



**European Conference of
Presidents of Parliament**

Oslo, Norway, 11-12 September 2014

**Conférence européenne des
Présidents de Parlement**

Oslo, Norvège, 11-12 Septembre 2014

**PROCEEDINGS OF THE EUROPEAN CONFERENCE OF
PRESIDENTS OF PARLIAMENT**

OPENING OF THE CONFERENCE

**THEME 1: FUNDAMENTAL CONSTITUTIONAL RIGHTS AND FREEDOMS –
PARTICIPATION, TRUST AND PUBLIC DEBATE AS CONDITIONS FOR
DEMOCRACY**

OSLO – NORWAY

11 – 12 SEPTEMBER 2014

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Ms Anne BRASSEUR, President of the Parliament Assembly of the Council of Europe

Mr Thorbjørn JAGLANG, Secretary General, Council of Europe

Mr Vidar HELGESEN, Minister for European Economic Area and European Union Affairs

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Mr Cemil ÇIÇEK, President of the Grand National Assembly, Turkey

Mr Jesus POSADA MORENO, President of the Congress of Deputies, Spain

Mr Stephan WEIL, President of the Bundesrat, Germany

Mr Ranko KRIVOPAKIC, President of the Parliament, Montenegro

Mr Bozo LJUBIC, Vice-President of the Parliamentary Assembly, Bosnia and Herzegovina

Ms Dawn PRIMAROLO, Deputy Speaker of the House of Commons, United Kingdom

Ms Ana BLATNIK, President of the Bundesrat, Austria

Baroness Frances D'SOUZA, Lord Speaker of the House of Lords, United Kingdom

Mr Einar K. GUDFINNSSON, President of the Althingi, Iceland

Mr Vangjei DULE, Vice-President of the Parliament, Albania

Mr Mars di BARTOLOMEO, President of the Chamber of Deputies, Luxembourg

Mr Ruedi LUSTENBERGER, President of the National Council, Switzerland

Mr Per WESTERBERG, President of the Parliament, Sweden

Mr János LATORCAI, Vice-President of the Országgyűlés, Hungary

Mr Mohamed YATIM, First Vice-Speaker of the Chamber of Representatives, Morocco

Mr Azzam ALAHMAD, Palestinian Legislative Council

Mr Milan STECH, President of the Senát, Czech Republic

Mr Ivan MELNIKOV, First Deputy Speaker of the State Duma, Russian Federation

Ms Sylvia BRETSCHEIDER , President of the Baltic Sea Parliamentary Conference

Mr Pekka RAVI, First Vice-President of the Parliament, Finland

Mr Vicenç MATEU, Speaker of the General Council, Andorra

Mr Trajko VELJANOSKI, Speaker of the Sobranie, “The former Yugoslav Republic of Macedonia”

Ms Wanda NOWICKA, Vice-President of the Sejm, Poland

Mr Milan BRGLEZ, President of the National Assembly, Slovenia

Ms Ankie BROEKERS-KNOL, President of the Senate, The Netherlands

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Opening of the Conference

Thursday 11 September 2014

The sitting opened at 11.00 am, with Mr Olemic Thommessen, President of the Storting, in the Chair

The Chair

Before delivering my opening address I ask all present to observe a minute's silence in honour of our former colleague Ms Barbara Prammer, who was President of the National Council of Austria. Ms Prammer made innumerable valuable contributions within the framework of the Council of Europe and was one of the keynote speakers at the 2012 conference. She passed away on 2 August. She was elected President of the National Council of Austria in 2006. We will remember her with affection and admiration.

Mr Olemic THOMMESSEN, President of the Storting

It is with immense pleasure and honour that I welcome you to the Storting, to Oslo and to the European Conference of Presidents of Parliaments. This conference, held every two years, is an excellent occasion for dialogue and the exchange of opinions.

But it is more than that: it is also a unique arena in which all present share the common objective of strengthening the principles and values of the Council of Europe – respect for the human rights and fundamental freedoms of all people, democracy, and defence of the rule of law, irrespective of race, colour, religion or gender.

We share the same visions for a prosperous, dynamic and democratic European continent, but we also face many common concerns, for although we have witnessed significant progress since the fall of the Berlin Wall – periods of great economic development, democratisation and more open societies – there are dark clouds on the horizon.

Millions of our citizens are unemployed and are struggling to make ends meet. The position of human rights in parts of our continent does not meet the standards we have committed ourselves to uphold. Armed conflicts are tormenting civilians and creating tensions between countries that ought to be close partners. We are even witnessing serious violations of international law, in that a European state has forcibly annexed part of a neighbouring country. I take it for granted that you will not forgo the opportunity here in Oslo to discuss these problems.

Dear colleagues, this year Norway commemorates the bicentenary of its constitution – one of the world's oldest still to be in use – which was adopted on 17 May 1814. This year we are celebrating not just an important historic text but 200 years of democratic development. I would like to share some thoughts with you in that respect. What have we learned, and what challenges are we facing?

History has taught us that a successful democracy must adapt to its environment. An important responsibility for us as parliamentarians is therefore to promote debate on the challenges to democracy in our time. Moreover, and this is important, our democracy must function in such a way that active participation in it is a natural state of affairs.

One of our biggest challenges is to include and engage all citizens so that they take an active part in our democracy, now and in the future. It is crucial to prevent the increasing diversity of our societies from causing groups of individuals to build alternative communities, be that self-determined or as a result of exclusion from mainstream society.

It is therefore of the utmost importance that we reach out to all groups in our multicultural societies to make sure that they are valued and included in the wider community. A well-functioning democracy requires us to engender full participation in our democratic processes: at work, at school and in the wide variety of voluntary activities that we take part in. It requires that people have a sense of belonging and equality, and that they have confidence in the institutions of democracy, which must be easily accessible and provide equal opportunities for all.

Our digital age is changing the framework of our democracies. New ways of communication are tearing down existing barriers and creating new opportunities for political activity in all parts of our population. It is fundamentally a good thing that more citizens are getting the opportunity, a platform, to voice their opinions on societal matters.

However, the digital age also brings with it a fresh challenge. The comprehensive and open dialogue that bears relevance to our society at large is in the process of being fragmented and replaced by innumerable small conversations in closed rooms and behind closed doors. In the myriad new arenas and communities we can obtain new information and nuances that we did not have access to before. Of course, this can be enriching and of great value, but there is also the risk that people pay attention only to arenas that communicate one-dimensional messages confirming their own preconceptions, and where the authors of these messages have agendas that are not conducive to openness, tolerance and the genuine exchange of opinion. Digital arenas may be at risk of turning into arenas of hate speech – something that is becoming a serious problem in today's Europe. We have seen all too many examples of how hate speech turns people blind to other views and arguments, and of how the hate it creates may lead to violence, to hate crimes. In essence, hate speech is the opposite of open and constructive dialogue. Parliaments, and Presidents of Parliaments, must be at the forefront of the fight against it. I am therefore a strong supporter of the initiative to establish a European day for the victims of hate crimes.

The problems I have mentioned demand that we take a fresh approach to the conditions for democratic participation. A successful democracy in today's world must embrace diversity, but it must also have common arenas for broad and well-founded public debate. In my view, parliaments have a particular responsibility to foster such debate and to initiate discussion on exactly which common values we want to build our future societies on. If we, the peoples' elected representatives, succeed in this, the legitimacy of our parliaments – the citizens' trust in our democratic institutions – will grow. Dear colleagues, the three themes of this conference – fundamental constitutional rights and freedoms; democracy, sovereignty and security in Europe; and majority and opposition – should provide ample opportunity to debate the challenges to modern democracy. It is therefore with great anticipation that I look forward to the sessions on our agenda.

Let me again welcome you to this conference and to Oslo. It is my sincere hope that you will have two interesting days here, and I wish you a pleasant stay in our country. *(Applause)*

It now gives me pleasure to give the floor to Ms Anne Brasseur, President of the Parliamentary Assembly of the Council of Europe.

Ms Anne BRASSEUR, President of the Parliament Assembly of the Council of Europe

It is an honour for me, on behalf of the Council of Europe, to open this conference, held in this stunning Scandinavian capital of Oslo and this magnificent hemicycle. Like all our cities, Oslo changes, becoming increasingly multicultural and vibrant, with new buildings such as the Opera House showcasing the importance of culture.

It is an honour, too, to be in Oslo, the home of the Nobel Peace Prize and of the Secretary General of the Council of Europe, Mr Jagland, Chairman of the Nobel Committee and former Speaker of your parliament. The choice of Oslo and Norway for this European Conference of Presidents of Parliament is not by hazard. As we just heard from Mr Thommessen, this year we celebrate the bicentenary of Norway's constitution, the oldest written constitution. I congratulate and thank our hosts and say in Norwegian, "gratulerer med dagen", which of course means "happy birthday".

Birthdays are happy events, but they are also points in time to mark where we are, where we have come from and where we are going. We tend to remember that.

I should like to comment on the three highly pertinent topics chosen for this conference in the light of the current challenges facing parliaments across Europe: Theme 1 concerns fundamental constitutional rights and freedoms, participation, trust and public debate as conditions for democracy. The European Convention on Human Rights is now one of the anchor points of Europe's constitutional framework. The European Union's accession to it will further strengthen its role and place in the constitutional architecture of Europe.

The Convention's role, however, cannot be taken for granted and today's discussion of participation, trust and public debate applies equally to the Convention. Why do I raise this? I see dangers being

posed to the Convention by non-implementation of certain, albeit few, judgments of the European Court of Human Rights and some of the very worrying political debates and reports in the media on the Court's case law. We cannot ignore those debates and articles, particularly when they are based on misinformation. Parliamentarians have a responsibility to ensure that in any debate of this nature they speak out and correct misinformation and lead the debate and not succumb to it.

Theme 2 concerns democracy, sovereignty and security in Europe. At our last meeting two years ago in Strasbourg we spoke about democracy in crisis and we had in the backs of our minds the economic crisis affecting us all. Two years on, we face the additional crisis of sovereignty and security in Europe.

I do not underestimate the dangers I see from the developing conflict in Ukraine and the involvement of Russia, including its unacceptable annexation of Crimea. You will be aware of the difficult decision taken by the Parliamentary Assembly to sanction the Russian delegation by suspending certain of its rights, including its voting rights. The Assembly did not, however, close the door to dialogue, and in this context the Presidential Committee of the Parliamentary Assembly held an exchange of views last week with Mr Naryshkin, Speaker of the Russian State Duma, in Paris.

Unfolding events in Ukraine and other parts of Europe are some of the most serious challenges Europe has faced since the Cold War. It is essential that we discuss them during our conference. The dangers are not only military but humanitarian, social and economic and they can and will affect us all unless we stand together to find solutions.

The conflict in Ukraine has a ripple effect, leading to further tensions in areas affected by so-called frozen conflicts, as we see in the Nagorno-Karabakh region. We as political leaders must do everything to ensure that the ripples do not become a Black Sea tsunami.

We have all seen, especially here in Norway, the paintings of "The Scream" by Edvard Munch, the first of which was painted 121 years ago. Let us not view this as a premonition of the future.

Theme 3, "Majority and opposition – striking a balance in democracy" will, I am sure, have particular appeal for all of us. Most of us, if not all, have spent time on the Opposition Benches during our careers. We are thus fully aware of the eagerness of the Opposition to present opinions contrary to those of the Government. This is not only legitimate but part of the rights and duties of the Opposition and is a determinant of the democratic nature of our institutions. Controversial debates, questioning from the Opposition and counter-weights and counter-balances are needed in a lively and healthy democracy. As Presidents of your parliaments you are better placed than anyone to know how delicate the exercise of striking a balance is between majority and opposition. It is your duty to be impartial in running the business of your parliaments.

May I add that it is also your duty to ensure the attendance of your delegations to the Parliamentary Assembly, including that of substitutes? I know that the Norwegians are very good at attending our meeting, for which I thank you very much, Mr President. Members of the Opposition are often substitutes and are not given the opportunity to assist with our meetings. Please ensure that not only members but substitutes attend not only the plenary sittings but the committee meetings.

In our discussions let us not forget that the majority and the opposition have not only rights but responsibilities. Respectful dialogue is the key to constructive discussion, as compromise is often needed to reach agreement.

There is, however, one issue on which the majority and opposition must speak with one voice: combating hate speech. You might be aware that yesterday President Thommessen and I issued a statement: "We as Parliamentarians have the responsibility to stand up and speak out against hatred. The fight against xenophobia, racism and mounting nationalistic extremism requires a resolute response from all democratic parties over and above political divisions."

We invited you as Presidents of Parliaments across Europe to support the idea of a European day of remembrance for victims of hate crime and proposed 22 July to mark the day of the haunting tragedy of the massacre in Utøya and the bombing in Oslo.

I would like to conclude by saying a few words not only about what brings these three themes together but about what brings us together for this conference.

