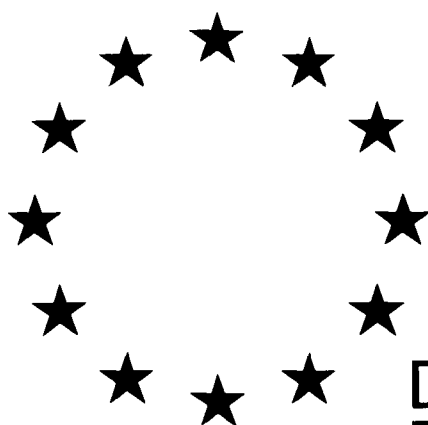


COUNCIL
OF EUROPE



CONSEIL
DE L'EUROPE

COMMITTEE OF MINISTERS

CONFIDENTIEL
CM (92) PV 1, PV 2 and PV 3



CMPV264

Minutes
of the 90th Session
of the Committee of Ministers

held on 7 May 1992

Strasbourg

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CM(92)PV1, PV2 and PV3

**MINUTES OF THE 90th SESSION
OF THE COMMITTEE OF MINISTERS**

Strasbourg, Thursday 7 May 1992

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90th SESSION

MINUTES

of the meeting held at 10.18 am on 7 May 1992
at the Palais de l'Europe
STRASBOURG

PRESENT

AUSTRIA	Mr. A. MOCK
BELGIUM	Mr. W. CLAES
BULGARIA	Mr. S. GANEV
CYPRUS	Mr. A. SHAMBOS (1)
CZECHOSLOVAKIA	Mr. M. PALOUŠ (2)
DENMARK	Mrs. M.-L. OVERVAD (3)

-
- (1) Permanent Representative of Cyprus to the Council of Europe, in place of Mr G. IACOVOU, Minister for Foreign Affairs.
 - (2) Deputy Minister for Foreign Affairs, in place of Mr J. DIENSTBIER, Deputy Prime Minister and Minister for Foreign Affairs.
 - (3) Permanent Representative of Denmark to the Council of Europe, in place of Mr U. ELLEMAN-JENSEN, Minister for Foreign Affairs.

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FINLAND	Mr. P. VÄYRYNEN
FRANCE	Mr. O. STIRN (4)
GERMANY	Mr. H.-D. GENSCHER
GREECE	Mr. L. MAVROMICHALIS (5)
HUNGARY	Mr. G. JESZENSZKY
ICELAND	Mr. T. INGOLFSSON (6)
IRELAND	Mr. B. DALY (7)
ITALY	Mr. U. TOFFANO (8)
LIECHTENSTEIN	Mr. H. BRUNHART
LUXEMBOURG	Mr. J.F. POOS
MALTA	Mr. G. de MARCO
NETHERLANDS	Mr. H. VAN DEN BROEK
NORWAY	Mr. T. STOLTENBERG

-
- (4) Permanent Representative of France to the Council of Europe, in place of Mr R. DUMAS, Minister for Foreign Affairs.
- (5) Permanent Representative of Greece to the Council of Europe, in place of Mr A. SAMARAS, Minister for Foreign Affairs.
- (6) Secretary-General, Ministry for Foreign Affairs, in place of Mr J-B HANNIBALSSON, Minister for Foreign Affairs.
- (7) Minister of State, Ministry for Foreign Affairs, in place of Mr D. ANDREWS, Minister for Foreign Affairs.
- (8) Permanent Representative of Italy to the Council of Europe, in place of Mr G. DE MICHELIS, Minister for Foreign Affairs.

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POLAND	Mr. I. BYCZEWSKI (9)
PORTUGAL	Mr. J.M. DURÃO BARROSÓ (10)
SAN-MARINO	Mr. G. GATTI
SPAIN	Mr. E. ARTACHO CASTELLANO (11)
SWEDEN	Mrs. M. af UGGLAS
SWITZERLAND	Mr. R. FELBER <u>Chairman</u>
TURKEY	Mr. H. ÇETIN <u>Vice-Chairman</u>
UNITED KINGDOM	Mr. T. GAREL-JONES (12)

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Mr. L. BOSELLI

Chief Adviser, Directorate General for External Relations of the Commission of the European Communities, responsible for relations with the Council of Europe

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- (9) Under-Secretary of State, Ministry of Foreign Affairs, in place of Mr K. SKUBISZEWSKI, Minister for Foreign Affairs.
- (10) State Secretary for Foreign Affairs and Cooperation in place of Mr J. de D. PINHEIRO, Minister for Foreign Affairs.
- (11) Permanent Representative of Spain to the Council of Europe, in place of Mr M. F. FERNÁNDEZ ORDOÑEZ, Minister of Foreign Affairs.
- (12) Minister of State, in place of Mr. D. HURD, Secretary of State for Foreign Affairs.

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Mrs. C. LALUMIERE

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 10.18 am with the Chairman, Mr R. FELBER, Minister for Foreign Affairs of Switzerland, in the Chair.

The CHAIRMAN spoke as follows:

"I declare the 90th Session of the Committee of Ministers open.

I would bid a special and very cordial welcome to Mr Stoïan Ganev, Minister for Foreign Affairs of the Republic of Bulgaria, which today became the Council of Europe's 27th member State.

We are convinced that Bulgaria will make an active and distinctive contribution to the Council of Europe's work.

Through you, Mr Minister, I would like to convey to the Bulgarian people our admiration for the reforms which have been carried through and our encouragement to them to maintain their efforts.

I welcome all my colleagues, particularly those attending a session of the Council of Europe Committee of Ministers for the first time.

As you will readily appreciate, I should not like to let this meeting pass without paying sincere and heartfelt tribute to Hans-Dietrich Genscher, who has been a member of this Committee for 18 years. It was he who, in 1985, was responsible for convening a special meeting of the Committee of Ministers to begin opening up the Council of Europe to Eastern Europe. It was certainly in that step that the Council's present pan-European role originated. I should like to give you, dear Colleague, dear Friend, the Committee's best wishes for the future and express its sincere regrets at losing a valued friend. We would like to say thank you and goodbye."

Mr GENSCHER (Germany) thanked the Chairman for his warm-hearted words. Eighteen years had indeed been a long time, but during this time he had tried to promote the idea that the Council of Europe was the great European Organisation, an expression of not only the shared values but also the history of the European continent.

He expressed his pleasure that Bulgaria had joined the Council of Europe, noting that this was a strong expression of the enlargement of the Council of Europe, not only in geographical terms but also in terms of fundamental values and ideas.

With regard to his future political work, he said that he would continue to try to contribute to ensuring that the Council of Europe would be in a position to fulfil its greater responsibilities. Aware of the importance of the Rule of Law in the new member countries, the Council of Europe could play a major role in ensuring stability regarding democratic progress and the expression of the popular will.

He noted that many positive and hopeful developments had taken place, such as the accession of Bulgaria and the signing of the Cultural Convention by the Baltic States, and observed that other European Organisations, such as the European Communities and the CSCE were working to ensure that a single Europe became a reality.

When the Iron Curtain still divided Europe, the continent had had to develop in different directions; on the western side in the direction of democracy and freedom, and on the eastern side in the opposite direction. However, he added, not everyone in Europe, since the raising of the Iron Curtain, had accepted the new reality; this was a reality which must be shared. He said that the Organisation must support neighbouring countries in the East, both in material terms and in terms of values.

Despite his very positive hopes, he noted that hostilities still existed in Europe. The fundamental values underscoring the Council of Europe - human rights, the rights of minorities - were being violated; the Organisation would not be credible if it did not raise its voice against such violations.

The future of Europe and of its societies would always allow for contradictory views, but these views must be expressed peacefully, in a spirit of co-operation as expressed in, for example, the Paris Charter and the declarations of the United Nations. With regard to the former Yugoslavia, the CSCE had on 20 June 1991 decided that if the peoples of that country wished to decide on their own future, then it was for them to do so. He said that it was impossible to accept that an army should try to impose itself on Bosnia-Herzegovina, and to prevent the people of that country from seeking independence. This same army had political as well as military support; the credibility of the Organisation required that it spoke out on this issue.

He went on to say that the new Europe gave everybody hope for the future, and that this was a wonderful development at the end of a Century of wars, hostilities, and slaughter, experienced also by his people.

He ended by thanking his colleagues for their co-operation, and wished every success to the Committee of Ministers and to the Council of Europe in assuming their responsibilities worldwide.

The CHAIRMAN spoke as follows:

"I should like to thank our colleague, in particular for joining us once again.

I would refer you all to the message I sent you on 30 April 1992, which is in your files.

The session arrangements are as follows:

- . In a moment we shall begin our formal meeting, which will adjourn at 1 pm.
- . After lunch, to which I have pleasure in inviting my colleagues, the Permanent Representatives and the Political Directors in the Blue Restaurant of the Council of Europe at 1 pm, we shall resume our formal meeting in this room at 2.30 pm.
- . At 3.30pm, we shall have an informal exchange of views with the Minister for Foreign Affairs of the Russian Federation, Mr Andrei Kozyrev in this room.
- . Lastly, at 4.30 pm, I shall give a press conference with the Secretary General, Mrs Catherine Lalumière, and our Bulgarian colleague in the European Press and Information Centre, third floor, Room 301.

You will find the day's programme in Appendix I to the annotated provisional agenda of this session.

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ITEM 1: ADOPTION OF THE AGENDA

The CHAIRMAN noted the adoption of the agenda as put forward in CM(92)OJ1 prov. revised 2, page 1.

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The Chairman spoke as follows:

"A number of delegations have said they would prefer the agenda items to be dealt with separately. I intend acceding to that request. It is not impossible, however, since time is short, that I shall suggest the Committee take two or more items together.

As regards the order of business, I intend taking the items as follows:

- . This morning we shall discuss items 2 (Central and Eastern Europe: cooperation, membership prospects, assistance programmes) and 3 (States in the former territory of Yugoslavia).
- . This afternoon we shall discuss items 4 (The Council of Europe and the CSCE), 5 (Follow-up to the Vienna Conference of Ministers on movements of persons out of countries of Central and Eastern Europe) and lastly item 6, which requires us to agree the date of the next meeting.
- . Lastly, at the end of our formal meeting and before the exchange of views with our colleague from the Russian Federation scheduled for 3.30 pm, I hope we shall be able to adopt the draft Final Communiqué prepared by the Ministers' Deputies drafting committee.

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The CHAIRMAN made the following preliminary statement:

"Before we start discussing the various agenda items, I should like to make a short statement on certain matters of paramount importance for the Organisation and which we shall require a further examination in greater detail at our next meeting, in November.

Although the Council of Europe has been pursuing its policy of opening up to Central and Eastern Europe, there is now felt to be an urgent need for reflection about the institutional and organisational adjustment necessary within the Council itself. That reflection is under way. The focus is on:

- firstly, institutional reform of the Council of Europe;
- secondly, reform of the supervisory machinery and procedures of the European Convention on Human Rights.

Both the Assembly and the Ministers' Deputies have set up think-tanks on institutional reform and a joint meeting was held recently. The Ministers' Deputies think-tank is focusing on the question of institutional reform of the Council of Europe and possible revision of the Statute, while bearing in mind that reforms could be carried out by means of statutory resolutions, which allow greater flexibility.

So far our working party has mainly concerned itself with:

- the Council of Europe's aims and objectives;
- conditions of admission to the Council of Europe, in particular the requirements to sign the European Convention on Human Rights, undertake to ratify it and recognise the jurisdiction of the Court and the Commission;
- lastly, the Council of Europe's relations with non-member States and international Organisations.

In this connection various proposals have been put forward, in particular for instituting an associate-member status, observer status and new forms of special enlarged agreement.

Other matters are also being examined.

I would like to make it clear that, although the work at Ministers' Deputies level is progressing satisfactorily, nothing has been finalised or decided yet. We can expect to have the initial findings before us at our next session, in November. The Assembly will have the proposals of its working party at its session in October.

As regards the reform of the supervisory machinery and procedures of the European Convention on Human Rights, it is gratifying to be able to report that, after intensive work by our various committees, a very large majority of member States is now prepared to go ahead with the reform of the international supervisory machinery of the European Convention on Human Rights.

There can be no question of resigning ourselves or remaining indifferent to a paralysis of the supervisory machinery. Such a paralysis is legally and politically unacceptable. Action is needed to prevent the undoing of 40 years of endeavour dedicated to building a unique and solid framework in Europe for protecting individual freedoms.

Three proposals are under discussion at the moment:

1. the most radical proposal is to amalgamate the Commission and the Court into a single, permanent body;
2. the Dutch and Swedish proposal, which is to make the Commission's reports binding subject to a restricted right of appeal to the Court;
3. lastly, the intermediate proposal from the Greek Delegation, combining both models and involving a single Court as well as the possibility of appeal from decisions of its chambers.

The respective merits of the three models can be gauged from the aims of the reform, which are:

- to speed up procedure considerably;
- to safeguard quality of decisions;
- to make lasting arrangements, capable of coping with between 30 to 40 parties of the Convention;
- and lastly, affordability.

Personally, and here I would venture to say a brief work in my capacity as Minister for Foreign Affairs of Switzerland, I think that a single, permanent Court is the solution that best meets the aims. In addition, amalgamation avoids the danger of pointless and harmful competition between two bodies. Lastly, this solution is advantageous from the standpoint of legal certainty.

As the Chairman-in-office of the Committee of Ministers, I would like to see us actively and resolutely pressing ahead with the discussions on reform of the supervisory machinery and speedily producing effective proposals, which alone can maintain the credibility of a system for the protection of human rights and fundamental freedoms we can still be justifiably proud of.

Finally, my dear Colleagues, I am well aware of the great importance which the Committee attaches to the Council of Europe's relations with the United States and Canada. In my capacity as Chairman of the Committee of Ministers I travelled to Washington on 10 and 11 February with the Secretary General, Mrs Lalumière. I am pleased to say the visit was successful and we had talks with President Bush and the Secretary of State, Mr Eagleburger.

The visit made it possible to establish official and fruitful high-level contacts between the Council of Europe and the United States. I feel the purposes of the visit were fully achieved, in terms both of awakening the Americans' political interest in the Council of Europe's pan-European role and of scope for greater co-operation between the Council and the CSCE within a framework of complementarity. Those we spoke to recognised the key operational part which the Council of Europe can play in achieving some of the CSCE's objectives.

The visit to Washington was followed by a visit by senior Council of Europe officials to Canada, where there was noticeable interest and a highly constructive desire for co-operation."

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ITEM 2: CENTRAL AND EASTERN EUROPE: CO-OPERATION, MEMBERSHIP PROSPECTS, ASSISTANCE PROGRAMMES

THE CHAIRMAN referred the meeting to pages 3 to 9 of the annotated agenda (CM(92)OJ1 Prov. revised 2) for an overview of recent developments in Council of Europe relations with the countries of Central and Eastern Europe.

"I would draw your attention more particularly to the boxes, which warrant discussion or may entail our taking decisions.

- The first section is devoted to development of co-operation with central and eastern Europe and to membership prospects.

- The annotated agenda (pages 3 to 9) gives a clear account of our relations with Estonia, Latvia, Lithuania, Romania and Albania. For the Final Communiqué, the Deputies' drafting committee has provided us with perfectly acceptable material on those countries which I think we could adopt. As regards Albania, recent developments and the holding of free, democratic parliamentary elections are to be welcomed. Yesterday the Deputies' Bureau had a most worthwhile meeting with the President of Albania, Mr Berisha, about the reforms which are being carried through. During this visit, Mr Berisha submitted an application for Albanian membership of the Council of Europe. In the light of these developments the annotated agenda suggests that you invite Albania to accede to the European Cultural Convention.

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- The second part of agenda item 2 concerns relations with States in the territory of the former Soviet Union, which I think we can safely say is the most important subject of our meeting.

- This afternoon we are to have an exchange of views with the Minister for Foreign Affairs of the Russian Federation, Mr Kozyrev. As you know, Russia has taken over from the Soviet Union in the Council of Europe conventions and partial agreements to which the Soviet Union was a party and in the co-operation and assistant programmes. As you also know, Mr Kozyrev will be lodging an application this afternoon to accede to the Statute of the Council of Europe. This is of course a major political development and we therefore need to prepare now for this afternoon's exchange of views.

We must not of course lose sight of the other Republics situated in Europe, Belarus, Moldova and Ukraine.

- Of the Caucasian Republics, our Deputies have instructed the Secretariat to initiate contacts with Armenia and Azerbaijan, though without any promises of eventual Council of Europe membership. I suggest that we discuss today making similar contacts with Georgia, in view of recent developments there.

- There has not been any contact with the central Asian Republics so far. As you know, however, the question of an appeal to the Council of Europe to make some of its assistance programmes available to those countries has been raised in the CSCE.

- A third matter we are required to discuss under item 2 of our agenda is Council of Europe programmes of assistance to and co-operation with countries of central and eastern Europe, as described on pages 7, 8 and 9 of the annotated agenda."

The CHAIRMAN declared the discussion open.

Mr DURÃO BARROSO (Portugal) made the following statement:

"I would like to express, on behalf of Portugal, my warm welcome to Bulgaria upon its accession to the Council of Europe. Bulgaria, a nation of deeply rooted European cultural traditions, is now a state guided by democratic values, based on freely elected institutions and the Rule of Law and committed to the respect of human rights and fundamental freedoms. Such values and principles are the main foundations both of the Council of Europe and of the very idea of a European union. I would like also to express my deepest consideration for this great European, Minister Hans Dietrich Genscher.

These essential traits, which define and give meaning to our Organisation, cannot be overstated. Only States that accept and implement the principles of a pluralist democracy can be members of the Council of Europe. In the context of our Organisation's enlargement, which is a direct result of the fall of communist totalitarianism, we must uphold the standards which have led the Council of Europe to become a symbol of the democratic ideal. Any relaxation of those standards would not benefit in the end either the Council of Europe or the States engaged in building and consolidating democratic institutions.

The Council of Europe's role in support of emergent democracies in Eastern and Central Europe has been very positive. This effort must be pursued and our Organisation ought to concentrate on precise tasks within its fundamental spheres of action, namely in the field of legal activities. In this respect, and in addition to the important legal work carried out by the "Venice Commission", we must underline the interest and the far reaching scope of plans for development of the law and for local democracy, presented last November by our Secretary General.

The existing mechanisms for co-operation with the European Community can be extremely useful for the implementation of such plans, and Portugal, as Presidency of the Community, will seek to promote those joint activities.

It is also necessary to translate, in terms of institutional life, the complementary roles of the Council of Europe and the European Communities in what concerns co-operation with Central and Eastern European countries aimed at the firm establishment of the Rule of Law. There are several tasks which by their nature can be better entrusted by the Community to the Council of Europe. At the same time, many of the Council's programmes could count on the Community's support and participation.

