



# News from the Alliance of Liberals and Democrats for Europe of the Parliamentary Assembly of the Council of Europe

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Secretary General**

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*“The ALDE Group must make its guardianship of Council of Europe values more effective, through enhanced political action inside and outside the Assembly.”*

[ALDE Mission Statement](#)

Welcome to the May 2009 issue of the *Newsletter of the Alliance of Liberals and Democrats for Europe (ALDE)* in the Parliamentary Assembly of the Council of Europe!

The Council of Europe is the largest pan-European international organisation celebrating this year its *60<sup>th</sup> anniversary*. The Council of Europe brings together 47 states. Its Parliamentary Assembly meets four times a year, discussing the most important European issues related to democracy, human rights and the rule of law. Members of the Assembly are – unlike members of the European Parliament – not directly elected, but they are all members of the 47 national parliaments. PACE is therefore the most important and effective network of European MPs! The ALDE Group currently brings together over 101 MPs. As a group, we endeavour to be the engine of the Assembly defending core European values.

We issue this newsletter in order to cordially invite you to follow the debates in the Parliamentary Assembly of the Council of Europe during its sessions in Strasbourg and provide feedback on our activities.

We would like to take this opportunity to thank ALDE members and observers from Canada, Mr Percy Downe and Mr Scott Simms, for their participation in the work of the Group. We are also grateful to our colleagues from liberal partner organisations who attended the ALDE meetings this time: Sasha Butorac, LI, and Sabine Nygrund, Intern, IFLRY.

*12 May 2009 in Madrid, the Committee of Ministers of the Council of Europe decided to transmit to the Parliamentary Assembly for appointment to the post of Secretary General, with effect from 1 September 2009, the candidatures of Włodzimierz Cimoszewicz (Poland) and Thorbjørn Jagland (Norway).*



Dear Friends, Colleagues and Readers,

I am sure you understand it is uneasy for me to comment the procedure about the election of the Secretary General of the Council of Europe. As a candidate to the highest position in the organisation, it is difficult to remain objective. But even if I could judge the process from ALDE or from the whole Council of Europe's viewpoint, I would fully understand that many people would question my objectivity.

The facts are the following. After the resolution of the Assembly and the promise of the Chairman in Office of the Committee of Ministers to seek for compromise, the foreign ministers met in Madrid, and in spite of the signal of our president Mr. Lluís Maria de Puig that the Committee of Ministers may risk that there will be no election of the Secretary General during the June part session, only seven were in favour of reopening the question of the short listing.

In my campaign I put special emphasis to a much better collaboration among the different parts of the institution, especially between the Committee of Ministers and the Parliamentary Assembly. Now I regret to see that the tension between the two is getting worse than ever, and in the year when we celebrate the 60<sup>th</sup> anniversary of the Council of Europe we are rushing into an institutional clash.

I still hope that a compromise can be reached. A compromise, under which the Committee of Ministers remains entitled to express which candidates it has difficulties to work together with, but in a way that the Parliamentary Assembly should not feel that the sole purpose of the Committee of Ministers is to prevent by all means that a parliamentarian is becoming next Secretary General.

I still hope and wish that the final decision will solely be based on substance, enabling the Committee of Ministers and the Parliamentary Assembly to work together in a cooperative manner in order to be more effective in assisting democratic processes in our member states.

Yours sincerely

Mátyás Eörsi

## Veaceslav Untila addresses the ALDE



Ahead of the urgent debate on the functioning of democratic institutions in Moldova, the Alliance of Liberals and Democrats for Europe (ALDE) discussed the results of the parliamentary elections and the post-electoral situation in the republic with Mr Veaceslav Untila, Vice-Chair of the Alliance “Moldova Noastra”, one of the liberal opposition parties of the country.

The elections organised on 5 April were considered by the international community as a test for Moldova’s progress in democracy and as a milestone in evaluating the country’s compliance with Council of Europe standards for free and democratic electoral procedures.

