

Address given by Catherine Lalumière on the activities of the Council of Europe (Strasbourg, 29 September 1993)

Caption: On 29 September 1993, Catherine Lalumière, Secretary General of the Council of Europe, emphasises to the Parliamentary Assembly the importance of the Vienna Summit to be held on 9 October and emphasises the role of the Council of Europe on the international stage.

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Speech by Catherine Lalumière at the Council of Europe (Strasbourg, 29 September 1993)

Mr President, ladies and gentlemen of the Parliamentary Assembly, in accordance with tradition I would like to review the activities of the Council of Europe in the last year.

Clearly, the Council of Europe's work in the last twelve months has been extensively influenced by the imminence of the Vienna Summit.

Recommended by the Parliamentary Assembly and proposed by President Mitterrand, this meeting of the heads of state and government, which is being convened in Vienna at the Austrian authorities' invitation, is the first ever such occasion in the history of our Organisation.

As several of you have emphasised during the debate which has just taken place, this meeting is indeed well-timed. Four years have already passed since the great rift in our continent was healed. Today we can form a clearer picture of the immense hopes to which this change has given rise, but also of the enormous difficulties which Europe must overcome if it is to master the tensions set free by the end of the totalitarian era, regulate the transition to democracy and take the measure of its own new dimensions.

In the last four years you have in this forum become very aware of the new situation and our new responsibilities, but generally speaking, western leaders have still not really learned the lessons of the events of 1989. They are still not really accustomed to thinking in terms of the new Europe. They still hark back to the time when Europe meant western Europe.

When he was asked about this recently, Mr Balladur, Prime Minister of France, replied with a kind of *mea culpa*; he was right to do so. The West has not yet fully realised the new situation, the new Europe.

And so the Vienna Summit provides, first and foremost, an opportunity for us to realise, at the highest level, that we cannot see Europe solely in terms of western Europe. Increasingly, all our political initiatives must now involve the countries of western, central and eastern Europe on an equal footing.

From this point of view I am quite optimistic. The extent and quality of the attendance scheduled for Vienna is an encouraging sign of this awareness, even though, as Mr Tarschys has said, mere presence is not enough: nevertheless, it is a sign that this new situation is starting to be recognised.

As regards the concrete results which can be expected of the summit, you are already very much in the picture as your preparatory committee has been associated with its preparation. Your Recommendation 1214 is already in the briefcases of the heads of state and government, as is Mr Schieder's report which you were discussing just now and which will in all likelihood be adopted this afternoon.

In the present state of preparations, and subject to the necessary caution, since up to the last moment the heads of state and government may add or withdraw items, I can tell you as of now that it is apparent that the summit should further the pan-European policy instruments which we need in order to strengthen what we call "democratic security" in all the countries of the continent of Europe. In this connection, the summit should provide a number of answers in six main areas although, as I say, anything may change right up to the last minute.

The first point concerns the political role of the Council of Europe. It should be affirmed, reaffirmed and reinforced. This political role must be backed up by an intensification of the political dialogue on any situation which threatens democracy, human rights and the rule of law, both within our states and in inter-state relations.

Second point: the summit should decide, at least in principle, on the establishment of a single, permanent court to guarantee human rights and increase the effectiveness and authority of the international judicial supervisory system, to which more than 450 million people now have access. This instrument created by the

European Commission of Human Rights is quite remarkable. The aim is for it to function effectively, rapidly and with the greatest possible authority. Such are the guidelines for this reform. Its principles and the mandate subsequently given to the Committee of Ministers should be very clear on this point.

Third point: the summit should sanction considerable progress on minorities, particularly national ones. Nevertheless, and as I have said, this is a rather serious matter, this issue on which we have been working for months — and let me assure you that your own work, together with the protocol prepared and voted by your Assembly, have pride of place — has over the weeks and months highlighted the extent of the difficulties, the greatest of which have to do with the extreme variety of minority situations which exist. It is therefore very difficult to reach agreement on rules that can apply to so many different situations.