We can debate the issues on the programme and we can come forward with standards and mechanisms for implementation, but all of this will not guarantee success. We must not lose sight of our responsibility, not just to those who elected us but to those who did not vote for us. We need to exercise judgment in all things we do, and an ability to listen to voices we do not want to hear. We have to have large doses of good will and patience, and one thing that I believe to be crucial: intellectual honesty to do the right thing when decisions are difficult.

We are in a world where often we cannot see eye to eye, but we have to face each other. We have to talk, then to listen. We have to understand the other person's point of view. We must be ready to compromise and then hopefully we can reach agreement and see eye to eye.

Let me stress that the corridors of this conference offer a unique opportunity for not just facing each other, but taking all those steps that allow us to see eye to eye. Your presence in large numbers at the conference shows a willingness and commitment to tackle Europe's challenges together – and we must work together. Tusen takk, or Vilmols merci (*Applause*)

Chair

I now have the pleasure of giving the floor to Mr Thorbjørn Jagland, Secretary General of the Council of Europe.

Mr Thorbjørn JAGLAND, Secretary General, Council of Europe

It is moving for me to be back here, where I have spent so many days and nights, including in the Chair. On many occasions the Assembly hall was nearly empty and I felt quite alone. The foreign minister once came here to give his regular presentation on foreign policy. The downhill Winter Olympics skiing competition was on television, so nobody was in the hall, and he began his speech by saying, “Mr President, this must be between you and me”.

Between you and me, dear friends, I had a prepared text, but having read it I realise that much of it has already been well said by Madame Brasseur, so I shall instead remind you that when the Council of Europe was established and the European Convention on Human Rights was drafted just after the war Winston Churchill said that peace in Europe had to be built on human rights and the rule of law – that was the starting point.

I very much appreciate that the President of the Verkhovna Rada, Mr Turchynov, is here today. The challenges that he and his colleagues face are incomprehensible to us. Part of their territory has been annexed, conflict is ongoing in eastern Ukraine and there are huge financial problems. Against that background, they have had to undergo a very necessary reform process. We can imagine how difficult that is, so our sympathies go to those in the Verkhovna Rada and those who are leading the country in such difficult times.

My next point goes directly to what Winston Churchill said. The crisis in Ukraine did not start on 29 November or with the annexation of Crimea– it started long before. Ukraine's not having independent institutions, the separation of powers, an independent judiciary and free media and a parliament that could control the Executive led to corruption and the mismanagement and misuse of power. Can you imagine how poor this rich country is? People took to the streets because they could not tolerate this any longer. We saw the same phenomenon in Tunisia and in Egypt. A revolution became a pretext for the illegal annexation of Crimea and for what is happening in eastern Ukraine.

Winston Churchill was right: an absence of human rights and the rule of law leads to instability and conflict. It would have been much better if the leaders in Kyiv had been able to start the reform process much earlier, if there had been democratic institutions and more opposition, and if there had been free media in Russia to question what was happening.

Political scientists disagree on many things, but on one thing they agree: democratic societies are more stable than others and very seldom go to war with each other. That is why the Nobel Peace Prize Committee has time and again awarded its prize to people fighting for human rights, democracy and the rule of law.

We speak in the Council of Europe about democratic security. What is it? It is that human rights, the rule of law and democratic principles are important parts of a European security concept. Believe me: there is similar potential for conflicts and instability elsewhere in Europe, which is why the European Convention on Human Rights is so important. Without independent institutions and separation of powers people take to the streets in revolutions and create instability and conflict.

Another important thing that everybody should think about is that criticism and free discussion give society the opportunity to change and reform. If everybody agrees, we slide into stagnation. Freedom of speech is therefore fundamental in upholding democratic security. In a world where young people have mobile phones in their hands the scope for unrest and instability is greater than before. They can easily connect and mobilise and gain more information than they would have had in the past, and we must understand such new dynamics.

The values and standards enshrined in the Convention are of the utmost importance to security in Europe today, which is why we have done so much to reform the Convention system. The Court was in deep crisis five years ago. It had been undermined by the number of applications and the fundamental right of individual petition was no longer real. We had to do something, and we began with internal reforms so that the Court could more easily reach faster judgements.

More important, the point I want to make to you is that the thousands of applications are coming not from heaven but from member states, often because legislation is not in place that conforms to the Convention. The most important part of the reform process that I set in motion was to reach out to member states and start work with them on reforming their own legislation, constitutions and judicial practices so that they could deal with human rights problems at home rather than push them on to the Court. This is called shared responsibility for the Convention. I urge all the parliamentarians here to move this process forward because it is the only way to secure a strong Court in Strasbourg. The Court cannot deal with all the small cases that should have been dealt with under countries' home legislation.

I urge you also to look into the process to which Anne Brasseur referred: EU accession to the European Convention on Human Rights. We approach a new phase in the process. If the European Commission forwards the agreement we have on accession to the Council and it forwards it to the parliament, the ratification process starts. This is fundamentally important to Europe and its security because it is the only way to consolidate the pan-European human rights system. If the EU does not accede, we may have two parallel systems and the pan-European system will be weakened. If it accedes to the Convention and the Court in Strasbourg we will consolidate the pan-European system, getting everybody on board. That would be of historic importance for Europe. Please watch this process carefully.

This is a time for political leadership. The British Prime Minister, James Callaghan, said that if you cannot ride two horses you should not enter the circus or politics. We need now not politicians who are riding two horses but those who are observing and protecting fundamental values, principles and standards that are common on this continent.

The social media play an important role in our democracies and have granted more power to young people, but there is a side-effect. Thomas Friedman wrote in *The New York Times* that politicians today hear so many voices from social media that they tend to forget their own voice. We live in times when we spend so much time on our iPhones and iPads and too little time reflecting. It is time for reflection to foster political leadership. It is said that the brain is like a parachute: it functions only if it is open. But it is not open if you are on the iPhone all the time. *(Applause)*

The Chair

Thank you, Secretary General. I now give the floor to Vidar Helgesen, Minister for European Economic Area and EU Affairs.

Mr Vidar HELGESEN, Minister for European Economic Area and European Union Affairs

It is a privilege to represent the Norwegian Government at the opening of this conference, which takes place at a critical time for Europe – a Europe in which national borders are being violated and territory annexed in a way unseen since the Second World War. This is a challenge to our shared European security.

We see a Europe with a neighbourhood in the Middle East where bestiality and terror is the order of the day and presents a more direct threat than we have seen before. There are bonds of blood and belonging between the streets of Europe and the scenes of conflict in the Middle East. This is a particular challenge to Europe.

At the heart of those challenges, be they Ukraine, Iraq or, to the south of Europe, Libya, lies that of weak or non-existent institutions, making countries vulnerable to internal and external pressures.

Parliaments are the mother of institutions. The importance of parliaments is often undervalued in international relations and often insufficiently attended to in international aid programmes. The European experience – the fact that integration in Europe is a matter of integration between not only governments but legislatures and political parties – is a critical part of the fabric of European peace and prosperity, and this conference is one piece of the fabric.

Parliaments are also bearers of democratic values and principles, and the themes of the conference fully reflect that Europe has followed a painful but often proud path to arrive at today's shared institutions to uphold the rule of law, democracy and human rights. Our rules and institutions are still challenged, and we see that even within the European Union with this week's police raids against civil society in Hungary. In many countries we see disfranchised citizens, not least young people, losing trust in democracy. While we cherish and discuss the principles of democracy we must work harder to strengthen the practices of democracy.

Parliaments operate at the crossroads of principles and practices of democracy and therefore are critical to building and rebuilding citizens' trust in democracy. A major factor in the building of democracy is delivery by democracy – its ability to improve people's daily lives. The quality of delivery depends largely on the quality of parliaments. The delivery aspect of democracy is often determined at the crossroads of political competition and political consensus building – a crossroads at which Presidents of Parliaments find themselves continuously.

Political competition – people's ability to choose their leaders – is critical to democracy. Equally important is the political ability to build shared national ambitions, which are critical to building sustainable institutions that can deliver for citizens.

The role of parliaments and of Presidents of Parliaments in this regard is more critical than ever. These issues are reflected on your agenda and I wish you every success in your important deliberations at this vital time for Europe. (*Applause*)

The Chair

Before I close our session I invite you to adopt the conference agenda, which will be divided into three themes. We shall commence our first discussion at 2.30 pm with the theme entitled "Fundamental constitutional rights and freedoms – participation, trust and public debate as conditions for democracy". Later this afternoon we will begin to discuss our second theme on a specific political issue of current issue, "Democracy, Sovereignty and Security in Europe". Tomorrow morning we will continue the second theme before dealing with the third and last theme, "Majority and opposition – striking a balance in democracy".

At the end of the debates Madame Brasseur and I will have the pleasure of presenting our joint oral conclusions.

The agenda was adopted.

The Chair

You will find the rules of the conference in your files.

At their meeting this morning the Secretaries General of Parliaments approved their activity report on the futures priorities of the European Centre for Parliamentary Research and Documentation. Our conference is invited to take note of it.

The list of speakers for each theme has been distributed. In accordance with the rules of the conference the list of speakers has been determined by the drawing of lots during the meeting of secretaries of delegations, on the basis of the speakers registered at the time. I invite Speakers and Presidents of Parliaments who wish to add their names to one of the lists to do so at the table office at the Radisson.

Thursday 11 September 2014 – 2.30 pm

Theme 1: Fundamental constitutional rights and freedoms – participation, trust and public debate as conditions for democracy

The Chair

Two keynote speakers agreed to introduce the debate: Ms Laura Boldrini, President of the Chamber of Deputies in Italy, and Mr Jan Helgesen, Professor at the Norwegian Centre for Human Rights and First-Vice-President of the Venice Commission of the Council of Europe. I invite Ms Boldrini to take the floor.

Laura BOLDRINI, President of the Camera des Deputati, Italy

It is a great honour for me to be here today and to have this opportunity to share with you a few thoughts on matters of crucial importance for the future of our democracies, namely safeguarding constitutional rights and fundamental freedoms and promoting citizen participation in public life.

The 22nd European Conference of Presidents of Parliament is being held in Oslo, at a time when our hosts are celebrating the bicentenary of the Norwegian Constitution. Mention of this was made this morning. After adopting its Constitution, Norway went on to establish a Constitutional Court, the oldest one in Europe today. The history of 20th century Europe is a vivid example of how having a formal constitution based on democratic principles is no guarantee in itself of a full, participatory, dynamic democracy. Achieving that requires far more. The values and ideals that underpin our constitutional traditions need daily sustenance in the form of ever greater civic involvement and the adoption of practices that facilitate access to decision-making, which itself needs to be more transparent. Access and transparency are the operative words here.

Last May, the European elections were marked by low voter turnout and the rise of populist movements, and in some cases even movements that are anti-Europe and openly xenophobic. Clearly, the continuing economic crisis and its major social repercussions were a factor, because millions of citizens, very many of them young people, have found themselves unemployed, with no future to look forward to and no social safety net to fall back on.

Dear colleagues, this estrangement and lack of trust or even outright distrust of national and supranational institutions almost certainly have much deeper roots, and it is to these that we ought to turn our attention. In many countries, democratic participation is often confined to elections. Ordinary citizens are democrats and will turn out at the polls, but their elected representatives do not always feel the need to report back to them on a regular basis and in a transparent manner, either directly or through the media.

This very narrow view of participation has served to alienate citizens from their elected representatives and undermined confidence. Populism is a response to this in that it is seen, by some at any rate, as offering an alternative, a sort of ersatz version of participation. The kind of criticism in which populist movements engage is invariably of the destructive variety, however. There is never anything constructive about it. Nor is there any room in this participation for intermediary bodies, such as trade unions or associations.

Allow me to make a more personal observation. As some of you perhaps know, I am a relative newcomer to national politics, having arrived on the scene less than two years ago. After leaving the United Nations where I had worked for 25 years, I stood as an independent candidate in the parliamentary elections. Then I was elected President of the Chamber of Deputies. It was totally unexpected because it happened on my second day in Parliament. Just a short while ago, I was an ordinary citizen and now I find myself in a job that requires me to forge closer ties between citizens and institutions. For the first time, the Assembly over which I preside comprises a large number of young MPs: more than 30% of Italian MPs are under the age of 40. There are also more women MPs than ever before: 31% of the total number. Given that women account for 50% of the population, however, that figure needs to be even higher.

The need for renewal stems, too, from the profound crisis besetting Italian politics. Economically and socially, the country is in an increasingly precarious state and there have also been a number of scandals, all of which breeds disenchantment, anger and a sense of powerlessness.

Let me be quite clear: there are going to be some big changes. Already there have been changes in the way members of the public become actively engaged. It is important to protect the common good. It is important that people should have work, it is right that people should take to the streets to demand work, and for other causes, too, such as to protest against violence against women. These are the kinds of issues that galvanise ordinary people. There are various channels through which this can be done but certainly the internet and social networks are among the most common. A large part of public debate today takes place on the web. So institutions need to be present there too. The web is not just another means of communication. It is much more than that. It has added a whole new dimension to our lives and offers extraordinary opportunities for the development of our democracies. In the Italian Chamber of Deputies, I am pleased to say, we have launched a digital revolution of sorts.

