



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

N°1, 2012

*PACE Session
23-27 January 2012*

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Activities of ALDE-PACE during the January part-session:

- ALDE renewed the mandates of its President Mrs **Anne Brasseur** and Bureau, and elected candidates to the positions of Chairs and Vice-Chairs of PACE Committees. Mrs **Tina Acketoft** (Folkpartiet liberalerna, Sweden) will head the new Committee on Equality and Non-Discrimination.
- On Wednesday 25 January, following the refusal by Russian authorities to register an opposition presidential candidate Mr Grigory Yavlinsky (Yabloko, ELDR and LI member), the ALDE discussed the recent developments in Russia. Ahead of the current affairs debate in the Assembly, the Group issued a **statement** in support of freedom of assembly and association in Russia.
- ALDE auditioned the three short-listed candidates to the position of Council of Europe **Commissioner for Human Rights**. The Group hopes to build active cooperation with the newly elected commissioner, Mr Nils Muižnieks (Latvia). He will take office in April replacing Commissioner Thomas Hammarberg who has gained respect and admiration of the ALDE.
- As a follow-up to the report on “Allegations of politically motivated abuses of the criminal justice system in Council of Europe member states”, prepared by Mrs Sabine Leutheusser-Schnarrenberger in 2009, the ALDE heard a presentation on recent developments in the case of **Sergei Magnitsky** by Mr Bill Browder, Hermitage Capital Management
- During the Session, the Group also raised concerns over the situation in **Hungary** and **Azerbaijan**, as well as over delays in the process of EU accession to the ECHR.

We would like to take this opportunity to thank those who took active part in plenary debates on behalf of the ALDE, presented reports, and attended group meetings. The Group is also thankful to the team of young volunteers who did their best to fully experience the work of the ALDE and the Parliamentary Assembly: Laura Katarina Ollila (IFLRY), Nataliia Lapshyna (Ukraine) and Dmitri Macmillen (UK).

ALDE endeavours to be the engine of the Assembly defending core European values
Visit our website: www.alde-pace.org

Elections in ALDE and PACE

Anne Brasseur
Re-elected

Mrs Anne Brasseur re-elected President of ALDE

Anne Brasseur was re-elected on Monday 23 January 2012 for a second term as President of the Alliance of Liberals and Democrats for Europe in the Parliamentary Assembly of the Council of Europe.

"The Council of Europe, also described as the democratic conscience of Europe, must address numerous problems. Throughout its existence of over sixty years, it has gained much experience in democracy, gladly sharing it with peoples who successfully rose against their despotic rulers. Regressive shifts towards a form of "managed" democracy in certain member states are a real cause of concern for the Council of Europe" ([Download full version](#))

– Anne Brasseur

Chairs and Vice- Chairs of Committees

ALDE congratulates its members elected Chairs and Vice-Chairs of PACE Committees

During the first part of 2012 ordinary session of the Parliamentary Assembly of the Council of Europe, one member of the ALDE was elected chairperson of committee and four became vice-chairpersons.

Committee on Equality and Non-Discrimination: **Mrs Tina ACKETOFT** (Sweden) – elected Chairperson

"I will never step down from our liberal values: equal rights for each and every individual, whether they are homosexual, transsexual, Roma, women or men, whatever we are. And these are the values I will fight for full-heartedly." ([View full statement](#))

-- Tina Acketoft

Political Affairs : **Mrs Kerstin LUNDGREN** (Sweden) – elected Vice-Chairperson

Legal Affairs and Human Rights: **Mrs Marina SCHUSTER** (Germany) - elected Vice-Chairperson

Social, Health and Family Affairs: **Mr Bernard MARQUET** (Monaco) - elected Vice-Chairperson

Rules of Procedure, Immunities and Institutional Affairs: **Mr André BUGNON** (Switzerland) - elected Vice-Chairperson

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Elections in ALDE and PACE

Composition of
the Bureau
of the ALDE

President: Mrs Anne BRASSEUR, Luxembourg



Secretary General:
Mrs Mailis REPS,
Estonia



Treasurer:
Mrs Nursuna
MEMECAN,
Turkey



Vice-Chairpersons:
Mrs Doris FIALA,
Switzerland



Mr Paolo
GIARETTA,
Italy



Mr Michael
HANCOCK,
United Kingdom



Mr Serhiy
HOLOVATY,
Ukraine



Mr Michael Aastrup
JENSEN,
Denmark



Mr Terry LEYDEN,
Ireland



Mrs Kerstin
LUNDGREN,
Sweden



Mr Bernard
MARQUET,
Monaco



Mrs Marina
SCHUSTER,
Germany



Mr Jordi XUCLÀ I
COSTA,
Spain



**Ex officio
(Chairperson of
Committee):** Mrs
Tina ACKETOFT,
Chairperson of the
Committee on
Equality and Non-
Discrimination,
Sweden

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Situation in Hungary and Azerbaijan

Situation in Hungary: ALDE calls on taking measures

The ALDE Group addressed the situation in Hungary and Azerbaijan in the plenary. Ahead of the January session the President of the Group issued a statement on the situation in Hungary.

