all migrants, many of whom come from very different cultures, to fit in immediately. Integration is a complex, long-term process. However, there is a collective responsibility for newcomers to adapt and for host states to accommodate their integration and full inclusion in society. The question is whether we can find ways of doing so that have broad appeal within the European Union.

In the Netherlands, we are introducing a participation statement for migrants that emphasises the rights, obligations and values that are fundamental to Dutch society. For those granted permission to stay in the Netherlands, the statement marks the start of the civic integration process and the path to citizenship. My government intends to make this statement mandatory for newcomers, including those granted asylum and family migrants. Those who fail to sign the statement will be fined, and may ultimately be denied a residence permit. Of course, people's identities are relative.

Requiring a participation statement raises another issue: what kind of society are we asking migrants to become part of? The fundamentals are clear, but identity is a proposition for debate and full of insecurity. This applies in our own secular societies too.

In Europe we attach – and I am proud of that – great importance to freedom of speech, equality between men and women, and non-discrimination on the basis of sexual orientation. More than ever, the freedom to practice one's own religion, or to practice no religion at all, characterises our continent. We abhor Putinism and we seek active tolerance: the need to discuss our differences openly. But we are not holy. Our shared identity is discussed every day, as it should be!



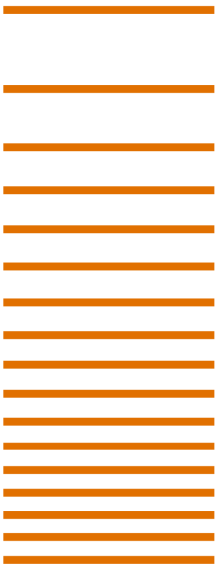
Let me say a few words on the role of European institutions in managing the migration challenge with respect for fundamental values.



European institutions have a mandate because the rule of law is a cornerstone of European cooperation. Every member state has voluntarily signed up to the Union's founding values as laid down in article 2 of the Treaty on European Union: 'respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.'



Without the rule of law, basic principles such as non-discrimination cannot be upheld. Cooperation on justice and open borders within the EU requires mutual trust, and the rule of law builds such trust. So the rule of law is not just an issue for individual member states – it's an issue for the Union as a whole.



As equal partners in the Union, we are accountable to each other. This strengthens our partnership and reinforces Europe's global standing and influence. And the institutions that we created can help. I am reminded of an analogy made by former Finnish President Tarja Halonen. The member states of the European Union made promises to each other, much like wedding vows.

But sometimes those good intentions are forgotten. In the European marriage, the European Commission is the mother-in-law, reminding the spouses of the promises they made. It does so in its capacity as guardian of the treaties. Of course, not even the Commission is always right. But we can't ignore our mother-in-law, however much we might like to at times. She usually has a point.

I also see an important role for the Council of Europe. Today's seminar is being held in Strasbourg for a reason. The Council of Europe and the European Union are natural partners in promoting fundamental rights and the rule of law. In fact, it's the core identity of both organisations. Cooperation between the European Union and the Council of Europe is already strong: the EU's Fundamental Rights Agency and the Commission, in particular, have close relations with Strasbourg. It's important that the European Union and its member states make full use of the Council's expertise. Just like fundamental rights, also the rule of law and our common values should be mainstreamed in all European policies and all Council formations. Adhering to fundamental values requires continuous effort, evaluation and self-reflection by all member states. The Council of Europe is uniquely positioned to provide



the EU with independent expertise, so its advice is crucial to strengthening our national systems.

That's why I hope that during this seminar, new ways will be proposed for the European Union and the Council of Europe to work together.

Ladies and gentlemen,

The ring of instability around Europe is putting our continent under stress. To confront this challenge together, European countries need to be able to trust each other – and that means sticking to our fundamental values, first and foremost the rule of law. The European Union may have proven itself in fair weather, but the serious test is how it performs in foul weather. Freedom, equality and pluralism are the sources of our strength. That lesson is as important to our governments and citizens as it is to migrants hoping to make Europe their new home.

The aim of today's seminar is an open dialogue about fundamental values and migration. It is not meant to be a one-time event without follow-up. The importance of this issue goes far beyond Justice and Home Affairs. The Netherlands Presidency of the Council of the European Union intends to use the outcome of today's discussions in its preparations for the second dialogue on the rule of law in the General Affairs Council in May.

Another possibility is to have a separate thematic dialogue in the General Affairs Council.

Let's acknowledge the problems we face and tackle the uncomfortable questions. The migration crisis may be a stress test for our values, but it's also an opportunity to show what Europe is made of. We should always keep in mind that the way we treat migrants and refugees is a reflection of who we are. If we treat them harshly and unfairly, we undermine our own dignity as civilised nations. You can't put a price tag on dignity; it is priceless.

I wish you a productive day full of stimulating discussion.

Thank you.