Portugal attaches great importance to the strengthening of a fruitful co-operation with the Commonwealth of Independent States.

In this context, on 23-24 May, Portugal will host a conference organised by the European Community on assistance to the Commonwealth of Independent States. The international community will, in this way, demonstrate its willingness to support the efforts of these countries to implement the reforms needed for their democratisation and the reorganisation of their social and economic life.

Portugal sees with interest, Mr Chairman, the intention of Russia to become a member of the Council of Europe. We are confident that it is important to enlarge co-operation with Russia in order to facilitate its timely and progressive integration within the structures of the Council of Europe. This approach will certainly confirm the Russian commitment to our basic values, namely democracy, the Rule of Law and respect for human rights.

The political changes that have swept through Eastern and Central European countries have had dramatic effects on some Republics of the former Yugoslavia. We join other countries in expressing our deepest concern with the continuous use of force, in particular, and more recently, in Bosnia-Herzegovina which has caused the death of many innocent civilians and brought considerable destruction to many of its cities.

The European Community is actively engaged in all efforts aimed at bringing about a peaceful settlement of the problems facing these Republics.

The European Community, together with other relevant international entities, has repeatedly appealed to all parties concerned to embark upon a constructive and fruitful dialogue. We consider this dialogue as the primary condition for a political solution and for laying the foundations for a future economic development. To make this dialogue possible all parties must respect the provisions of the Charter of the United Nations and the commitments subscribed to in the Helsinki Final Act and in the Charter of Paris, especially with regard to the Rule of Law, democracy and human rights.

I would like to recall, in this respect, the last Declaration by the European Community and its member States on recent events in Sarajevo, exhorting all parties to act with the utmost restraint and to refrain from any further action that might lead to a catastrophic situation of unforeseeable consequences. The Twelve urged the Yugoslav National Army in Bosnia to fully support the Presidency of Bosnia-Herzegovina in the exercise of its constitutional responsibilities in order to resolve all outstanding issues. They also called upon the legal authorities of the Republic of Bosnia-Herzegovina to do all in their power for the immediate lifting of the blockade of the military installations in Sarajevo. The Twelve appealed to the parties concerned to enforce existing cease-fire agreements, without which no viable political solution to the problems of Bosnia-Herzegovina is possible, and to proceed with negotiations on the withdrawal of the JNA."

Mr MOCK (Austria) made the following statement:

"Firstly, I welcome the presence here of the Minister for Foreign Affairs of Bulgaria, Mr Stojan Ganev.

I would also take this opportunity of expressing great respect for the political achievements of the minister for Foreign Affairs and Vice-Chancellor of Germany, Mr Genscher, and giving him my very best wishes for the future.

Further countries, I am sure, will follow in Bulgaria's footsteps: I hope that Estonia, Latvia and Lithuania will meet the Statute's membership requirements as quickly as possible, particularly as regards safeguards for minorities.

Romania has also applied, and we must continue developing our relations. Slovenia is likewise awaiting acceptance and its democratic achievements suggest the wait will not be very long.

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Albania, on which the burden of communism weighs especially heavy, needs Council of Europe support for its efforts to set the democratic process on solid foundations.

This afternoon we have an opportunity for an exchange of views with the Minister for Foreign Affairs of Russia, Mr Kozyrev. Russia is a huge and major country and I welcome its interest in the Council of Europe and the values which the Council stands for. I would like to see Russia joining the Council: both entities would benefit.

Without wishing to prejudge the outcome of the Assembly's current discussions on the subject, I think that Special Guest Status, which Russia already has, should also be granted to Ukraine, Belarus, Moldova, Armenia, Azerbaijan and Georgia. The possibility of their membership will of course be considered from the standpoint of the Council of Europe's requirements, particularly in the human rights field.

Membership applications from States newly established in the former territory of Yugoslavia are likewise foreseeable, in particular from Croatia, Bosnia-Herzegovina and Macedonia.

This geographical expansion needs to go hand in hand with a reassessment of the Council of Europe's role as a pan-European political forum. Mr Mitterrand's suggestion of a two-yearly meeting of Heads of State and Government or, alternately, Council of Europe and CSCE member countries is a pointer in the right direction. The Council of Europe has been in the forefront of pan-European co-operation. It has risen to the historical challenge by making it its principal task to support the efforts of the new democracies. It has already accomplished a great deal, and it must continue and step up the good work. I am of course thinking here of the Demosthenes programme, but the Plan for the Development of Law and Local Democracy and the Themis and LODE programmes also come to mind.

We are disposed to support them as soon as a financial plan has been produced. In this area, as elsewhere, an effort is needed to rationalise management. However, budget increases are inevitable in view of the Council's growing membership and workload. The Secretary General's recent proposals for the 1993 budget thus strike us as perfectly realistic.

Conflict in the former Yugoslavia has spread to areas which had hitherto been spared. It would be a mistake to suppose that such explosions of violence between peoples, nations and minorities will remain confined to the territory of the former Yugoslavia. There are a number of potential conflicts elsewhere in Europe. We need to be aware of that fact. I regret that a number of member States withheld support from the recent move to establish Council of Europe machinery for the protection of national minorities. I remain convinced that the paramount task is to draw up legal standards for the protection of minorities. I therefore hope that the work of the Steering Committee for Human Rights is brought to a successful conclusion as soon as possible.

The International Fact-finding Commission which is provided for in Article 90 of Protocol No.1 on the protection of victims of armed international conflicts was established in Bern last March and has now begun looking into serious violations of the 1949 Geneva Conventions and the protocol. The civil war which is devastating most of the States of the former Yugoslavia makes it urgent to ratify that treaty. I appeal to all member States to join Austria in doing their utmost to prevail on the States concerned to ratify those instruments. It is also highly desirable that all our States recognise the Commission's jurisdiction. In it we already have an instrument for the investigation and punishment of war crimes. Let us make use of it!

While we discuss consolidating and extending the system of human rights protection, human rights are once again being systematically flouted in the conflict in Bosnia-Herzegovina. Nearly a million people have fled the occupied territories and Bosnia-Herzegovina and taken refuge in Croatia. But these flows of refugees - on a scale unprecedented for such a short period of time in Europe - are not the only distinguishing feature of the present situation. The main and additional feature is the disregard of existing instruments for conflict settlement.

On 15 April the CSCE condemned the violation of independence, territorial integrity and human rights by irregulars from Serbia and by the Yugoslav national army in Bosnia-Herzegovina. It demanded a halt to the violence. In addition it demanded recognition of Bosnia-Herzegovina's borders and the legitimacy of its government. All parties to the conflict should be supporting the peace efforts of the United Nations and the European Community and entering into constructive dialogue on protection of national minorities in Serbia, at the Hague Conference.

On 2 May the CSCE was forced to conclude that its recommendations of 15 April had not been acted on. A serious question arises: are we genuinely committed to the CSCE principles as set out in the Charter of Paris or are we once again going to seek a compromise with the aggressor?

All the peoples of former Yugoslavia, including the Serb people, which has a great history and political tradition, are entitled to live in peace.

Co-operation between the Council of Europe and the CSCE is increasingly being put into effect, and Austria very much approves. The complementarity of both Organisations warrants energetic measures to develop closer co-operation while avoiding duplication of effort. In the interests of closer links, it would seem desirable for the Council of Europe to be invited to take part in and speak at the Helsinki Summit in July and for its representatives to be able to take part, on an equal footing with the other participants, in the various working groups on aspects of the human dimension.

Expansion of the Council of Europe is going to worsen one problem with which we have been concerning ourselves for quite a long time now, though unfortunately to little effect - the overload of the Commission of Human Rights and the Court of Human Rights. The need for a solution - and a radical one at that - is now urgent. We have already put our own ideas on the subject on the table because we firmly believe that justice ceases to be done if plaintiffs are kept waiting years for a judgment.

More than a year after the Vienna Ministerial Conference on movement of persons out of Central and Eastern Europe, the problems raised by such migration are undoubtedly going to remain on the agenda in the years ahead. The situation in Bosnia-Herzegovina, which has resulted in thousands of refugees and displaced persons, is only the most recent example of migration flows which deserve our full attention.

Since 1991 the Committee of Senior Officials responsible for follow-up to the Ministerial Conference (the Vienna Group) has met three times under Austrian chairmanship.

I am pleased to say that the work of the Committee, which is drawing up coherent policies for participant States in such areas as freedom of movement for persons, the right of asylum, migration flows and readmission agreements, is making some progress.

I would nonetheless like to stress that it is essential to step up our efforts in order to achieve tangible results and in particular to secure close co-operation as soon as possible in the fight against illegal immigration. The Vienna Group's membership undoubtedly makes it a unique and invaluable platform for achieving these things and I accordingly take this opportunity of appealing once again to all the participant States to make the fullest possible commitment to the group's work.

In conclusion Mr Mock thanked the Swiss Chairman, Mr Felber, for his active and committed chairmanship of the Committee of Ministers.

Mr. ÇETIN (Turkey) joined with his colleagues in paying tribute to Mr. Genscher, thanked him for his contribution both to the Council of Europe and to the process of European construction and expressed his good wishes for the future.

He then made the following statement:

"I would like to welcome Bulgaria as a full member of our Organisation. As a neighbouring country this accession gives Turkey particular pleasure. We are aware of the efforts that have been deployed by the present Bulgarian government to redress injustices and human rights violations committed by the communist regime. We are confident that membership of our Organisation will be a further encouragement for further democratic and political improvements in Bulgaria from which all Bulgarian citizens will benefit. In this context Bulgaria's signature this morning of the European Human Rights Convention is highly significant.

Since our last meeting profound changes have continued to take place in Europe. Efforts for a democratic form of government have continued in Romania and Albania, two Balkan countries which we hope will also join our Organisation after meeting the necessary requirements. Following the democratic elections held in March 1992, we believe that Albania's links with our Organisation should be strengthened. Therefore we support Albania's accession to the European Cultural Convention.

Since our last session, political landscape in Europe has dramatically changed with the dissolution of the Soviet Union and the emergence of new States on its territory. It is in our interest to encourage the move towards democracy in all these States and assist them in creating stable governments that will meet the political and economic aspirations of their citizens. Politically it is important that all former Republics should embark on the road leading to democracy and the acceptance of the Rule of Law and the protection of human rights.

The exchange of views with Mr Andrei Kozyrev, the Minister of Foreign Affairs of the Russian Federation, in the afternoon will undoubtedly be extremely useful for the assessment of recent developments in Russia and the relations of Russia with the former Republics of the Soviet Union. In this connection, I would like to inform my colleagues briefly about my observations from the recent visit of our Prime Minister Mr Demirel to Azerbaijan, Uzbekistan, Turkmenistan, Kirgizia and Kazakhstan in which I have also participated.

It is true that from a purely geographical point of view these Republics could be considered at best as being on the fringes of greater Europe. But from the point of the stability of Europe it cannot be irrelevant for the Europeans whether these peoples will opt in favour of the principles upon which we intend to build greater Europe or whether they will give in to radical, extremist or fundamentalist political and cultural temptations.

There are indications that in the five Republics concerned the present leadership and strong political forces in society are willing and prepared to pave the way for genuine and lasting reforms along the lines of the principles governing European and Western democratic institutions and process, including protection of human rights and the full implementation of the Rule of Law.

By its geographical position, its historical links with the peoples in the Caucasus and Central Asian regions, and its own cultural traditions and political experience, Turkey can indeed play the role of a bridge between Europe and that part of the world. We are ready to respond positively to such a role, including as a link with institutions like the Council of Europe. Turkey would be ready to actively support activities of the Council of Europe aimed at providing these Republics with advice and assistance in their democratic reforms.

With these considerations and keeping in mind the already widening contacts between certain former Soviet Republics and the Council of Europe, I have invited the Secretary General, Madame Lalumière to accompany me on visits to former Soviet Republics during Turkey's forthcoming chairmanship of the Committee of Ministers. In the former Soviet Republics that have already indicated their readiness to participate in the Organisation's activities, these visits will allow us to better understand the expectations of these countries from the Council of Europe. And in countries like Georgia and the Central Asian Republics to assess the desire and intentions of the political leadership to co-operate with the Council of Europe.

On the basis of the conclusions of these visits, I should like to reserve the possibility, whilst in the Chair of this Committee, to convene in Istanbul at an appropriate moment next autumn a special meeting of this Committee to assess possible action by the Council of Europe towards this part of Europe and its neighbouring regions. Such a meeting could provide an opportunity for an exchange of views with the political leadership of these Republics and the Council of Europe member countries. Such a meeting could also be timely to evaluate the results of the July Helsinki summit. In this meeting there could also be an exchange of views concerning the role of our Organisation in a changing Europe, bearing in mind the interesting and challenging proposals made by President Mitterrand.

I should like to underline that so far our Organisation has taken no decision concerning the membership of former Soviet Republics to this Organisation, especially concerning Caucasian and Central Asian Republics. Establishment of contacts and extension of assistance and co-operation programmes should in no way be linked with prospects of accession to the Council of Europe. Turkey has always believed that membership of this Organisation requires meeting certain criteria. The form of relationship that the Council can establish with Republics in the Caucasus and Central Asia is not a question that needs to be settled today. In the meantime, we should respond favourably to requests for assistance that could come from these Republics.

We believe that in order to meet growing demands from the States formerly part of the Soviet Union it might be preferable to set up a new programme in the 1993 budget. This programme should cover all Republics including those in Central Asia. It could be financed not only through the Organisation's own resources but also from voluntary contributions by member countries, other international Organisations as well as interested countries such as the United States.

The spread of armed conflict and bloodshed in the territory of former Yugoslavia is a cause for grave concern. The stability of this region plays a crucial role in European security and particularly in the Balkans.

Turkey has refrained from actions and steps which could have encouraged the disintegration of Yugoslavia when the crisis emerged. However, as the following events made it apparent that the Yugoslavian unity would no longer exist, we took an even-handed approach and recognised the Republics of Slovenia, Croatia, Bosnia-Herzegovina and Macedonia on 6 February 1992. We deplore the tragedy in Bosnia-Herzegovina. The international community must take urgent action to end the armed conflict and human rights violations and the destruction of an irreplaceable architectural and cultural heritage. Everything must be done to ensure the territorial integrity of this newly born Republic. Turkey, on its part, is ready to support any international action to this end.

We attach great importance to peace and co-operation in the Balkans, which constitute an integral part of the European security. The Council of Europe can make its contribution to achieve this aim first by opening up contacts with all four Republics on an equal basis and secondly by giving assistance to them in the fields of its competence.

We fully support strengthening effective liaison with the CSCE with a view to making the best use of the Council of Europe's experience and capacities on areas of international co-operation which fall within the sphere of competence of the Council of Europe.

In this context, we fully support the efforts to open certain Council of Europe activities for all CSCE participating states. We also believe that the Council, with its long and rich experience in the field of human rights and democracy, is in the best position to develop assistance programmes in these fields for them.

The contribution made by the Council of Europe at the CSCE Follow-Up meeting in Helsinki, on 31 March 1992, has given concrete guidelines for reflection, on the possible avenues of co-operation between the two Organisations, without leading to duplication. We believe that these proposals can form the basis for co-operation between these two Organisations. Furthermore we believe that the Council of Europe should be invited to further contribute to the CSCE Follow-Up work as well as to the Summit Conference, scheduled for July 1992, in Helsinki.

Turkey, although considered a country of emigration, has also been a country of immigration throughout its history. Over five centuries Turkey has known mass immigration and has been known as a haven for immigrants. As a country directly concerned with the issue of migration, I would like to voice my country's willingness to contribute actively to the endeavours to solve the problem.

Finally I would like to state that my country will do its best to assist the work within the Organisation for the institutional reform of the Human Rights Convention machinery and to facilitate the discussion of this question in the Committee of Ministers.

We also attach importance to the work which could lead to the revision of the Statute of our Organisation. The present Statute, thanks to its flexibility, has served this Organisation well for more than 40 years, allowing it to respond to recent fundamental political changes in Europe and to extend our assistance and co-operation to the Central and Eastern European countries. If the present Statute is to be changed, the new text should be flexible enough to respond to new conditions that continue to arise.

Finally, I would like to refer to the statement I made during our last Committee meeting in November 1991, regarding the importance the new Turkish Government attaches to the Council of Europe and the values this Organisation represents. I am happy to inform my colleagues that my Government has recently prepared and submitted to Parliament for approval a legislative reform package which intends to update Turkish legislation and to bring it into line with the constantly evolving democratic and human rights norms and practices. In this context I would also like to inform my colleagues that my Government is currently reviewing with a liberal

approach the contents of its declaration of 29 January 1990 made while accepting the competence of the European Commission of Human Rights to receive petitions from individuals. Similarly our declaration made in accordance with Article 15 of the European Convention on Human Rights has been restricted to Article 5 of the Convention only.

This is an indication of my country's determination to respond to the highest standards in human rights."

Mr VAN DEN BROEK (Netherlands) offered his congratulations, together with a warm welcome, to Bulgaria on its accession to the Council of Europe. He then seconded the remarks of the President concerning the long and fruitful association of Mr Hans Dietrich Genscher with the Committee of Ministers. The Council of Europe was entering a very dynamic period and he was convinced that together the members would meet the challenge. Now was the opportunity for the members to practice what they had preached. The Council of Europe had a fundamental role to play in the transformation of Europe in response to the new circumstances. He underscored the remarks of former speakers with regard to the role of the Council of Europe in fostering the Rule of Law and in upholding the primacy of democracy and human rights, particularly important now in relation to the countries of Central and Eastern Europe. The situation with regard to the countries of the former Soviet Union would require thorough preparation. He invited the Secretary General to add a document to that of the Bureau of the Parliamentary Assembly concerning enlargement. All the questions raised in this paper called for answers which would represent a very heavy workload for the Deputies. This workload would have two distinct aspects, firstly of a political nature and secondly, of an organisational nature.

On the political side, he fully endorsed the comments made by previous speakers relating to the need to intensify relations with Russia with a view to its progressive integration. The question as to how far the enlargement of the Council of Europe should go required to be answered. The frontiers of Europe needed to be defined. Recognising the valuable contribution of the Council of Europe in the fields of democracy, the Rule of Law and human rights, he expressed support for the idea of expansion as far as possible but nevertheless within limits. The Baltic States were clearly European States, the Republics of Russia, Moldova, Ukraine and Belarus would not present difficulties from a political standpoint. More difficult would be the trans-Caucasian countries, Armenia, Azerbaijan and Georgia; however their eventual accession could not be excluded. In relation to the Asian Republics he expressed strong hesitation over the question of membership, while acknowledging their close cultural and linguistic links with certain member States, for example Turkey. It would certainly be possible to discuss some sort of alternative status, for example associate membership, but this would require a great deal of preparatory work.