“The Moldovan authorities have failed the test”, said Mr Untila who drew the attention of the ALDE Group to the “deep crisis of principles and democratic institutions in Moldova”. The speaker insisted on the fraudulent nature of the election. He presented a written report on serious violations during the electoral campaign, on the election day and during the protest rallies on 7 April. Absence of free information, obstruction of access to media for opposition candidates, intimidations of voters and candidates, arrests and beating of young protesters were among various violations of the Moldovan law and European standards. According to information available to Mr Untila, “some 200,000 voters, many of whom were dead or inexistent people, were added to the voting lists”. According to Mr Untila, multiple legal infringements and misuse of administrative resources should be strongly condemned.

In conclusion, on behalf of the Alliance “Moldova Noastra”, Mr Untila called on the Parliamentary Assembly to support the establishment of an international committee to investigate into procedural shortcomings and abuses during the parliamentary elections as well as into allegations of human rights violations during the protest demonstrations.

## Keith Whitmore: strengthening cooperation within the Council of Europe



Keith Whitmore, Chairman of the Independent Liberal and Democratic Group (ILDG) in the Congress of Local and Regional Authorities and President of the Congress Institutional Committee addressed the ALDE during its meeting on Monday, April 26.

Mr Whitmore welcomed the initiative of the ALDE to establish closer contacts with the ILDG. “This is a remarkable and historic moment, as I believe this is the first time when my Group is invited to address our colleagues in the Parliamentary Assembly”, said the speaker. “Communication and cooperation between various parts of the Council of Europe should be reinforced”, underlined Mr Whitmore.

Mr Whitmore presented the work of the ILDG to liberal MPs of the Assembly. The ILDG, bringing together over 90 elected representatives of the local and regional communities from all over Europe, is an important platform for dialogue at the level closest to the citizens, i.e. between towns and regions. This dialogue and cooperation is especially important for conflict zones, as it was the case during the war between Russia and Georgia.

Among various projects of the Congress of Local and Regional Authorities, Mr Whitmore emphasized the importance of the European Local Democracy Week which was celebrated last year by over 4000 cities, towns and villages in Europe.

*A joint initiative of the Council of Europe’s Congress of Local and Regional Authorities and European Committee for Local and Regional Democracy, launched in 2007, the “European Local Democracy Week” (ELDW) is an annual European celebration (around 15 October) including simultaneous national and local events organised by participating local authorities in Council of Europe member states. The purpose is to foster knowledge of local democracy and promote the idea of democratic participation at local level.*

## ...Mrs Tarja Halonen, President of Finland



Mr KAIKKONEN (*Finland*). – I would like to ask about Belarus. It is the only state that is missing from our European family in this plenary hall. We all know the reasons for that: problems

with democracy, human rights and the rule of law. We must also admit that our policy of isolation has not made any real progress so far. How do you see the situation of, and the future in, Belarus; what kind of a policy towards Belarus do you prefer, and how do you think that the Council of Europe should organise its relations with Belarus?



Mrs HALONEN. – Belarus belongs in Europe; it is a European country. A policy of isolation has seldom been an effective means of teaching either peoples or countries. We have our values and principles. I

have already held discussions with people here at the Council of Europe, but it is, of course, your duty to decide what you will do. I would welcome any steps that would give us an opportunity to have Belarus back. I am sure that most of us would be willing to take her back if she was willing to fulfil the criteria of the Council of Europe, but Belarus must be seriously willing to do so. I therefore wish all the best to even the smallest such steps if co-operation can be established with that country.

## ... Mr José Luis Rodríguez Zapatero, President of the Government of Spain



Mr REIMANN (*Switzerland*) asked how similar the situation with Ceuta and Melilla was to that with Gibraltar.



Mr ZAPATERO said that Spain's position on this was well known. From a historical and legal view this was not the same as Gibraltar. Spain had always sought constructive dialogue with the United Kingdom, although that had varied over time. The two countries had recently entered into agreements regarding Gibraltar.

## ... Mr Thomas Hammarberg, Council of Europe Commissioner for Human Rights



Mr M. A. JENSEN (*Denmark*). – Thank you, Commissioner, for your very hard work on the human rights of homosexual and trans-gender people. I say this because we still see violations of these rights in a lot of countries, and I want you to point out what you think are the most important tasks to do and steps to take over the next years for nations, member countries and the European institutions.



