



**DisTerrMem**  
Disputed territories & memory

# Literature Review

## The role of regional organisations in managing memories of disputed territories

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### **Part 3 of 6: The Council of Europe and the Remembrance of Genocides**

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## The Council of Europe and the Remembrance of Genocides

The discussion concerning regional organisations now turns to the Council of Europe and its foundation on the principles of human rights and ‘European values’. This section moves on to explore the role of World War II and the Holocaust in shaping, and promoting, European culture and heritage, and how the CoE attempts to connect remembrance of the past with a future based on common human rights through non-formal educational programmes.

The Council of Europe (CoE) is an association of European countries founded in London on 5 May 1949 that currently has 47 member states. Since its inauguration, the CoE has committed itself to defending human rights, individual freedom and the rule of law, as well as protecting Europe’s cultural heritage. The CoE primarily defines itself as an organization based on ‘European values’, which implies a need to protect human rights (Babes 2018, Schwimmer 2014). The issue of European values arose with particular intensity when new members from Eastern Europe were admitted. As Anders Nordström noted, ‘The eastward expansion also meant a redefinition of Europe such that it was first and foremost a community of values. The invitation and acceptance of the three South Caucasus states of Armenia, Georgia, and Azerbaijan as members meant that the border of the pan-European legal sphere was extended to cover these three newly independent states with poor records of democracy, human rights, and the rule of law’ (2014: 60).

The CoE fulfils its tasks through such organs as the Parliamentary Assembly of the Council of Europe in Strasbourg, the European Court of Human Rights and the European Commission on Human Rights. The judgments of the European Court in Strasbourg are not binding for CoE member states but in practice, many of these states choose to incorporate them into their national legislation. Due to the European Court, the CoE’s work to promote respect for human rights has been quite effective over most of the European continent (Schwimmer 2014). Although the CoE does not have legislative powers, agreements between its member states are usually accepted by most of them and introduced into their national legislation. This applies,

inter alia, to the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities (adopted in 1992, entered into force in 1998). The instrumentalization of the protection system for national minorities both before and during the Second World War, when it was used to violate certain states' territorial integrity, contributed to the post-1945 re-evaluation of the principles of protection of national minorities. Minority rights began to be regarded as a component of fundamental human rights. At the same time, there was a departure from the collective recognition of such rights towards the guaranteeing of the rights of individual members of a given minority. However, to date it has not been possible within the CoE to establish one general definition for national minorities. Although the Framework Convention for the Protection of National Minorities is often criticized, its potential for protecting the heritage of minority groups is also appreciated (Kalnina 2014).

One component of the policy for cultivating common European values are activities promoting 'European culture and heritage'. Such activities are served, inter alia, by the European Cultural Convention, whose purpose is to appreciate cultural diversity and promote national contributions to Europe's common cultural heritage<sup>1</sup>. The common, though diverse, European cultural heritage is also presented in the framework of the CoE project known as European Cultural Routes, which was introduced in 1987. This aims to increase knowledge of European heritage by promoting European historical and cultural relics. As of 2019, there were 38 European Cultural Routes<sup>2</sup>. Actions for the protection of heritage are intended to make a contribution to increasing the scope of cooperation between individual European countries and regions, while also highlighting the possibility of reconciliation based on common values. However, the project has encountered problems when it has attempted to define what 'European heritage' actually entails while taking full account of the continent's cultural diversity and complex history. As Claske Vos noted on the basis of her research in Serbia:

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<sup>1</sup> <https://www.coe.int/en/web/culture-and-heritage/european-cultural-convention>

<sup>2</sup> <https://www.coe.int/en/web/cultural-routes>

The resulting pragmatic stance can be seen as related to the problems faced by the European institutions in their attempt to relate heritage to reconciliation and regional cooperation. Even though the CoE and the European Commission hoped to craft a particular kind of political entity through heritage, and while doing so emphasize reconciliation and regional cooperation, they did this by approaching heritage in a non-ideological way. (...) 'European heritage' was not defined on the basis of cultural historical characteristics in order to hold on to the values underlying the programme: to build bridges between people and make heritage into something that was shared within Europe. Form was chosen over content in that the cultural historical specificities that marked a certain heritage site were not decisive for the programme. It mattered how these sites were presented and whether these sites were suitable to motivate regional development and cooperation. (Vos 2011: 236-237).