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On the organisational side, the questions were even more pressing. It was possible for the Council of Europe to give positive political signals but this was not adequate if the organisational structures were lacking. There was the question of whether the Council's statute needed adaptation and a number of other aspects needed to be addressed, including questions such as those of the working languages, financial resources and so on. He expressed confidence that the Secretary General could guide and co-ordinate this work. The Ministers' Deputies knew the tasks which faced them.

On the question of the CSCE, both the Chairman and Secretary General were aware that under the Netherlands Presidency, co-operation between the CSCE and the Council of Europe had been strengthened and intensified. The Council of Europe with its high moral stance and its legal expertise in the field of human rights had much to contribute. In connection with the establishment of regimes for protection of minorities, a discussion on possible mechanisms was proceeding well within the CSCE framework and here duplication should be avoided. The Council of Europe could certainly provide the support of its legal expertise in this context, but there should be no interference with the CSCE framework for this work. The Secretary General could count on the support of the Netherlands in relation to the representation of the Council of Europe in negotiations and future discussions on these matters.

In conclusion, Mr Van Den Broek drew attention to the question of the Council of Europe's human rights mechanisms, in particular the programme designed to improve these in the short term, which have been stressed by President Mitterrand in his recent speech. The concrete proposals on the table were not radical, but would greatly improve day-to-day operation, and were essential to avoid the interference of bureaucracy and lack of capacity in the human rights procedures.

Mr JESZENSZKY (Hungary) opened his speech by congratulating Bulgaria on becoming the 27th member of the Council of Europe and the fourth representative of the democracies of Central and Eastern Europe. He further congratulated Estonia, Latvia and Lithuania on their signature of the European Cultural Convention. The Council of Europe's role in establishing a bridge between East and West and in cementing European co-operation was of fundamental importance. However, looking from Western Europe it must appear that there was "nothing quiet on the Eastern front". A series of major problems and wars were inevitably involving the countries of this region. The new members from Central and Eastern Europe represented the most promising countries, and he fully supported the policy which had up till now allowed the opening of the ranks but under strict conditions. These countries were happy to have found a place and it was essential that no new curtains, iron or otherwise, should be erected. It was important to welcome these other countries while insisting however on the maintenance of high standards, with the precondition of free elections and appropriate internal organisation. Assistance programmes must be continued and expanded.

He expressed his support for the Netherlands' Foreign Minister regarding the need to clarify the boundaries of Europe. Consideration of the Russian question represented a great responsibility. It was important to help Russia, and especially the people of Russia, on the road to democracy. He welcomed initiatives from the other Republics which covered vast areas and raised vast problems. He felt that a lumping-together of the whole of the former Warsaw Pact area would threaten the position of the new democracies of Central and Eastern Europe, notably as a result of lack of resources. A differentiated approach was essential. There were already a wide range of Council of Europe programmes working well in Central and Eastern Europe, and he looked forward in this context to future programmes.

He drew attention to the adoption on the previous day by Poland, Czechoslovakia and Hungary of several documents in the context of the "Visegrad Triangle". A special declaration had been made in favour of the Themis and Lode Programmes and the political and financial support which they required. These plans were especially important in the context of teaching democracy to the peoples of these countries, both to their leaders and to the masses, and would help to avoid a repetition of the Yugoslav situation. "Heads should be counted rather than cut off."

As far as minority questions were concerned, he referred to various proposals in particular those discussed by the Steering Committee for Human Rights (CDDH), which were strongly supported by Hungary, including pilot-projects for democracy and confidence-building, designed to reduce tensions between minorities. There were few States which did not have substantial minorities within their territories.

Following the Second World War, several States had been helped with programmes for democracy which had exposed the evils of totalitarianism. In the modern context, exposure of the crimes of communism was equally necessary, including the links between the Communist system and current problems within these countries, not least the nationalist tensions. It was important to distinguish between the natural phenomenon of patriotism, having been so long denied, resurgent in the process of nations' renewal, and the reappearance of former Communists in democratic guise and adopting a nationalist stance. The importance of strict standards was desirable to help counter these forces which remained active as, for example, on the territory of the former Yugoslavia. He fully supported the position adopted by his good friend, the Austrian Foreign Minister, Mr Mock, in relation to the conflicts in Voivodina and the other Southern Slav Republics, where he felt that positive approaches were nevertheless possible. He expressed fear about the possibilities of conflicts spreading to neighbouring States. He drew attention to the proposals made by Hungary to the Parliamentary Assembly on the minorities question and underlined the need to go ahead with development of a code of conduct in relation to minorities. He strongly supported the idea of a High Commissioner for Minorities. Whether the framework

for this work was the CSCE or the Council of Europe was not so important, although the Council of Europe with its strict standards and with its enforcement mechanisms offered perhaps a more useful forum than the CSCE which could only issue principles and guidelines which would not be binding. Finally, he invited national representatives to express their opinions at the forthcoming 44th Session of the Parliamentary Assembly in Budapest on the best ways of achieving full integration of the countries of Central and Eastern Europe into the community of European Nations.

M. ARTACHO CASTELLANO (Spain) made the following statement:

"Mr Chairman, I would like to begin by joining the previous speakers in congratulating Bulgaria and welcoming it to the Council of Europe. The presence here of Mr Ganev is a clear demonstration that the Bulgarian people have completed a historic process of democratic change peacefully and with resounding success. That the change should have taken place in a country of the Southern Mediterranean affords us additional pleasure. That it should have come about in a war torn part of Europe gives reason for hope. As well as a factor for progress by the Bulgarian people, Bulgarian democracy is a guarantee of peace and stability. You may rest assured, Mr Minister, that in its efforts to consolidate its democratic achievements and in the pursuit of economic and social progress, Bulgaria will always be able to rely on the support and co-operation of Spain and its government.

Mr Chairman, Bulgaria's joining the Council of Europe and the Baltic States' accession, this morning, to the European Cultural Convention are further evidence of the Council of Europe's determination to open up to Central and Eastern Europe.

In our view, this opening up is necessary, both because it meets those countries' hopes of co-operation and dialogue and because it enables the Organisation to achieve genuinely pan-European scale, which is essential if we want the principles laid down in Article 1 of the Council of Europe's Statute to be common heritage of all Europeans without exception.

The building of ever closer links between the Council and non-member States with a view to their future membership and programmes of co-operation with and assistance to them must continue to be one of the Council of Europe's action priorities.

We therefore hope that the forthcoming parliamentary elections in Romania will be the culmination of the peace process there and will open the door to Romanian membership of the Council.

I would also express Spanish support for Albania's accession to the European Cultural Convention and for an encouraging response to Albania's application for Council of Europe membership.

When the Minister for Foreign Affairs of the Russian Federation lodges Russia's application for Council of Europe membership this afternoon, we shall have to reflect on the huge political implications of that move, which merely underlines once again the determination to democratise what is a huge country. As you know, the procedure for joining the Organisation is lengthy and complex and demands a high degree of commitment to democracy and human rights. I therefore think we should warmly welcome Mr Kozyrev's application and convey to him Council of Europe member States' desire to have Russia among their number shortly.

But as well as being necessary and an action priority, opening up to the rest of the continent is an enormous challenge to the Council of Europe, which will inevitably have to change in order to adapt to new circumstances. We believe there are at least three aspects to this adaptation:

1. Firstly, a change of attitude in our approach to the Council's work. As new countries join over the next few years, we are going to have solidly established democracies in the Council alongside other democracies whose prime concern is to put down just such solid foundations. This requires that we put the emphasis on cooperation and on applying the lessons of experience, while at all times maintaining the high standards which have given the Council of Europe its huge prestige.

2. Secondly, adapting the Council's structures to an ever-growing membership. Here we would mention the matter to which the Chairman referred in his opening remarks, reform of the Statute. We are following the work here with interest and the inputs whether from member States or the Parliamentary Assembly. This is undoubtedly a process of great importance. For that reason, and given that present circumstances are extremely fluid and it is consequently hard to foretell how long it is going to take the Council to achieve its final configuration and what that configuration is going to be, we think the institutional reform needs thinking about very carefully and then tackled comprehensively once the Council has come to terms with the enormous changes it is undergoing at present.

3. Thirdly, this process of adapting the Council must go hand in hand with reflection about where the Council fits into the emerging European scheme of things and about the Council's role. In my view, that role requires stepping up the Council's work in its traditional spheres of activity and clarifying its relations with other institutions, in particular the CSCE. In the latter connection, we regard the decisions taken at the Prague Council, in January, as charting a clear course for collaboration between the Council of Europe and CSCE institutions so as to avoid needless overlap of activities. In the same spirit, the Spanish delegation to the Helsinki meeting will also support Council of Europe participation in the meeting and in the Summit meeting of Heads of State and Government in July

I would not like to conclude without thanking the Swiss Chair for all its outstanding work in the last three months."

Mr GANEV (Bulgaria) spoke as follows:

"Let me first express my deep appreciation for the kind words addressed to my country on the occasion of Bulgaria's accession to the Council of Europe. I would like to take this opportunity to reaffirm, before the Committee of Ministers, Bulgaria's determination to join the other member States of the Council in their endeavour to build a peaceful, democratic and prosperous Europe.

As I mentioned this morning, we regard our accession to the Council of Europe as a supreme responsibility. In the field of foreign policy we see this responsibility primarily in terms of our standing and positive actions in the Balkans. We reject the establishment of any axes or preferential ties. We do our best to develop our relations with all neighbouring countries on an equal footing and with equal intensity.

The priority now is to adjust the new realities of the region to the values, principles and mechanisms of Europe today. This understanding guided us in the past few months when we launched the promotion of a Helsinki process in the Balkans. This goal can be achieved, after the Yugoslav crisis is settled, by convening a forum of the countries of South East Europe. Such a forum could lay the foundations for security and stability in the region by adopting a Charter binding the Balkan countries to abandon their territorial claims and ambitions.

Various ideas for Balkan co-operation appeared during this century. We believe that today it is high time the Balkan countries created their common future pragmatically. We believe the political climate in the world and in Europe is favourable for such an objective. Influential Organisations and institutions such as the Council of Europe - as well as the CSCE, the North Atlantic Co-operation Council, the European Community, the Western European Union and others - could help guarantee the new relations in South East Europe as an integral part of the all-European process.

Taking the opportunity to address the Committee of Ministers for the first time, I would like to propose that the Council of Europe attend a future Balkan Conference as an observer, and furthermore, to help in the preparation of such a conference by rendering moral and political support to this South East European initiative."

Mrs af UGGLAS (Sweden) joined her colleagues in giving a warm welcome to Bulgaria, noting that this country's accession was another milestone in the pursuit of the Council of Europe's statutory mission. She also expressed her pleasure at the accession of the Baltic States to the European Cultural Convention.

She praised the Organisation's policy of openness, guided as it was by progress made towards democratic reforms in non-member countries. Given that the Council of Europe had received special recognition in the Paris Charter, it was appropriate that its co-operation programmes should be made available to all CSCE States.

She hoped that non-member countries of the Organisation would be able to fulfil conditions for membership and thus become part of democratic Europe, but she insisted that requests for accession to the Council of Europe be subjected to close scrutiny. In this context she noted that good progress had been made in the Baltic States towards democracy and full recognition of human rights, and expressed the hope that they could soon become members of the Council of Europe.

She went on to say that now was not the time to study the question of where the eventual boundaries of Europe should be.

With regard to the former Yugoslavia, she condemned the escalation of violence in Bosnia-Herzegovina and the flagrant human rights' violations there. She added that the use of heavy weaponry by the Yugoslav National Army must be condemned, and that the army should withdraw immediately, and hoped that this would be reflected in the Final Communiqué of the Session.

M. STIRN (France) made the following declaration:

"I would firstly like to apologise on behalf of the Minister for Foreign Affairs and the Minister for European Affairs, who are detained in Paris by the debate on constitutional revision preparatory to ratification of the Maastricht Treaty. They were here three days ago with the President of France.

Next, allow me to congratulate not only Mr Felber but also the Swiss Ambassador Mr Moret on the great successes and progress achieved during the Swiss chairmanship of the Committee of Ministers. It detracts in no way from those achievements to point out that they are the outcome of especially effective co-operation with you, Mrs Secretary General, to whom the President of France paid a well deserved tribute three days ago.

Naturally, I would like to join my colleagues in welcoming Hans Dietrich Genscher for the last time. He has played a key part in opening up to Eastern Europe, in building the European Community and in the deep-seated friendship between Germany and France. I hope that his continuing political career will enable him to add to his already manifold achievements.

I too would like to welcome the Minister for Foreign Affairs of Bulgaria, Mr Ganev. In quantitative terms, his presence is testimony to a further expansion of our Organisation, which now has 27 member States, including four Central or East European countries. But qualitatively and more especially it highlights the tremendous challenge we face and which becomes severer as our membership increases: the challenge to quote the President of France, of "embodying a little more each day the "grand ideal" of Greater Europe".

How do we set about this? Firstly, without compromising on the values we were founded to uphold, we must welcome in, now that the Council is set to be a Council of Europe in the real geographical (or rather geopolitical) sense of the name, all the European countries which recognise the principles of pluralist democracy, human rights and the Rule of Law.

In the case of Estonia, Latvia and Lithuania, the membership procedure is taking its course. Their accession this morning to the Cultural Convention was a further stage in it. It will be followed shortly, we all trust, by their both joining the Council of Europe and acceding to the European Convention on Human Rights as soon as the requirements have been met.

I would wish for a similar outcome in the case of Romania, which has been a party to the Cultural Convention since December and which, when it holds parliamentary elections in June, will be taking a decisive step towards realising the democratic ideal. Albania, whose economic and social problems are even worse than Romania's, must continue to receive the Council of Europe's support, whether in the form of constitutional and legal expertise or in the shape of programmes of humanitarian assistance. These programmes are a valuable adjunct to bilateral assistance. At the same time Albania should be invited to accede as soon as possible to the Cultural Convention prior to the full membership which the President of Albania, Mr Berisha, delivering in Strasbourg his first speech abroad since taking up his duties, said he wanted to see.

As regards the States which have arisen from the former Soviet Union, I firstly very much welcome the opportunity we shall have this afternoon for an exchange of views with the Minister for Foreign Affairs of Russia, Mr Kozyrev. Russia, as the Soviet Union's direct successor, already has Special Guest Status and is a party to the Cultural Convention. It is both in its interest and ours (the Council of Europe's and Council of Europe member States') that that great country should in due course join the ranks of the States which share the values of democracy and human rights.

Belarus, Moldova and Ukraine, which are also natural candidates for Council of Europe membership, need to have the benefit of the co-operation programmes and should be invited to accede to the Cultural Convention if they wish. Contact also needs further developing with Armenia and Azerbaijan and needs establishing quickly with Georgia in view of recent political developments in that country. In the case of Kazakhstan, Kirghizstan, Uzbekistan, Tadjikistan and Turkmenistan, the pragmatic approach adopted so far must be maintained. The Council of Europe's assistance programmes, whether those which have proved their worth, such as the Demosthenes programme, or more recent projects such as Themis (on development of the law) or Lode (on local democracy) could be made available to them to the extent warranted by their political progress. In any event, questions as to their Europeanness do not arise at the moment.

Extending the aid and co-operation programmes to include new beneficiaries, and the setting-up of further programmes, of course have considerable financial implications. France will be happy to face up to its responsibilities but provided tight control is kept of both amounts spent and of commitment procedures. In particular, co-operation projects under Vote IX should gradually be brought under the normal intergovernmental activity programme, under Vote II.

As regards States on the former territory of Yugoslavia, France welcomes Slovenia's application for membership and the Assembly's granting Special Guest Status to the Croatian parliament. However, in so far as programmes of assistance and co-operation can usefully and effectively be implemented, it would like to see the various entities treated equally. We must give the future a chance: may think it is right today, but eventually the Rule of Law will prevail.

The Council of Europe is wholly taken up with bringing in the new democracies of Central and Eastern Europe. Our agenda testifies to that. That is perfectly in keeping with the spirit and the Statute of the Council. As regards States in other parts of the world, I welcome the interest they are taking in our work and I think the co-operation which those non-European States have said they would like needs to be within a tight and well-defined framework. Otherwise there is a risk of diluting the Council's Europeaness and of a degree of confusion as a result of a wholesale and uncontrolled opening-up.

I would now like to turn to relations between the Council of Europe and the CSCE as part of the more general issue of how the European continent is to be organised. As President Mitterrand pointed out, Europe is now looking for a forum all of whose member States can engage, on an equal footing, in ongoing dialogue. Allow me to remind you of the three principles which would need to guide such a confederal approach:

The first principle is that each institution currently involved in the realisation of Greater Europe should develop its special expertise as far as possible. To that extent the Council of Europe, which already has prime responsibilities not only in its particular field, human rights, but also in areas like culture, education, harmonisation of legal and social standards and co-operation between local authorities, can point to a powerful track record as well as to a huge range of more recent fields of responsibility to explore such as nature protection, telecommunications and transport.

The second principle is that there should be a division of labour, on a basis of complementarity, between the main institutions responsible for the political, economic, technological and cultural transformation and construction of Europe. Existing co-operation between the Council of Europe and the CSCE needs to continue and develop flexibly and on a basis of partnership. In particular the Council of Europe must be present at the next CSCE summit, in Helsinki on 9 and 10 July 1992, but it must also start thinking right away about holding a Summit Meeting of Heads of State and Government of Council of Europe member States in Strasbourg next year.

The third principle is that all member States should have equal status. That is already the case in our Organisation in which a number of countries known as "major contributors" and others sometimes termed "micro-states" meet on an equal footing. This is one of the things which makes the Council of Europe an appropriate choice as one of the crucibles, or even the crucible, of the confederation which France very much wants to see.

It remains only for me to refer to agenda item no. 5. I would like to thank Austria for its work since the Vienna conference in January 1991 on movement of persons out of Central and Eastern Europe. France is in favour of keeping the present arrangement in which it in fact takes an active part since, at Austria's request, it is preparing for and will be chairing a meeting in Strasbourg from 18 to 20 May on the question of visas.

Lastly my best wishes to Turkey for its forthcoming chairmanship. Turkey now has a distinctive and vital geopolitical role in Europe. Its chairmanship comes at a good time. I wish it every success.

Thank you."

Mr. DALY (Ireland) made the following statement:

"I too would like to extend a very warm welcome to the Foreign Minister of Bulgaria on his country's accession to the Council of Europe. We look forward with pleasure to working with our new partner in this Organisation.

I would like to associate myself with the expressions of appreciation of the significant contributions of Minister Genscher to the progress and ideals of the Council of Europe over the past 17 years.