Mr HAMMARBERG. – Several countries now in the Council of Europe area are introducing comprehensive anti-discrimination legislation that will cover all areas of discrimination, including discrimination on the basis of sexual orientation. That is a step in the right direction.

I have mentioned this group because they are discriminated against in several countries. There are quite a lot of predators among the populations of many countries when it comes to this group of people. It will take some time to educate people in order to prevent this kind of discrimination in the future, but it is important that the Council of Europe, in all its different parts, stands up for the basic principle that no one should be discriminated against on any grounds. We are not introducing a new human right; it is just consistent implementation of the non-discrimination clauses in our human rights treaties.



Mr GIARETTA (*Italy*) thanked the Commissioner for his work and for his valuable support to national parliaments and governments in helping them to improve their approach to human rights. Even in

countries which constituted long-established democracies, difficult issues could arise. He asked whether there was a risk that in the current economic crises human rights could be overlooked.



Mr HAMMARBERG. – The risk during the current economic crisis is that human rights will be seen as a secondary priority and will not be so much of a concern. In general, however, our impression is that people very much appreciate human rights protections, and the Court here in Strasbourg is becoming increasingly well known across the world, particularly in countries where there are acute human rights problems. The very high number of applications coming into the Court is a sign that people feel that they need to go to the international community in order to safeguard their rights. I do not think that human rights are becoming less of a priority among the public at large; the problem is whether human rights will be given sufficient priority in political discussions of other matters such as, in particular, security and the economic crisis.

... **Miguel Ángel Moratinos, Minister for Foreign Affairs and Cooperation of Spain, Chairperson of the Committee of Ministers**



Mr XUCLÀ i COSTA (*Spain*) said that one of the most important things was to develop human rights. He noted that the Spanish were calling for a moratorium on the death penalty and asked what progress had been made.



Mr MORATINOS said that it was true that the Spanish Government had been pushing for the abolition of the death penalty; this was one of the top priorities of Spanish international diplomacy. The President of the Government of Spain had called for an international commission to be set up, and a meeting of this commission was due to be held in the second half of 2009. That meeting would be convened in order to raise public awareness of the issue, especially in those countries which had not yet abolished the death penalty. [Back](#)





**Charles Goerens (Luxembourg)**

***Honouring of obligations and commitments by Serbia (Doc. 11701 and Addendum)***

Co-rapporteurs of the Committee on the Honouring of Obligations and Commitments Member States of the Council of Europe (Monitoring Committee)

[Voting results](#)

Presented: 28 April 2009



**Antigoni Papadopoulou (Cyprus)**

***Action to combat gender-based human rights violations, including abduction of women and girls (Doc. 11784)***

Rapporteur of the Committee on Equal Opportunities for Women and Men

[Voting results](#)

Presented: 28 April 2009



**Michael Hancock (United Kingdom)**

***Action to combat gender-based human rights violations, including abduction of women and girls***

Rapporteur of the Social, Health and Family Affairs Committee (for opinion)

[Voting results](#)

Presented: 28 April 2009



**Mátyás Eörsi (Hungary)**

***Follow-up given by Georgia and Russia to Resolution 1647 (2009)***

Co-rapporteur of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

[Voting results](#)

Presented: 29 April 2009

Monday 27 April 2009

**Progress report of the Bureau of the Assembly and the Standing Committee (Doc. 11865 Parts I and II + Addendum)**



Mike HANCOCK (*United Kingdom*) addressed three issues:

- Monitoring of elections: ongoing reporting procedure and better cooperation with ODIHR was essential;
- Organisation of activities of the Assembly: the report on public television had been removed from the agenda. "Let us not push that issue away to a committee, where it will get little or none of the respect that it deserves", warned the speaker;
- Election of the Secretary General: "If we did not like the rules, the time to argue that would have been before we started this process", believed the speaker.

[Read more](#)

**The protection of human rights in emergency situations (Doc. 11858)**

Mike HANCOCK (*United Kingdom*). - For far too long we have ignored the fact that, when a state of emergency is declared, it is used as an excuse for all sorts of abuses. It is too easy to shut the doors on normal freedoms and for people to be mistreated, when they are literally taken off the streets. All sorts of misdoings go on.