The Chamber can now be followed on Twitter, YouTube and Flickr and is about to get its own page on Facebook. That way, we can circulate information in a more simple and accessible fashion and communicate directly with citizens about what we are doing within our institutions.

I would like to draw your attention to two events which I am particularly pleased about. For what I believe was the first time in a European parliament, we hosted an "open" conference where the participants themselves decide, collectively, what topics are to be discussed. We invited along IT experts, academics and industry operators to hear what they had to say and to see what could be done to improve Italy's position in the context of the Digital Agenda for Europe. We also organised a "Hackathon", i.e. a gathering of computer programmers-cum-hackers. The youngsters stayed in the Chamber for 30 hours, putting their time and creative energy into developing apps for smartphones, so as to improve the way parliamentary proceedings are relayed to the public. It is great that these apps are now available, but people also need to be able to use them in order to find the information they are looking for.

We have therefore set up the first-ever committee on the internet, which focuses on citizens' rights and responsibilities in the digital era, and seeks to explore this new citizenship. We are also in the process of drawing up an internet rights charter. The plan is to hold a public consultation on this subject and then present a draft version of the charter to our colleagues in the other 27 parliaments across the European Union, at a forthcoming conference, so as to obtain some additional input.

These new communication tools are essential, but they must also be accompanied by greater transparency. That means publishing institutions' budgets, pursuing a policy of openness, publishing the proceedings of the various parliamentary committees and in particular investigative committees. I am speaking for my own country, Italy: as you know, there have been many tragic episodes in our recent history which were for too long shrouded in secrecy.

What, you may ask, is the purpose of initiatives of this kind? It is very simple. A state that fails to provide citizens with information about what it is doing is a state that fears its own citizens. And a state that fears its own citizens can never be fully democratic.

In order to increase participation in public life, it is also important to restore credibility to policy making. This can be done by acting honestly and with restraint, and by showing, through our actual everyday behaviour, that, contrary to what some would have people believe, politicians are not all the same.

Another helpful measure is to enact a code of ethics for parliamentarians, of the kind called for by the Council of Europe.

We can also increase participation by reforming political systems that have become too cumbersome, by simplifying and by cutting costs, while taking care, of course, not to undermine the democratic nature of our institutions. For in a democratic system, it is also important that everyone should have access to public office.

We no longer operate within a purely national framework. Alongside our constitutions are international conventions and treaties, including the European Convention on Human Rights. Alongside the decisions handed down by our constitutional courts are those of the European Court of Human Rights. As well as the provisions approved by our national parliaments, there are the decisions adopted by the Parliamentary Assembly of the Council of Europe and, in the case of EU members, specific legislation.

As citizens' elected representatives, we have a great responsibility at this crucial point in history. Efforts must be made to protect and strengthen our democracies. Failing that, the consequences of our inaction will be severe. We now have the instruments to do this and I hope that you will manage to overcome the current crisis and to restore citizens' faith by protecting their rights and ensuring that they are involved in the political process. I sincerely hope that we can make the best possible use of all the instruments at our disposal.

The Chair

Thank you, Ms Boldrini, for your most interesting introduction. I am sure it will fuel the debate. I now give the floor to Mr Jan Helgesen.

Mr Jan HELGESEN, Professor at the Norwegian Centre for Human Rights and First Vice-President of the Venice Commission of the Council of Europe

I thank the President of the Storting, Mr Olemic Thommessen, for inviting me to this important event. I should like to take the opportunity to address distinguished Speakers of Parliaments and extend on my own behalf, and on behalf of the Venice Commission, the warmest appreciation of the close co-operation that we have enjoyed with you and your predecessors. The commission has always felt the strong support of parliaments when advice is requested from the commission. This is not always an easy task for the respective state or the Venice Commission.

As you know, the Venice Commission is a legal body. It never looks into facts or enters the political arena. When a state or institution requests advice, the commission begins its procedure to produce an opinion. The commission is of course aware that the advice it provides might have political consequences in a state. Furthermore, no state likes to be criticised by the commission. The commission must stay objective and neutral and cannot allow such considerations to influence the content of the opinion. The commission is at your disposal if further co-operation or advice is needed. Theme 1 offers a huge canvas on which to paint. Owing to time constraints and to a lack of knowledge I shall cover but a fraction of that canvas and restrict myself to my experience as a university professor and with the Venice Commission.

Allow me first to reflect, drawing on my 20 years' experience with the Venice Commission, on the role of a constitution in a modern society. A constitution serves three functions: symbolic, political and legal. A constitution should reflect the values on which a society is based. When Norway became independent from Denmark 200 years ago the first major challenge for its civic and political leaders was to draft a constitution that reflected the values of the new-born state. The 112-man constitution commission met at Eidsvoll, which I hope you will visit. The Venice Commission was in the same position when the democracies of the former eastern European countries were established following the fall of the Berlin Wall in 1989. The political rebirth started by establishing a new constitution, reflecting the new values and securing a departure from a sad past to a bright future.

I shall never forget one strong personal experience. I went to Nepal because the UNDP and the Venice Commission wanted to see whether the commission could support the constitutional process in Nepal. As you know, that proved not to be the case. When I visit a capital I insist on meeting NGOs. A meeting was arranged in Kathmandu, at which one young man raised his hand and asked, "Do you think there should be provision in the new constitution stating that the average life expectancy should

be about 60 years?” My secretary, an eminent Italian lawyer, whispered in my ear: “Jan, do not answer as you would in Europe.” In Europe I would have said, as the Venice Commission would insist: “This is not operational.” That beautifully reflects the value of a society such as Nepal’s.

The second function of a constitution is a political one. The constitution should provide the guidelines for political bodies and society at large in their daily struggles to form party programmes, conduct debates and make decisions to carry a society and a state in the direction that is based on consensus or political compromises.

Last, but not least, the constitution has a legal function, which may be analysed and described at two different levels. The constitution is *lex superior* to parliament, in the sense that parliament’s decisions must be within the constitution paradigm. The role of *lex superior* to parliament is in itself controversial in some respects, but it is even more controversial if the constitution is *lex superior* to a country’s tribunals. Then you enter into the area of judicial review, to which I shall come at the end of my presentation.

Having elaborated on the three functions of a constitution I shall elaborate on a key phrase in the title of Theme 1: “Fundamental constitutional rights and freedoms”. The Venice Commission has much experience of states establishing what they view as basic rights in the constitution. States draw on instruments such as the European Convention on Human Rights and the UN conventions, but one basic value runs through all these things: democracy. States have sometimes debated whether this or that word deserves its place in the constitution. The Venice Commission has warned against the inflation of the concept of human rights. The inclusion of an extensive and extremely sophisticated list of rights in the constitution runs the risk of the authorities being unable to implement the list and the credibility of the legal and political establishment therefore being jeopardised.

Before digging deeper into the title of today’s theme allow me to make some remarks on constitutional developments this year in Norway. It is symbolic that this conference is taking place in Norway this year. In the past three or four years we have had a debate inside and outside parliament embracing all the issues I have touched upon. As you know, Norway has the oldest constitution in Europe, and the second oldest in the world. The constitution of 1814 was for its time rather liberal and gave protections for a few basic human rights. States around us have completely updated their constitutions, whereas Norway has not. Shortly before he left as Speaker of our parliament to become Secretary General of the Council of Europe, Mr Thorbjørn Jagland appointed a committee to propose a modern, fully fledged human rights catalogue, with the possible aim of its inclusion at the 200th anniversary of the constitution. I was privileged to serve on the committee, which presented a catalogue to parliament in December 2011. In May this year, the parliament decided to amend the constitution.

The first issue we debated was whether we really need a fully-fledged human rights catalogue. Human rights are protected by statute and we have a statute giving priority to five conventions. Arguments were made about the symbolic, political and legal functions. Of the three issues, the most controversial was judicial review. Under amendments made in the parliament, most of the civil and political rights and some socio-economic rights were included in the constitution.

My final task is to address another word in the title of the theme, “trust”, which is a basic condition for democracy. I can cover only one aspect of this, although it has proved to be very important for the Venice Commission. In recent years there has been a growing tendency inside and outside Europe to have a split or tension between popular sovereign democracy and the rule of law and human rights. The discussion is often conducted using the conjunction and/or human rights and popular sovereignty, human rights or popular sovereignty. That discussion is too simplistic. In Norway, we asked: “Whom do we trust – politicians or judges?” Few would declare their complete loyalty to one value and deny the legitimacy of the other. We would all defend democracy, as we would all defend human rights and the rule of law.

Since the Second World War human rights have been protected at two levels – national and international. Limits at the national level are less threatening to popular sovereignty than where the limits are at international level. The experience of the Venice Commission is that states are more afraid of international limits than of national ones.

In my experience the conjunction “and/or” does not help us with the dilemma facing us. We are creating a picture that is too simplistic. There is no absolute harmony between human rights and the

rule of law and popular sovereignty, which is why “and” is misleading. That said, there is no disharmony between human rights and the rule of law and popular sovereignty, which is why “or” is misleading.

Those two words leave us with a black and white picture, but we should look for a picture composed of the many tones between black and white. I suggest replacing “and/or” with “through”. We shall fulfil democracy through law, and the Venice Commission is called the European Commission for Democracy through Law. (*Applause*)

The Chair

Thank you for your statement, which concludes the introductions to our debate. I remind you that according to our rules speaking time is limited to five minutes. Furthermore, depending on the time available, once the list of speakers is concluded I might allow spontaneous comments in response to the debate.

Ms Doris BURES, President of the Nationalrat, Austria

I would like firstly to thank you, Sir, for taking the time at the start of this conference to observe a minute’s silence in memory of President Prammer. Barbara Prammer was a model parliamentarian: many of you knew her personally. She proved that a Speaker of Parliament could remain impartial while still taking a clear, firm political line. She showed how important it was to develop international networks; she was always conscious of the fact that the Austrian parliament was closely connected to other parliaments and that the aim was to enhance parliamentarianism to the fullest extent possible. I also wish to thank those of you who sent letters of condolence. They poured in from all over Europe and beyond, because Barbara has contacts with numerous parliaments.

The first theme of this conference is participation, trust and public debate as conditions for democracy. These are issues that go to the heart of parliamentarianism. They invite us to examine the role of political parties and of the people who belong to them. They invite us also to consider what can be done so that the public has a better understanding of what politicians do. My predecessors, Heinz Fischer, Andreas Khol and Barbara Prammer, were all careful to ensure that Austria’s parliament was conscious of its role and grew in confidence.

I myself was elected Speaker of the Nationalrat last week. What matters, however, is that confidence in this institution and its reputation should be enhanced. Over the past eight years, I have been a member of the Austrian government, but for seventeen years I have been an MP for a party that has spent time both in government and in opposition. I am familiar with the various aspects of parliamentarianism therefore. I am well aware that the majority of MPs work hard, whatever party they belong to and whatever their worldview. They are highly committed people who want to make a valuable contribution to democracy. I have the impression that in Austria and in other European parliaments, MPs have a worse reputation than they deserve. Often, people who become involved in politics do so because they want to improve the everyday lives of their fellow citizens. In the current political and economic climate, however, achieving that is more difficult than ever.

This first theme ties in closely, therefore, with the kind of questions we need to ask ourselves: what can be done to make internal parliamentary business more credible and more transparent, and to help our parliaments develop in a dynamic manner? What kind of mechanisms and resources are required and which modern methods work best?

Recent years have seen MPs acquire more rights within the Austrian parliament. The Treaty of Lisbon brought with it more rights for minorities, and MPs, and in particular opposition MPs, have been given greater powers of scrutiny. In the coming months, we are also going to be revising the procedure governing investigative committees, so that the rights of minorities are taken into account and new powers of scrutiny created.

It is important that there should be greater public acceptance of parliaments. This will come about if we can manage to establish a closer bond between parliaments and communities, if we can give citizens a better insight into what parliaments do, and if we are more transparent and more porous to outside ideas, thanks to all the various channels of communication available to us today: new media, social networks, etc.

As far as parliamentary transparency is concerned, I would just like to mention all those committees where we deal with European matters. Here again we have organised our activities in a more transparent manner.

To conclude, I believe our goal is to see to it that greater emphasis is given to these major issues related to democracy and strengthening parliamentarianism. It is also important to present things in such a way as to demonstrate our ability to reach compromises.

Mr Vangelis MEIMARAKIS, President of the Vouli Ton Ellinon, Greece

The subject that we are asked to consider today is one that we could debate for hours, because it concerns us all.

The values and principles referred to as “fundamental rights” provide the framework for the relationships that develop between members of the same society and for their dealings with institutions. The relationships that exist between citizens and institutions and between the majority and the opposition, as well as with all the various minorities help shape democracy and ensure national prosperity for the benefit of ordinary citizens, for whom a high-quality democracy is essential for a better life.