A further difficulty is inherent in the fact that our countries do not have the same concepts in the matter. Some countries readily accept the presence of multiple nationalities, whereas in others this is absolutely impossible. This difference complicates the adoption of common rules.

Ultimately there is the problem of defining a “national minority”. The experts have studied this matter closely, as has your Assembly. Every meeting has shown that they are not in agreement and that the definition depends on the case in point.

These are a few of the difficulties which indicate why negotiations are still continuing with a view to arriving at a constructive compromise. It is not a matter of adopting the lowest common denominator. I can assure you that the efforts made by the Council of Europe and its Secretariat, of which I am part, are aimed at obtaining the most important results at this summit.

It is now virtually certain that there will be political support for everything in the nature of confidence-building measures of trust, bilateral treaties and any action designed to establish this climate of trust between majorities and minorities.

I have already spoken of the problems concerning the legal instruments, and they are difficult ones. They call for very intensive negotiations. All our efforts, my efforts, are aimed at obtaining the best results so that the numerous national minorities in Europe are treated in such a way as to avoid conflict. We have the Yugoslav tragedy constantly in mind. We must do everything to ensure that appropriate solutions are devised to preclude the emergence of conflicts elsewhere.

This is what I wanted to say on this extremely important point.

The fourth point to be examined by the Vienna Summit concerns the reaction to the phenomena of intolerance, xenophobia and anti-Semitism. An action plan, accompanied by monitoring machinery, should be adopted at this summit.

Fifth point: the heads of state and government should further encourage the proliferation of trans-frontier co-operation schemes between regional and local authorities including authorities which are not directly adjacent. In regard to the regions and towns, moreover, the principle of converting the annual conference of local and regional authorities into a congress of local and regional authorities consisting of two chambers should be adopted. This should increase the influence of local and regional authorities in the Council of Europe.

Finally, the Vienna Summit should provide the impetus needed for the reform of our Organisation’s Statute, on the basis of the work already done by your Assembly.

These, then, are the six points which should be covered in the conclusions of the summit. Of course, anything can change either way. Obviously I do not alone embody the summit.

I would add that this policy for the new Europe should also comprise an increased effort to provide assistance with legal and administrative reform and with the training of cadres in the new member states and

in European non-member states.

The establishment of an appropriate legal framework and training of the main political and economic protagonists are in fact essential to the transition's success. You have constantly urged us to take this action. The Council of Europe has endeavoured, with the means available to it, to provide this aid and advice to the countries of central and eastern Europe. It would be good if the Vienna Summit were to support us further in this action.

Such is what I wanted to tell you about the contents of the summit, which is nevertheless taking place in hard times. Stimulated by yourselves, preparations for the meeting are encouraging, notwithstanding the difficulties I have just described. There can, however, be no disguising the European context in which this summit is being held. It gives us no great cause for optimism: the economic recession, and fratricidal folly in the former Yugoslavia, where we are witnessing not only a human tragedy, but also a tragedy for Europe in which the basic values on which it was built at the outset in 1948, 1949 and 1950, and which gave birth to the European ideal and the construction of Europe, are daily trodden underfoot.

The fact is that the situation in Europe is disturbing, not to mention the phenomena of xenophobia and intolerance which are also contrary to the ideal of European construction. Nevertheless, it is precisely at a time like this that our Organisation rediscovers its value as the champion of a certain conception of man and of society.

We must not throw in the towel simply because our convictions are being systematically negated in the former Yugoslavia. This should, on the contrary, give us an added reason to reaffirm our belief in the form which Europe should take, as our predecessors did in the years which followed the second world war. Now, more than ever, we must reassert the guidelines to be followed — and the principles.

The summit will also reflect the new situation, not only in Europe but also in the Council of Europe since 1989, when it celebrated its 40th anniversary. The summit must consecrate our Organisation and also launch or confirm its renewal.

I will rapidly list what should be covered.

First, the new partners of the Parliamentary Assembly, who have arrived thanks to the special guest status which extends the area of contacts and co-operation; four new delegations have been able to join us in our work in this way during the past year. This is a good thing. In the last year our Organisation has welcomed new members, eight so far, and nine tomorrow with Romania, since all the indications are that the Committee of Ministers' decision will confirm your vote of yesterday.