There can be no excuse in our society in this day and age for anyone to believe that anything other than sticking to the law and upholding it, even in a state of emergency, is going to happen; there can be no excuse for turning back on commitments that have been given. That is why the report is so important. That makes it sad that not so many people are here in the Assembly this afternoon either to listen to the debate or vote on this motion. It is important not just that Assembly members come here, but that we take the message raised here back to our own parliaments and to our own governments. [Read more, voting results](#)

Tuesday 28 April 2009

**The situation of human rights defenders in Council of Europe member states (Doc. 11841)**



Sabine LEUTHEUSSER-SCHNARRENBERGER (*Germany*) said that the report had set a large number of challenges and commitments that needed to be undertaken. Human rights defenders had a difficult task, and they needed the support of the Council. The report acknowledged that it was the commitment of human rights defenders that exposed them to dangers, some of which were even state sponsored. They needed protection and support. This task would be even harder without the charters and guiding principles to which the Council subscribed. There was a need to support the Human Rights Commissioner in the new mandate that the Council had given him. It was important to provide scrutiny and support for activists. [Read more, voting results](#)

**Honouring of obligations and commitments by Serbia (Doc. 11701 and Addendum)**



Michael Aastrup JENSEN (*Denmark*). – I must say that I am very pleased to see how much progress Serbia has made along the path towards full European integration. I was fortunate enough to monitor the Serbian election last spring, when I witnessed the people of Serbia elect a pro-European government. The declaration of independence by Kosovo in February last year could have turned into a disaster on the same scale as other Balkan conflicts. Fortunately, however, the Serbian authorities showed prudence and resolved to pursue their resistance to Kosovo separation through diplomatic and peaceful means alone. I strongly urge

the Serbian Government and the Government of Kosovo to continue their progress towards a peaceful and rational solution to this matter. [...] Although Serbia has come a long way in several respects, there is still a lot of ground to be made up. One area where ground must be made up is the apprehension of Ratko Mladić and a former premiere of Republika Srpska, Goran Hadžić. [Read more, voting results](#)

## Action to combat gender-based human rights violations, including abduction of women and girls ([Doc. 11784](#))



Kerstin LUNDGREN (*Sweden*). – I congratulate the rapporteur on behalf of the ALDE group. We really think it provides a good basis for moving forward. We support the report and, of course, the draft resolution. [...] This topic relates to the core values of the Council of Europe. Human rights and equality for all is the goal, but it is obvious that women and girls – females – have to work harder for their individual freedoms and equal rights. In all our countries and all over the world, we are on our way, but we have reached different levels. That is why we sometimes find open clashes about where we stand when we meet in our respective countries.

We have to open up to learning from each other and we have to recognise that even today and in our own societies, we do not have equal rights. It is not just a matter of immigrant communities; it is also about our own societies. [Read more, voting results](#)

## Women in prison ([Doc. 11619 rev.](#))

Mike HANCOCK (*United Kingdom*). – ... A society that is prepared to jail so many women and knowingly put them at greater risk has in some way failed. Furthermore, young children – those who have just been born or those about to be born – are often taken with the women; such children's first taste of this world is confinement and the difficulty of coping with prison life. No matter how much a society wants to make prisons into better places, they cannot be the right places for children to grow up in. As a society of politicians, we owe it to our own communities to make sure that, if we are prepared to send men and women – and in some instances, sadly, children – to prison, we would not be ashamed of the facilities if they were exposed to other people. The problem is that prisons are not exposed to the wider community. I would like to think that all of us could be proud even of our prisons and prison services. Sadly, too few of us would have the courage to say that we are in any way near being proud of them. In most instances, we would be thoroughly ashamed of them. Let us do something about it. [Read more, voting results](#)

Wednesday 29 April 2009

## Follow-up given by Georgia and Russia to Resolution 1647 (2009) The humanitarian consequences of the war between Georgia and Russia: Follow-up given to Resolution 1648 (2009) ([Doc. 11859](#))

