

Council of Europe Secretary General Thorbjørn Jagland
address to the OSCE Ministerial Meeting
Basel, 4 December 2014

Thank you for this opportunity to contribute to this important discussion. Let me start by paying tribute to the OSCE and its significant efforts to help resolve this crisis. The OSCE is best-placed to help de-escalate the situation in this complex and dangerous conflict. At the Council of Europe, we fully support your initiatives and we see each other's actions in Ukraine as entirely complementary: on the one hand, the immediate activities of the OSCE in the field of monitoring and facilitating negotiations, and on the other, the Council of Europe's medium- and long-term measures to stabilize and strengthen democracy.

Allow me briefly to summarize the role of the Council of Europe. Our work aims to reinforce the rule of law in Ukraine in line with the European Convention of Human Rights. We are providing the government and parliament with expert legal assistance on judicial, electoral and constitutional reforms. The Council of Europe's body of constitutional experts, known as the Venice Commission, is assessing a number of key laws and amendments. Next week the Venice Commission will publish an opinion on Ukraine's so-called lustration law, which has far-reaching implications for the judiciary and civil service.

To support Ukraine's reforms, the Council of Europe has increased its staff in Kiev to 40 experts and project officers. In addition, I have appointed a special representative to the Verkhovna Rada, who is advising key political actors and groups on a daily basis.

Many of you are aware of the Council of Europe's International Advisory Panel on Ukraine, chaired by the former President of the European Court of Human Rights, Sir Nicholas Bratza. The Panel's mandate is to oversee the judicial investigations in Ukraine of the violent and deadly incidents during the Maidan protests. We have also agreed with the Ukrainian authorities that the Panel will oversee investigations into the tragic deaths in Odessa on 2 May 2014. The Panel will not itself investigate, rather it will assess whether the legal procedures are being undertaken in line with the Convention. The Panel will publish its report in the first quarter of 2015. Chairman Bratza has said that this type of international oversight of judicial investigations at the domestic level can be a model for similar cases in the future.

Our actions aim to restore trust—the trust of the Ukrainian people in their democratic institutions. An independent judiciary, free media and civil society are as important in Ukraine as they are in any democracy. An effective system of checks and balances and fighting corruption is absolutely essential to achieving sustainable peace. Lasting stability and prosperity can only be achieved through democratic security.

But we have to admit, the international institutions which were created to maintain peace and stability in Europe were unable to prevent this crisis. The territorial integrity of Ukraine was violated. The referendum on Crimea defied international law. The military conflict in eastern Ukraine continues to cost lives nearly every day. In the face of the emerging geo-political divide, we have to use our combined resources, but without duplicating each other's efforts.

Our immediate focus must be on the deteriorating humanitarian situation in the region. Together, we need to create the necessary space for humanitarian relief and create space for diplomacy to stop the suffering of thousands of innocent victims of this conflict, refugees and internally displaced persons. Allow me today also to pay tribute to the tremendous contribution of the International Red Cross in Ukraine, which is its 10th largest operation world-wide.

All of us - the OSCE, the United Nations, the European Union and the Council of Europe - have a key part to play in resolving this conflict. Our organisations should explore all possibilities to further consolidate and communicate our respective roles and responsibilities.

I met with Foreign Minister Lavrov in Moscow last week, and Didier Reynders, Belgian Foreign Minister and Chairman of our Committee of Ministers, will have talks both in Moscow and Kiev in just a few days. We are maintaining a constructive dialogue, and our channels of communication are open.

This is why I don't believe we have a new cold war. We can prevent this crisis from deepening. And by laying the foundations for democratic security, we can provide the necessary basis for long-term peace in the region.