Ireland is very pleased to see Estonia, Latvia and Lithuania being gradually integrated into the institutions of the Council of Europe. Their accession today to the Cultural Convention is a landmark in this process, a process we hope to see culminate as soon as possible in the full membership of the Baltic States in the Council of Europe.

My delegation was pleased to note the recent positive steps towards democracy in Romania and Albania and we support the proposals concerning these countries in the Agenda, including Albania's accession to the Cultural Convention. We were particularly pleased at the visit of the President of Albania to the Parliamentary Assembly yesterday.

This is the first meeting of the Committee of Ministers since the establishment of the Commonwealth of Independent States, and it is therefore appropriate that the Council of Europe's relations with the new independent Republics situated on the territory of the former Soviet Union should be one of the questions at the forefront of our concerns today.

To address the question posed in the annotated agenda, we agree to the Council of Europe offering the prospect of accession to Russia, Belarus, Moldova and Ukraine. We fully support the principle of gradually integrating them into the Council's work. While we are happy to hold out the prospect of accession to these new States, we are also conscious that accession will require a sufficient apprenticeship in the Council of Europe system, if its standards are to remain meaningful. This is the spirit in which my delegation views Russia's membership application.

We agree that the Council should establish contacts with Georgia, with the object of eventual co-operation, as has already been decided in the cases of Armenia and Azerbaijan.

The violence and killing which we have witnessed in and around the enclave of Nagorno Karabakh has shocked and horrified Irish people and the international community at large.

We are also deeply concerned by the extreme suffering of the population of that region.

Ireland very much welcomes the decision to convene, under the auspices of the CSCE, a Conference on Nagorno Karabakh. This, we hope, will bring about an early and peaceful settlement.

We also support the despatch of a CSCE Monitor Mission to the region; this can make a major contribution to the easing of tensions and to the respect of the ceasefire.

As regards the Asian Republics, my delegation feels that technical assistance to these countries, should they request it, would make a contribution to their democratic reform efforts. In view, however, of the general lack of knowledge concerning the Asian Republics' specific requirements, as well as the potentially huge demands which such a project could have on the resources of the Council, a realistic attitude would be appropriate. However, we are in principle positively disposed to Council of Europe assistance to these countries.

As regards the question of establishing special additional assistance programmes for the new independent Republics of the former Soviet Union, we are in principle in favour of this proposal. However, we feel that since contacts with these countries have only begun, it may be a little early to pronounce definitively on this question at our meeting today. The matter should be examined actively between now and our next meeting. We are also mindful that the Council of Europe needs to concentrate its energies on successfully launching its Development Plans for Law and for Local Government.

Turning now to Yugoslavia, we in Ireland have been appalled by the tragic events which have taken place in that country in the course of the last twelve months.

The ongoing horrific violence in Bosnia-Herzegovina and the continuing military activity in Croatia serve to emphasise that much still needs to be done to bring about a comprehensive settlement for the region.

We believe that the European Community's Peace Conference provides the framework for the realisation of this goal. The efforts within the Conference to this end have been complemented by the important role which is being played in the region by the United Nations.

For the Conference to complete its work, it is vital that violence in the region should cease, sovereignty and territorial integrity of States be respected and for all parties to negotiate in a constructive and dedicated manner.

As regards Council of Europe co-operation with the States on the former territory of Yugoslavia, Ireland endorses the decision to open contacts with Slovenia and Croatia, and encourages the development of the extension of this co-operation to Bosnia-Herzegovina and other recognised Republics if the situation allows this."

M. TOFFANO (Italy) wished to welcome Bulgaria as a new member State of the Council of Europe. Its accession increased the number of members of the Organisation and expanded the circle of new democracies. The signing of the European Cultural Convention by the Baltic States was also a positive development. Other countries had also submitted applications for membership. Those countries would have to satisfy the criteria of the Council of Europe and comply with the principles of democracy and human rights, including in particular social rights and the rights of minorities. In that connection, the Council of Europe had to adopt a long-term pragmatic approach and avoid isolating countries which should not remain outside the gates of Europe for too long. It was necessary, however, to ensure that the membership standards were not lowered and hence to develop programmes of co-operation which could help the Council of Europe to bring those countries into its fold.

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Albania had shown that, with the developments under way it was possible to introduce reforms even in a difficult situation. It was his hope that that country would soon join the Council on the basis of compliance with its standards.

Russia constituted an exceptional challenge in as much as that country's role was essential to the stability of the continent.

It was important to develop a European legal area which was one of the objectives of the Council of Europe. The initiatives on behalf of the countries of Eastern Europe therefore took on a new significance. His country was carefully following the development of the Demosthenes programme as well as the Themis and Lode projects. There were new prospects for legal co-operation with the Republics of the former Soviet Union as well as with the new States arising from the former Yugoslavia which had drawn closer to the Council of Europe, despite the existence of a dramatic situation which had given rise to the expression of the most serious concern.

He observed that the human rights sector was one of the brightest aspects of the Council of Europe's work and he emphasised in this connection the importance of the speech made a few days earlier by President Mitterrand when he had come to Strasbourg to lay the first stone of the new Human Rights Building. There was a risk that certain functional problems in that field of activity might grow worse, and they were central to the debate. He expressed the hope that the new premises would make it possible to improve the effectiveness of the supervisory machinery of the European Convention on Human Rights.

M. CLAES (Belgium), made the following statement:

"Mr Chairman,

I join with all those who have paid tribute to our colleague, Mr Genscher, who has made such a great contribution to the realisation of the principles which we hold dear.

Furthermore, I wish to greet my new neighbour, the Minister for Foreign Affairs of Bulgaria, a country which we are happy to welcome as the twenty-seventh member of our Organisation.

The essential task for the Council of Europe today, within its area of responsibility, is to help those societies which have emerged from the ruins of communism to become genuinely democratic societies. Thus, the Organisation has assumed joint responsibility for stability in Europe through its action to promote democratisation on the basis of the values inherent in human dignity and the workings of a democratic society. The task is a daunting one, as is the attendant responsibility which I would describe as historic; daunting also in terms of their substance and geographical scope.

Indeed, the aim is to change individual and collective mentalities and at the same time to build the legal framework and support structures for political changes and economic and social reforms. Consequently, let us leave to other European and international institutions the task of managing the political, financial and economic problems and let us encourage appropriate multilateral action on their part; economic and social well-being constitutes an essential ingredient in the consolidation of democracy and the lack of it signifies an impediment or indeed a risk to any democratisation process.

However, there is also a problem of enlargement; we welcome this enlargement, although we are aware of its implications in terms of human energy and investment for the attainment of the goal of a democratic Greater Europe.

I should merely like at this stage to make a few comments.

First of all, the question is a complex one: in a sense we are being asked to define the frontiers of Europe in the light of the status and identity of our Organisation. In this connection, it seems to me that we shall have to take a stand on the basis of a set of criteria rather than a single geographical criterion.

Secondly, with regard to the applications for membership from countries with a European vocation, it is essential in our view to maintain the statutory requirements of our Organisation concerning the application of democratic values and human rights. It is, however, obvious that our action will also be guided by our assessment of the political desirability of providing a mooring within our Organisation for still imperfect or uncertain democratisation processes, with a view to making them irreversible.

Thirdly, it is important to establish distinctions in our relations with the former Soviet Republics, depending on whether or not they are entitled to become members of the Council of Europe. These distinctions do not relate to co-operation as such or to co-operation procedures, but are concerned with its purpose. It will then be necessary to devise adequate arrangements for associating those countries with the Organisation. This is already the subject of activities relating to institutional reform.

As regards the relations between the Council of Europe and the CSCE, it is necessary to avoid both duplication and futile competition between the European institutions, while on the contrary endeavouring to develop synergies which will considerably enhance the effectiveness of the tools available to us and make it possible to provide an optimum response to the particular needs of the historical period we are living through.

The Council of Europe possesses a great fund of experience in respect of intergovernmental co-operation, harmonisation of legislation in the most diverse fields, and more particularly, the formulation, interpretation and monitoring of standards relevant to human rights.

Our Organisation should concentrate its efforts in these fields in order to contribute to the building of a new Europe.

The Council of Europe already makes an essential contribution to the pursuit of the human dimension objectives of the CSCE. Accordingly, the Council must be involved in the Helsinki follow-up meeting and must be represented at the Summit on 9 and 10 July of this year.

It also seems highly desirable for both institutions to be able to co-operate in defining and then implementing programmes aimed at strengthening democracy in the countries of Central and Eastern Europe and in the Republics of the former Soviet Union.

Moreover, a number of co-operation arrangements between the Council of Europe and the CSCE are currently under consideration and deserve further clarification. I am thinking in particular of the implementation of "special enlarged agreements" or projects governed by "dual mandates".

Let us also continue to look at the question of opening some Council of Europe conventions or their mechanisms to non-member countries of the Council participating in the CSCE, as well as at the possibility of a division of duties between the Council of Europe and the CSCE with regard to the thorny problem of minorities, taking account of the nature and experience of both institutions.

In conclusion, Mr Chairman, I wish to reiterate how much importance we attach to the pan-European vocation of the Council of Europe. However, we are not unmindful of the internal adjustments which will be required. In this connection, I should like to refer particularly to the institutional reform of the Council of Europe and of the machinery and procedures of the European Convention on Human Rights, which I hope the Committee of Ministers will discuss shortly."

Mr. GAREL-JONES (United Kingdom) said that he would follow the Chairman's injunction to be brief. He wished to join his colleagues in paying tribute to Mr. Genscher and said that the new Europe was in many ways a monument to his life's work. He then spoke as follows:

"My government strongly supports the work of the Council of Europe in the opening to the East. It was a special pleasure to participate this morning in the ceremony of the accession of Bulgaria to the Council, I join those who have welcomed our Bulgarian colleague in our midst. We also welcome the accession of Estonia, Latvia and Lithuania to the Cultural Convention.

I have nothing to add to the remarks by my Portuguese colleague as President of the European Community on Yugoslavia.

We are broadly in favour of future action as set out in the paper before us. Specifically, we support the invitation to Albania to join the Cultural Convention. In considering the opening of contacts and the starting of assistance programmes we should however keep in mind two things: one, the need to concentrate our resources, which are not unlimited, where they are most needed and most appropriate; two, the likely future shape of the Council of Europe. Specifically in connection with the former Asian Republics of the Soviet Union I listened with care to the comments by Minister Çetin and noted with interest his proposal for a special meeting. I think there is most certainly an important role for Turkey as a European bridge to Central Asia, but we believe that the action proposed in the paper is premature. I think we should consider our position, if and when any of these countries express an interest in the Council of Europe. None has done so to date. But we need to reflect carefully on the points made in this respect by Hans van den Broek and Willy Claes.

In the light of this I think it would be more prudent for the Council of Europe, as a body to adopt more neutral language in paragraph 12 of the draft communiqué. I suggest simply:

"Ministers declared the readiness of the Council of Europe to establish appropriate contacts with the Republics of Central Asia (Kazakhstan, Kirghizistan, Uzbekistan, Tadzhikistan, Turkmenistan) if they so requested'."

Mr GATTI (San Marino) made the following statement:

"I firstly wish to add the congratulations of the Republic of San Marino to the satisfaction expressed at the accession of Bulgaria, a further asset to the Council of Europe permitting a still more tangible contribution to the development and consolidation of these democracies.

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May I also extend my warmest greetings to the Minister for Foreign Affairs, Mr Genscher, and offer him my thanks for the distinguished contribution which he himself and his country have made to the Council of Europe, together with my sincere wishes for every personal success in the future.

I share the deep satisfaction which you, Mr Chairman, and the Secretary General have expressed regarding the success of the visits to the USA which I am sure will yield positive results.

One of the most important and immediate duties of the Council of Europe is indubitably to provide the opportunities and conditions for accession by the Republics forming part of the ex-Soviet Union.

I therefore believe that we should give close consideration to the very serious situation in the territory of what used to be Yugoslavia and to the formation of the new Republics, which require assistance in building up political structures consistent with democratic principles and human rights.

Another important and pressing matter is the preparation of the next CSCE Summit and the more formal incorporation of the Council of Europe in its permanent structure.

I am pleased that our Committee is mandated to deal with such interesting and stimulating subjects in the genuine effort to build a larger and more democratic Europe.

The Republic of San Marino approves the guidelines which you have laid down and reaffirms its determination to offer resolute support."

M. BYCZEWSKI (Poland) made the following statement:

"Allow me to associate myself with all the previous speakers who have congratulated the Bulgarian Minister for Foreign Affairs on his country's accession to the Council of Europe. We much appreciate the progress and the pace of the democratic reforms under way in that country, especially since we Poles are well aware of the effort required by such a process and the cost of such changes. We believe that - just as was the case with Poland - accession to the Council of Europe will foster the stabilisation of democracy and the trend of future changes in Bulgaria.

We should also like to be able as soon as possible to welcome among us all those countries which have acquired or recovered their independence as a result of the break-up of the Soviet Union. That day is very near for Estonia, Latvia and Lithuania which have today joined the signatories of the European Cultural Convention. The societies and governments of all the countries in that region are faced with enormous tasks. However, the audacity of the reform programmes, the determination, consistency and capacity to endure hardships frequently come up against brutal economic reality and the social and ethnic consequences of past political experiences. Our own experience has made us only too familiar with this problem. We are also aware of the inestimable value of the assistance and support we received from the Council of Europe during the process of democratisation of our social and political system, before we became a full member of the Council of Europe.

It is therefore of paramount importance to step up the contacts between the Council of Europe and the non-member States of Eastern and South-Eastern Europe.

Such co-operation and assistance are essential in order to facilitate and accelerate changes in the field of constitutional, legislative and administrative reform, as well as in the field of local democracy and, of course, that of human rights. Given the resources available to the Council of Europe, it would be desirable to undertake a selection of subjects and programmes and to concentrate them in the countries where such aid may be effective, that is to say where it may produce the effects aimed at. It is important in this connection for the potential beneficiaries to be prepared and disposed to take advantage of the Council of Europe's offer.

The Polish Government welcomes with great satisfaction the two proposals by the Secretary General, Mrs Catherine LaLumière: first, the "Themis" plan for the development of law and secondly, the "Lode" plan for local democracy. We see in these proposals the valuable concrete expression of the major tasks undertaken by the Council of Europe in respect of Central and Eastern Europe. The projects worked out up to now call for greater commitment on the part of the participating countries and consideration of the specific features of the needs of different countries. This is clear from our own experience in the context of the "Demosthenes" programme which we found extremely useful. We also perceive the value of extending these plans to the fields of education and the mass media, so that changes in legislation may be accompanied by corresponding changes in social awareness.

This is also of relevance to transfrontier co-operation involving local communities. We are well aware that the value of this type of co-operation consists in defusing the previously accumulated potential for conflict. Such co-operation is therefore particularly necessary in the eastern and southern parts of Europe. Council of Europe patronage could help to eliminate the distrust which frequently surrounds various attempts to develop transfrontier co-operation.

We consider that, for the application of the Council of Europe's assistance programmes, consideration could be given to the valuable experience acquired by the countries of Central Europe (Hungary, Czechoslovakia and Poland) during the initial period of our contacts with the Council of Europe. Yesterday, 6 May, in Prague, during the "triangular" Visegrad Summit, consideration was given inter alia to the question of the involvement of those States and their experts in the Council of Europe programmes of co-operation with the countries of Eastern Europe, taking into account precisely the specific experience of the peoples of the "triangle" who have embarked upon the transition from communism to democracy. I think that it would be possible in this way to increase the efficiency of the Council of Europe's programmes on behalf of non-member states and in so doing to speed up their accession to our Organisation.

This could be of relevance, for example, to the programme of assistance with local democracy. Two international conferences held recently on this subject in Krakow, one with Council of Europe participation, demonstrated the great interest shown by the peoples of post-communist Europe in the transfer of the models and solutions already devised and implemented in Poland and in the other countries of Central Europe.

The Europe which quite recently was still separated from the Council of Europe by the "Iron Curtain" needs the Council's presence. This presence is necessary in order to combat the consequences of the past, to reduce the differences which divide the eastern and western parts of the continent and to forestall conflicts by jointly establishing democracy and the Rule of Law, as well as in order to help treat the wounds produced by conflicts which have nevertheless taken place.

In the latter case, it is Yugoslavia which comes to mind. The current conflict and the solution to it constitute an extremely complex problem. It is important to do everything possible to ensure the success of the attempts made by the European Community, the CSCE and the United Nations to settle the conflict and the disputes arising out of it.

Where the conflict has ceased, the Council of Europe has an irreplaceable role to play, one of assistance and co-operation with a view to introducing democracy and, above all, machinery for the protection of human rights.

This conflict makes clear, among other things, how important it is for the Council of Europe to step up its efforts to establish effective machinery for the protection of the rights of ethnic minorities.

Assistance and co-operation should be offered to all the peoples of the former and new Yugoslavia who so desire - without exception.

I consider that, in our discussion of this conflict, we cannot leave out of account the efforts undertaken by the other Organisations. I am thinking in particular of the CSCE, which has a strong stake in resolving the problem. The Yugoslav question was the subject of yesterday's meeting of the Committee of Senior Officials of the CSCE. Could the Secretariat inform us of the results of that meeting? I remain convinced that this would facilitate the elaboration of our position on this question.

This meeting of the Committee of Ministers of the Council of Europe is taking place at the same time as the CSCE follow-up meeting in Helsinki. A lively discussion is being held on the future of the CSCE process, its role, its institutional form and its links with the other European Organisations. The time has come for the Council of Europe to associate itself with this process on a closer and more lasting basis, particularly in view of the opening up of the Council to the European non-member countries. This is not the first time that Poland has come out in favour of liaison between these two institutions - it is also doing so now in Helsinki - in the areas of responsibility of the Council of Europe and in accordance with the principle of the complementarity adopted by the majority of the States participating in the CSCE process.

The possibilities of such liaison are numerous. One of them is provided by the CSCE Office for Democratic Institutions and Human Rights, concerning which the representatives of Poland expressed their views at the recent meeting of the ad hoc special committee of the Council of Europe.

The obvious need for links between the Council of Europe and the CSCE system is made clear in particular by the possible CSCE trend - in accordance with certain proposals - towards the establishment of limited legal guidelines, especially for certain aspects of the process. For these reasons, we are in favour of Council of Europe participation in the forthcoming CSCE Summit in Helsinki.

Thank you for your attention."

Mr SCHÄFER (Germany) congratulated and thanked Bulgaria on its accession to the Council of Europe, and was pleased that the Minister's statement had shown so much progress in Bulgaria.

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With regard to the countries of Central and Eastern Europe, he welcomed the signature of the European Cultural Convention by the Baltic States. This represented a step towards their full membership of the Organisation once they had fulfilled the necessary conditions, and once they had concluded debates on their Constitutions and on reforms of electoral systems.