There is no one democratic model that would fit all countries. There are nevertheless a number of widely accepted and recognised principles and values that we all endeavour to observe. Peace, freedom, fundamental rights, these are the very cornerstones of democracy. As far as fundamental rights are concerned, there are two ways in which freedom can be strengthened and expressed: self-government and participation. Self-government is ensured through basic individual rights, and participation through civil rights. Observing fundamental rights also means making sure that the authority of the state does not encroach on the private sphere, while civil rights enable citizens to participate in political life. Civil rights also go hand in hand with civil obligation, in the sense that each citizen individually and all citizens collectively have an obligation to participate in the conduct of public affairs.

Rigas Feraios gave practical substance to these rights by drawing on modern-day ideas in the years leading up to the national uprising in Greece. This example is particularly relevant today as we gather for this conference in Norway which, as was pointed out a few minutes ago, is celebrating the bicentenary of Europe's oldest surviving constitution. Adopted 200 years ago, it was inspired by the thinking behind the Rigas Feraios Charter and the philosophy of the Enlightenment.

These bodies are enshrined at three levels: the state, international organisations and the international community. As you might expect, the subject never ceases to generate fresh debate, not least about globalisation and the growing place of technology, because we have yet to put in place the sort of infrastructure that is required to accommodate these changes at an institutional level. These changes have ramifications in many areas of our lives, including protection of our fundamental rights.

There is also a need to redefine the relationship between freedom and security. In today's world, it is vital to find a new balance between the two. While the necessity of establishing conditions for reasonable security should not be understated, it must not be allowed to impinge on individual freedoms, in particular freedom of expression, any more than is strictly necessary. What is required, therefore, are very open consultations before making decisions, both with the stakeholders and with all citizens so as to be able to explore in greater depth all the issues involved.

Protecting fundamental rights is no longer a linear process and involves more than simply the state and citizens. Civil society now plays a key role too, in particular via the internet. National parliaments have run into various obstacles whenever they have had to approve decisions that were taken by bureaucrats and governments without them being widely discussed by MPs first. Citizens expect parliaments, and in particular national parliaments, to come up with responses to the issues that affect them directly. It is important, therefore, that we be in a position to do that.

To conclude, the system of rights and obligations, and of relations between the state and citizens, under which we operate is clearly a highly complex one, but it is still important to leave room for freedom of expression.

Mr Cemil ÇIÇEK, President of the Grand National Assembly, Turkey

Most symbolically, this conference coincides with the 200th anniversary of the Norwegian Constitution. There is a historical element to the topic which concerns us, because, looking back, one realises that all the battles fought in the past were about securing new rights and freedoms. Much has been written on this subject. Now, the time has come to put into practice what has been agreed, against the backdrop of the challenges facing us today.

Fundamental rights and freedoms need to be identified and implemented. The Commission of Human Rights and the judgments handed down by the European Court of Human Rights and our national courts have helped to better define these rights. Major efforts are also made by the Venice Commission. Every constitution contains safeguards against violations of rights and freedoms. The constitutional courts are unquestionably among the most important judicial bodies, but ensuring the observance of fundamental rights and freedoms is also a matter for parliaments. In the light of the events that are unfolding today, it is essential that parliaments, political parties and NGOs be a major force in safeguarding these rights and freedoms. Perhaps, too, not enough attention is given to the media, which also act as guarantors of fundamental rights and freedoms. In many countries, the media sometimes set a bad example in this area.

The challenge today is to determine where the threats to fundamental rights and freedoms are coming from. If they stem from state practices, the problem can be settled through the courts. Today is 11 September, a date that has become synonymous with tragedy all over the world. The biggest threat comes from terrorist organisations. The question we need to ask ourselves as an international community is as follows therefore: we believe in fundamental rights and freedoms, but are we capable of co-operating to the extent necessary in order to combat the terrorist threat? If not, there will eventually come a day when terrorism poses a threat not to one or a handful of countries, but to the entire world. When we talk about fundamental rights and freedoms, I think we should do so not in abstract but rather in concrete terms, about how we might work together to combat terrorism.

We may see eye to eye on certain issues, and draw up accords and agreements, but are we in a position to put these texts into practice, for example to extradite terrorists or tackle terrorism? Are we prepared to act on our principles or are we merely capable of talking about them? These are crucial issues when you see what is happening today in Syria and Iraq. If we cannot respond appropriately, then fundamental rights and freedoms will be no more than empty words. And yet there is so much suffering in these countries. Women and children are being massacred. The world has not yet managed to find effective ways of dealing with all these tragedies.

Mr Jesus POSADA MORENO, President of the Congress of Deputies, Spain

I would like firstly to congratulate the Norwegian people on the bicentenary of their Constitution. Long may they continue to enjoy stability and prosperity under its protective wing. Time is limited, so I would like to focus on a matter that is of grave concern to us all: the crisis of confidence in democratic institutions and citizens' disaffection with their representatives, i.e. all of us.

As I see it, the main reason for this situation is the economic crisis which has forced governments and parliaments to adopt painful, unpopular measures which have directly impacted on people's living standards and required them to make considerable sacrifices.

The economic crisis has been going on for a very long time, and citizens have come to see politicians as incapable of providing proper solutions. Yet although the loss of public confidence is in large part due to current circumstances, there are two other causes which should concern us greatly because they are more fundamental in nature.

The first has to do with abusive practices on the part of certain politicians. The second is the need for more effective civic participation in the democratic process.

Malpractice, embezzlement and misappropriation of funds are citizens' biggest concern after unemployment. They see cases, in some instances multiple cases, of malpractice but, even worse, they see no attempt to make an example of those who engage in such behaviour. Radical measures are needed to combat these abuses.

Last December, Spain passed a new law on transparency and good governance. There was a very real need to enshrine in law the ethical principles that should govern the activities of all politicians, whose conduct must be exemplary and who should face tough penalties if they break the rules.

The second more fundamental cause is the demand for greater civic participation and for the democratic regeneration of public life. It is not enough to give citizens the opportunity to participate in elections every three, four or five years. We need to come up with new mechanisms so that citizens can play a bigger part in policy making. In order to do that, more use should be made of new information and communication technologies. The legislative process needs to be reformed in order to introduce participation at grassroots level.

To sum up, it is my belief that as the economic climate improves, we will see greater civic participation, which will in turn lead to more effective institutions and a greater appreciation of the work that politicians do. Improved economic conditions alone will not be enough, however. Effective and radical action to tackle corruption and an appropriate response to the demand for greater civic participation are vital if we want to improve the health of our political system as a whole.

Mr Stephan WEIL, President of the Bundesrat, Germany

The state of democracy in our countries demands attention. Few would disagree with Barack Obama's assertion that elections do not make a democracy. Unlike dictatorships, democracies cannot function without civic participation. We in Germany are seriously deficient in this regard and I suspect the same can be said of other European countries.

I would like to congratulate our hosts on the bicentenary of the Norwegian Constitution. Germany's Basic Law is much younger, barely 65, but it has helped us to develop into a very stable democracy. That said, there is no room for complacency, as the following three examples demonstrate.

Firstly, according to a poll, 70% of people in Germany today are happy with the state of our democracy. That means roughly a third of the population are not satisfied with it. Secondly, turnout in elections is steadily declining. Until the 1980s, the turnout in parliamentary elections hovered around the 90% mark. Today, it stands at 70%.

Thirdly, the political system in the Federal Republic of Germany rests heavily on the political parties. There has been much talk about "party-based" democracy and for decades, the main political parties were in fact representative of all sections of the population. Today, however, nearly all the parties have far fewer members than in the past and young people in particular are far less engaged and far less inclined to join political parties.

The task in Germany, and I expect the same is true for many other countries, is to revitalise democracy. There is no easy remedy. Very often, in this context, it is suggested that action be taken to bolster direct democracy, by allowing citizens to take decisions that supplement those taken under the system of parliamentary democracy. This seems to me to be a good thing and I am sure that the next ten years will see further moves down this road in Germany. It is not a substitute for measures to improve democracy in general, however. The internet offers tremendous opportunities, not only for improving public information but also for conducting lively, interactive discussions on numerous policy issues.

In my view, democratic debate should be open, meaning that everyone should be able to take part, provided, however, that they identify themselves, because there is nothing to be gained from having discussions with anonymous contributors.

One further important point is that politicians in Germany do not have a particularly good reputation, as opinion polls show. Unfortunately, one rarely hears about the thousands of people who work hard day in day out for the common good. We must ask our media to take a more balanced approach, to be critical and to condemn examples of bad practice, but also to highlight good examples.

Winston Churchill once said that democracy was the worst form of government, except for all those other forms that had been tried from time to time. I have the impression that little has changed since then, certainly as far as my own country is concerned. If that is the case, we are all responsible, we must commit ourselves to improving democracy and I am delighted that we are having an international debate on this subject today.

Mr Ranko KRIVOPAKIC, President of the Parliament, Montenegro

Citizens' emancipation through the American and French revolutions in the second half of the 18th century resulted in the rise of democracy. The development of the notion of the sovereign citizen became the basis of our civilisation. The state that focuses on the citizen as the holder of sovereignty represents the fundamental characteristics of all modern constitutions. A modern constitution is the expression of the highest attainments that the human mind has reached in the search for progressive and just societies.

The Council of Europe made an immeasurable contribution to the global definition of the standards of human rights and freedoms through the conventions and the protection of the European Court of Human Rights. This was the right answer to the greatest chorus of the 20th century that produced systems whereby men were reduced to numbers or mere statistics, or, to use the jargon of World War One, cannon fodder. Our Organisation demonstrated that human rights are universal and must not be a national domain.

There is a threat, especially in the circumstances of the ongoing economic crisis, that states might become corporative and that political elites increasingly advocate the interests of financial capital and various lobbies instead of being powerful representatives of the citizens. For that reason, democracy is particularly challenged today. For it to be complete, rather than be a mere collection of rights and freedoms, it must provide adequate procedures that guarantee full transparency and a participatory approach in the performance of public duties. Only in this way will democracy have the necessary added value.

When facing the new changes democracy must further develop its content and mechanisms. That is the line by which representative democracy is developed into participatory democracy. The system of open society represents a fundamental expression of participatory democracy. An open society ensures the development of institutions and a high level of participation and productive engagement among citizens as holders of sovereignty in modern states.

The law of the state is a contract by which people reassure each other of justice, as Aristotle said so many years ago. Its observance and equal application are long-established prerequisites for establishing citizens' trust in the institutions of the state. The partnership between the democratically elected government and NGOs, the media and citizens represents a fundamental principle of an open society. The state is one of the greatest achievements of our civilisation, but it needs new historical impetus given by civil society in all of its forms.

Open government is crucial to the general health of democracy. It is of direct importance to the human rights of all citizens but is equally important to the economic development of our countries. Only a few may originate policy but we are all able to judge it, as Pericles said in 430 BC. Parliaments today guarantee that not only a few but all of us work for the public good, elected directly by citizens. We will all be judged, as will those who come after us, and that will be the judgment of history.

Mr Bozo LJUBIC, Vice-President of the Parliamentary Assembly, Bosnia and Herzegovina

As a representative of the parliament of Bosnia and Herzegovina, an emerging state with a developing democracy, I am aware that I am not the most competent person to answer how to improve democracy. In the light of Bosnia and Herzegovina's age and experience of political processes, please allow me to present my views on the functioning of constitutional rights in complex societies.

I come from a country that is multi-ethnic, multi-confessional and multi-cultural, and rather than use the prefix "multi" it would be better to use "three" as the preamble to the constitution defines BiH as a state of three constituent peoples – Bosniacs, Croats and Serbs. The Council of Europe and western democracies see democracy primarily if not exclusively through the guarantee of individual civil rights in the constitution, but I wonder whether this is enough for the realisation of these rights for multi-ethnic and divided societies such as Bosnia and Herzegovina. I would say that it is not enough. I can empirically prove this on the basis of 20 years' experience since the end of the war and the Dayton constitution. Our experience over those 20 years teaches us that there has been no significant return of refugees and displaced persons to their pre-war homes. Displacements continued in all places – entities or cantons – where, with the exception of those declarative and constitutional guarantees of individual civil rights, collective ethnic rights were not guaranteed and vice versa. Is there a more

fundamental individual right than that of the right to return and live with dignity in one's own home as well as the right to one's own cultural and ethnic identity?

The second issue relates to the desired standard that representative democracies and parliaments must remain at the heart of governance. I wonder whether that is realistic or possible in today's world and system of values where a decisive influence on the adoption of important decisions both at national and international level is held by multinational corporations, large capital and a military and industrial sector that, by controlling financial flows and the media, have a significant influence on the election of members of parliaments. A larger percentage of the population, even in developed democracies, live in or on the edge of poverty or in some debt bondage. Entire regions, countries or continents such as Africa, under the domination of neo-liberal capitalism, have been brought to a state of poverty and debt bondage.

