

Council of Europe
Conseil de l'Europe



Strasbourg, 5 October 1995

<s:\cd\doc\95\cd\misc2.e>



COE262741

Restricted
CDL (95) misc2
Eng. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

SPEECH

**ON THE OCCASION OF
THE 24TH MEETING OF THE VENICE COMMISSION
(7-9 September 1995)**

by

**Mr Vartan OSKANIAN
Deputy Minister of Foreign Affairs
(Armenia)**

Thank you, Mr Chairman.

Allow me first to thank the Venice Commission for inviting Armenia to take part in this meeting. It is indeed an honour and pleasure to be present and listen to your discussions. It was extremely illuminating and I will certainly pass this on to my superiors and emphasise the importance of Armenia's membership in this body.

This is a significant day for us and the significance is two-fold:

Firstly, this is our first step in our co-operation with the Council of Europe. As you know, in December 1991 Armenia applied for special guest status with the Parliamentary Assembly of the Council of Europe. Since then Armenia has become a subject of discussion in various bodies of the Council of Europe, but it was only in October 1994 that the Parliamentary Assembly decided to start the procedure of the review of the application of the caucasian Republics to receive special guest status at the Parliamentary Assembly. Also in March 1995 the Council of Ministers decided that the Council of Europe would start co-operation in different fields with the Government of Armenia. This is our first participation and I hope that it will be a good start and that we will have a fruitful co-operation until the time that we eventually become a member of the Council of Europe.

The second significance of this participation lies in the fact that we are starting our co-operation through this body, the Venice Commission and I think that Armenia and the Commission in this regard have a common interest; there is a coincidence of goals and interests. I know it is important for the Council of Europe that those countries who wish to become its members abide by the fundamental principles of Democracy, Rule of Law and Respect for Human Rights. But at the same time we share these interests, we share these values and it is extremely helpful for us that we start our co-operation with the Council of Europe through the Venice Commission. These very elements of democracy, rule of law and human rights are the spheres in which Armenia lacks the expertise, traditions, wisdom of this body, which – as I see – encompasses within it a good number of experts of both international and domestic law.

As I was listening to the discussions and the expert views that were expressed here, I thought that we should have been here a long time ago and also put our draft Constitution to the similar expertise that a few other constitutions are going through in the Venice Commission; that would have been very helpful. On July 5th, as you probably know, we adopted our new Constitution through a popular referendum and, in my view, the Constitution – which models the constitutions of Western democracies, especially the French Constitution – very much includes in it the very fundamental human rights and liberties. Of course, our fundamental law may still be subject to amendments and I will see to it that you have a copy of the English of French version available to you. We would be most grateful if we had the opportunity one day to put it for discussion and we would very much like to hear the views of the experts on our Constitution.

However, we still have a long way to go. By adopting the Constitution, we have laid the basis, but we still have to build on this Constitution our institution and society. We have

many other laws to pass and I think our accession to this body as Associate member will be most helpful to Armenia.

This is why I would officially put it to you Mr Chairman – and we will do it also in written form to the competent bodies of the Council of Europe – that we officially request Associate membership in the Venice Commission.

I will very briefly talk about the situation today in Armenia.

As you know, after independence we were against our will engaged in a conflict over Nagorno Karabakh with our neighbour the Republic of Azerbaijan. That conflict started to become bloody in 1991; a great deal of blood was shed and there is a great deal of mistrust and animosity between our two countries now, but the good news is that for more than a year now – close to a year and a half – the ceasefire which was negotiated on May 12th, 1994 is in force and the parties have given their commitment to observe the ceasefire until there is a final negotiated settlement to the conflict.

I was in Moscow a few days ago – I just took off for two days to be present at this meeting – where we have started our regular negotiations on the conflict within the framework of the OSCE. Given the ceasefire and the more favourable political atmosphere that was created, we hope that we will be able to negotiate a peaceful solution to the conflict.

However, this conflict was very costly to Armenia, mostly because of the blockades that were imposed by our neighbours on us, and exacerbated the dire economic and social situation in Armenia. However, we managed to put that behind us, the economic and social-economic decline overall has stopped and I think we are moving now in an upward direction, although in very small steps. That is why we attach a great deal of significance to the work that is done in this Commission because we think that along with what we do with other fears, it is extremely important that we have the right foundations for democracy and a state of based on the rule law.

We are looking forward to starting a very productive and fruitful co-operation with the Council of Europe and I believe that we can already now start co-operation in many fields which are within the competence of this Commission. Co-operation between Armenia and the Commission should concern the judiciary, the institutional questions and human rights. These are the fundamentals on which we would like to have your advice, your assistance and we would also welcome it if you would decide to send rapporteurs or missions to Armenia to see the situation on the ground. We would also very much welcome it if you could give opinions on the draft laws that are being deliberated in our Parliament.

Mr Chairman, once more I would like to thank you for this invitation, it means a great deal to us and we certainly look forward to a fruitful co-operation with this Commission until our eventual accession as a full member of the Council of Europe.

Thank you.