He hoped that Romania would also be able to fulfil the conditions for membership, and, noting the relevance of the Germany-Romania Treaty in this context, he added that Germany attached great importance to Romania's membership of the Council of Europe.

As far as Albania was concerned, he welcomed that country's request to accede to the European Cultural Convention, and hoped that a positive decision on this request would help Albania to resolve its severe difficulties.

He welcomed both the exchange of views between the Ministers and Mr Kozyrev that would take place later that day, and the Russian Federation's request for accession to the Council of Europe. This request should be viewed and studied in the light of progress on the Council of Europe's fundamental principles. The Republic of Germany supported reform efforts in the Russian Federation and its participation in the Organisation's co-operation programmes, with a view to strengthening human rights.

Referring to the Republics of Belarus, Moldova and Ukraine, he hoped that the current reform processes would be reinforced by co-operation with the Council of Europe. He was pleased that contacts had already been established with Belarus and Ukraine, and hoped that discussions on co-operation with Moldova would begin soon.

Regarding the consideration of the possibility of strengthening relations with Caucasian States, he insisted that it be required that Armenia and Azerbaijan resolve their conflict and show full respect for human rights. In this context, he supported the Declaration by the Committee of Ministers of 11 March 1992 on the conflict concerning Nagorno Karabakh.

Contacts, he felt, should be initiated with Georgia, given its currently very difficult position.

He wished to encourage the Council of Europe to establish relations with the five Republics of Central Asia, and stressed the need to reinforce the Rule of Law in these Republics.

With regard to Yugoslavia, two steps needed to be undertaken: firstly, the sending of UN troops to Bosnia-Herzegovina, and secondly, the achievement of an overall political solution, within the Conference on Yugoslavia. Yugoslavia as a country no longer existed, he said, and the five successor Republics should settle their differences within this same Conference.

The new State of Yugoslavia was not identical to the former one; it therefore must fulfil the same conditions as all the other successor States.

With regard to the aggression in Bosnia Herzegovina, he noted that the termination of this aggression was the responsibility of Serbia and of the Yugoslav National Army; both should be condemned internationally.

He expressed his pleasure at Slovenia's request for accession, and noted that this Republic had taken advantage of co-operation possibilities offered by the Organisation. He ended by stating his hope that the Council of Europe could strengthen relations with all the successor States to Yugoslavia.

Mr STOLTENBERG (Norway) felt that, with regard to future accessions to the Organisation, the strict requirements stipulated should be adhered to, though flexibility could be exercised with regard to geographical considerations.

He agreed with his colleagues that it was unacceptable for foreign troops to be in Bosnia-Herzegovina; their activities should be condemned. He underlined, however, that it was important to direct appeals to all the parties concerned; they should all feel responsibility for achieving a peaceful solution to the conflict.

He said that the idea of a Summit every two years in the Council of Europe was a good one but added a note of caution regarding the increase in the number of meetings of Foreign Ministers and of Summits; any large increase might devalue the outcomes of such meetings.

Mr De MARCO (Malta) offered his congratulations to Bulgaria on becoming the 27th member of the Council of Europe, which thus represented to some extent a part of the new European architecture to which the former German Foreign Minister, Mr Hans-Dietrich Genscher had been one of the foremost contributors. In Mr Genscher, members could identify a statesman who had contributed to the new concept of Europe: what is Europe, who is a European, where does Europe extend to? Was it a question of the late President de Gaulle's "Europe from the Atlantic to the Urals", or did the concept of Europe now extend even to Vladivostok?

The expected presentation of an application for membership by Russia would show a new dimension which had not hitherto been considered. Europe was living a great contradiction. Who would have thought, two years ago, that the Foreign Minister of Russia would present an application to join? The Council of Europe had, through the decades, made the concepts of democracy and freedom its own. These fundamental principles could not be altered or bartered. The Organisation could change institutionally but could not alter its ideals and principles. Freedom and democracy had broken down the former Iron Curtain. The contradiction within Europe was evident in the territories of the former Yugoslavia, where thousands of people were dying. He would not enter into the niceties of the legal status of Montenegro or Bosnia-Herzegovina. It was a very sad state of affairs that the first country to face up to communism should be riven by war. The Council of Europe could bring to all these different nationalities a fundamental sense - common sense. The future could not lie in conflict but must be in peaceful coexistence. His colleague from Turkey had mentioned a very important role, important today and even more so tomorrow, the bridge-building role. The idea of a Europe of concentric rings was emerging: rings formed by countries close to each other geographically or close in terms of cultural and economic relations. The forthcoming presidency of Turkey would emphasise this bridge-building role.

Mr de Marco drew attention to the Mediterranean region where great problems and tensions existed, not least fundamentalism and extremism. The Council of Europe must look carefully at its role and responsibilities in the Mediterranean region.

He went on to refer to a Committee of the Council of Europe which was now doomed to extinction, the Committee for relations with European Non-Member States. This extinction was inevitable in view of the development of a greater Council of Europe whose greatness lay in its upholding of the fundamental principles of freedom and democracy.

Mr PALOUS (Czechoslovakia) made the following declaration:

"May I first apologise for Mr Jiri Dienstbier, Vice-President of the Federal Government and Minister of Foreign Affairs of the Czech and Slovak Federal Republic and, at the same time, Chairman-in-office of the CSCE. He is very sorry not to be able to take part in this session due to his current extraordinary workload.

I would like to congratulate the Foreign Minister of Bulgaria, Mr Ganev, and to express the satisfaction of my government that Bulgaria has become today a full member of the Council.

May I also react to the intervention of the Foreign Minister Genscher. Czechs and Slovaks are fully aware of his immense contribution to the revitalisation of the European process in the last two decades. Mr Genscher, for me, belongs in our eyes to the greatest Europeans of our time. I have followed with great interest what has so far been said here and I can just say that - especially what concerns the recent development in the territories of the former Yugoslavia - Czechoslovakia fully shares the opinion which has been expressed here by many who spoke before me of the brutalities against the civilian population by organised armed forces which are inexcusable and as such must be condemned and rejected with all political consequences.

Allow me to make several remarks on the two issues discussed.

In our opinion there is no doubt that - after achieving adequate standards - Russia, Ukraine, Belarus and Moldova will belong to the Council of Europe. It is our common duty to help these countries as much as possible and thus to create prerequisites for their early entry into the Council.

Czechoslovakia is at the same time of the opinion that sooner or later - this is really only a question of time - we shall welcome in our centre also representatives of the trans-caucasian States - Georgia, Armenia and Azerbaijan.

Let me use this opportunity to welcome the quick response of the Council of Europe to the offer by the CSCE to participate in a CSCE Monitoring Mission to Georgia due to take place in the latter half of this May. A representative of the Council of Europe already has participated in similar Missions to Albania and Ukraine, Belarus and Moldova. In our opinion direct participation of a representative of the Council of Europe would give the Council a better picture of the situation not only in this country but also in the whole of Transcaucasia.

I am also using this opportunity to inform you, that we will shortly present to the Council of Europe reports from all CSCE Missions so far, sent to the former Soviet Republics. We hope they will be useful for the establishment of relations between the Council and the Republics of the former USSR.

We hold the view that a stable and democratic development in Europe could be secured only by means of a narrow and harmonic co-ordination of the key institutions of the European architecture - CSCE, NATO, European Community, Western European Union and others. The Council of Europe should play an irreplaceable role in this process. The importance of the Council of Europe for current and future developments is today reaching far beyond Europe's borders and, in our view, can hardly be overestimated.

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The first contacts between the Council of Europe and the CSCE have recently been taken as is shown in the participation of Council of Europe's experts in various missions organised by the CSCE; those are the first signals of the beginning co-operation and co-ordination which, in our opinion, should be further enlarged.

The forms and conceptions of further possibilities and of the means for such co-operation aimed at stressing the functionality and avoiding unnecessary duplication are being worked out at the CSCE follow-up meeting in Helsinki. It is hoped that the conclusions shall be adopted at the CSCE Summit meeting in July. We believe that the final document shall bear an important mark of the Council of Europe.

An integral part, indeed a basic precondition of the co-ordination of the activities of international institutions, is the creation of an operative system of information.

The network of CSCE offices, including its Prague secretariat and the Warsaw centre shall, no doubt, be an integral part of such a system, that should also be interconnected with the information system of the Council of Europe.

Thank you Mr Chairman"

M. POOS (Luxembourg) welcomed the presence of the Minister for Foreign Affairs of Bulgaria whose accession supplemented the great family of parliamentary democracies, and said that he would briefly make three specific observations.

The high point of the meeting would be the exchange of views with Mr Kozyrev, Minister for Foreign Affairs of the Russian Federation, who would present that country's application for membership. This was a major event in the history of the Council of Europe, an event which needed to be properly appreciated. It was an important step towards that country's integration into democratic Europe. The application should be considered on the basis of the normal procedures. The Assembly's opinion on the subject was awaited with interest. However, it was clear that the Russian Federation had to fulfil the same conditions as the other member States. There could be no question of lowering the level of legal protection guaranteed by the Council of Europe.

With regard to Yugoslavia, he expressed deep concern about the violence and the train of human suffering afflicting that country. It was for the Council of Europe to continue contributing to the efforts of the United Nations and the European Community with a view to finding a peaceful and definitive solution to the conflict. Recognition of the new entity formed by Serbia and Montenegro should be subject to the following conditions: the former Yugoslav army should be withdrawn from all the Republics where it was still stationed; Serbia and Montenegro should recognise the other

independent Republics and guarantee minorities the same status as had been required in the case of Croatia. A firm and clear message from the Council of Europe along those lines would be likely to contribute to the solution of the conflict.

As far as relations with the CSCE were concerned, it was true that Europe had a large number of institutions which were required to co-exist. Nevertheless, it was essential as of now to be sure of avoiding duplications which might lead to confusion in the minds of the citizens of European States. On the subject of human rights, the functioning of democratic institutions, cultural co-operation and unification of fundamental principles of law, the CSCE should not have referred to it questions dealt with more adequately by the Council of Europe which was, indeed, the only Organisation with the necessary instruments and experience to take effective action in the above-mentioned fields.

Mr VÄYRYNEN (Finland) announced that the Nordic Council of Foreign Ministers had held one of its three annual meetings that week and had adopted a joint communiqué on Yugoslavia, copies of which were available from the Secretariat.

Mrs OVERVAD (Denmark) made the following statement:

"My delegation would like to join others in extending the most heartily welcome to the Republic of Bulgaria to the Council of Europe. The development which we have witnessed over the last years with the accession of the Czech and Slovak Republic, Hungary, Poland and now Bulgaria is a very solid proof of the significance of the Council of Europe. Membership of the Council of Europe for the countries of Central and Eastern Europe is an important way of assisting them in their struggle towards democracy and market economy.

We look forward to the speedy admission of the countries of Central and Eastern Europe who are not yet members of the Council of Europe and who fulfil the conditions. Denmark is particularly looking forward to the admission of the three Baltic States as soon as possible.

We are already witnessing the importance of the assistance programmes of the Council of Europe to develop human rights and the respect of law in the new democracies. We support the efforts undertaken to further develop this field of activity.

As for the question of the borders of Europe, that is the extension of membership of the Council of Europe, my country attaches fundamental importance to the fact that the standards protected by the basic conventions within the Council of Europe are not lowered."

M. BOSELLI (Commission of the European Communities) made the following statement:

"Since its participation in the special ministerial meeting in Lisbon on 24 March 1990, Bulgaria has successfully completed all the steps which today lead it to become the 27th member country of the Council of Europe.

On behalf of the Commission of the European Communities I wish in my turn to offer warm congratulations to its representatives.

The European Community, with the instruments available to it, is pursuing an effective co-operation programme along similar lines.

The Council could decide in the near future to open the way for negotiations on a European agreement between the Community and Bulgaria of the same type as those concluded with Hungary, Poland and Czechoslovakia.

With regard to the programmes for the development of law (Themis) and the promotion of local democracy (LODE), there are ongoing contacts between the Commission and the Council of Europe Secretariat. These contacts have made it possible to identify and define the basic conditions of co-operation which could - to the extent desired by the beneficiary States themselves - produce significant concrete results.

The conditions are now ripe - as was emphasised by President Delors in Lisbon in March 1990 - for us to build a vast area of peace, freedom and solidarity on the basis of the powerful bonds of trade and co-operation."

The CHAIRMAN spoke as follows:

"If there are no further speakers, I think that the main points of our discussion on this item of the agenda will be reflected in the draft Final Communique drawn up by the drafting group which we shall adopt at the end of our formal meeting this afternoon.

- I should like, however, to be able to note that there is agreement on inviting Albania to accede to the European Cultural Convention.

- Is there any objection to such a decision? If not, I note that we have taken the decision to invite Albania to become a Party to the European Cultural Convention.

- When Mr Kozyrev submits the Russian Federation's application for membership of the Council of Europe, I could tell him that we welcome Russia's intention of strengthening its links with the Council of Europe and that we shall express our interest in that application which attests to the political will of his country to continue on the path of democratic reform, with a view to achieving pluralist democracy, respect for human rights and the Rule of Law. This application - and this will answer several questions - will of course subsequently be examined in accordance with the normal procedure, first by our Deputies and then by the Parliamentary Assembly for opinion.
- As regards the other Republics of the former USSR, Belarus, Moldova and Ukraine, I believe that the general feeling is that these Republics could or will be able to become members of the Council of Europe provided they carry out the necessary reforms in order to fulfil all the statutory requirements of the Council of Europe. In the meantime, co-operation and assistance with those countries will be continued.
- With regard to Republics of the Caucasus, I believe that we are in agreement that the Secretariat should establish contacts with Georgia, in the same way as in the case of Armenia and Azerbaijan; however, this does not constitute an invitation to join the Council.
- With regard to the Republics of Central Asia, we envisage exploratory contacts to support those countries in the process of democratic reform, without reference to any prospects for accession to the Council of Europe.
- Lastly, as far as the conflict in Nagorno-Karabakh is concerned, I suggest that our Final Communiqué should forcefully reaffirm the declaration adopted by our Deputies on 11 March 1992, which called for a peaceful solution to the conflict.
- As regards the Council of Europe's programmes of assistance and co-operation with the countries of Central and Eastern Europe, I think that we agree to instruct our Deputies to look into the possibility of supplementary programmes of assistance to back up the democratic reforms in the states situated on the territory of the former Soviet Union.
- We also hope that the Secretary General will soon be able to submit detailed proposals for the implementation in 1993 of the THEMIS Plan for the development of law and the LODE Plan for local democracy."

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Mr. VAN DEN BROEK (Netherlands) said that while fully agreeing with the Chairman's summary of the morning's debate, he wished to know whether account had been taken of the suggestion that the Secretary General should draw up, for the next Ministerial meeting, a report on the organisational and political consequences of enlargement to enable the Ministers to have a comprehensive approach and to facilitate decisions on future accessions.

The CHAIRMAN said that the Committee had taken note of the suggestion by the Netherlands Delegation and that he also considered it necessary that such a document be prepared by the Secretary General for the next session of the Committee.

Mr. GAREL-JONES (United Kingdom) asked for a clarification of the Chairman's closing remarks, which referred globally to the former Republics of the USSR. He wished to be assured that the United Kingdom's proposed amendment to the final communiqué would be taken into account. He was in agreement with the idea of exploratory talks but was not prepared to go as far as seemed to be implied in the Chairman's summary. He had the impression that reference had been made to the possibility of co-operation and assistance programmes in all former Republics of the Soviet Union.

The CHAIRMAN thought that account had already been taken of the reservations made by the United Kingdom. He pointed out that, as far as the Republics of Central Asia were concerned, only exploratory contacts were envisaged.

Mr. JESZENSZKY (Hungary) regretted that whilst the Chairman had invited delegations to deal with the Yugoslav situation as a separate point, this did not seem to have been the case. He agreed with the Chairman's conclusions but regretted that the draft final communiqué made no reference to minority rights. In his view the key to this and to other crises was the realisation that each national group had the right to self-determination not only in culture but in democracy. He proposed that a mention be made in the Final Communiqué of the memorandum of the Democratic Community of Hungarians in Voivodina on self-government.

The CHAIRMAN said that the comment by the Minister for Foreign Affairs of Hungary would be taken into account by the drafting group.

The Chairman invited the Committee to resume the formal meeting at 2.45 pm.

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The sitting rose at 1.27 pm.

90th SESSION

MINUTES
of the meeting held at 2.55 pm on 7 May 1992
at the Palais de l'Europe
STRASBOURG

PRESENT

AUSTRIA	Mr. A.	MOCK
BELGIUM	Mr. W.	CLAES
BULGARIA	Mr. S.	PACHOVSKI (1)
CYPRUS	Mr. A.	SHAMBOS (2)

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- (1) Political Director, Head of the Department of International Organisations, in place of Mr S GANEV, Vice-Chairman, Minister for Foreign Affairs.
- (2) Permanent Representative of Cyprus to the Council of Europe, in place of Mr G IACOVOU, Minister for Foreign Affairs.

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CZECHOSLOVAKIA	Mr. M.	PALOUS (3)
DENMARK	Mrs M-L.	OVERVAD (4)
FINLAND	Mr. P.	VÄYRYNENE
FRANCE	Mr. O.	STIRN (5)
GERMANY	Mr. H.	SCHÄFER (6)
GREECE	Mr. L.	MAVROMICHALIS (7)
HUNGARY	Mr. I.	ZELNIK (8)
ICELAND	Mr. T.	INGOLFSSON (9)
IRELAND	Mr. B.	DALY (10)

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- (3) Deputy Minister for Foreign Affairs, in place of Mr J DIENSTBIER, Deputy Prime Minister and Minister for Foreign Affairs.
- (4) Permanent Representative of Denmark to the Council of Europe, in place of Mr U. ELLEMANN-JENSEN, Minister for Foreign Affairs.
- (5) Permanent Representative of France to the Council of Europe, in place of Mr R. DUMAS, Minister for Foreign Affairs.
- (6) Minister of State for Foreign Affairs, in place of Mr H-D GENSCHER, Vice-Chancellor and Minister for Foreign Affairs.
- (7) Permanent Representative of Greece to the Council of Europe, in place of Mr A SAMARAS, Minister for Foreign Affairs.
- (8) Deputy Permanent Representative, Hungarian Chargé d'Affaires a.i. to the Council of Europe, in place of Mr G. JESZENSZKY, Minister for Foreign Affairs.
- (9) Secretary General of the Ministry of Foreign Affairs, in place of Mr. J.B. HANNIBALSSON, Minister for Foreign Affairs.
- (10) Minister of State, Ministry of Foreign Affairs, in place of Mr D. ANDREWS, Minister for Foreign Affairs.

