

CM/Del/Concl(91)Spec. 22/08 and 23/08

CONCLUSIONS OF THE SPECIAL MEETINGS
OF THE MINISTERS' DEPUTIES
(held in Strasbourg on 22 and 23 August 1991)

Special meeting of 22 August 1991

CONFIDENTIAL

- 1 - CM/Del/Concl(91)Spec.22/08

The Special Meeting of the Ministers' Deputies opened on Thursday, 22 August 1991 at 10.15 am under the chairmanship of Mr Y. Moret, Deputy for the Head of the Federal Department of Foreign Affairs of Switzerland.

PRESENTS

AUSTRIA	Mr Mrs	W. E.-M.	Sautter Koprolin
BELGIUM	Mr	H.	Fonder
CYPRUS	Mr	A.	Shambos
CZECHOSLOVAKIA	Mr Mr	C. J.	Cisar Capek
DENMARK	Mr Mr	E.V. J.	Quaade Faerkel
FINLAND	Mr Mr	H. P.	Rotkirch Hyvönen
FRANCE	Mr Mr	S. D.	Hofmann Huber
GERMANY	Mr	C.	von Schubert
GREECE	Mr Miss	J. N.N.E.	Corantis Vraila
HUNGARY	Mr	A.	Rakovszky
ICELAND	-		
IRELAND	-		
ITALY	Mr	D.	Vecchioni
LIECHTENSTEIN	-		
LUXEMBOURG	Mr	P.	Faber
MALTA	-		
NETHERLANDS	Mr	A.	Bijlsma
NORWAY	Mr Mrs	S. S.G.	Knudsen Eriksen

CONFIDENTIAL

CM/Del/Concl(91)Spec.22/08 - 2 -

PORTUGAL	Miss	M.J.	Morais Pires
SAN MARINO	Mr	P.G.	Guardigli
SPAIN	Mr	J.	Fernandez Torrejon
SWEDEN	Mr	M.	Ekengren
SWITZERLAND	Mr	Y.	Moret, <u>Chairman</u>
	Mr	J.-P.	Villard
TURKEY	Mr	C.	Altan
	Miss	I.	Musluer
UNITED KINGDOM	Mr	J.	Jamieson
	Mr	A.	Staunton

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POLAND	Mr	W.	Janas
	Miss	I.	Kowalczyk

Poland has been invited to attend enlarged sittings of meetings of the Ministers' Deputies.

CONFIDENTIAL

- 3 - CM/Del/Concl(91)Spec.22/08

EVENTS IN THE SOVIET UNION

The Chairman presented the draft Declaration by the Committee of Ministers on the events in the Soviet Union, prepared by the Secretariat.

Several delegations congratulated the Secretariat on the speed of its reaction and the contents of the draft Declaration it had prepared.

During the ensuing discussion, one delegation declared that it had received instructions from its authorities to include a specific reference to the Baltic Republics in the draft Declaration. After discussion of this proposal, it was agreed to include a sentence in the final Declaration referring to the "Baltic countries".

The Secretary General expressed her satisfaction that the Committee of Ministers was on the point of issuing such a swift reaction by the Council of Europe to the events in the Soviet Union. She had been greatly touched by the delegations' congratulations regarding the Secretariat's quick reflexes. She believed, however, that one should do even better. She thought that there were procedural problems which should be ironed out for future occasions, so as to react even more quickly, without haste of course, but demonstrating that the Organisation was functioning quickly and smoothly. Regarding the contents of the text, she welcomed the fact that certain delegations had expressed the wish to have it worded more strongly. A text such as this was a good thing for the Council of Europe's image.

All the Western countries and international organisations such as the Council of Europe had a major responsibility to shoulder. She therefore felt that the Organisation's potential for action should be strengthened and made even more efficient in order to achieve lasting consolidation of the democratisation process and avoid any relapse, which was always possible. For the first time, the Soviet people had demonstrated their desire for liberty. This illustrated both the fragility and the solidity of these new ideas.

The Secretary General then referred to the document which had been distributed to the Deputies on 21 August 1991 on the state of relations with the Soviet Union. She thought that the Deputies might wish to examine the calendar of events it contained. She referred in particular to the attendance by the Council of Europe at the Moscow meeting on the Human Dimension of the CSCE, saying that she had tried to obtain confirmation that this meeting would still be held. The CSCE Secretariat in Prague was not in a position at the present time to say one way

CONFIDENTIAL

CM/Del/Concl(91)Spec.22/08 - 4 -

or the other, but she thought that the meeting could well take place, although there was still some doubt. Information might be forthcoming by the following week and it would then be possible to take a decision. The same applied to the talks which were planned between herself and the Minister for Foreign Affairs of the Soviet Union.

The Chairman concurred with the Secretary General's remarks concerning procedure.