The prospect of further accessions is leading us to extend our contacts and ties with the applicant countries.

Among many other initiatives, I shall merely mention my working visit to Moscow nearly a year ago following which the Committee of Ministers decided to prepare a programme for co-operation with Russia, with the object of supporting the reforms and the architects of these reforms. What we are doing with Russia we shall endeavour to do, with the means available to us, with all the countries who wish to join our Organisation, including Ukraine, Belarus and Moldova.

We have tried to set up new working methods, with a host of contact and advisory visits. We have launched inter-governmental assistance programmes which bring together not only the officials of the Council of Europe but also experts from our countries.

Amongst these are the assistance programmes known as Demosthenes, Themis and Lode, and I note with pleasure that many parliamentarians are participating in these programmes; this is good, for we must all work together to provide advice and assistance to those countries which so request.

In the matter of the human and financial resources of our establishment, our budget increased by 70 %

between 1989 and 1993. This seems a lot, but it still falls short of our requirements. I am concerned at the extent of the task and the modest nature of our resources. This item is not on the agenda of the summit. I will endeavour, with your help, to draw the attention of the heads of state and government to the fact that it will be necessary to increase the human and financial resources available to our Organisation in the coming years.

The revision of the Statute has already been reflected in the work of your Assembly. The first changes have already been made in the form of statutory resolutions on observer status and the majorities required for decisions in the Committee of Ministers; in this connection it is very important that many decisions should be taken by a majority of two-thirds rather than unanimously, as the latter requirement blocks decisions.

A further step has also been taken with the acceptance of partial and enlarged agreements.

A genuine consultative body representing both regional and local authorities should be set up shortly.

Finally, the revision of the Statute should be officially endorsed by the Vienna Summit, taking due account of your Assembly's proposals.

Here, then, are a number of matters which have been dealt with during the past year, and which reflect the will of the Council of Europe to promote democratic security throughout the whole of Europe.

In recent months, our Organisation has already been able to serve, in a very practical sense, as a reference point in a number of delicate situations where fundamental principles have been threatened.

I want to stress this point because little is known about it, the actions involved being, by nature, extremely confidential.

With the instruments available to us, we are endeavouring to assist those countries which have problems concerning democratic security by seeking harmonious solutions. This was the case in Estonia, and more recently in Latvia, where attempts were made to strike a balance between the demands of different population groups. This is also the case in a large number of other regions where trust needs to be restored and distinct groups need to be encouraged to live together.

Your Assembly has participated in these tentative good offices. The governments of certain member countries have also used their influence in the search for solutions, and the officials of the Secretariat, assisted by experts from the various countries, have made an important contribution.

Little is known about this action, which we endeavour to conduct with the requisite discretion, and with the aim of helping people to cope harmoniously and in a civilised manner with potentially conflictual situations. These actions are continuing; they are inseparable from the permanent task of extending Europe's legal heritage and adding to its accumulated experience for the purpose of promoting a society which is tolerant, ready to help others and open to cultural diversity.

Whilst I cannot, of course, at present give you a detailed report on our work on Europe's legal heritage, a few reference points can nevertheless be provided for this ongoing task.

Three major conventions have been opened for signing in recent months: the European Charter for Regional or Minority Languages, which is a very important text for national minorities; the Convention on Civil Liability for damage resulting from activities dangerous to the environment, which is vital for environmental protection; and the European Convention on Cinematographic Co-production, which will be a very useful instrument in the industrial battle of the cinema.

A protocol amending the Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality has also been adopted. This reflects new thinking on the subject insofar as it provides, in certain cases, for the recognition of plural nationality. It may be of help in finding

solutions for persons belonging to national minorities.

Other conventions are being prepared, including a convention on exercise of their rights by children and a convention on bioethics, which should be a very important instrument.

I am now going to give you some information on activities designed to ensure better complementarity with various international organisations, as I know this is one of your concerns.

In 1993 our Organisation continued its efforts to harmonise its activities more fully with other international institutions.