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ITALY	Mr U.	TOFFANO (11)
LIECHTENSTEIN	Mr. H.	BRUNHART
LUXEMBOURG	Mr. J.F.	POOS
MALTA	Mr. N.	BUTTIGIEG SCICLUNA(12)
NETHERLANDS	Mrs. A.H.M.	NIERMAN (13)
NORWAY	Mr. T.	STOLTENBERG
POLAND	Mr. I.	BYCZEWSKI (14)
PORTUGAL	Mr. J.M.	DURAO BARROSO (15)
HOLY SEE	Mr. G.	GATTI
SPAIN	Mr. E.	ARTACHO CASTELLANO(16)
SWEDEN	Mrs. M.	af UGGLAS
SWITZERLAND	Mr. R.	FELBER <u>Chairman</u>

-
- (11) Permanent Representative of Italy to the Council of Europe, in place of Mr G. DE MICHELIS, Minister for Foreign Affairs.
- (12) Permanent Representative of Malta to the Council of Europe, in place of Mr G de MARCO, Deputy Prime Minister, Minister for Foreign Affairs and Justice.
- (13) Permanent Representative of the Netherlands to the Council of Europe, in place of Mr H. VAN DEN BROEK, Minister for Foreign Affairs.
- (14) Under-Secretary of State, Ministry of Foreign Affairs, in place of Mr. K. SKUBISZEWSKI, Minister for Foreign Affairs.
- (15) State Secretary for Foreign Affairs and Co-operation, in place of Mr. J. de PINHEIRO, Minister for Foreign Affairs.
- (16) Permanent Representative of Spain to the Council of Europe, in place of Mr F. FERNANDEZ ORDONEZ, Minister for Foreign Affairs.

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TURKEY	Mr. H. ÇETIN	<u>Vice-Chairman</u>
UNITED KINGDOM	Mr. N. MARSHALL	(17)

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Mr. L. BOSELLI	Chief Adviser, Directorate General for External Relations of the Commission of the European Communities, responsible for relations with the Council of Europe.
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Mrs C. LALUMIERE	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 2.55 pm with the Chairman, Mr R FELBER, Minister for Foreign Affairs of Switzerland, in the Chair.

(17) Permanent Representative of the United Kingdom to the Council of Europe, in place of Mr D. HURD, Secretary of State for Foreign and Commonwealth Affairs.

ITEM 4: THE COUNCIL OF EUROPE AND THE CSCE

The CHAIRMAN spoke as follows:

"- A description of recent developments in the Council of Europe's relations with the CSCE is given on pages 11 and 12 of the annotated agenda, document CM(92)OJ1 prov. revised 2.

- A representative of the Secretariat presented a contribution at the CSCE follow-up meeting in Helsinki on 31 March 1992. In that contribution, prepared with the approval of the Ministers' Deputies, certain suggestions were put forward concerning Council of Europe programmes which could be open, under certain conditions, to participation on an equal footing by all CSCE states, as the Council of Europe's contribution to the CSCE human dimension objectives. We are awaiting the reaction of the CSCE to these suggestions.

- Obviously, in this context of the CSCE human dimension, the standard-setting work in progress in the Council of Europe on the protection of minorities is of great importance and I think that we shall be following that work closely.

- Lastly, I believe that we should all seek to ensure, through our delegations at the Helsinki follow-up meeting, that the Council of Europe is also invited to the next CSCE Summit on 9 and 10 July 1992 in that same capital city."

Mr. VÄYRYNEN (Finland) warmly welcomed Bulgaria to the Committee of Ministers and congratulated the Baltic Republics on their accession to the European Cultural Convention which was doubtless an important step on the road to accession to the Council of Europe. He also paid tribute to Mr Genscher and hoped that his retirement as his country's Foreign Minister would not mean his departure from the European scene.

One of the central issues of the current Helsinki follow-up meeting was the future architecture of Europe, the aim being to create a well-functioning system capable of facing the challenges to the new Europe.

The relationship between the CSCE and the Council of Europe was very important: the latter's special fields of interest, human rights, democracy and the Rule of Law and culture constituted valuable experience from the which the CSCE could benefit.

This relationship had been introduced at the Plenary follow-up meeting but had not yet been tackled in working groups. Finland had been among the first to welcome the suggestion that certain current Council of Europe activities could be opened for participation by non-member States. This experience could serve as a test or even a springboard for more institutionalised, regular co-operation and Finland appreciated the Council's initiative.

The CSCE could operate as an umbrella Organisation calling upon more specialised institutions to carry out specific tasks without all the participating States necessarily being members of the institution concerned.

There was a growing co-operation between the Council of Europe and the CSCE Office for Democratic Institutions in Warsaw which had begun as a result of the Prague ministerial meeting in January. He noted the Council's intention to maintain its relationship with the CSCE and in particular with the Warsaw Office.

In human rights matters, the CSCE's approach was general whereas the Council's tended to be individualised. He made reference to the Netherlands initiative (co-sponsored among others by Finland) for a High Commissioner for Minorities having a mandate to look into situations involving minorities which ran the risk of developing into serious conflicts.

In this connection, he noted that at the first meeting of the Council of Baltic States there had been a proposal to establish a Commissioner for Human Rights and Minority Rights in the Baltic Sea region.

The Council of Europe - CSCE relationship should continue to develop in the direction of complementarity. He believed that the Council should participate in the CSCE Summit to be held in Helsinki on 9 and 10 July 1992.

Mr SHAMBOS (Cyprus) made the following declaration:

"I would first like to add my voice to that of preceding speakers this morning, in welcoming, on behalf of my country, the accession of Bulgaria to the Council of Europe. Surely, this event, besides reintegrating Bulgaria to Democratic Europe, would certainly serve as a significant stabilising factor in the sensitive Balkan region. We wish the Government and the People of the new member country every success in their efforts in shaping and consolidating their prosperous future within revived conditions of democracy, the Rule of Law and the respect of human rights.

I congratulate Estonia, Latvia and Lithuania for signing the European Cultural Convention and wish that they, as well as other countries, fulfil the requirements soon to join the Organisation as full members. I also pay tribute to Foreign Minister Hans-Dietrich Genscher, one of the chief architects of the on-going European transformation.

As to the item under consideration, Council of Europe - CSCE relationship, we are today more than ever convinced that, in view of the challenges, prospects and expectations new Europe is faced and concerned with, closer co-operation between this Organisation and the CSCE is indispensable. Without wishing to sound repetitive of what has already been stressed, on this and many other occasions, we should, though, re-emphasise that the presence and contribution of the Council of Europe in the overall European efforts for the construction and consolidation of the new enlightened order extending all over Europe, is of paramount importance owing to the potential guidance that this Organisation can provide by virtue of its well-structured mechanisms and long experience in key fields of intergovernmental activities. This is particularly valid as regards human dimension, legal co-operation, culture and education and other related social exchanges, contacts and aspects where Council of Europe contribution could be highly beneficial to achieving the CSCE objectives. It is in this spirit, therefore, that we stress again, today, the need of a closer and to the extent possible constant relationship and liaison between this Organisation and the CSCE process. It is also with these thoughts in mind that we commend the Secretary General's untiring efforts, zealous concerns, suggestions and activities in this respect. We do consequently encourage both the pursuit of the Council of Europe's overall contribution in this regard, and its presence being sought at the forthcoming CSCE Summit in Helsinki.

Finally, may I thank you, Mr Chairman, for the strenuous efforts of the Swiss Chairmanship in bringing an honourable conclusion last month to a long-pending Human Rights case (No. 8007/77) with which my country was one of the two member countries directly concerned.

Thank you, Mr Chairman."

Mr DURÃO BARROSO (Portugal) spoke as follows:

"As concerns relations with the CSCE process, the "Prague document on further development of CSCE institutions and structures" recognised the general principle of a contribution of the Council of Europe to CSCE activities in the field of the human dimension. The pragmatic and concrete steps to be taken must respect the aims of the Council of Europe and must not exclude future specific agreements to be signed by both Organisations.

The co-operation with the Warsaw Office on democratic institutions and human rights must also be reinforced, so as to avoid an undesirable duplication of work. This question has also evolved in a positive way, which should be encouraged.

Finally, we believe that it is appropriate for the Council of Europe to participate at the current Helsinki Summit, as it has done on previous occasions."

Mrs af UGGLAS (Sweden) noted that at the Prague meeting of Foreign Ministers of CSCE States in January, Sweden had proposed a programme of support for new member countries of the CSCE that were in transition. She added that existing resources should be made available in the different areas of expertise covered by the CSCE. Sweden would be active in this respect.

Referring to the two different ways in which expertise could be furnished, namely bilateral and multilateral, she added that the Council of Europe had good experience notably in the fields of human rights and the Rule of Law. The Council of Europe should be asked to implement those parts of the CSCE programme that fell within its fields of expertise. Indeed, the Council of Europe should logically be invited to the CSCE Summit which would underline its role in the network of mutually reinforcing institutions.

Mr BRUNHART (Liechtenstein) welcomed Bulgaria's accession to the Council of Europe and thanked the Chair for its successful work over the last six months. He also congratulated the Secretary General for her fine work.

He expressed Liechtenstein's support for all steps which could lead to even closer and more efficient co-operation between the CSCE and the Council of Europe. The most important thing in this connection was to incorporate the Council of Europe's great experience and achievements in the field of the "human dimension" into the process of European rapprochement.

He therefore welcomed the fact that the Council of Europe was making a contribution to the CSCE Follow-Up Conference in Helsinki. This applied in particular to suggestions as to how individual Council of Europe programmes could be made accessible to all the member States of the CSCE on the basis of equal rights. Here, it was necessary to keep to a certain number of projects which were easy to implement but which could be crucial to the future development of co-operation between the Council of Europe and the CSCE.

He believed that the members of the Council of Europe should make every effort to ensure that the Council of Europe would be represented at the July CSCE Summit in Helsinki. In this connection, Liechtenstein attached great importance to the preliminary standard setting work currently in progress at the Council of Europe in the field of the protection of minorities. This was certainly a difficult and time consuming task. In designing "confidence-building measures" in the field of human relations, one should, he said, also fall back on the Council of Europe's long experience.

Regarding co-operation between the European Organisations, he underlined most emphatically what the President of France, François Mitterrand, had said on 4 May 1992 in Strasbourg: "What we need is a proper division of labour between the major institutions which are responsible for the transformation and the political, economic, technical and cultural creation of Europe". He agreed that there should be no formal hierarchy between these institutions. An unduly rigid framework for such co-operation would also be inadvisable. What was needed was a certain adaptability; Liechtenstein therefore welcomed all efforts which would lead to even closer co-operation between the two institutions in question.

The CHAIRMAN spoke as follows:

"If there are no further speakers on this item, I think that we could reaffirm our support for the strengthening of effective liaison with the CSCE and encourage the pursuit of the Council of Europe's contribution at the Helsinki follow-up meeting. The main points of our discussion will be carried over to the Final Communiqué which we shall adopt at the end of the session.

I would urge that we seek to ensure, through our delegations at the CSCE follow-up meeting, that the Council of Europe is invited to the Helsinki Summit on 9 and 10 July 1992."

ITEM 5: FOLLOW-UP TO BE GIVEN TO THE CONFERENCE OF MINISTERS ON THE MOVEMENT OF PERSONS FROM CENTRAL AND EASTERN EUROPEAN COUNTRIES (Vienna, 24-27 January 1991)
(CM(92)OJ1 prov. revised 2, pages 12, 13 and 14)

The CHAIRMAN spoke as follows:

"Our Austrian colleague has drawn our attention to the importance of the follow-up to the Conference of Ministers on the movement of persons from Central and Eastern European countries held in Vienna in January 1991. Does Mr Mock wish to take the floor on this subject? I believe that that is not the case.

I think that the work of the group of senior officials known as the "Vienna Group" deserves our full attention. It is described on pages 12, 13 and 14 of our annotated agenda.

Do any delegations wish to take the floor? I see that it is not the case.

I think I can conclude by saying that we consider that the Vienna Group provides an excellent framework for dialogue and practical implementation of the decisions of the Vienna ministerial meeting with the countries of Central and Eastern Europe, open to participation by interested non-European countries. In addition, the work of implementation is being carried out in close co-operation with the European Community and the main intergovernmental organisations active in this field.

I think then that we can agree to encourage the continuation of the Vienna Group's work."

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ITEM 6: DATE OF THE NEXT MEETING
(CM(92)OJ1 prov. revised 2, page 14)

The CHAIRMAN spoke as follows:

"Our Deputies have proposed the date of 5 November 1992 for our 91st Session.

If there is no objection, that is agreed."

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FINAL COMMUNIQUE

The CHAIRMAN said that several amendments to various paragraphs had been proposed.

He noted that paragraphs 1 to 11 were adopted. Following the United Kingdom delegation's proposal of new wording for paragraph 12 and a drafting amendment by Mr Stirn (France), paragraph 12 was adopted.

The CHAIRMAN said that those observations would appear in the minutes. He noted that paragraph 13 was adopted and that paragraph 14 was also adopted, with the amendment proposed by the delegations of Czechoslovakia, Hungary and Poland, for the addition of the following sentence at the end of the second sub-paragraph:

"They drew the attention of the donor and beneficiary countries to the importance of these programmes and to the need for broad international financial and moral support."

With regard to paragraph 15, he said that an amendment had been presented by the Austrian delegation.

Mr MOCK (Austria) recalled that Austria had proposed that support be given to the CSCE conclusions requiring the restoration of peace in that region.

Mr CLAES (Belgium) asked what conclusions and demands of the CSCE were referred to in the amendment, since discussions were still going on within the Committee of Senior Officials.

Mr MOCK (Austria) pointed out that reference could be made to the conclusions of the CSCE meetings on 15 April and 1 May 1992.

The CHAIRMAN noted that, with the above clarifications, paragraph 15 was adopted.

With regard to paragraph 16, Mr MAVROMICHALIS (Greece) asked that all reference to Macedonia be deleted. This was a region situated to the north of Greece, comprising 13 departments and inhabited by 2.5 million Macedonian Greeks. To his knowledge, that region had not demanded its independence or asked to establish contacts with the Council of Europe. He could not accept the appearance of that name in the Communiqué.

Mr ÇETIN (Turkey) said, regarding the reference to Macedonia, which his authorities had formally recognised on 6 February 1992, it was unfair that so few countries had done so. Although for reasons of consensus he would not insist upon Macedonia's being mentioned in the Communiqué he hoped and expected that it would be given due recognition.

The CHAIRMAN said that he had taken note of the Greek delegation's opposition and indicated that the statements by Greece and Turkey would be recorded in the minutes. He proposed that paragraph 16 should end with the words "and other recognised Republics". He noted that paragraph 16 was adopted with that amendment.

He further noted that paragraphs 16 and 18 were adopted and that the delegations of Czechoslovakia, Hungary and Poland proposed an amendment to the last sentence in the first sub-paragraph of paragraph 19.

Mr. SCHÄFER (Germany) said that the amendment to paragraph 19 proposed by the delegations of Czechoslovakia, Hungary and Poland should read "and recommended to continue efforts towards the possible creation of an integrated information system on migratory movements".

Mr. ZELNIK (Hungary) pointed out that the purpose of the amendment was to show the progress made by the Vienna Group. The proposal by the German delegation was acceptable.

Mr. ÇETIN (Turkey) proposed adding, at the end of paragraph 19, the words "as well as other countries that may be directly affected."

The CHAIRMAN noted that paragraph 19 was adopted with the sub-amendments proposed by Germany and Turkey.

Mrs NIERMAN (Netherlands) proposed adding to paragraph 20 of the draft Final Communiqué a new sub-paragraph to read as follows: "They agreed that the Secretary General prepares a report on the various implications of the enlargement of the Council of Europe, using the study made by the Bureau of the Parliamentary Assembly on policy options and consequences of the geographical enlargement of the Council of Europe as a point of reference. The report will be part of the preparatory work for the 91st Session of the Committee of Ministers in November 1992".

The CHAIRMAN noted that, with that amendment which reproduced the words of Mr VAN DEN BROEK, paragraph 20 and paragraph 21 were adopted.

He observed that the Final Communiqué, with the above-mentioned amendments, was adopted as it appeared in Appendix 2.

Mr ÇETIN (Turkey) made the following statement:

"Chairman Felber, Dear Colleague,

In a few minutes the responsibilities which you have assumed as Chairman since last November will pass to Turkey, and I know that I will be speaking also on behalf of my colleagues if, at the conclusion of our Session, I say a few words to express my appreciation of your chairmanship.

Firstly, it is not usual for the Committee of Ministers to be presided over by the Head of State, but this undoubtedly helped, during the last six months, to raise the profile of our Organisation. But I would add that the authority you exercised over us was not a matter of rank, but far more the result of personal leadership qualities and your wide experience in international co-operation.

Like your Swedish predecessor, you leave our circle wider than you found it, with the addition today of our colleague Stoyan Ganev from my own country's Balkan neighbour, Bulgaria. We certainly seem destined not to remain the "Europe of the 27" for long.

You also gave a strong personal impetus to the necessary and ongoing review of our Organisation's institutional role, including its Statute, with Ambassador Yves Moret chairing the competent Working Party of our Deputies with great distinction and a sense of the need to co-operate harmoniously with the Parliamentary Assembly.

Other "files" which progressed under your leadership and which hopefully will ripen during my term of office are the necessary improvement of the supervision machinery of the European Convention on Human Rights, as well as the reform of the Standing Conference of Local and Regional Authorities of Europe.

Your visit to President George Bush last February was an important achievement. It had a positive impact on our Organisation's standing in the CSCE process. We can now confidently expect, as at Paris in November 1990, to be actively present at the Summit next July.

To conclude, dear Chairman, the Council of Europe is clearly in your debt. I will not presume to anticipate history, which is likely to judge you as your country's most internationalist Statesman, inspired by Denis de Rougemont, whose bust was unveiled yesterday.

My Colleagues and I hope that we can long continue to count on your presence among us and on your precious advice.

Please accept our heartfelt thanks."

The CHAIRMAN thanked his colleague and the Committee for its compliments which he described as exaggerated. He wished to redirect them to his own colleagues and to the Secretary General whose commitment was absolute. He emphasised that a Chairman could not work efficiently without the commitments of the Secretariat. He offered his warm congratulations to the Secretary General, Mrs Catherine Lalumière.

The sitting rose at 3.52 pm.

90th SESSION

MINUTES

of the exchange of views with Mr. A. KOZYREV,
Minister for Foreign Affairs of the Federation of Russia,
on 7 May 1992 at 3.57 pm
at the Palais de l'Europe
STRASBOURG

PRESENT

AUSTRIA	Mr. A. MOCK
BELGIUM	Mr. W. CLAES
BULGARIA	Mr. S. PACHOVSKI (1)
CYPRUS	Mr. A. SHAMBOS (2)
CZECHOSLOVAKIA	Mr. M. PALOUŠ (3)

(1) Political director, Head of the International Organisation Department, in place of Mr S. GANEV, Vice-President, Minister for Foreign Affairs.

