



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 September 2011

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NOTE

from :	Presidency
to :	COREPER/Council
Subject :	Warsaw Declaration on the occasion of the European Day of Remembrance for Victims of Totalitarian Regimes, 23 August 2011

On 9 June 2011, the 3096th Justice and Home Affairs Council meeting adopted conclusions on the memory of the crimes committed by totalitarian regimes in Europe (doc 11268/11). It is the most recent document in the collection of European Union documents dealing with the memory of totalitarian regimes in European history, reconciliation, justice and education. It should also be noted in this context the European Parliament Resolution of 2 April 2009 (P6 - TA (2009) 0213) and the European Commission report on this subject (doc 5128/11)

The Polish Presidency has built on this joint endeavor, striving to bring together statesmen, officials, researchers (in particular from memory-keeping public institutions) and the public. On 23 August 2011 it inaugurated *The European Day of Remembrance for Victims of Totalitarian Regimes*, as called for by the Council a month earlier in the abovementioned conclusions. The Inauguration took place in the presence of the President of the European Parliament, Mr Jerzy Buzek. Representatives of Member States, joined by Croatia, subscribed on that occasion to The Warsaw Declaration, the text of which is attached to this note.

The Presidency requests Coreper/Council to take note of the attached Declaration.

Warsaw Declaration on the occasion of the European Day of Remembrance for Victims of Totalitarian Regimes, 23rd of August 2011

Considering that Europe has suffered under totalitarian regimes, be they communist, national socialist or of any other nature, which have brought about unspeakable violations of fundamental rights and the complete denial of human dignity, of which the holocaust is the most horrendous manifestation;

Considering that totalitarian regimes, irrespective of their origins, ideology or intentions, are a source of inhuman treatment, degradation of the human being, cruelty and widespread persecution, and that totalitarian regimes are responsible for most heinous acts of genocide, crimes against humanity and war crimes;

Considering that public condoning, denial or gross trivialization of crimes committed by totalitarian regimes may lead to rebirth of totalitarian ideology and totalitarian regimes;

Believing that the remembrance of our shared history is indispensable for the understanding of modern-day Europe;

Believing that true reconciliation and forgiveness are impossible without an honest and thorough debate and without justice;

Noting that the recognition of past tragedies is one of the objectives of the European Union as stated in the Stockholm Program¹;

¹ Adopted by the European Council on 10/11 December 2009; OJ C 115 , 04/05/2010 P. 0001 - 0038

Understanding that lack of remembrance can lead to future generations being likely to repeat the mistakes of their predecessors as was acutely demonstrated by the most serious crimes still taking place in Europe in the 1990s;

Noting that awareness of our common history and the fostering of European values are necessary to avoid the resurgence of extremism leading to further tragedies;

Recalling the European Parliament's Resolution of 2 April 2009 on European conscience and totalitarianism, the Council of the European Union's Conclusions of 15 June 2009 on European conscience and totalitarianism and the Council of the European Union's Conclusions of 9 and 10 June 2011 on the memory of crimes committed by totalitarian regimes in Europe,

We, the signatories do hereby:

declare that the crimes of the totalitarian regimes in Europe, whatever their nature and ideology, will be recognized and condemned,

declare our support to the victims of totalitarian regimes and our assurance that their suffering shall not sink into oblivion, their rights shall be recognized and the perpetrators of crimes shall be brought to justice,

commemorate The European Day of Remembrance for the victims of all totalitarian regimes on 23rd of August, in the light of our countries' history,

declare our determination to uphold the remembrance of the crimes committed by totalitarian regimes, in particular through raising awareness of our common history and by fostering European values, and thus prevent their reoccurrence,

undertake to consider, according to adequate standards, taking into account, where appropriate, national circumstances and legal traditions and respecting the freedom of expression, legal aspect of the public condoning, denial or gross trivialization of crimes committed by totalitarian regimes,

undertake to work constantly to ensure that the tragedy of totalitarian regimes is never repeated,

call on the European network of contact points in respect of persons responsible for genocide, crimes against humanity, and war crimes to address the question of crimes committed by totalitarian regimes,

declare our support for the foundation of a Platform of European Memory and Conscience within existing EU-programs as a means of addressing Europe's fractured experiences and perceptions of its totalitarian past,

call on the Council and the Commission to support activities of non-governmental organizations, including the organizations from the countries of Eastern Neighborhood, which are actively engaged in researching and collecting documents related to the crimes committed by totalitarian regimes and in spreading the knowledge of history,

call on the Commission to use the existing financial support programs for such activities.

Signed in Warsaw on the 23rd of August, 2011

For the Ministry of Justice of the Czech Republic

Mr. Marek Ženíšek

Deputy Minister within Ministry of Justice of the Czech Republic

For the Ministry of Justice of the Republic of Croatia

Mr. Dražen Bošnjaković

Minister of Justice of the Republic of Croatia

For the Ministry of Justice of the Kingdom of Denmark

Mr. Thomas Østrup Møller

Ambassador of the Kingdom of Denmark in Warsaw

For the Ministry of Justice of the Republic of Estonia

Mr. Kristen Michal

Minister of Justice of the Republic of Estonia

For the Ministry of Justice and Liberties of the French Republic

Mr. Nicolas Guillou

Political Advisor to the Minister of Justice of the French Republic

Ministry of Justice and Liberties of the French Republic

For the Ministry of Justice, Transparency and Human Rights of the Hellenic Republic

Mr. Gabriel Coptsidis

Ambassador of the Hellenic Republic in Warsaw

For the Ministry of Public Administration and Justice of the Republic of Hungary

Mr. Tibor Navracsics

Deputy Prime Minister of the Republic of Hungary

Minister of Public Administration and Justice of the Republic of Hungary

For the Ministry of Justice of Italy

Mr. Stefano Zanini

Chargé d'Affaires a.i. of the Embassy of Italy in Warsaw

For the Ministry of Justice of the Republic of Latvia

Mr. Aigars Štokenbergs

Minister of Justice of the Republic of Latvia

For the Ministry of Justice of the Republic of Lithuania

Mr. Remigijus Šimašius

Minister of Justice of the Republic of Lithuania

For the Ministry for Justice and Home Affairs of the Republic of Malta

Mr. Joseph Fenech Adami

Parliamentary Assistant in the Ministry for Justice and Home Affairs of the Republic of Malta

For the Ministry of Justice of the Republic of Poland

Mr. Krzysztof Kwiatkowski

Minister of Justice of the Republic of Poland

For the Ministry of Justice of the Republic of Portugal

Ms. Luísa Sobral

Chief of Staff of the State Secretary for Administration of the Property and Premises of the Ministry of Justice of the Republic of Portugal.

For the Ministry of Justice of Romania

Ms. Lidia Barac

Secretary of State in the Ministry of Justice of Romania

For the Ministry of Justice of the Slovak Republic

Ms. Maria Kolikova

State Secretary in the Ministry of Justice of the Slovak Republic

For the Ministry of Justice of the of the Kingdom of Spain

Ms. Purificación Morandeira Carreira

Undersecretary of State in Ministry of Justice Kingdom of Spain

For the Ministry of Justice of the Kingdom of Sweden

Mr. Magnus Graner

Secretary of State in Ministry of Justice of the Kingdom of Sweden

For the European Parliament

Mr. Jerzy Buzek

President of the European Parliament