At the same time, the number of ruthlessly rich is growing and such people are often elected to leading political positions or have a decisive impact on the election of political representatives. How can those who are deprived of their rights under this system of distribution of wealth and influence fight for their political rights? Hopelessness and desperation make them vulnerable and sensitive to different radical movements and ideologies. The experience of the latest elections to the European Parliament and elections to certain European countries speaks of growing support for radical left or right wing parties. Experience of the past speaks of revolutions driven by long-lasting crises. I hope that nobody wants that, so, to paraphrase the Bible, of everyone to whom much is given, much shall be required.

Elected representatives, along with the richest, are primarily those to whom much is given. They should regard their role not only as a responsibility but as a mission. I feel compelled to remind you of the key goals of every equitable and democratic society: to live together in dignity, trust, respect and solidarity. What is the purpose of democracy if not exactly that? In order to attain it the precondition is a more just society in which it is possible to participate in the decision making processes and a more equitable distribution of resources at the state and global level.

We have enough resources for all. Today, when labour productivity is at its highest ever, when we have means of protecting agricultural crops and when we have the most modern means of communications and transport, I cannot see a single reason for an economic crisis, a lack of education or, even less, for poverty or hunger, other than human selfishness and greed. If we want to improve our society and the world we should start with ourselves.

Ms Dawn PRIMAROLO, Deputy Speaker of the House of Commons, United Kingdom

It is a pleasure to be in Oslo in such distinguished and illustrious company and in such beautiful weather.

Many speakers have identified the absolute importance of democracies guaranteeing fundamental individual rights and freedoms and of delegating, taking decisions, debating, participating in public affairs and living together in dignity, trust, respect and solidarity. With our experience of the Scottish referendum, I would add to that list a sense of belonging as an integral part of democracy. However the Scottish people decide to vote, and I hope they vote to stay in the Union, the referendum has fundamentally influenced the debate on devolving power in the United Kingdom and electrified the debate on the relationship between citizen and representative – whether sovereignty is surrendered or pooled and how it is managed.

In my brief contribution I wish to concentrate on trust and the relationship between representative and participatory democracy. It is crucial that citizens have not only a voice – a right to participate – but that our constitutions and legislatures facilitate and encourage active and meaningful involvement in the institutions and processes that affect their lives. Technology can assist but it is no substitute for people meeting or for their having access to their representatives and holding them to account regularly, not just every four or five years.

The objective should be not just to restore trust between the people and the political elite but to find way of building a dynamic relationship between citizens and their representatives, ending the perception of “the elite” by creating partnerships.

Last November, the Speaker of the House of Commons, Speaker Bercow, established a commission to consider how the digital revolution has changed or might further develop British representative democracy, and its report is due to be published in early 2015. The commission is exploring five themes and will make recommendations on how parliamentary democracy in the United Kingdom can embrace the opportunity afforded by the digital world to become more effective in representing people, making laws, scrutinising the work and performance of Government, encouraging citizens to engage with democracy and facilitating dialogue among citizens.

That said, our experience in the United Kingdom is that as we have enhanced and developed transparency and made our parliament more open and accessible, trust in politicians has declined – dramatically. People do not see people like them in our parliament and do not therefore believe that they can change the way in which parliament works – a terrible indictment with which all elected members are grappling. We can use social media, but with my 27 years as an elected representative I know that there is no option other than to build partnerships and dialogue. To use the powerful parallel that we heard this morning, our parachute is that we open our minds and engage with people so that we truly represent and draw on their ideas and experiences. An opinion is not the same as making choices or decisions, and we must take decisions and be accountable for them.

Ms Ana BLATNIK, President of the Bundesrat, Austria

This conference provides a welcome opportunity to share our experiences and improve our relations, relations that are crucial when it comes to sustaining a modern democracy.

I would also like to thank the organisers for choosing topics that are more relevant than ever and which represent an enormous challenge for modern democracies. Democracy should not be based in a purely formal way on legal systems and laws. Democracy is also about citizen participation, and public debate conducted in a transparent fashion so that citizens feel that they can make a contribution and play a part in the democratic process. This participation can in turn create trust and respect and foster new values. All this is vital for democracy.

Rather than pursuing populist policies, there is a need to address the lack of public trust through transparent policy making and greater civic participation. New media and social networks offer new opportunities for policy makers who are now able to communicate directly with voters and ordinary citizens, more easily than in the past. Any such action, of course, needs to be carried out in a highly responsible manner. It is important to respect fundamental rights and privacy and to continue protecting personal data, while at the same time respecting the freedom of the media and the public's need for information.

Fundamental rights are enshrined in national constitutions and in the European Convention on Human Rights. While these instruments are now indispensable, they also need to evolve. Observing fundamental rights is not something that can be accomplished by individual states on their own. What is required is joint action, across Europe and even beyond.

The international situation shows that extremism undermines fundamental rights. The utmost vigilance is called for. But it is not just outside the European Union that fundamental rights need protecting. Action to combat discrimination against minorities is required within Europe as well. Majority communities have a responsibility to reject all forms of discrimination and to treat integration as an essential safeguard. As someone who belongs to a minority in Austria, this is an issue that is very close to my heart. Europe needs to move closer to its citizens. For the sake of democracy. Fresh initiatives are required, such as greater civic participation in regional parliaments, for example.

Baroness Frances D'SOUZA, Lord Speaker of the House of Lords, United Kingdom

It is a great pleasure to be here in the year when Norway celebrates the bicentenary of its constitution. Anniversaries are much on my mind at present as both Houses of the United Kingdom Parliament prepare to celebrate the 800th anniversary of the sealing of the Magna Carta. Like the Norwegian constitution, the Magna Carta – a contract between an English King and his rebellious lords – limited the power of the monarchy. However, unlike here in Norway that power was transferred from the King not to the people but to the no-less-duplicious barons, although that is often forgotten by those who promote the Magna Carta as the beginning of democracy.

There are, however, clear links between Magna Carta and today's topics. As our plans have progressed, I have been reminded once again of the high regard in which Magna Carta is held by lawyers and judges around the world. I know that the Norwegian constitution – one of the oldest in continuous force – is held in equally high regard.

The “men of Eidsvoll” who met 200 years ago might not recognise the phrase “civil society” but I think that is how we would, in modern times, describe them. Recent years in the United Kingdom have seen a growth in membership of the non-governmental sector. This broad range of organisations and the accompanying depth of discussion is, in my view, one of the crucial key indicators of the health of the democratic process in any country.

But all is not well: it has been accompanied by a decline in membership of political parties and of participation in the political process. Why do citizens prefer to support single-issue charities over political parties, which have a higher chance of actually achieving what the citizen wants? The answer might be summed up as a lack of political vision. NGOs and civil society organisations promote a vision of a better society: a long-term aim of some description, be it to eradicate malaria, look after sick animals or end homelessness. Politicians also have these aims, but increasingly we fall short of building such a vision, assuming there was one to begin with. I suspect that many citizens have lost their trust in politicians because too much of what too many politicians do is focused on short-term popularity and aimed at winning elections. Too few politicians are taking a long-term view, promoting a societal vision, or articulating new economic theories.

There are various reasons for the rise of short-termism in politics. Perhaps it was ever thus, but one problem is that the rise in instant and widely available communications means that we no longer get given the time to develop a vision and instead are under constant scrutiny. We all know that the Internet and mobile communications have made the world a smaller, and possibly safer, place. But I wonder whether the ability to buy anything at any time has changed the mind-set of many citizens. In the United Kingdom, and I suspect in many of your countries, voters now see choosing a politician as just another transaction. Hillary Clinton has referred to this as the “Participation Age”: citizens can express their views on any subject or any product more easily than ever before, with an expectation that they will be heard.

A further argument for better engagement between the political class and the electorate is that, in an era of relative peace and prosperity, I fear that many of our citizens have begun to take their constitutional rights and freedoms for granted. Like Google or an online supermarket, they expect them to just be there when they are needed. But, as we know, democracy is a process, and without constant vigilance it is subject to the forces of entropy and decay. It is our duty, therefore, to ensure that all our citizens recognise parliamentarians and the judiciary as instruments to protect their rights and freedoms and that these instruments are strengthened only through their participation.

If that participation comes not through political party membership but in the form of pressure groups with viewpoints beyond the mainstream of political thought then we as parliamentarians must use those pressure groups to engage our people. Some of the viewpoints might be unpalatable, but that is not a reason to ignore them; it is the very reason we need politicians with vision who are prepared to rebut them. Parliamentarians must shape not only laws but public opinion.

More fundamentally, lodestars such as national constitutions serve a purpose in reminding people why human rights matter and of the risks of an all-powerful Executive. Explaining the processes of the European Court of Human Rights to schoolchildren is a challenge to even the most dedicated teacher, but the story behind Magna Carta — featuring a King; some barons; insurrection and a meeting in a field next to the River Thames — is much more accessible. The story can be a springboard to discussions about the transfer of power from monarchs to citizens, and a gateway into citizenship education.

In conclusion, I return to the need for dialogue and to the Scottish referendum between citizens and their parliamentarians. Whatever the result, one thing has become clear: the public are engaged. Polls suggest there will be a high turnout, possibly the largest ever recorded in Scotland. I do not think that anyone favours government by constant referendum, but events in Scotland demonstrate that all is not lost and that the public can and will participate in decisions that affect their lives and livelihoods. I look forward to hearing other views on this subject and once again congratulate Norway on the bicentenary of its constitution.

Mr Einar K. GUDFINNSSON, President of the Althingi, Iceland

It is interesting to hear how we are all dealing with similar challenges – political participation and the lack of respect for important institutions of our societies. It is important that we discuss these things here, not least because the fundamental values of the Council of Europe – democracy, human rights and the rule of law – are prerequisites of membership and must be adhered to by member states. As has been well said already, these are matters of concern to all of us.

Human rights include the freedom of assembly, freedom of speech and opinion and respect for the rights of minorities, whether they are ethnic minorities, religious minorities, homosexuals or handicapped people. I fully endorse the words of caution expressed by Professor Helgesen about inflating the definition of human rights out of all proportion.

There is reason for concern on our great continent about the rights of minorities, the right to assemble and freedom of speech, including freedom of the press. The economic crisis has increased xenophobia and, as Ms Boldrini said earlier, more extreme political movements. We must address this problem. History offers us an unfortunate lesson about the threats extremist groups can pose to different minorities. Luckily, however, Iceland has not witnessed a rise in extremist parties, despite having been struck severely by economic difficulties, but we do have problems with decreasing participation and a lack of trust in political and other institutions. This is of grave concern.

Over many years electoral turnout in my country has been very high, but turnout in national elections has steadily decreased in recent decades. Turnout in 2003 was 87.5% but was down to 81.5% a decade later. Historically, turnout was about 90%.

Younger voters are of great concern to me. They seem less interested in casting their vote, which is a problem for the future and their participation must be enhanced. That concern was well expressed by our German colleague. Although young people do not participate so much in elections or party politics their interest in politics still remains, which is interesting. They no longer convey their interests through the conventional political channels but make their presence felt through social media, through other channels, through NGOs or through other means. We need to address that.

How do we deal with the widespread lack of trust in institutions, so well described by colleagues earlier? Trust in the Icelandic parliament measured 42% in 2008, just before the great economic collapse, but shrank to 30%. We have made a conscious effort to deal with that in recent months and years. We must address the reduction in voter turnout but trust in institutions is gradually increasing, which is positive, although the position remains volatile.

Mr Vangjei DULE, Vice-President of the Parliament, Albania

I thank Ms Anne Brasseur, President of the Parliamentary Assembly of the Council of Europe, and the President of the Storting, Mr Thommessen, for the excellent organisation of the conference and for giving us the opportunity and platform to engage in constructive dialogue on issues of common interest.

I come from Albania. Over the past 23 years our country has been able to show how remarkable the effect of democratic institutional development can be for a country that once suffered under one of the most isolated and ruthless political systems in the world. Albanian society has begun some of the most fundamental transformations of any society across our continent, thanks to the hard work put towards building and strengthening fundamental human rights and freedoms, which have in turn enriched our national public debate.

Allow me to express our sincere gratitude to the Council of Europe in general and the Parliamentary Assembly in particular for their ongoing support for strengthening the democratisation processes of our institutional life as well as advancing our European integration agenda.

I shall take the opportunity to give you a brief update on developments in my country after the parliamentary elections of June 2013, which were praised as a positive development by our international partners.

The new rules of procedure for the parliament gave way to a new and more constructive political climate that guarantees the opposition more space than ever to play its constitutional role, not only in

plenary sessions but throughout our permanent parliamentary commissions. The opposition lead several important parliamentary committees – on European integration, on education and on public information – and the work at the head of our parliament is focused on finding compromises and developing a consensual climate, in order to foster constructive political dialogue and increase the quality of our debate and legislation.

In the past 12 months we have increased the transparency of the parliament and we are actively working on strengthening our oversight role through co-operation with independent institutions and international organisations. I underline the fact that the Albanian Government has launched several political initiatives and is committed to delivering on a comprehensive set of reforms related to the rule of law, implementation of the anti-corruption policy, the fight against organised crime and judicial reform.