The Representative of Denmark had some difficulty in agreeing with the remarks of the Secretary General, supported by the Chairman, concerning procedure. He felt that there was no real problem and found it difficult to see the justification for a special crisis procedure. He felt that the existing machinery, whose components were the Chairman, the Bureau, the Secretary General and the Secretariat, functioned perfectly well and that the Deputies could be contacted urgently if necessary. They were always prepared to react and willing to do so and they were able to meet at any time if the Chairman and the Bureau so decided. The Permanent Representatives were at the disposal of the Chairman and the Bureau and ready to collaborate and he could not imagine that any Ambassador who was called to an emergency meeting would refuse to attend.

The Chairman noted that the Committee would resume consideration of the issue of procedure at a later stage.

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With reference to the situation in Yugoslavia, the Director of Political Affairs thought that it was worthwhile summing up the way in which the Secretariat had kept an eye on developments and taken an active part in discussions. He felt that the Yugoslav crisis called for even more sustained efforts to master the situation with regard to the first phase consisting in the termination of hostilities and the supervision of a possible truce. This first phase had been successful in Slovenia thanks to the efforts of the Twelve backed up by the CSCE, but this had not at all been the case in Croatia. Further conflicts were looming on the horizon. The second phase consisted in preparing a political project for the future. The Community, with the support of the CSCE, was endeavouring to set up negotiation machinery which could receive the necessary international support. In this connection, he reminded the Deputies that, in the Declaration adopted on 5 July 1991, they had reiterated the availability of the Committee of Ministers, on the occasion of future negotiations and upon the request of the parties, to provide any necessary assistance, based on the experience acquired within the Council of Europe in the legal and constitutional fields, and in the different sectors of

CONFIDENTIAL

- 5 - CM/Del/Concl(91)Spec.22/08

intergovernmental co-operation. If the Council of Europe were called upon to take part in a system for promoting negotiations, it might be possible, among other things, to avail themselves of the network of experts already set up before the crisis broke out, and also take advantage of the availability and expertise of the Venice Commission. With this in mind, the Secretariat had kept regularly in touch with the Presidency and the Commission of the European Community and with counterparts in CSCE circles. The Secretariat had also maintained frequent contacts with the federal authorities of Yugoslavia and those in several Republics, in particular Slovenia and Croatia. In addition, the Consul General of Yugoslavia in Strasbourg, Mr Novak, had been continuously present in Strasbourg and contacts had been maintained with him. The Secretariat's participation in the meeting of the Hexagonal Group in Dubrovnik on 26 and 27 July 1991 had also been put to use. For the time being, the situation had not improved and could be regarded as generally negative, as confirmed by the Yugoslav Consul General that very day. The four-point plan adopted by the collective Presidency in the hope of reaching a democratic solution on the basis of self-determination raised serious doubts. Indeed, the expression "the rights of peoples", constantly put forward by Serbia, had been used intentionally to promote the idea that any territory in which Serb populations were present should be attached to Serbia, which, in the case of Croatia alone, would mean a third of its territory. Moreover, the fighting continued and collusion between the federal army and irregular Serb forces was increasingly blatant. Croatia could therefore hardly be expected to declare its readiness to negotiate on the basis of the four-point plan. As well as that, Serbia appeared to be coming out more and more openly against the implication of Europe in future negotiations.

In this context, it should also be noted that the Community proposal to convene a European conference on Yugoslavia had met with open hostility on the part of Serbia. The Secretariat would continue, for its part, to repeat to all the bodies that if some assistance machinery were to be mounted, the Council of Europe remained available to participate. It was interesting, moreover, to note that every time the idea of a European conference was raised - and this also in the Community bodies - it was pointed out that it should be organised with the support of the CSCE and the Council of Europe.

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On the subject of Albania, the Director of Political Affairs recalled that, following the visit by the Chairman of the Committee of Ministers and the Secretary General to Tirana, the Committee of Ministers had decided to invite the Albanian Government to send officials to Strasbourg in early September with a view to discussing co-operation between the Council of Europe and that country. The Secretariat had not yet received a written reply but, at the Hexagonal group meeting in Dubrovnik, the Minister for Foreign Affairs of Albania, Mr Kapllani, had said he would be pleased to accept the invitation. Since then, Mr Kapllani had sent a letter to the Secretary General (copy distributed to Deputies at the present meeting), in which he informed her of the urgency of the work on the new constitution currently being prepared in his country and reported that a seminar might be devoted to the subject during the second half of October. The Foreign Minister had said that European experts would be invited to this seminar and asked for the assistance and support of the Secretary General for organising the proposed meeting. If the Ministers' Deputies agreed, the Secretary General might reply in the affirmative, in which case the details for the proposed assistance could be discussed in early September during the visit of the Albanian officials to the Council of Europe. It might also be possible to have recourse to the services of the Venice Commission on this occasion.

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The Secretary General said that she had just had a telephone conversation with Mr Kozirev, Minister for Foreign Affairs of the Russian Federation. Currently in Paris and on his way back to Moscow, he would like to meet her that afternoon. Having learned from the Secretary General that the Committee of Ministers was currently meeting to discuss events in the Soviet Union, Mr Kozirev had asked her to communicate the following message to the Committee: it should be made clear to Governments of member States of the Council of Europe:

- that the real difficulties of the situation must not be disguised; that the difficult situation had to be transformed into a victory for democracy by giving real backing to reformist forces, while no further support should be given to any so-called "communism with a human face";

- that Mr Gorbachev was fully and closely co-operating with Mr Yeltsin, who symbolised reform.

