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**Theme 2 : National Parliaments and the Council of Europe:  
Together promoting democracy, human rights and the rule of law**

**President of the Senate of the Kingdom of the Netherlands  
Ms Ankie Broekers-Knol**

Ladies and gentlemen, dear colleagues,

Europe - more specifically the Council of Europe - is in many ways a **forerunner** when it comes to promoting human rights, democracy and the rule of law. These three elements form the foundation of our open societies, our wealth and our welfare system. They are the main reason so many people are risking their lives to move to our continent. But they are not something we should take for granted.

Parliaments play a crucial role in safeguarding the rule of law, democracy, and human rights. But for that to work they must first fully **internalise the concept** of 'the rule of law'.

What does that mean? In a general sense, it is a state in which power is regulated - and limited - by the law. A state in which citizens can trust that their government will treat them fairly and equally. And above all: it is a state in which everyone has access to an independent, impartial judge. And where the decisions of the independent judiciary are implemented and respected by the government.

These are all **principles** we as parliamentarians must stand for. Even - or especially - when it is easier to look the other way and allow legislation to pass that undermines them.

In the past two years there has been a risk of this happening with a number of **anti-terrorism laws**. The horrific acts of terror in Europe spread fear amongst our societies. This fear has led to an ever louder call to take measures that infringe basic human rights such as the right to privacy, freedom of religion and non-discrimination. And that neglect basic legal principles such as non-retroactive penalisation and *habeas corpus*.

I understand the **need for control** of the situation. I understand the need for safety. But at the same time, I must stress that it is in our common interest that we uphold the rule of law and human rights. If we fail to do so, we will lose the very thing we are trying to protect.

Instead of trying to enact new legislation, we should explore the opportunities current legislation provides us.

And when there *is* a legitimate reason to enact new legislation, it is up to **our national parliaments** to make sure that it is in line with the basic principles of democracy, human rights and the rule of law.

It is also up to **our national parliaments** to make sure that our governments implement the judgements of the European Court of Human Rights.

And finally: it is up to **our national parliaments** to take the recommendations and criticism of institutions like GRECO seriously.

Human rights, democracy and the rule of law are the core values of the Council of Europe and we should work on them continuously.

To round off, I would like to emphasize that our interest in doing this stretches beyond our own borders. Because as the Global Strategy of the EU rightly states: living up to our values **internally** will also determine our **external** credibility and influence.