

Presentation by Christos Pourgourides of the report by the Committee on Legal Affairs and Human Rights and of the opinions

Dear colleagues, you have before you my report on the state of human rights in Europe, as well as a draft recommendation and resolution addressing the issues referred to in my report. They are the result of intensive efforts. It has been an extremely challenging task to prepare this report on such a wide-ranging subject in such a tight time frame.

Of course, I am well aware that such a report can cover neither all topical human rights issues nor all the work of the Council of Europe on each issue that I have managed to investigate. Consequently, I have placed emphasis on examining the Assembly's work, and attached particular weight to the distribution of the case load of the European Court of Human Rights as an objective criterion to select key issues, trends and challenges. I have sought to be as fair and objective as possible in dealing with the issues presented in the report, and in such a way as to reflect the case law of the Court.

This report has the merit of giving our Assembly an opportunity to take stock of the human rights situation in Europe and to evaluate not only the successes achieved and good practices developed but the failures of the Council of Europe's action. This exercise provides a good opportunity for us to draw lessons for improvements and to define priorities for future action in our member states and in the Council of Europe. I have attempted to achieve four objectives: first, to recall the irreplaceable role of the Council of Europe as the leading human rights organisation in Europe; secondly, to present a number of major human rights challenges in Europe; and thirdly, to stress the necessity of the Organisation's human rights mechanisms in view of these numerous challenges. Last but not least, I would like to make a number of proposals for action on the part of the Council of Europe, aimed at improving the situation in member states.

As regards my first concern, today's debate is a unique opportunity to stress that the Council of Europe is Europe's leading human rights watchdog. Had it not been set up in 1949, it would now need to be created. It possesses a unique array of effective control mechanisms, in particular the European Convention on Human Rights, the European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the European Social Charter, the European Commission against Racism and Intolerance, and the institution of the Commissioner for Human Rights. Thanks to these specialised bodies, whose leading representatives the Assembly welcomes here today, the Council of Europe has accumulated a unique experience and expertise in human rights, the rule of law and democracy.

Secondly, regarding major human rights challenges in Europe, I have to say straight away that I am very concerned about the gap between pious declarations and the human rights situation in practice. The full implementation of existing human rights in everyday life is still very much an unfinished task. Despite important progress in member states, achieved with the help of the Council of Europe, serious human rights violations such as enforced disappearances, extra-judicial killings, secret detentions, torture and inhuman treatment still take place on our continent. In several countries, human rights defenders who are trying to help others to uphold their rights are themselves harassed and face repression. In addition, the rule of law is still not fully respected in several European countries.

Trafficking in human beings is another scourge that must be eradicated, as should racism, xenophobia, intolerance and discrimination against minorities. Domestic violence, poverty, social exclusion – all these plagues must be fought resolutely at all levels with the common goal of fighting for human dignity.

In view of these numerous threats and challenges, I come to my third objective: the need further to strengthen the Organisation's human rights mechanisms. The Council of Europe's statutory mission remains as, if not more, relevant as it was in 1949. In view of its limited resources, the Organisation should focus on its areas of excellence, in which its work is most valuable: the promotion of human rights, democracy and the rule of law.

Member states should finally end hypocrisy. It is time to turn words into deeds and to respect in fact human rights and the rule of law. Human rights must first and foremost be enforced at national level. To be credible, member states must avoid double standards when dealing with human rights

violations. Moreover, the Council of Europe, and first our Assembly, should give a higher degree of priority to its work relating to human rights and the rule of law.

In the preliminary draft resolution and recommendation, I have, to the best of my ability, tried to take into account and to accommodate opinions and contributions of other committees, while keeping an appropriate balance between the numerous issues addressed in the text, and at the same time not duplicating what is available in other reports. Dear colleagues, I appeal to you to bear in mind the necessity of keeping this balance when adopting the texts tonight. I am confident about the usefulness of this stock-taking exercise and I am hopeful that it will lead to concrete actions by the Organisation and by our member states.

Dear colleagues, today's debate is a unique opportunity to reaffirm our common values and our commitment to human rights and the rule of law, and, first and foremost, to step up our efforts to denounce and combat human rights violations wherever they take place in Europe, and to remember that human rights must be fought for every day. Our Assembly should remain the moral conscience of Europe, keeping the Council of Europe on track as the point of reference for, and guardian of, human rights throughout Europe.