I believe that Albania is an example that emphasises the importance of political civilisation, mutual trust and political debate. Our democracy in the past demonstrated that without proper political conduct, without a climate of mutual trust between political parties, without the trust of citizens in political institutions and without fostering reliable dialogue on issues that most affect citizens democracy can be challenged. Albania has clearly shown in the past few years that when there is co-operation and parliamentary participation public debate is healthier and the desired results can be delivered. This was the case during the process of becoming a NATO member, liberalising visas with the Schengen area or, more recently, becoming a candidate country for European Union membership.

Our ongoing challenge in Albania, as it is across south-eastern Europe, has much to do with the consolidation of our political responsibilities, whether that is across parliament or the government. In order to increase accountability and participation by citizens our parliament has taken major steps to strengthen our co-operation with the Ombudsman as well as our civil society sectors that are helping to increase the voice and trust of citizens in the democratic process. In this respect, we see the role of our parliament as crucial in ensuring that our democracy develops into a system of institutions where participation becomes not only a norm but a fundamental individual right and practice. Given the European context of increased public mistrust, low election turnout, the rise of populism and extremism and the economic crisis our continent has gone through, a more active and functioning structure of participatory citizenship across our democracy becomes essential and urgent.

I confirm that the Albanian Parliament will support any joint action by the Parliamentary Assembly of the Council of Europe in co-operation with the Venice Commission actively to engage in a comprehensive process of transnational debate on how to turn the right of participation into a tangible individual human right that can be enjoyed through the proper legislative and institutional safeguard.

Mr Mars di BARTOLOMEO, President of the Chamber of Deputies, Luxembourg

I wish to thank our colleague, Stephan Weil, for having called on all those countries with a long tradition of democracy to display a little modesty. Anniversaries provide an opportunity for stock-taking, to see how far we have come and identify the challenges that lie ahead. We all know that democracy is not something that can be conjured up with a magic wand – if it were, we would do it! – or simply decreed. We also know that democratic achievements need nurturing. Having served as minister of health, I tend to think that democracy is rather like health: if you don't look after it, you will gradually lose it by not perceiving too late.

The rules of democracy should not be set in stone. Recent events have served to remind us of this, because the challenges facing us today are considerable. With the rise of populist and far right movements, democracy, whilst not in mortal danger, is certainly under threat.

Then what? We should not complain about a backlash among members of the public, because this backlash is driven by deep-rooted concerns. We talked about unemployment. Well, in a democracy, people have the right to work, just as they have the right to health, to decent housing and a proper education. So we should not complain about the general public, and in any case we cannot change the electorate. We should, however, address the concerns of our fellow citizens, concerns that can now be expressed more easily than in previous decades thanks to new media that makes it possible to communicate in real-time. This is a fact of life that policy makers must learn to live with.

In Luxembourg, we have the traditional instruments for strengthening and promoting democracy. One instrument, the tripartite model, was invented at a critical time in the country's history and enables the government to maintain an ongoing dialogue with workers and management. The tripartite model has had its ups and downs but there is much to be said for it. Right now, Luxembourg is thinking very seriously about introducing new instruments. We have been particularly inspired by a handful of other parliaments which have introduced the public petition procedure, whereby petitions trigger a public debate in parliament once a certain number of signatures have been collected. We plan, on the other hand, to use the referendum for fundamental questions.

Rather than seeking to monopolise political debate, let's give people the instruments they need to participate in the political debate in parliament with us.

Luxembourg has a reputation for being a very robust democracy, but the example that I am about to give may temper that view somewhat. A hundred years ago, my country adopted universal suffrage. Until then, 50% of the population namely women, had been unable to vote. Today, a hundred years on, 45% of the population does not have the right to vote. I am referring to non-nationals living in Luxembourg. Yes, you heard me correctly. In Luxembourg, 45% of people resident in the country are not Luxembourg nationals. We are going to ask the voters, via a referendum, their opinion on the right to vote for non-national living in Luxembourg, under certain conditions. There is, of course, a risk involved in asking Luxembourg citizens whether they wish to grant the right to vote to non-nationals but the game is worth the candle. We must dare to push for more democracy in order to create a more close-knit society. Resting on our laurels would be a far more dangerous course.

Mr Ruedi LUSTENBERGER, President of the National Council, Switzerland

Numerous speakers this morning referred to the European Convention on Human Rights. I wish to take this opportunity to tell you that on 28 November, in Switzerland, we are going to be celebrating the 40th anniversary of the ratification of one of this text. In many European countries, including Switzerland, the European Convention on Human Rights is the focus of debate. Or it is truly an institution that deserves much credit. As the saying goes, if this Convention did not exist, we would have to invent it.

Mr Thommessen, in your opening address you talked about unity and diversity. These are two key concepts for our conference but also for the above mentioned Convention. The countries that have ratified the European Convention form a unified whole. In terms of their democratic structure, their legal system and their case-law, however, there is considerable diversity and variety. It can therefore be said that those states which have ratified the convention – as all those which are members of an international organisation – symbolise unity in diversity. You will recall that in the European Convention on Human Rights, states undertake to abide by what is written in this instrument and by the decisions taken by the European Court.

The diversity of legal systems mentioned above probably explains the high workload of the court, a problem that was mentioned this morning. There was mention of dynamic developments, thanks to which the European Court will have fewer cases to deal with in future. This is very much to be welcomed. In the process of standardization, however, it is important to also take into account the diversity of Member States, a legacy of history that should not be forgotten. Only then will unity in diversity become a reality.

Ms Brasseur, President of the Parliamentary Assembly of the Council of Europe, took the Chair in place of Mr Thommessen

Mr Per WESTERBERG, President of the Parliament, Sweden

Launched in 2009, the Eastern Partnership is a joint initiative between the European Union, the EU countries and eastern European partner countries. It enables partner countries interested in moving towards the European Union and increasing political, economic and cultural links to do so. It is underpinned by a shared commitment to international law and fundamental values: democracy, the rule of law, respect for human rights and fundamental freedoms, minority rights, the market economy, sustainable development and good governance. These are the conditions for a well-functioning democracy and constitution.

One of the most important, but sometimes overlooked, aspects of the Eastern Partnership is that it will help to create links and facilitate co-operation between people. Participation in Erasmus means increased opportunities for students from partner countries to study at European universities. Simplified visa procedures will facilitate business, social and cultural exchange. Cultural exchange programmes will help to build partnerships and foster freedom of speech. Civil society representatives are strongly involved in dialogue and critical monitoring of the performance of the European Union and the partners. This engagement with wider societies is an essential aspect of the partnership.

Ideas and values travel with people. Through increased human exchanges we build a strong foundation for our common commitment to international law and fundamental values – democracy, the rule of law and respect for human rights and fundamental freedoms. I should like to emphasise the importance of contacts between parliamentarians.

Another crucial part of the Eastern Partnership is the fight against corruption. The EU is devoting considerable resources to assisting partner countries in building and reforming institutions to make public administration more efficient and transparent and to improve integrity. I underline the importance of involving people. An important tool is the Panel on Fight Against Corruption. It consists of participants from European Union and partner countries and has been set up to facilitate the exchange of information and best practices on building integrity, prevention and prosecution of corruption. The object is to promote adherence to international standards, in particular those formulated in the relevant Council of Europe and UN conventions, as well as the participation of civil society in the fight against corruption.

I am pleased that EU co-operation with Ukraine within the arm of the Eastern Partnership continues successfully in spite of the turmoil in parts of the country. One such example of an ongoing programme that receives very little attention but is people-oriented is that of European study days. During the upcoming academic year four new study sessions will be conducted in west, central, south and east of Ukraine. The project intends to provide participants with knowledge of security issues in Ukraine and more widely in Europe and of the implementation of the EU-Ukraine association agreement on energy security and on people-to-people contacts, including liberalisation processes. In addition, participants will learn more about education opportunities at European universities.

I underline the importance of reinforcing our co-operation with the European Union's southern Mediterranean neighbourhood. We must now allow current events in our eastern neighbourhood to avert focus from efforts to implement the European Union's partnership for democracy and shared prosperity in the southern Mediterranean.

Mr János LATORCAI, Vice-President of the Országgyűlés, Hungary

Ladies and Gentlemen,

I am addressing you on behalf of the Hungarian National Assembly, as the delegate of a country the government of which has repeatedly earned the trust of voters, and again has a two-thirds majority in parliament, and thus the strongest democratic mandate in Europe.

In a country which has reshaped its constitution in accordance with the will of Hungarian citizens, but in the spirit of our European commitment.

Please allow me to present a new perspective to you, which is closely related to today's theme, and which, I am convinced, is important.

In the spirit of dignity, respect, trust and solidarity, the Hungarian parliament decided to change the electoral system to guarantee for nationalities living in Hungary to take part in parliamentary work even without reaching the electoral threshold.

We believe the opinion of voters matters not only periodically, in the solitude of the voting booths, but also during the electoral term. For that very reason, the government over the last four years consulted the citizens at several occasions, on several dozens of issues, including the content of the Fundamental Law, as well as social and economic questions, asking for their views, and it has taken the utmost account of the received answers when it made its decisions.

I am convinced that initiative is in line with the conclusions of the report on “Democracy in Europe: crisis and perspectives”, debated by the Parliamentary Assembly in June 2010.

Those steps are of outstanding significance, since the dissatisfaction and mistrust of citizens have been growing in Europe.

Since our cultural and political traditions differ, just as our economic opportunities do, and may I add that the democratic way of thinking also relies on the thorough and prejudice-free awareness and acceptance of differences, we do not all have to take the same steps on the democratic path, even while implementing and taking into account the principles of the Council of Europe.

For 40 bitter years, we Hungarians and other former Eastern-European socialist countries were doomed to live, work and think according to a standardising pattern, in the shade cast by occupying Soviet bayonets.

You may understand that we do not feel like living that way again.

At the same time, we don't feel like a life either, where libertine excesses result in the basic values of Christian culture, a culture relying on European moral unity, being called into question, or where individuals representing a threat to our community receive protection within the boundaries of Europe. The progress of European democracies has improved the situation of minorities, which is a welcome development. It is so, even though in many countries, collective rights have still not been recognised, and therefore cultural and administrative self-government, autonomy, which have been implemented and are functioning in quite a number of places in Europe, and which guarantee peace, security and stability in the coexistence of the ethnic majority and the minority, remain, in particular, a dream for several million members of our nation living across our borders.

To come back to the starting point of my reflection, may I confirm again that modern democracy may not solely rely on the principle of majority decision-making, but it has to be seen at the same time that the attempts at the violent breach of further and further moral barriers by ideologies opposed to the views of majority society and leading to libertinism, as well as the questioning of traditional values are bound to produce further mistrust and indifference, which benefits solely and exclusively the extremist, i.e. the real enemies of our European values.

Ladies and Gentlemen,

Before concluding, I cannot help reacting to the criticism related to Hungary formulated by Minister Vidar Helgesen at the opening session today.

I should like to reassure all of you that the changes in Hungary have taken place and are taking place in compliance with the rule of law, in the spirit of European values and in cooperation with the Council of Europe and the European Union. When it comes to the investigation on the Hungarian foundation distributing the resources of the Norway Civil Grant, it was launched on account of the suspicion of unlawful financial activities. To qualify that unilaterally as an attack on civil society, I consider is an unfriendly gesture based on the full lack of awareness of the facts, which I refuse in the most determined manner.

Mr Mohamed YATIM, First Vice-Speaker of the Chamber of Representatives, Morocco

Our presence at this conference is proof that Morocco's close ties with Europe are not only a historic reality, but a deliberate strategic choice that has to do both with geographical proximity and economic interests and with the common values and principles to which Europe and Morocco subscribe: human rights, fundamental freedoms, development, solidarity and social justice, political pluralism, democracy and respect for diversity, including cultural diversity.

These values are sustained by an already well-established institutional and economic partnership. Morocco's advanced status with the European Union and its partner for democracy status with the Council of Europe are one indication of this. There are many others. They also show that the concept of democratic security which the Secretary General mentioned in his speech this morning can only be secured in a stable geopolitical environment, since democratic security is a key element in political stability.

In a context of political instability and democratic fragility in the southern Mediterranean, Morocco stands as a rare example of a country that has made an informed choice in favour of gradual reform in a context of stability. A choice that was anticipated by the King of Morocco and is supported by MPs across the political spectrum.

In March 2011, during what was called the “Arab spring”, the King of Morocco announced radical changes to the Constitution in response both to the aspirations of the political parties and to the demands of youth protest movements. After the Constitution was approved by referendum on 20 July 2011, early elections were held, resulting in Morocco’s second alternating coalition, following the victory of the main opposition party.