(2) Permanent Representative of Cyprus to the Council of Europe, in place of Mr. G. IACOVOU, Minister for Foreign Affairs.

(3) Deputy Minister for Foreign Affairs, in place of Mr. J. DIENSTBIER, Deputy Prime Minister and Minister for Foreign Affairs.

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DENMARK	Mrs. M.-L. OVERVAD (4)
FINLAND	Mr. P. VÄYRYNEN
FRANCE	Mr. O. STIRN (5)
FEDERAL REPUBLIC OF GERMANY	Mr. H. SCHÄFER (6)
GREECE	Mr. L. MAVROMICHALIS (7)
HUNGARY	Mr. I. ZELNIK (8)
ICELAND	Mr. T. INGOLFSSON (9)
IRELAND	Mr. B. DALY (10)
ITALY	Mr. U. TOFFANO (11)

(4) Permanent Representative of Denmark to the Council of Europe, in place of Mr U. ELLEMANN-JENSEN, Minister for Foreign Affairs.

(5) Permanent Representative of France to the Council of Europe, in place of Mr. DUMAS, Minister for Foreign Affairs.

(6) Minister of State at the Ministry of Foreign Affairs, in place of Mr H.-D. GENSCHER, Vice-Chancellor and Minister for Foreign Affairs.

(7) Permanent Representative of Greece to the Council of Europe, in place of Mr. A. SAMARAS, Minister for Foreign Affairs.

(8) Deputy Permanent Representative, interim Chargé d'Affaires of Hungary to the Council of Europe, in place of Mr. G. JESZENSKY, Minister for Foreign Affairs.

(9) Secretary General of the Ministry of Foreign Affairs, in place of Mr. J.-B. HANNIBALSSON, Minister for Foreign Affairs.

(10) Minister of State, Department of Foreign Affairs, in place of Mr. D. ANDREWS, Minister for Foreign Affairs.

(11) Permanent Representative of Italy to the Council of Europe, in place of Mr. G. DE MICHELIS, Minister for Foreign Affairs.

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LIECHTENSTEIN	Mr. H. BRUNHART
LUXEMBOURG	Mr. J.F. POOS
MALTA	Mr. N. BUTTIGIEG SCICLUNA (12)
NETHERLANDS	Mr. H. VAN DEN BROEK
NORWAY	Mr. T. STOLTENBERG
POLAND	Mr. I. BYCZEWSKI (13)
PORTUGAL	Mr. J.M. DURÃO BARROSO (14)
SAN MARINO	Mr. G. GATTI
SPAIN	Mr. E. ARTACHO CASTELLANO (15)
SWEDEN	Mrs. M. af UGGLAS
SWITZERLAND	Mr. R. FELBER, <u>Chairman</u>
TURKEY	Mr. H. ÇETIN, <u>Vice-Chairman</u>
UNITED KINGDOM	Mr. N. MARSHALL (16)

(12) Permanent Representative of Malta to the Council of Europe, in place of Mr. G. DE MARCO, Deputy Prime Minister, Minister for Foreign Affairs and Justice.

(13) Under-Secretary of State to Ministry of Foreign Affairs, in place of Mr. K. SKUBISZEWSKI, Minister for Foreign Affairs.

(14) Under-Secretary of State for Foreign Affairs and Cooperation, in place of Mr. J. de D. PINHEIRO, Minister for Foreign Affairs.

(15) Permanent Representative of Spain to the Council of Europe, in place of Mr. F. FERNANDEZ ORDONEZ, Minister for Foreign Affairs.

(16) Permanent Representative of the United Kingdom to the Council of Europe, in place of The Right Honourable Douglas HURD, MP, Secretary of State for Foreign and Commonwealth Affairs.

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Mr. L. BOSELLI

Chief Adviser to the Directorate General for External Relations of the Commission of the European Communities, in charge of relations with the Council of Europe

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Mrs C. LALUMIERE

Secretary General

Mr. H.-P. FURRER

Director of Political Affairs

Mr. G. DE VEL

Deputy Director in the Secretariat of the Committee of Ministers

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The Session opened at 3.57 pm with the Chairman, Mr R. FELBER, Minister for Foreign Affairs of Switzerland, in the Chair.

The CHAIRMAN spoke as follows:

"Mr Minister,

It is an honour and a pleasure for me to welcome you here today for an exchange of views with the Committee of Ministers of the Council of Europe.

Your very presence here is in itself an historic event. Who would have thought, only a few months ago, that we should witness the break-up of the Soviet Union, the emergence of new States and, in particular, the rebirth of your country, Russia, as an independent State? Such developments were quite unthinkable.

I should like to pay tribute, through you, to the tenacity of the Russian people, whose bravery thwarted the attempted coup of August 1991, to those who risked their lives to stop the tanks, to a people slowly but surely advancing along the path towards democracy and the Rule of Law.

We have decided that your country is party to the Conventions of the Council of Europe - including the European Cultural Convention - and to the Partial Agreement to which the Soviet Union was party.

As for our assistance and co-operation programmes, they reach into fields as numerous as they are varied: judicial and legislative reform, criminal law, local and regional authorities, university reforms, media and the environment. We are happy to see that you have invited experts from the Council of Europe and the Venice Commission for Democracy Through Law to give their opinion on the draft constitution being prepared in your country.

I am convinced that we all want to intensify and speed up cooperation with your great country and build the newly emerging Europe together.

Mr KOZYREV, you have the floor."

Mr KOZYREV made the following statement:

"The values on which the Council of Europe is based, the priority of human rights, pluralist democracy and the Rule of Law in internal and international affairs, are the very values which the Russian people fought for on last August's barricades and which they are now striving to incorporate into their everyday lives.

It is for this reason that we are now posing the question of becoming a full member of the Council of Europe. This is one of the main paths towards returning Russia to its distinct and rightful place as a great power in the family of European nations.

For centuries, Russia was an indivisible part of Europe. The iron curtain weakened but never severed these ties. Pasternak, Landau, Solzhenitsyn, Rostropovich and Sakharov each in their own way reflected the living link between the Russian people and the progress of civilisation as a whole.

On the basis of the public mandate given to the first Russian President democratically elected by the people, we have decided not merely to restructure the communist system but to dismantle it entirely. Today's difficult but necessary reform, decided on by the Russian government, marks the definitive end of the cold war and opens new possibilities for a new Europe-wide union. Naturally, by union we do not mean either joining an old or forming a new military-political bloc. We are talking about a common strengthening and defence of shared democratic, cultural and historical values.

It is the real interests of the Russian State which are drawing us towards membership of the Council of Europe.

We are counting, first and foremost, on continued co-operation in perfecting new national legislation, including the drawing up of a new Russian Constitution. I should also like to express my gratitude for the assistance in training the lawyers of the new Russia which has already been given in the context of the Demosthenes and Universities of Democracy Programmes.

The perfection of our practice also entails acceding to the European Convention on Human Rights. We are prepared to recognise the compulsory jurisdiction of the European Court and the right of individual petition, and to follow the provisions of the European Social Charter.

All this is an integral part of our own efforts to establish genuine democracy, with no "socialist", "asiatic" or "transitional" provisos. The election of the President, representative bodies and mayors of large cities have taken place. A multi-party system is being developed and a Constitutional Court has been set up. Some of its decisions have abrogated or fundamentally altered certain laws hurriedly introduced by the executive.

The examination of individual complaints of human rights violation and the giving of the necessary rulings have been placed under the competence of the Constitutional Court. A large part of the work on rights protection is being carried out by the human rights commissions and committees of representative bodies at various levels. The legislative acts on citizenship and the rehabilitation of oppressed individuals and peoples have come into force. Human rights as a whole have been strengthened by the Declaration on Human and Citizen's Rights adopted by the Russian Parliament and by the changes made to the Constitution.

Nevertheless, we can only talk with any certainty of the chance of democratic transformation for our vast country.

Our parliament is still in many ways a parliament of the transitional period rather than of the post-communist period. The support base of the democrats at the summit of power is a mass but not formally organised "party" of popular support. There is a need for reform of the representative structures, including the state security organs and the VPK. There is still a danger of an apparatus backlash from those who are seeking new enemies and trying to put things back on the old tracks.

We would be interested in working through the Council of Europe for solutions to practical problems not only of internal democracy but also problems such as the opening of borders, the guaranteeing of the interests of Russian citizens and other compatriots in the former republics of the Union, and the interests of representatives of these nationalities residing in Russia. Indeed, many European countries have considerable experience in organising nationalities, preserving national cultures and carrying out education in their mother tongue.

Naturally, we are also interested in economic co-operation. We need assistance and support not only for macro-level reforms but also for concrete development programmes for small and medium-sized enterprises and farms and for the commercialisation of the large state enterprises.

In joining the countries of the Council of Europe in observing the current norms of political and economic life, we are prepared to follow our own guiding star, in the same way that all the other European States follow their own national interests.

Experience has already convinced us that it is in co-operation and not in confrontation with the leading European countries that Russia will find its spiritual integrity and originality.

I don't believe that Russia's status as a great power, to which its natural, human, scientific and technical and other resources destine it, should be seen as threatening or unacceptable to other States. The fundamental difference between Russia and the former USSR lies not in a denial of that status - that is unrealistic - but in the fact that it has taken on a normal, that is contemporary and democratic, essence.

Russia's accession to the Council of Europe is a process. We are talking of a whole continent entering Europe, not just a pocket-sized State. It is already clear that, although in a legal sense it is presented as our entering into the Council of Europe, there is actually a need for a mutual rapprochement.

We are talking, essentially, of the drawing up of a new agenda of European co-operation.

The sources of destabilisation, which are appearing most acutely in the East, affect the whole Continent of Europe.

Today, once again, Europe finds itself face to face with the difficult challenge of nationalism, intolerance, various forms of extremism and neo-fascist movements. The task of preventing and extinguishing the flames of armed conflict, whether in Yugoslavia or Pridnestrov, is becoming increasingly urgent.

For example, after achieving their independence with the support of the Russian democrats, the Baltic States, under the pretext of preserving ethnic and cultural unity, embarked on a course of infringing the political and economic rights of thousands of Russian emigrants.

Lastly, there is the threat of a new and unbridgeable gap opening up between rich and poor within and between countries, and this when Europe is, for the first time, in a position to direct its united resources towards world development!

We must work together to use the opportunities and meet the challenge of the post-communist and post-confrontational era. But this will necessitate an historical reorganisation of Europe, comparable to the shifts of 1918 and 1945, the building of a new architecture.

I think that there will be a new union, a confederation, based on the strengthening of the existing mechanisms and the creation of new ones as required, based on an atlantic and wider world community of democratic States.

The greater European dimension given to the Council of Europe with the accession of Russia, would, in our view, enable it to become a centre of political thought, a kind of link between the intergovernmental Organisations of various orientations and forms acting in Europe.

Russia is in favour of the inclusion of the new, independent States into European structures of co-operation. A rational and gradual widening of the Council of Europe would permit a stable dialogue with the young States not only of Eastern Europe but also of the Euro-Asian geographical area, who would then be acquainted with and drawn into the European heritage.

Respected colleagues,

Neither American, nor European, nor Eastern orientations have a monopoly in Russia's foreign policy. We will not acknowledge any older or younger brother relationship, but we are striving towards friendly relations with all.

Without the support of a Europe rich in democratic experience, it will be harder for Russian democracy to stand on its own feet. Without a strong, stable and democratic Russia, there can be no new Europe.

In conclusion, I should like to thank you for the opportunity to address the Committee of Ministers here today, and to express my hope that in the foreseeable future, a Russian representative will join you on a permanent basis."

The CHAIRMAN spoke as follows:

"I should like to say, Minister, how impressed we are by the statement you have made. As I said at the opening of this meeting, your very presence here is in itself an historic event, but the application you have just presented on behalf of the Federation of Russia for membership of the Council of Europe will mark an important day in the history of our Continent, of the Council of Europe and of Russia.

We are following the reforms under way in your country with the utmost attention and hope they will progress rapidly along the course mapped out by the Council of Europe."

Mr. DURAO BARROSO (Portugal) said that it was most stimulating to hear Mr. Kozyrev express the faith of the Federation of Russia in pluralist democracy, the rule of law and the protection of individual rights and freedoms, values common to our old European tradition. It was now up to us to support them in this choice.

The intention of the Federation of Russia to adhere to the statute of the Council of Europe could not fail to stir considerable interest. The time had come to intensify co-operation with that country and to facilitate its accession to the Council of Europe in due course. As Europe expanded, its citizens had been brought closer together. Geographically the Federation of Russia was on the far side of Europe from Portugal, but the speaker seized this opportunity to stress how close Portugal was to the Federation of Russia, whose difficulties it understood and whose progress, past and future, on the path to democracy it saluted.

Mr. SCHÄFER (Germany) said that Germany welcomed the presence of the Russian Foreign Minister, Mr Kozyrev, on this historic occasion. He expressed his pleasure at what could only be seen as the logical conclusion of the reform policy which had been adopted and to which his own country owed its reunification. He recognised the extraordinary efforts made on the road to democracy and the Rule of Law. It had been said in some quarters that Russia was not politically part of Europe. Nothing could be more absurd. Russia had always been part of Europe and this application represented a major step in the renewal of Russia's relationship with its neighbours. Germany was keen to encourage and support these efforts to regain stability and hoped that the government of Russia would succeed in its efforts to resolve the internal structural problems and to establish the rights of minorities.

Mr Genscher hoped that the Russian application would be speedily accepted just as the Bulgarian application had been, and looked forward to the opportunity of working together in concert.

Mr. MOCK (Austria) welcomed the presence of Mr. Kozyrev and the constitutional reforms based on democracy to which he had referred to. It was important, however, not to underestimate the work that remained to be done or the difficult legacy of the past. To make things easier, it was important that the Council of Europe should be able to respond to requests for assistance and support from the Russian Federation. A major step forward would be taken if this country joined the community of European States by becoming a member of the Council of Europe.

Mrs. af UGGLAS (Sweden) thanked Minister Kozyrev for his interesting presentation and welcomed the intention of the Russian Federation to become a full member of the Council of Europe. She urged the Council of Europe to do all in its power to make this possible.

She noted that the Minister had mentioned the importance of the Rule of Law in international as well as domestic affairs and asked him whether there was a timetable for the removal of the ex-Soviet troops from the territory of certain Baltic Republics.

She also wished to know what the Russian view was of the conflicts in Yugoslavia.

Mr. ÇETIN (Turkey) made the following statement:

"Mr Minister,

I thank you very much for your statement on the democratisation process of the Russian Federation and the current problems of your country, which I followed with great interest. Since your assessments have been clear and complete, I do not have any questions to pose. But I would like to take this opportunity to make a few remarks.

My Government welcomes the Russian Federation's decision for application to join the Council of Europe. We believe that this decision not only reflects Russia's determination to continue with her radical transformation, but it will also contribute to the efforts of democratisation and to the application of the radical economic-social reform programmes in the country. The Black Sea Economic Co-operation Project is a part of my country's endeavours to reinstate and ensure stability in this part of the World, through economic development and co-operation".

Mr. TOFFANO (Italy) said that he had listened with great interest to the words of Mr. Kozyrev, who had shown realism. One should certainly not lose sight of the difficulties facing the Federation of Russia in its efforts to stabilise its democratic institutions and to enable them to function smoothly from day to day. But judging by the results achieved in such a short time, in spite of poor forecasts, there was every reason to be optimistic about the future.

The Council of Europe would have to keep a steady political balance, and where necessary, provide the States of Eastern Europe, including the Federation of Russia, with all the assistance and the stepping stones they needed to help them fulfil the conditions for membership. Russia's accession would help to give the Council of Europe the political and geographical dimension characteristic of a genuine pan-European institution. It would also contribute to a better definition of the European legal space.

He advocated drawing up a special assistance plan for the Federation of Russia, and the intensification of relations with this country in every field, with a view to its accession to the Organisation at the earliest possible date. The Federation of Russia was already cooperating with the European Commission for Democracy Through Law. Interest was currently focusing on new projects like the Law University and the role of the Venice Commission as the means for the Council of Europe to achieve better coordination with the CSCE.

Italy was ready to give its full support to achieving the aforesaid objectives.

Mr. STIRN (France) agreed that Russia's application for membership of the Council of Europe marked a red-letter day in the life of the Organisation and would have numerous repercussions. With this country as a member, the Council of Europe would take on the truly pan-European dimension its founders had dreamed of. The objective of a greater Europe was at last in sight and Russia would be a legitimate member of this enlarged Organisation.

Russia, it appeared, was ready to accept the jurisdiction in all matters of the European Court of Human Rights, and Russian citizens would be entitled to refer alleged violations of human rights to the Court. This was a clear sign of Russia's sincere intention to apply the recognised standards of true democracy which were our own. Hopefully this would be achieved as soon as possible. The process should not take too long from the time of Russia's application for membership of the Council of Europe. This was an important question for his Russian colleague to consider.

Mr. BYCZEWSKI (Poland) welcomed the Russian Federation's application for membership and its adherence, as stated by Mr. Kozyrev, to the fundamental values of a democratic Europe.

Poland was prepared to support this application for membership. It should be borne in mind, however, that accession would be the result of a series of concrete realities.

Mr. ARTACHO CASTELLANO (Spain) had listened with keen interest as Mr. Kozyrev outlined the programme of democratisation and referred to the harsh realities with which this programme had to cope. It was in the interest of Russia and its people that this programme should succeed, and all the countries of Europe should give it their support. Spain thoroughly approved of cooperating with the Federation of Russia and warmly welcomed its application for membership of the Council of Europe. Its membership of the Organisation would be the first step towards this country finding its rightful place amongst the democratic States of Europe.

The CHAIRMAN invited Mr. Kozyrev to answer the questions and conclude.

Mr. KOZYREV (Federation of Russia) thanked all his colleagues for their warm welcome and for their support and encouragement of the democratic process under way in Russia. This support had already been expressed on several occasions, both during the events of last summer in Moscow and at meetings in Strasbourg. Russia was convinced that if a totalitarian regime could consider democratic countries as enemies, a democratic Russia could, on the contrary, count on these countries to build the future of Europe together.

In answer to Ambassador Stirn's question, he said that Russia intended to sign international agreements and co-operate with the European democracies to achieve the highest standards of democracy and respect for human rights. This was the firm and unconditional intention of his country, and indeed, public freedoms were already fully respected in various social fields: freedom of the press, freedom of worship, freedom of thought. In practice, however, time was needed to develop these freedoms to the full and above all to improve administrative practices in this respect. It was essential that democratic freedoms should become a deeply rooted part of Russian society and its customs.