Cooperation and development issues have indeed dominated the previously mentioned attempts to define a 'European heritage' that often exhibits signs of a difficult past and continues to present problems today arising from Europe's ethnic and cultural diversity. This problem is yet to be resolved. The values that the Council of Europe stands for – democracy, human rights and the rule of law – form part of a preventive post-war initiative guaranteeing the construction of a European society that is striving to learn to respect the equal dignity of all through the promotion of such practices as intercultural dialogue. Since 1954, the European Cultural Convention has highlighted the importance of teaching the European dimension of the history of all the member states, in order to foster mutual understanding and to prevent crimes against humanity happening again (Barthélémy 1999, Vos 2011).

The Council of Europe acknowledges the great role played by remembrance practices. There is a sphere of the past that, although difficult and dramatic, is closely related to the 'European values' that CoE wants to promote, including, above all, human rights. This sphere is devoted to the commemoration and condemnation of genocides. Gross human rights violations and atrocities such as the Holocaust, the slave trade, genocide, wars and ethnic cleansing are not easily forgotten or forgiven by those who were affected. One common European experience that constantly stirs emotions and evokes discussions about the European heritage (as well as the responsibility for the past events) and European identity is the Holocaust. Its commemoration has become an important political, cultural and educational issue in both the CoE and the EU.

Tony Judt (2010) even stated that the commemoration of the Holocaust was one of the most important process in the post-war period in Europe, but this was not the only genocide that CoE condemned in its declarations or which formed the basis for this organization's educational activities.

However, remembrance is more than merely just remembering: remembrance is about ensuring that we keep memories alive, or at least not allowing ourselves to overlook horrors that have occurred in the past. Official recognition of such events can also be important for society as a whole. Societies need to 'remember' their own history – not excluding those events which have disrupted the lives of many – in order to learn from the past and not repeat the mistakes for which they may have been responsible. Remembrance, when carried out properly, can serve as a warning signal to society: it can show us how human action or inaction, bigotry, racism, intolerance and other relatively common attitudes can lead, under certain circumstances, to events that are truly terrible<sup>3</sup>.

The year 2000, in which the Stockholm Declaration<sup>4</sup> establishing the Holocaust Remembrance Day was signed by many European countries, is particularly important in commemorating genocides. From now on, each country had to adopt a clear position on the commemoration of the Holocaust to join the EU (see Olick 2007, Pakier, Stråth 2010), which was particularly important for the process of the organization's expansion to the east (in 2004, 8 countries of Central Europe joined the EU). A year after the Stockholm Declaration, in 2001, the Council of Europe introduced a Day of Remembrance of the Holocaust and for the Prevention of Crimes against Humanity, with the aim of developing and firmly establishing the teaching of this subject throughout Europe. There is not one specific date for the European Day of Remembrance. Each member state is encouraged to choose a date that corresponds with its national history, thus ensuring that pupils are aware that it is their own cultural heritage which is being referred to.

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<sup>3</sup> For the CoE definition of 'remembrance' and more detail on Convention on the Prevention and Punishment of the Crime of Genocide, see; <https://www.coe.int/en/web/compass/remembrance>

<sup>4</sup> <https://www.holocaustremembrance.com/stockholm-declaration>

The memory of the Holocaust also became a starting point for commemorating other genocides that took place in Europe. The CoE became the platform on which one could speak of commemorating genocides in European countries where the Holocaust did not occur and which are still struggling to recognize the suffering of their nations on the international stage. An example of such a country is Armenia, because the Armenian genocide - the largest European genocide of the twentieth century before the Holocaust - still had not been commemorated in the international sphere. Armenia became a full member of the Council of Europe on 25 January 2001, though its accession process had already started by 1995. The National Assembly of Armenia was granted special guest status on 26 January 1996. On 9 November 2000, according to the Committee of Ministers Resolution 2000/13, Armenia was invited to join the Council of Europe.