As regards fundamental rights, freedoms and civic participation, the new Constitution contains some very advanced provisions paving the way for far-reaching political and institutional reforms. They include the entrenchment in the Constitution of fundamental rights and freedoms, and universally recognised human rights, the undertaking to protect and promote human rights mechanisms and humanitarian institutional rights and to contribute to their further development, in terms of their indivisibility and universality, formal recognition of the right to life, gender equality, parity and action to combat all forms of discrimination, criminalisation of any gross violations of human rights, the incorporation in the Constitution of governance mechanisms for the protection and promotion of human rights, such as the National Council for Human Rights and the Ombudsman’s Office, an undertaking by the state to pursue gender balance, the outlawing of any discrimination based on gender, colour, beliefs, culture, social or regional origin, language, disability or any personal characteristics whatsoever.

Other provisions include: the separation and the balance of powers, in particular independence of the judiciary, the executive and the legislature, wider powers for government, which now exercises executive authority, and a new rule whereby the head of government must be named from the party which won the most seats in the parliamentary elections, increased powers for the Chamber of Representatives, both from a legislative point of view and in terms of its government oversight function, constitutional recognition of the status of the opposition and protection for its rights so that it can perform its institutional role to the full, the principles of good governance and public accountability for those in charge of public affairs, and the introduction of a framework for advanced regionalisation as a means of achieving more effective, devolved governance geared towards integrated, sustainable development.

I also wanted to talk about participatory democracy but I have run out of time.

Allow me to end by saying that in implementing all these reforms, we have benefitted from the support and assistance of the Council of Europe and we think that this co-operation between the Council and Morocco could be stepped up so as to make further use of the expertise of all the committees which have an interest in these reforms.

Mr Azzam ALAHMAD, Palestinian Legislative Council

I am speaking to you today on behalf of Mr Al Zanoon, head of the Palestinian Legislative Council, and on behalf of all the members of the Council.

The Palestinian delegation was particularly eager to be involved in this important gathering, not least because it is being held in a city where, 21 years ago, a set of agreements known as the Oslo Accords were signed between ourselves and the Israelis, with the Norwegian government acting as mediator. The Accords met with unanimous approval from the international community and the Palestinian people. They offered the prospect of progress towards peace, and the hope of an end to Israeli occupation and the creation of a Palestinian state with East Jerusalem as the capital. Unfortunately, the various Israeli governments that followed took no notice whatsoever of these Oslo Accords. Opting instead for a military solution, they went on to wage several wars against our people in Gaza, East Jerusalem and the West Bank.

In the most recent attack, a teenager, Mohammed Abu Khdeir, was kidnapped and set on fire. This act committed by extremist settlers was the first shot in the war against the Gaza Strip, which claimed the lives of 2,300 Palestinians, most of them, according to figures from the UN, women and children. 11,000 people were injured and a third of inhabitants left homeless after their houses were destroyed.

As a national liberation movement, we had hoped that during the transition phase, with the setting up of the Palestinian Authority, it would be possible to continue the experiment with democracy that had got under way and to create a Palestinian state in which all citizens would have equal rights and responsibilities. That could only happen if there were modern institutions and legislation, ensuring the participation of all members of society. The Palestinian Legislative Council, our parliament, wanted to enact legislation that would pave the way for pluralism, a proper balance of powers and respect for freedom of expression and human rights. We were conscious of the need for full equality between women and men in Palestine, in order to build a society based on universally recognised standards. We wanted to ensure the separation of powers and encourage the democratic process in order to achieve the widest possible civic participation.

We are very proud of our experiment even though we were unable to see it through owing to the Israeli occupation, which is still going on today, and to measures that interfered with our everyday lives, not to mention Israel's hegemonic control over our land, water and indeed all our resources, the continuing process of colonisation and the mass imprisonments. In the latest wave of arbitrary imprisonments, 36 MPs and hundreds of women and children were incarcerated.

Unfortunately, the Israeli occupying forces have failed to abide by the agreements that were signed, including the Oslo Accords, and the relevant international resolutions concerning the settlement of the conflict.

Despite all this, we remain determined to set up democratic institutions, to become a fully-fledged member of the United Nations and to play a full part in international institutions. We ask you to support our people's aspirations for freedom, independence and the creation of a modern democratic society based on freedom and participation for all and the reconstruction of what has been destroyed, particularly in the Gaza Strip.

I wish to take this opportunity to thank Norway for its reconstruction efforts, following the devastation that has been inflicted on our territory, and I am confident that you all support the cause of freedom and progress for our people and indeed for the world in general.

Mr Milan STECH, President of the Senate, Czech Republic

In the post-communist countries, civil society has played an important role in the transition to democracy. Indeed, it plays a vital role in all democratic societies. Democratisation is a long-term process. In democratic systems that have been operating for decades or even centuries, of which Norway is a fine example, citizens have confidence in their institutions and are more involved. There are large numbers of NGOs in the Czech Republic which oversee policy making and put forward initiatives and proposals for legislation of their own. At the same time, we are now seeing a new trend whereby direct democracy and the values of civil society are effectively being privatised by groups specialising in marketing and which are eager to obtain more powers, for economic reasons.

When the Czech Constitution was being drawn up, lawmakers tried to introduce elements of direct democracy so that citizens could express their political will. Many parties realised that there was a need to raise the level of direct democracy by introducing presidential elections with direct universal suffrage and enacting legislation on referendums. A handful of new political parties, however, like to portray themselves as "anti-politics" and if adopted, their proposals could pose a danger to democratic society.

Societies are not always able to tell the difference between populism and real democratic participation, but the Czech Republic is on the right track.

I would also like to emphasise the role played by the Council of Europe when it comes to defining fundamental rights in Europe. As I see it, however, it is not enough to enact legislation, pass resolutions and make commitments when talking about human rights or participation in political debate. If citizens are to be able to exercise their rights, an environment must be created that is conducive to such activity. Politicians are not very adept at presenting their achievements, and the media, of course, are always quick to zoom in on their failures. What is needed, therefore, is a different approach to communicating with citizens. All politicians should be in daily contact with members of the public and constantly explaining their position on given issues.

It is nevertheless quite difficult to have a dialogue of this kind on European matters. The very low turnout in elections and the repeated gains made by populist and extremist movements show that our system needs corrective action.

To conclude, I have come to realise that there was greater civic involvement in public debate in the Czech Republic when we had leaders of real political integrity. I am thinking in particular of Vaclav.

Mr Ivan MELNIKOV, First Deputy Speaker of the State Duma, Russian Federation

The issue of participation in democratic debate is an extremely important one. In Russia, in addition to the usual arrangements, we now have some new instruments for addressing the new needs of society.

The Speaker of the Duma has taken the initiative of setting up a parliamentary council to enable the leaders of all the parties to express their views at the highest level on a legislative agenda. This dialogue is quite unique.

Through this open forum, the Duma regularly holds meetings with civil society experts, heads of political groups, sociologists and professionals from various areas who have an interest in the draft laws being considered, and listens to what they have to say.

Last spring, it was decided that a proposal which had attracted over 100,000 signatures would be sent to a working group which could then submit it to Parliament. This procedure is still very much in its infancy. The most interesting initiatives are taken up by MPs who in turn submit the proposals to Parliament. Parliament is endeavouring to be more attentive to society, not only in domestic policy matters but also in the foreign policy sphere.

With regard to the decision by Crimea to join the Russian Federation, there was discussion and debate and a very high percentage of voters approved this move. Naturally, we listened to our fellow citizens, just as the members of the Supreme Council of Crimea listened to their people. In the spring of this year, when it was clear that there was no legitimate government in Ukraine, that most advanced of democratic mechanisms, namely a referendum, was employed to allow residents to express their will. Now, six months on, evidence of the validity of that referendum can be seen every day in the peaceful and quiet manner in which people are able to go about their lives in Crimea.

Is this not an example of true democracy? Or are we to look to the United States where the will of the people is limited by electoral law since the real power is vested in the elites? Every day we see examples of the aggressive and incompetent manner in which these elites meddle in the affairs of other states, including Ukraine which 85% of Americans are incapable of even locating on a map. Are the leaders of European countries guided by the opinions of their electorate? The results of the recent European Parliament elections, and the studies cited in the conference documents, show that people in Europe have very different concerns: reduced purchasing power, high unemployment, austerity measures.

At a time when we could be building mutually beneficial partnerships, European leaders, for some mysterious reason, are choosing to take risks and moving towards a standoff with Russia over issues that could have been, and still could be, resolved peacefully, provided there is a willingness to really listen to ordinary people who have the right to make themselves heard and a willingness to uphold their interests, in a spirit of mutual respect. The sanctions imposed on specific individuals, the decision to deprive the Russian delegation of various important rights in the Council of Europe's Parliamentary Assembly and the measures undermining economic relations and trade are all a long way from the ideals of democratic debate. Nor are they in the interests of our peoples.

The success of parliamentarianism in any given country always hangs on the ability to engage in dialogue without ignoring approaches from one's partners.

I hope that everyone attending this conference will heed the call from the Speaker of the Duma, Sergey Naryshkin, concerning the need to restore trust and that these same participants will help to ensure that the people of Europe are able to make their voices heard, and will act in a way that serves their real interests.

Ms Sylvia BRETSCHEIDER , President of the Baltic Sea Parliamentary Conference

I should like to stress the vital importance of international parliamentary co-operation, especially in times of crisis. I therefore thank our hosts for inviting us to this highly topical parliamentary conference. It is an important forum for dialogue and exchange between parliamentarians from member and partner states of the Council of Europe.

The BSPC was established in 1991 as a forum for political dialogue between parliamentarians from national parliaments, regional parliaments and parliamentary organisations throughout the entire Baltic Sea region. This was a period of profound political change. The primary goal of the BSPC was to create a platform for open-ended parliamentary dialogue to overcome the Cold War and to establish the Baltic Sea as a sea of freedom and co-operation.

The BSPC thus emerged against a background of dramatic events and a conviction that co-operation and dialogue are central means of preventing conflict and promoting joint progress. It is worth bearing it in mind that we see now the eastern neighbourhood of the Baltic Sea region being ravaged by dramatic and violent events. The crisis in Ukraine is at a dramatic stage. The number of casualties is rising. Unrest brings social and economic misery and hampers much-needed reform and reconstruction.

This vicious circle must be broken by honest initiatives to reach a durable resolution of the crisis. It is important to condemn violence and violation of international laws and human rights. Existing mechanisms, networks and institutions should be fully employed to pursue political dialogue and trust-building communication in order to find ways and means of defusing the crisis.

We should not take it for granted that we as parliamentarians can always find satisfactory solutions to various issues, but as representatives of our citizens we have an obligation to our citizens to try to contribute to the resolution of conflicts. We might not be able to reconcile conflicting positions but we can at least provide a forum in which differences can be openly ventilated and in which we can have a candid political debate. That is a necessary prerequisite for the pursuit of pragmatic approaches and compromises to difficult issues. That is exactly how we worked at our 23rd conference in Poland two weeks ago.

We must make every effort to solve conflict by political dialogue and not by armed force. Parliamentary co-operation is a powerful lever for a transparent, democratic and fruitful process to handle contentious issues.

Mr Pekka RAVI, First Vice-President of the Parliament, Finland

In this day and age we must recognise that the context and environment of political debate and participation has drastically changed. Citizens' trust in political institutions is perhaps at a record low. The background paper gives us a good overview of the reasons behind this development.

I would like to add one aspect to this. The emerging role of social networks and information flows has created a phenomenon that sometimes is more of a cacophony than a civilised discussion. It is all the more difficult to govern this, and perhaps we should not try. Social media and other social networking make people talk and follow politics. It is a paradox that according to several surveys and research interest in public interest issues has increased at the same time as interest and trust in the institution of representative democracy has declined.

I see the future of democracy in strengthening and empowering civil society. Here the future lies in the hands of the younger generation. International and national decision-making processes seek legitimacy through the instrument of civil society. Non-governmental organisations are the driving force behind international co-operation through the active mobilisation of public support in all spheres of society. NGOs assess and monitor the influence of the voice of citizens in political decision-making. At the same time, we must safeguard the pre-conditions for representative democracy. Representative democracy also has the responsibility to take into account those people who for one reason or another do not have the voice to express themselves in public debate. The institutions of democracy must interact with civil society and have responsibility and accountability for decision making.

In this context I would like to raise one topical issue in Finland. The law on the so-called citizens initiative came into force in 2012. A minimum of 50,000 Finnish citizens can now submit an initiative to parliament to enact a law. This possibility was received with mixed feelings. It was feared that it might be a dead letter, adding further distrust to the political system; others suspected that it would lead to unpleasant initiatives. Neither of these fears has totally been realised. It has proved to be not so much an innovative route but rather a way to raise issues in public debate. The citizens initiative may lead to changes in legislation.

That is just one example. In future we must be innovative in finding ways of accommodating interaction between citizens and decision makers. That will place huge demands on political institutions, not least parliaments. The role of serious media is fundamental in this respect.

Mr Vicenç MATEU, Speaker of the General Council, Andorra

The Andorran Constitution specifies which individual fundamental rights and public freedoms are directly enforceable and immediately binding upon public authorities. The content of these rights and freedoms cannot be restricted by law and the courts are responsible for protecting them through urgent and preferential proceedings. The Constitution offers additional protection for these fundamental freedoms and rights so that in the event of failure to remedy a breach through the justice system, matters can be referred to the Constitutional Court.