On the question raised by his Swedish colleague concerning the presence of the Russian army in the Baltic States, he said that these States had been fully supported by Russian democrats in their democratic upheavals. When Russian tanks attempted to crush the liberty nascent in these countries, President Yeltsin had been there to avert a bloodbath. Furthermore, the Russians were not considered as enemies in these countries, but rather as representatives of the Central Administration who were there by obligation. He did not want to labour the point, but it should not be forgotten that thousands of Russians were currently living in the Baltic States and they could not just be thrown out. The presence of the Russian army was the result of the disintegration of the Soviet Empire.

It was the remainder of the Soviet army and Russia alone could not be expected to assume responsibility for it. The troops should no doubt be withdrawn from these countries, but their withdrawal should be done sensibly and in a well-prepared, orderly manner. The sooner financial solutions were found to cover the cost, the sooner the troops could be withdrawn.

With regard to the Yugoslav issue, the Yugoslav federalists should be prevented from blocking talks within the CSCE on the fate of the Republics of former Yugoslavia, particularly Bosnia-Herzegovina. A solution also had to be found to the question of succession.

The CHAIRMAN spoke as follows:

"Distinguished colleague,

I believe you are aware of the friendship and support your country enjoys in this family of European democracies. You have also seen the favourable reaction to your application for membership of the Council of Europe. We are all aware, like you, of the numerous and difficult problems that still remain to be solved, and I think that together we shall be able to find rapid solutions to a number of questions. These solutions are essential if Russia is to become a member of the great family of European democracies.

Needless to say, the statutory procedure governing new memberships will have to be followed. We hope that by speeding up the reform process currently under way the desired result will be achieved as soon as possible.

We shall accompany you on the road to democracy, the Rule of Law and human rights by assisting you with your reforms.

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On behalf of all my colleagues I should like to thank you for the interest you - and your country - have shown in the Council of Europe, and for taking the trouble to come here for this highly important exchange of views with our Committee.

Thank you once again, and above all, courage and perseverance with the work that remains to be done.

My warmest thanks to all of you for your participation in this exchange of views which I now declare closed."

The meeting rose at 4.49 pm.

APPENDIX 1

AGENDA

of the 90th Session of the Committee of Ministers
held at 10 am on 7 May 1992
at the Council of Europe, Palais de l'Europe, Strasbourg

1. Adoption of the agenda
2. Central and Eastern Europe : Co-operation, prospects for accessions, assistance programmes (CM(92)83)
3. States situated on the former territory of Yugoslavia: Evolution of the crisis, co-operation and prospects for accessions
4. The Council of Europe and the CSCE
5. Follow-up to be given to the Conference of Ministers on the Movement of Persons from Central and Eastern European Countries (Vienna, 24-25 January 1991)
6. Date of the next meeting

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11. They also encouraged the continuation of contacts with Armenia and Azerbaijan with a view to determining the scope for co-operation and assistance, and asked the Secretariat also to establish such contacts with Georgia, bearing in mind the recent developments there.

12. The Ministers declared the readiness of the Council of Europe to establish appropriate contacts with the Republics of Central Asia (Kazakhstan, Kirgistan, Uzbekistan, Tadzhikistan, Turkmenistan) if they so requested.

13. They expressed acute concern about the conflict concerning Nagorno Karabakh. Forcefully reaffirming the declaration adopted on 11 March by their Deputies, they condemned the acts of violence against civil populations, pointed out that no solution of the conflict could be found without guarantees of the protection of minorities and expressed support for mediation efforts currently in progress under the auspices of the CSCE and for the Minsk Conference to be convened to find a peaceful settlement to this conflict.

14. The Ministers considered that the Council of Europe's assistance and co-operation programmes with the countries of Central and Eastern Europe, particularly the DEMOSTHENES Programme, have been an important and timely contribution. The Ministers noted a twofold development over recent months in respect of these programmes. On the one hand, they noted a considerable increase in the number of partners, while on the other hand, they were facing demands for assistance in new fields, such as the training of officials responsible for running the new democratic institutions.

In consequence, the Ministers considered launching supplementary assistance programmes in support of the democratic reforms in the States situated on the territory of the former Soviet Union, as well as the possibility to set in motion the specific Plans proposed by the Secretary General for the benefit of all the countries of Central and Eastern Europe, namely the THEMIS Plan for the development of law and the LODÉ Plan for local democracy. They drew the attention of the donor and beneficiary countries on the importance of these programmes and on the need of a wide international financial and moral support.

Situation on the territory of the former SFR of Yugoslavia

15. The Ministers examined the various aspects of the Yugoslavian crisis in the light of the recent developments. They strongly condemned the use of force for political purposes particularly in Bosnia Herzegovina and the present violations of human rights and the destruction of an irreplaceable cultural and architectural heritage. They demanded the immediate cessation of all acts of violence whatever their origin. The Ministers launched a strong appeal to enforce existing cease-fire agreements, in particular also in Bosnia-Herzegovina without which no viable political solution to the problems of Bosnia and Herzegovina is possible, and to proceed with negotiations on the withdrawal of the Yugoslav National Army (JNA). They also called for a safe and secure access, under international supervision, to airports in Bosnia-Herzegovina for the effective and unhindered delivery of humanitarian assistance. The Ministers demanded the establishment everywhere in the territory of the former SFR of Yugoslavia of a democratic political order, guaranteeing to all the populations without discrimination, full respect of human rights and fundamental freedoms.

The Ministers expressed the hope that the peace-keeping operation started by the United Nations as well as the important contribution made hitherto by the European Community, particularly the Peace Conference chaired by Lord Carrington and the mediation in Bosnia Herzegovina, will lead to total compliance with the ceasefire by all parties, and to a lasting political settlement, creating new relationships between the different parts of the former territory of Yugoslavia.

The Ministers reaffirmed the readiness of the Council of Europe to give any necessary assistance in the fields in which it had experience, such as human rights and the protection of minorities, with a view to seeking a lasting solution in conjunction with the Twelve, the CSCE and the United Nations. Ministers fully supported the conclusions and demands adopted on 15 April and 1 May 1992 by the CSCE in order to restore peace in the area.

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16. They encouraged the development of contacts with Slovenia which had requested accession to the Council of Europe and Croatia and, if developments permitted, the opening up of contacts with Bosnia Herzegovina and other recognised republics.

The Council of Europe and the CSCE

17. The Ministers reaffirmed their support for the strengthening of an effective link with the CSCE, with a view to making the best possible use of the Council of Europe's experience and abilities in the pursuit of the objectives of the human dimension of the CSCE. In this context, they referred to the Council of Europe's contribution to the CSCE follow-up meeting in Helsinki, and particularly to the suggestions concerning the opening up of certain Council of Europe programmes to participation, on an equal footing, by all CSCE States. They encouraged the continuation of this contribution and expressed the wish that the Council of Europe should also be invited to the next CSCE Summit, in Helsinki on 9 and 10 July 1992. In this context they attached great importance to the normative work currently in progress in the Council of Europe on the protection of minorities.

United States and Canada

18. The Ministers welcomed the report of their Chairman and of the Secretary General on the useful contacts established in the United States and Canada.

Action to be taken following the Conference of Ministers on the Movement of Persons from Central and Eastern European Countries (Vienna, 24-25 January 1991)

19. The Ministers evaluated the action to be taken following the Conference of Ministers on the Movement of Persons from Central and Eastern European Countries. They considered that the Group of Senior Officials responsible for follow-up of this Conference (Vienna Group) provided a framework for dialogue and for practical implementation of its decisions, in close co-operation with the European Community and the main intergovernmental organisations working in this field. They encouraged the Group to continue its work and recommended to pursue the efforts in order to set up an integrated information system on migratory movements.

Informed of the dramatic situation and of the ever-increasing number of displaced persons resulting from the Yugoslavian crisis, particularly those coming from Bosnia-Herzegovina, the Ministers recommended that governments and the competent international institutions should take into account the appeals made by Croatia and Slovenia as well as other countries that might be affected for urgent assistance for their efforts to receive refugees.

Institutional reform of the Council of Europe - European Convention on Human Rights

20. The Ministers recalled that, in the new Europe which was taking shape, stability was indispensable, and the Council of Europe had an essential contribution to make to this stability. They recognised the necessity to provide the Organisation with the necessary resources and capacity to act to this end.

They agreed that the Secretary General should prepare a report on the various implications of the enlargement of the Council of Europe, using the study made by the Bureau of the Parliamentary Assembly on policy options and consequences of the geographical enlargement of the Council of Europe as a point of reference. The report will be part of the preparatory work for the 91st Session of the Committee of Ministers in November 1992.

21. In this connection, they emphasised the importance which they attached to continuation of the work on plans for institutional reform of the Council of Europe and reform of the system and procedures of the European Convention on Human Rights, in the hope that conclusions would be submitted to them in the near future.

APPENDIX 3

CEREMONY OF ACCESSION
OF THE REPUBLIC OF BULGARIA

Address by Mrs Catherine LALUMIERE
Secretary General to the Council of Europe

Mr Foreign Minister of Bulgaria,

Little more than a year ago, on 17 January 1991, the Minister for Foreign Affairs of Bulgaria expressed the wish to see his country join the Council of Europe. This week, on 5 May 1992, the Parliamentary Assembly issued a favourable opinion and the Committee of Ministers, that same day, officially invited Bulgaria to become a member of the Council of Europe.

The rapid sequence of those dates and those decisions is evidence - if any was needed - of the accelerating period of history in which we live. Bulgaria is the fourth Central and Eastern European country, after Hungary, Czechoslovakia and Poland, to join the Council of Europe. At this rate, we could allow ourselves to be lulled into something of a sense of routine, a favourable routine moreover, since it involves the democratisation process under way in all those countries.

With each of these accessions, however, I for my part experience the same emotion, the same hope and the same renewed memory of a wall which is coming down and a continent which is finding itself again.

Immediately after the fall of the Berlin Wall, Bulgaria went through a process of wholesale democratic reforms which was undertaken with determination, despite numerous difficulties. Moreover, it embarked on a decisive change in its policy towards minorities, particularly the minority of Turkish origin. Through this accession, the Council of Europe is pleased today to be able to salute the considerable progress that has been made.

I am also happy to salute all the Bulgarian men and women who exercised resistance over the years, who were able to keep their faith in democracy and who today see their country finally return to the European family.

Some were imprisoned - for years in certain cases. Some lost their employment and were reduced to taking menial jobs in order to survive.

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Some were broken by such suffering. Others however, despite the suffering, remained upright. It is that courage which entitles them to face up to their own history and it is that courage which enables us to gauge the extent and the strength of the hopes, as well as the extent of the cowardice.

Bulgaria has gone through some very bleak years. It is still today experiencing tremendous economic and social difficulties. It would be absurd to deny that it will face further difficult years. But on this day of 7 May 1992, the Bulgarians have passed a milestone. They have opted for Europe and for a certain idea of the freedom and dignity of the human person.

APPENDIX 4

CEREMONY OF ACCESSION
OF THE REPUBLIC OF BULGARIA

Address by Mr Stoyan GANEV
Minister of Foreign Affairs of the Republic of Bulgaria

Your Excellencies,
Mr President of the Committee of Ministers,
Mr President of the Parliamentary Assembly,
Madame Secretary General,
Ladies and Gentlemen,

In the dynamic period we live in, some events can be appreciated without fearing the corrective of time. Such an event of great value for us, the Bulgarian people, is our accession to the Council of Europe.

May I express the deep satisfaction of my country and people with the fact that, from today, the path of Bulgaria's European revival goes through the Council of Europe. This institution is the pride of all Europeans not only because it is the oldest, but because it is built on civilized values - the ideals of freedom, human rights, pluralism and the rule of law.

Bulgaria's accession to Council of Europe is for our country the first result of European magnitude since the elections of 13 October 1991. These elections have paved the way for our integration with the democratic world. Membership in the Council of Europe is for us a significant act of acceptance. It means:

- recognition for the radical reforms launched by the first non-communist government for decades, in grave economic conditions and without shedding a drop of blood;
- recognition for the consistency of the legislative activities in the transition towards a market economy;
- recognition for the civilized settlement of ethnic issues;
- recognition for Bulgaria's efforts to play a stabilising role in the Balkans.

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Our accession to the Council of Europe is an essential element in our strategic objective - our integration into the architecture of the new Europe. Bulgaria's European revival is of vital necessity for us and our supreme responsibility :

- responsibility to implement comprehensively the spirit and substance of the Council of Europe, the great generator of democracy, by acceding to its Statute and to the European Convention on Human Rights
- responsibility to establish stability and confidence in the troubled region we live in - the Balkans.

European revival in the Balkans means overcoming the prejudices of the past and readiness to guarantee stability and confidence in our co-existence. Therefore, we believe that it is imperative to adjust the new realities of our peninsula to the substance and mechanisms of the all-European process.

We are witnessing a growing understanding, and not only among our neighbours, that this goal could be achieved, after the Yugoslav crisis is settled, by convening a forum of the countries of South East Europe. The main objective of such a forum should be the adoption of a Charter guaranteeing that no country has territorial claims and ambitions against another. The success of this initiative is linked to the assistance rendered by prestigious international organizations and institutions - such as the Council of Europe, CSCE, the European Community, NATO, the Western European Union.

Each country on our continent has passed through its own revival, but never before have Europeans had the opportunity to be together in an all-European revival. This is a wonderful and historic challenge to the political will and wisdom, to our imagination and democratic spirit.

Entering the Council of Europe, Bulgaria is encouraged to meet this challenge. For us, this is an irrevocable part of reviving the European self-confidence and sense of responsibility of all Bulgarian people.

Let me say that Bulgaria will recognise the right of individual petition and the compulsory jurisdiction of the Court when signing the European Convention of Human Rights.

Thank you.

APPENDIX 5

CEREMONY OF ACCESSION
OF THE REPUBLIC OF BULGARIA

Address by Mr René FELBER
Chairman-in-Office of the Committee of Ministers
President of the Swiss Confederation

Mr President of the Parliamentary Assembly,
Madam Secretary General,
Dear Colleagues, ladies and gentlemen,

It is an honour and a great joy for me to welcome Bulgaria today as the 27th member of the Council of Europe. This major political event will no doubt be a crowning moment for the Swiss chairmanship of the Committee of Ministers.

However, today's events stand above all as a tribute and an encouragement to the Bulgarian people who for many months have been engaged in the difficult but exalting task of democratic reform.

There were ups and downs in the process of liberalisation. There was the "Bulgarian spring" ... at the height of summer, when the students set up a tent village in Sofia's central park, which was christened the "City of Truth". Even though that spring and that summer were followed by difficult winters on account of the extremely serious economic crisis, the proponents of democratic reform stuck to their task with courage and tenacity, but without violence, thereby enabling your country, after democratic and free elections, to fulfil the conditions of membership of the Council of Europe. Thanks to the legendary wisdom of the Bulgarian people, your country has finally found democracy and freedom.

Mr dear colleague,

Two years have passed since the first visit to Sofia by a Chairman of the Committee of Ministers, my Portuguese colleague at the time.

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Let me tell you how delighted we are - after many months of co-operation and participation by Bulgaria in our programmes of assistance which have accompanied you on the path of reform - to see our joint efforts come to fruition today and to welcome you among us as a full member.

Indeed, if you need us, we have just as much need of you; Bulgaria has an essential and specific contribution to make to the Council of Europe, on account of its heritage and its remarkable achievements in the cultural field, as well as its privileged position in the Balkans. We are counting on Bulgaria to help us define the future role of our Organisation in the new Europe which is taking shape.

We express our best wishes to the Bulgarian people, that they may continue resolutely on the path of reform, which must also be the path of reconciliation and tolerance.

Dear colleague,

Allow me to pay tribute to all those people from different places and walks of life who have joined forces to make this liberalisation possible. To quote the title of an anthology of poems by one of your most famous authors, Ivan Vazov, may this epic never become an "epic of the forgotten".

Thank you.

APPENDIX 6

CEREMONY OF ACCESSION
OF THE REPUBLIC OF BULGARIA

Address by Mr Miguel Angel MARTINEZ
President of the Parliamentary Assembly

Excellencies,
Ladies and Gentlemen,
Dear Friends

It fills me with deep satisfaction that in the first days of my mandate as President of the Parliamentary Assembly of the Council of Europe consists of delivering a welcoming speech to Bulgaria, our 27th member country. My rejoicing is all the more heartfelt as I had the opportunity to follow the democratisation process quite closely as rapporteur of the Political Affairs Committee of the Assembly whereby I had the opportunity to visit that hospitable and beautiful country. I can assure you that I was deeply impressed by the vigour, and at the same time, orderly progression of the transformation of a totalitarian one-party system into a modern multi-party democracy, where human rights, including the rights of minorities are scrupulously respected and where the move towards a functioning market economy has begun to show its first signs of success.

To me, the accession of Bulgaria to the Council of Europe bears a special value symbolising the deep-going changes in Europe. We all remember how heavily the Communist Bulgaria was criticised by our Organisation for its acts towards the Turkish minority in the country and some of its nationals abroad. Today we have among us a newly born Bulgaria, adhering to the values of democracy and human rights shared by all member countries of the Council of Europe.

When a year ago Mr Jeliu Jeleu, President of Bulgaria, addressed the Parliamentary Assembly in January 1991, he emphasised the fact that Bulgarians have always considered themselves very European. He also pointed out that geography has situated Bulgaria at the cross-roads of different cultures combining Thracian, Greco-Roman, Byzantine, Protobulgarian, Slavic and Ottoman elements. Bulgaria, our first member

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country with a cyrillic alphabet is the home country of Saint Cyril and Saint Methodius who, in the ninth century, created the cyrillic alphabet, which was soon adopted by most other Slavic nations together with the Orthodox confession of the Christian faith.

The Council of Europe is going to be more European with the Bulgarian heritage. That determined the belonging of Bulgaria to the Eastern half of European civilisation sharing, however, in all its essence, the common European cultural heritage.

Little more than a century ago, Bulgaria recovered its full political independence which was frozen, if I may say so, during the 45 years of totalitarian rule and the full allegiance to Moscow.

I feel confident that with its newly won democratic identity, Bulgaria will be able to enrich the Council of Europe and its other member countries. I am also sure that Bulgaria will be able to benefit from its membership. The Council of Europe in spite of limited material resources, undeniably provides for a common ideological and spiritual home for all European nations adhering to a parliamentary system of government. Every accession strengthens our Organisation, thus enhancing its value as an instrument for promoting peace, prosperity and co-operation on a pan-European scale. This gives us all the more reason to rejoice today, when cordially wishing our Bulgarian friends welcome as fully-fledged members of the Council of Europe. Welcome Bulgaria, welcome Bulgarian people to the Council of Europe.

Thank you.