Following this information, the Deputies agreed that their Bureau should join the Secretary General in her meeting with Mr Kozirev.

The Chairman noted the Deputies' wish that the Secretariat should prepare a report on the visit of Mr Kozirev and agreed to continue their meeting on 23 August at 9.30 am in order to hear an oral account from the Chairman and the Secretary General on this meeting.

The Representative of France wished to know whether the contacts made by the Parliamentary Assembly had thrown any light on developments in the situation in the Soviet Republics.

The Deputy Clerk of the Assembly recalled that the President of the Assembly had reacted to the events in the Soviet Union already on 19 August and then on 21 August 1991. The President had contacted several Soviet leaders, notably Mr Yakovlev, whom he had invited to attend the Strasbourg Conference.

Several members of the Parliamentary Assembly wished to take due note of these events by organising a special meeting; however, given that the attempted putsch had failed, and that the Ordinary Session would start on 18 September 1991, a special session was now not needed. The first or second day of the Ordinary Session would be devoted to the situation in the Soviet Union, and it was hoped that an anti-putsch leader would be able to attend. The situation in the Baltic Republics was also of great concern and some delegations had expressed the wish to hold a debate on this matter in the coming session.

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The Director of Political Affairs, speaking of Bulgaria's possible accession to the European Cultural Convention, said the Bulgarian authorities had informed the Secretariat that the accession procedure had now been completed. The Bulgarian Government wished the deposit of the instrument of accession to take place immediately and had suggested the beginning of September 1991. Mr Dimo Dimov, Minister of Culture of Bulgaria, who would come to Strasbourg for this purpose, was also an eminent musician and leader of the Dimov Quartet, and had offered to perform a concert marking the accession ceremony in Strasbourg.

The Chairman suspended the sitting.

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CONFIDENTIAL

CM/Del/Concl(91)Spec.22/08 - 8 -

After delegations had had the opportunity to consider the revised draft communiqué, a number of delegations proposed further amendments to the text, and, following a presentation by the Secretary to the Committee of the proposed further amendments to the revised draft Declaration, the Chairman noted that the amended text, as it appears at the Appendix to these Conclusions, was agreed to.

The Secretary General, noting the Deputies wish to know her intentions regarding her oral contribution to the Moscow Meeting of the CSCE Conference on the Human Dimension, informed the Deputies that this contribution was available and that it might be useful to distribute it at the meeting planned for the following day (23 August 1991). She reminded the Deputies that this text had been prepared before the recent events in the Soviet Union.

CONFIDENTIAL

- 9 - CM/Del/Concl(91)Spec.22/08

APPENDIX

DECLARATION OF THE COMMITTEE OF MINISTERS
OF THE COUNCIL OF EUROPE ON
EVENTS IN THE SOVIET UNION
(Strasbourg, 22 August 1991)

At a special meeting of the Ministers' Deputies held in Strasbourg on 22 August 1991, the Committee of Ministers adopted the following Declaration:

"The Committee of Ministers of the Council of Europe expresses its great satisfaction at the failure of the attempted coup d'état in the Soviet Union. It wishes warmly to congratulate those leaders in the country who, with the President of Russia, in these difficult and tragic hours, bravely defended the rule of law and the policy of democratic reform and the promotion of fundamental freedoms and human rights. It expresses its deep regrets concerning the victims of these events.

It expresses its solidarity with the Soviet people, who, in spite of the dangers and threats, succeeded thanks to their coolness and determination in preserving the achievements of democratisation and demonstrated their firm desire to see the democratic reforms continued, intensified and accelerated.

It urgently appeals for a rapid return to legality and for the strengthening of the democratic process with a view to the establishment of the Rule of Law in the Soviet Union. It recalls that dialogue is the only legitimate means of finding solutions which take account of the will of the peoples of the various Republics, and in particular of the Baltic countries.

The Soviet Union's commitment to respect the principles of pluralist democracy and human rights are the basis on which this country acceded to the European Cultural Convention, concluded in the framework of the Council of Europe. It is respect for these same principles which has made possible the progressive development of co-operation between the Soviet Union and the Council of Europe. The Committee of Ministers expresses the hope that the conditions for the continuation and further intensification of this co-operation with the Soviet Union will be fully restored.

CONFIDENTIAL

CM/Del/Concl(91)Spec.22/08 - 10 -
Appendix

The Committee of Ministers, aware of the preoccupations of the countries of Central and Eastern Europe, expresses its determination to strengthen co-operation with all the European countries which subscribe to the principles of democracy and human rights, and to speed up the accession to the Council of Europe of those countries which are not yet members, in order to strengthen their ability to resist the threats of the return of totalitarian regimes, the oppression of peoples and violations of human rights."