Michael Aastrup JENSEN (*Denmark*). – I used to believe – I am sure that I am not the only person in the Chamber to do so – that nations considered to be democracies would comply with international law and resolutions, but I fear that that does not apply to Russia. The reason for my rather discouraging conclusion is the current situation following the war between Russia and Georgia. Progress has been made, but most of it has been made by Georgia. Russia has dragged its feet, and on occasion has even attempted what can only be seen as action counteracting a peaceful solution to the conflict. [Read more, voting results](#)

## Debate under urgent procedure: The election process for the Secretary General of the Council of Europe ([Doc. 11877](#); [Resolution](#))



Serhiy HOLOVATY (*Ukraine*). – Let me begin by taking the Assembly back to 2007, when the Committee of Ministers discussed the Juncker report. Many of us who are members of political groups recalled the report when referring to the new criteria, but it also suggested that it would be useful for the Council of Europe, particularly the Committee of Ministers and the Assembly, to review the criteria that were applied to the selection of candidates for the post of Secretary General. It only remains for us to regret the fact that, for two years, our two institutions have not cooperated in that regard. In the absence of suitable criteria, a situation

arose which prompted a number of concerns. It has led to a debate in the Assembly, and it will undoubtedly lead to later discussion in the Joint Committee meeting. [...] Our group was almost unanimous in the view that this symbolic anniversary should prove to our member



states that our Organisation will retain its values in a spirit of harmony, co-operation and trust, and will continue to constitute a symbol of values in Europe. We hope that, following the Joint Committee meeting, and in the Committee of Ministers, that spirit of harmony, co-operation and mutual trust will dominate and gain victory. [Read more, voting results](#)

### **Debate under urgent procedure: The functioning of democratic institutions in Moldova (Doc. 11878)**

Mike HANCOCK (*United Kingdom*). – Moldova achieved something that has not happened on earth for 2 000 years. It was miraculously able to bring back the dead and get them to vote in an election. It was remarkable for so many dead people to have got up and put themselves in good enough order to convince the polling clerk that they had the right ID and were eligible to vote. We should be looking seriously at Moldova's being able to deliver the dead in such large numbers when required. [...] We know that the country's "democracy" is very fragile. I wonder whether this Assembly is living in the same world as some of the people who experience the decisions that we go to monitor or examine. It is not as if the day after the elections people in Moldova got up and said, "Yes, the will of the people has been delivered and we have seen substantial changes over the years," as the rapporteurs suggested in their report, which was not only about the recent election but a whole series of changes. [Read more, voting results](#)

Thursday 30 April 2009

### **Debate under urgent procedure: Draft Protocol No. 14 bis to the Convention for the Protection of Human Rights and Fundamental Freedoms (Doc. 11864 + Doc. ..)**



Nursuna MEMECAN (*Turkey*). – Protocol No. 14, which addresses the urgent need to boost the Court's case-processing capacity, was agreed in 2004. The case-handling procedures have been modified for best use of the judges' time in order to speed up the process. However, the protocol is still not in effect; it is awaiting the ratification of one last member state – Russia.

Draft Protocol No. 14 bis, which covers the provisional application of the two new procedures foreseen in Protocol No. 14 – the single-judge formation and the new competence of three-judge committees – is one of those interim steps. Until Protocol No. 14 is ratified by the last member state and put into effect – we should hope and insist that that happens sooner, rather than later – Protocol No. 14 bis will be functional and will help to ease the Court's work load. [Read more, voting results](#)

### **Growing food and fuel (Doc. 11790)**



Paolo GIARETTA (*Italy*): There was strong demand for cereals to make fuel, for example the price of maize had doubled with a knock-on effect for bread, pasta, meat and eggs. There was also a structural imbalance in supply and demand because of the drop in supply of agricultural products for food. That had led to worsening conditions for people on low incomes, particularly families in developing countries, where they spent on average 50% to 80% of their income on food. [...] The energy yield from maize was modest and the use of that crop for fuel increased pollution, was unsustainable and required 10 litres of water per litre of fuel. There were severely negative outcomes for heavily productive areas. Some of the most efficient crops grew in tropical areas, but the impacts were devastating. For example palm oil production in South East Asia, which stripped the soil and led to deforestation. [Read more, voting results](#)

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