Particularly positive developments have been recorded in relations with the European Community; for instance we have set up a joint assistance programme for Albania and the Baltic states.

We also hope to co-ordinate the G24 programmes concerning institutional and legal reform and the training of officials and managers.

The Brussels Commission now has a Permanent Representative who participates regularly in the debates in our Committee of Ministers on all matters concerning European construction and relations with non-member states in eastern Europe.

Co-operation with the Community has improved. Let us hope that the process continues.

The Council of Europe has contributed to all the CSCE seminars on the human dimension held in the past year. We are present at all the meetings of the political bodies associated with the Helsinki process; this is now accepted as a matter of course.

Finally, fruitful relations based on trust have been developed with the High Commissioner for Minorities. Here again we are faced with the problem of national minorities, and we are pleased to note that the High Commissioner of the CSCE responsible for minorities and the Council of Europe are now working hand in glove. This closely co-ordinated work enables us to exert a positive influence on those countries which have problems of national minorities.

What about our relations with states outside Europe which share our values?

The new situation in Europe makes it necessary to develop relations with them, since they have an interest in our continent's continued stability. In this spirit, I visited the United States in May with a member of the Assembly, Mr Banks. We had fruitful discussions with Vice-President Gore, various members of Congress and senior officials in the State Department. These consultations should be renewed at regular intervals, and should ideally be based on a minimum Council of Europe presence in Washington.

I sincerely hope we may be able to hold a meeting of the Bureau of the Council of Europe in Washington, and if possible also in New York. However, the cost involved has caused it to be postponed.

A number of senior Council officials also visited Canada to strengthen and expand the many co-operation links which we already have with our Canadian friends.

Japan now has a Consul General in Strasbourg, who is particularly interested in the Council's work and in prospects for its working with Japan in the field of assistance to the countries of central and eastern Europe.

I would also like to say a few words on the improvement of infrastructure and working conditions in the Council.

In line with the radical changes in the Council of Europe, its premises have been enlarged and converted. As you will have noticed, the construction of the Human Rights Building is ahead of schedule.

The Pharmacopoeia has been housed in a very modern building, at some distance from the main building but providing our officials with the best possible working conditions, which they have not had for many years.

The provisional buildings in rue Boecklin have functioned as well as possible pending the completion of the Human Rights Building.

You will have noticed that the main building's general facility areas have been further modernised; the entrance hall and the restaurants have been changed.

Computerisation of the Council of Europe has also continued, and more than 80 % of the departments which want computer facilities now have them. They represent an extremely modern and efficient tool.

I would also like to mention the holding last spring of a seminar on management in our establishment, organised by the United Kingdom during its Chairmanship of the Committee of Ministers.

Staffing levels have increased by 20 % in the last three years to allow for the Organisation's new tasks; 20 % is at the same time a lot and a little! The same applies to our budget, which has increased by 70 %! It is a lot and a little!

The Personnel Division, which was a real bottleneck, has been given extra staff to allow it to meet departmental needs more effectively and to make the most of human resources.

May I add one thing. Certain specific measures have also been taken in the interests of male-female equality. It was not enough for the Council of Europe to give all its member states advice on the matter of equality between women and men; an example had to be set by the Organisation itself.

We shall try to do this with the help of a number of measures adopted this year.

Mr President, ladies and gentlemen, honourable members, in this wide-ranging survey I have covered practical problems of major importance to the whole of our continent and some not inconsiderable administration problems, since a good policy calls for good tools.

I think I can say that the Council of Europe has continued to grow and develop even more dynamically to meet the radical changes which are affecting the whole of Europe. We now have a better idea of what the Council of Europe should do and can do to assist the building of Europe.

Notwithstanding the difficulties, and the disturbing situation, I am convinced that the Vienna Summit, which your Assembly has wanted, inspired and sustained, will give our Organisation that extra political drive and impetus which the immensity of the task demands. Clearly, however, the summit will not mark the end of a journey; it must, on the contrary, mark recognition of a new situation in Europe, and the new role of the Council of Europe. It must serve as a starting-point.