The development of fundamental rights and the conditions governing their exercise can only be dealt with in a law approved by Parliament. In this respect, parliamentary debate is the ultimate form of public debate. We need to be aware, however, of the mood of disaffection with politics that haunts the whole of Europe, including Andorra. The main criticism that can be levelled at political parties concerns their tendency to exclude people and to ignore the bigger picture, giving the impression that they are primarily concerned with defending individual interests.

This inevitably leads to a loss of voter confidence in political representatives.

Such confidence further requires that citizens believe that politics, within the framework of a representative democracy, is the best way of achieving a balance between individual interests and the wider interest.

Democracy is an ideal that needs to be developed further. It is an ever-shifting horizon, an ongoing exercise in shared responsibility which demands the involvement and participation of each and every one of us, not only politicians but also the public at large. In a democratic system, participation and representation are two complementary requirements for achieving, *inter alia*, good governance. Participation, therefore, is a social act that aims to correct the failures which are liable to arise from political representation. For there can be no real representation without the participation of the electorate, just as there can be no such thing as collective participation without some element of representation.

The simplest and most vital way of involving citizens in political life is to have them choose their political representatives in democratically recognised elections. That should not be the only means of democratic expression in a law-governed state, however. Depending on the country and the channels of expression in place, participation can take various forms and produces very reasonable results. In our case, for example, the Constitution allows voters to submit proposals for legislation directly to Parliament. In this way, the mechanism of popular legislative initiative helps to reduce the gap that often separates citizens and policy makers.

In keeping with this idea, the General Council, Andorra's Parliament, has become more outward looking and more receptive. In addition to its intrinsic legislative function, recent years have seen it develop into a forum for political, social and cultural debate. Public debate, of course, is not confined to parliamentary debate of the kind just mentioned or to the various acts and decisions that are apt to be adopted within our walls. Public debate is everywhere, mainly thanks to the large number of powerful platforms for communication that are emerging, such as social networks, and which can be used to convey all kinds of ideas, comments and opinions.

The danger is that the ease with which we are now able to express ourselves might become synonymous with demagoguery and sloppiness. Everyone who is actively involved in public debate, citizens, politicians, intellectuals, journalists and decision makers, must demand higher standards not

only of others but also of themselves. Responsible civic participation is one of the best ways of ensuring that the rule of law is underpinned by more democracy and greater representativeness.

Mr Trajko VELJANOSKI, Speaker of the Sобрание, “The former Yugoslav Republic of Macedonia”

I am delighted that this topic is being addressed at our European conference, especially given the challenges facing modern democratic societies, with the economic crisis and all the social unrest that has occurred in recent years. Allow me to point out that one of the cornerstones of the constitutional system of the Republic of Macedonia are the fundamental civil rights and freedoms that are enshrined in the Constitution. There are thus protected from any possibility of restricting them by statute or other legislative instrument. In other words, they have the protection they deserve. In this context, the Constitution itself provides for legal protection and proceedings before the ordinary courts and the Constitutional Court. Civil rights and freedoms require ongoing protection and improvement.

Certain European countries such as Germany, Spain, Austria and Slovenia provide good examples in this respect. In the Republic of Macedonia, under one initiative designed to protect human rights and civil liberties, it is planned to grant new powers to the Constitutional Court so that it can rule on constitutional applications received from private individuals, where there have been violations of fundamental rights and freedoms. For example, when it comes to discrimination in matters relating to the right to life, torture, the right to freedom, the presumption of innocence, the right to a fair trial, freedom of thought, conscience and public expression, etc., we, as representatives of the people, need to be aware of the real dangers that threaten democracy and be capable of providing answers and solutions.

Public confidence is extremely important. There has to be appropriate interaction, and democratic society needs to be revitalised. The system, of course, involves not just obligations for citizens but also rights to participation. Macedonia is making constant efforts along these lines. Five years ago in our parliamentary assembly, we introduced an electronic system, a sort of e-parliament that makes the legislative process very accessible for ordinary citizens. Members of the public can now follow the adoption of any act or decision within the Assembly, and they can also give their opinion, thus enabling them to fully participate in the process in their own way.

The internet also offers new opportunities for MPs and citizens in terms of the legislative process. Proposals have been made in the context of promoting public debate. Discussions have been conducted about possible legislative solutions to issues of general concern. A dedicated approach is required because democracy is greater than the sum of individual rights and freedoms, and is about more than simply decision-making and delegating. Ongoing efforts and commitment are needed in order to build citizens' trust and interest, so that they participate in public debate and are fully included in the process. In that way, the functioning of the democratic system will be improved.

Ms Wanda NOWICKA, Vice-President of the Sejm, Poland

It is a great honour for me to speak to you today and share some comments on the implementation of constitutional rights in Europe.

Constitutional, civil and political and human rights are guaranteed in the constitutions of democratic European societies. It has been said many times today that implementation of those rights in many European countries is not satisfactory.

What are the limitations and barriers to full implementation of our constitutional rights? Access to resources, especially economic resources, is a barrier for many populations who want to enjoy their economic and political rights. The most vulnerable and marginalised groups cannot participate in decision-making processes and often do not have representation of their needs.

What barriers are there in our electoral systems? The threshold of 5% is often a barrier for political groupings. The new groups being established cannot pass this threshold and claim their political rights to decision making.

Gender stereotyping makes it difficult for many women to participate in politics. Only 24% of members of the Sejm are women and the figure for the Senate is 14%. Earlier we heard from Ms Boldrini, who

seemed quite satisfied that women have only 31 seats in the Italian Parliament. We should remember that women constitute 50% of the population and should therefore be adequately represented in parliament. The fact that they are not shows that there are barriers by political systems in our countries. That should be changed.

Human rights are guaranteed in our constitutions. The UN International Court of Justice and the European Court of Human Rights are flooded with cases testifying to violations of human rights. That shows that the implementation of human rights is still poor.

Let me finally deal with one of the newly recognised human rights, although violations of it have been with us for a long time. Hate crime is a problem in many European countries, including mine. Hate crime is expressed against many populations, including LGBT groups, but it is not adequately addressed by our legal systems. We should remember that human rights are an evolving concept. We still have a way to go to ensure that our rights, guaranteed on paper, are fully implemented.

Mr Milan BRGLEZ, President of the National Assembly, Slovenia

I very much welcome this debate on one of today's most challenging topics. Democracy, which has now reached one of its highest levels in Europe, faces one of its biggest challenges. Two years ago at the Strasbourg conference one of the questions on the agenda was whether democracy was in crisis. Two years later, the crisis in democracy, one of the victims of the financial crisis, is still ongoing. We must be frank. The global economic crisis did not trigger but reveal existing shortcomings in the interaction between politics, the economy and the social sector – the latter being the consequence of the mistakes in the first two.

Major efforts will have to be made if politicians are to regain the trust of the people and parliaments are to regain their central role in the democratic processes. The core elements of institutions rely on democracy. Civil society, as the third pillar of freedom, must be involved in creating proper, effective and long-term solutions.

In short, we should restore the true meaning of “democracy” – democracy not only as a political system but above all as a form of society. To achieve this aim it is not enough to communicate through or open new forms of debate, although that is welcome and necessary. This process should go hand in hand with the process of educating people to be effectively involved.

That is why I support the idea of an additional protocol to the European Convention on Human Rights, guaranteeing the right to participate in the conduct of public affairs as a human right and the fundamental freedom that would supplement the right to vote and stand in elections, as well as the introduction of the European citizens initiative under the Lisbon Treaty.

Such commitments are not easy to implement and cannot and must not be accomplished overnight. I am convinced that we share the opinion that this will be an indispensable element in the development of democratic processes. Parliamentarians can make the greatest contribution to the fulfilment of these aims. We must interact more closely with young people. For such reasons I join those who welcome the topics to be discussed at the World Forum for Democracy, which this year is devoting itself to the role of youth in the revitalisation of democracy. It was important that the Parliamentary Assembly of the Council of Europe was invited to take part in the preparatory group and to co-shape the agenda.

We know that young people are abstaining from electoral participation and party politics and rejecting traditional forms of political power, but in many cases they are at the forefront of movements that call for changes in the field of respect for the rule of law and democracy within different societies. They represent our great potential, yet they are often excluded from decision-making processes. We have to give them and us the opportunity to learn from each other and co-shape our democracies in a new way. One important step in this direction is the concept of Youth Parliaments, which have become a tradition in the Slovenian Parliament and in other parliaments. Once a year, children and young people gather at our assembly to present conclusions, opinions and suggestions from local Youth Parliaments. After the debate in the national parliament they adopt key messages, which they address to representatives of the government, ministries and other institutions that can contribute to the fulfilment of the conclusions. Every year they prove what great potential they have. Their suggestions do not pass unnoticed. This is one of the important aspects of youth democratic involvement in terms of quality, also enshrined in Article 12 of the UN Convention on the Rights of the

Child. It represents one of the regional forms of encouraging young people to express their own opinions.

Ms Ankie BROEKERS-KNOL, President of the Senate, The Netherlands

One of Roosevelt's four freedoms, one of the basic rights of an individual living in a state rooted in democracy, is freedom of speech: to be able to voice your opinion freely and to demonstrate.

In the history of the Netherlands, demonstrations have nearly always been against cabinet policy – against the main institutional power. Examples are the 1981 and 1983 demonstrations against the placing of new nuclear arms in Europe, and the 2003 and 2004 demonstrations against the war in Iraq.

Demonstrating is a democratic, basic right. People must always have the right and opportunity to demonstrate against the government and its policies.

This summer, some demonstrations in the Netherlands were not directed against an institution, or against cabinet policy. They were religiously motivated, extremist and about something happening many kilometres from our borders. People started demonstrating for the Islamic State. Later, in response, some people demonstrated against the Islamic State.

When people are demonstrating for an extremely violent organisation, full of hatred, such as the Islamic State, can you say that they are still within the boundaries of their democratic right? How far do you let it go when demonstrations cause and whip up extremism and feelings of hatred in society? When people become scared to voice their opinion because of possible retaliation by others, and when demonstrations start to undermine the state, what it stands for and its rule of law – that, I believe, is a line that should not be crossed, a situation that should not be tolerated. A democratic right should not undermine democracy itself, the state or the rule of law.

Finally, in anticipation of Theme 3, "Majority and opposition", I would like to add that although the freedom of speech is a basic right, there should always remain a certain level of respect for the rights and liberties of other people, whether they belong to a minority or a majority. That is the bottom line.

Mr José ROSAS AISPURO TORRES, Vice-President of the Senate, Mexico

Democracy has been at the heart of debate since time immemorial. Its construction and development have always aroused keen interest on the part of governments and citizens alike. Since the days of ancient Greece, humankind has been trying to find the best possible way of involving citizens or society at large in the process of public decision making. Institutions such as the Senate sprang up in Ancient Rome to serve as a counterweight to the Emperor, and used to gather in the Curia. This system of government of the people by the people for the people still survives today. Democracy takes many different forms, however.

In the sort of representative democracy which we claim to uphold, the people's representatives have the power to decide on behalf of the people, but of course due regard must always be had to the concerns, needs and aspirations of these citizens. Democracy in its purest form, as embodied in mechanisms such as referendums, public consultation and plebiscites, among others, has an advantage in that citizens are able to express themselves in the most direct manner possible. In Mexico, for instance, we recently introduced a political reform thanks to which public consultations can now be held on matters of national interest. It is expected to come into force during the next federal elections. Parliament is likewise a forum for expressing this democracy: somewhere to hold debates, and to tune into the different political movements that represent a nation. In this way, care can be taken to ensure that democracy really does serve the interests of society, and is genuinely an instrument for the optimum development of each community. Mexico recently saw the introduction of some major reforms in this regard, as a result of this dialogue between the government and the various political forces represented in the Congress. The reforms that have been introduced on the political front as well as on the economic front, in sectors such as telecommunications, energy, welfare and health, are designed to increase public confidence in institutions. There is no question that the legislature has a key role to play in this regard.

Human rights are one of the areas where we have adopted an extensive programme. Traditional-style democracy, thanks to a number of institutions, allows different ideologies to exist side by side, and creates a balance between the different forces, in order to meet citizens' social needs. The decisions

taken by this majority must be respected by citizens as a whole. That is the way things have worked in democratic countries for a very long time. Today, however, democracy is changing. Electoral participation alone is no longer enough. Care must also be taken to consult citizens on an ongoing basis if democracy is to remain the best means of securing continuous improvements in the political, economic and social spheres.

Democracy has gone through some very tough times, but there is no doubt that it is still the best instrument we have for achieving social development through agreement between citizens.

The Chair

That concludes our debate on Theme 1. I hope that together in our respective parliaments we shall be able to do whatever is necessary to guarantee constitutional rights and freedoms, trust and participation by our people being a cornerstone of the good functioning of our democracies. Our responsibility is considerable, as this afternoon's debate abundantly demonstrated.