The Armenian Genocide committed by the Ottoman government has been documented, recognized and affirmed by the media, eyewitness reports, laws, resolutions, and statements by many states and international organizations<sup>5</sup>. The complete catalogue of all documents categorizing the 1915 massacre of the Armenian population in Ottoman Empire as a premeditated and thoroughly executed act of genocide is extensive<sup>6</sup>. The Council of Europe recognized the Armenian Genocide on 14<sup>th</sup> May 2001 (Doc. 9056 2<sup>nd</sup> edition, written declaration No. 320)<sup>7</sup>:

Commemorating today the anniversary of the first genocide of the 20<sup>th</sup> century – the Armenian genocide – and paying tribute to the memory of its victims;

Condemning all manifestations of the crime of genocide as crimes perpetrated against humanity;

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<sup>5</sup> For the list of International organizations that recognised the Armenian Genocide visit [http://www.genocide-museum.am/eng/international\\_organisations.php](http://www.genocide-museum.am/eng/international_organisations.php)

<sup>6</sup> [http://www.genocide-museum.am/eng/international\\_organisations.php](http://www.genocide-museum.am/eng/international_organisations.php)

<sup>7</sup> This declaration commits only the members who have signed it. It was totally signed by 85 different groups and parties. For the details of 85 groups and parties <http://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=9280&lang=en>

Considering that the unequivocal repudiation of the acts of genocide is a necessary means to help prevent its recurrence;

Taking note of the fact that various European institutions, parliaments of a number of member countries of the Council of Europe have adopted resolutions and statements recognising the Armenian genocide, in the case of the National Assembly of France a law;

Considering that the recognition by the international community of the Armenian genocide will eventually allow the Turkish authorities a similar admission, and as a result will lead to improved relations between Armenia-Turkey, and thus, contribute to regional peace, security and stability,

The undersigned, members of the Assembly, appeal to all the members of the Parliamentary Assembly of the Council of Europe to take the necessary steps for the recognition of the genocide perpetrated by the Ottoman Empire against the Armenians at the beginning of the 20<sup>th</sup> century.<sup>8</sup>

The Council of Europe sees the passing on of remembrance of the Holocaust and the prevention of crimes against humanity as going hand in hand with promoting its fundamental values and intercultural dialogue. Proposals for actions include the organization of special events, the training of executives of youth movements, youth associations and specialized NGOs and the granting of particular attention to combating Holocaust denial and revisionism. This takes place through ad hoc training for educators working with young people and teaching the history of the Holocaust.

The Parliamentary Assembly has regularly called for multi-perceptivity in history teaching. In its recommendation no. 1880 (2009), the assembly reaffirmed that ‘history also has a key political role to play in today’s Europe. It can contribute to greater understanding, tolerance and confidence between individuals and between the peoples of Europe or it can become a force for division, violence and intolerance’. History teaching can serve as a tool for supporting peace and reconciliation in conflict and post-conflict areas.

While working with young people and educating them using non-formal education methods, the Council of Europe has created several tools and manuals, one of them being *Compass: Manual*

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<sup>8</sup> <http://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=9280&lang=en>



*for Human Rights Education with Young People.*<sup>9</sup> This was first published in 2002 within the framework of the Human Rights Education Youth Programme of the Directorate of Youth and Sport of the Council of Europe. The programme was created because human rights education – i.e. educational programmes and activities that focus on promoting equality in human dignity – was seen by the CoE to have incalculable value when shaping all young people’s awareness of the benefits of democratic citizenship while promoting a common culture of universal human rights.<sup>10</sup> As historian Howard Zinn (1999) stated, ‘All who have taken seriously the admonition ‘Never Again’ must ask ourselves – as we observe the horrors around us in the world – if we have used that phrase as a beginning or as an end to our moral concern’. The connection between remembrance and human rights ought to extend both backwards and forwards in time. Terrible events that have been brought about through human action or inaction deserve to be partly remembered as a sign of respect for the victims who perished or otherwise suffered in the past. Yet the forward-looking aspect of remembrance is equally important, and much more often neglected, particularly when it involves the need to recognize the role we played ourselves in causing terrible events. In the DisTerrMem project we are going to develop the issue of how culturally diverse ideas about what ‘human rights’ mean are related to conflict resolution activities and looking for reconciliation in the post-conflict situations.

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<sup>9</sup> See <https://www.coe.int/en/web/compass>

<sup>10</sup> <https://www.coe.int/en/web/compass>