“The ALDE calls on the relevant Council of Europe bodies, including the Secretary General, the Committee of Ministers, the Parliamentary Assembly and the Commissioner for Human Rights to address this situation without delay.

Last January the Monitoring Committee of the PACE was seized with a report on the opening of a monitoring procedure regarding Hungary. The ALDE considers the monitoring procedure as a suitable mechanism at the Assembly’s disposal to help Hungary get back on the democratic track.

The ALDE hopes that the European Union institutions will take immediate action to ensure that Hungary fully respects the EU regulations.

Finally, the ALDE calls on the Hungarian government to fully cooperate with the State’s partners, as no international mechanism will be truly efficient unless the Orban’s government wishes to find a way out of the deadlock and preserve Hungary and the whole Europe from a moral crisis.” ([view full version](#)) -- Anne Brasseur

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Statement on the situation in Russia between two elections

Strasbourg, 25 January 2012

The Alliance of Liberals and Democrats for Europe (ALDE) of the Parliamentary Assembly of the Council of Europe unanimously condemns the latest developments in Russia which severely compromise the possibility for free and fair presidential elections on 4 March 2012. The Group is disappointed by the non-registration of the Yabloko presidential candidate Grigory Yavlinsky, yet another sign of the limitation of political competition and expression in the country. The ALDE hopes that the reported Supreme Court's decision to reverse the closure of the opposition leader Vladimir Ryzhkov's Republican Party will give the much-needed impetus to the liberalisation of registration procedures for all democratic political parties in Russia.

The ALDE is concerned at news that one of the country's independent election observation organisations, Golos, is facing imminent eviction from its offices, the latest development in a campaign of intimidation and harassment against civil society.

The ALDE therefore **calls on the relevant Russian authorities** to:

- guarantee the freedom to peaceful assembly and strive to work with the demands of the organisers of the rally on 4 February 2012. The ALDE also calls upon the authorities and demonstrators to act responsibly on the day of the protest;
- take immediate steps to bring the Russian legislation on party registration in conformity with European standards on freedom of association;
- undertake concrete measures to cease the intimidation and harassment of civil society and political opponents;
- fully examine the irregularities of the December 2011 parliamentary elections and bring to justice those responsible for electoral fraud.

Considering the absence of a PACE report on the honouring of obligations and commitments by the Russian Federation for the last seven years, the ALDE eagerly **urges the co-rapporteurs of the Monitoring Committee** of the Assembly to produce the report without further delay.

The ALDE will continue to express its principled position on the situation in Russia. If no substantial improvements are made, the Group is ready to take further action based on the findings of the PACE observer mission to the presidential elections and those of the Secretary General of the Council of Europe following his upcoming visit to the country. ([Download a pdf version](#))



Ms Marieluise Beck (Germany)

The situation in Belarus ([Doc. 12840](#)) - Committee on Legal Affairs and Human Rights (for opinion) – 25 January 2012

“Over 400 executions have taken place in Belarus since 1991. The Parliamentary Assembly of the Council of Europe needs to make a firm declaration that there have been major shortcomings in the trial of Vladzislav Kavalyou and Dmitry Konovalov and that on no account should they be put to death.”



Mr Jordi Xuclà i Costa (Spain)

Protecting human rights and dignity by taking into account previously expressed wishes of patients ([Doc. 12804](#)) - Social, Health and Family Affairs Committee – 25 January 2012

“The report made recommendations that would modernise and improve the current situation so that more people made choices when they still had the capability to do so.”



Ms Mailis Reps (Estonia)

The functioning of democratic institutions in Ukraine ([Doc. 12814](#)) - Monitoring Committee (co-rapporteur) - 26 January 2012

“Nobody should be above the law, and only charges that have been proven in an independent court of law, and after a fair trial that conformed fully with Article 6 of the European Convention on Human Rights, should be upheld. Unfortunately, there are serious doubts about whether these opposition leaders have had, or are getting, a fair trial, especially given the questions about possible political motivations and upcoming parliamentary elections.”



Ms Nursuna Memecan (Turkey)

Demographic trends in Europe: turning challenges into opportunities ([Doc. 12817](#)) - Committee on Migration, Refugees and Displaced Persons – 27 January 2012

“If Europe is to remain influential and relevant, there can be no compromise in that regard. Our greatest wealth lies in our people. Europe needs to maintain that high quality, and to invest further in human capital.”

Question to Mr Thorbjørn Jagland, Secretary General of the Council of Europe



Mr RIGONI
(Italy)

noted that the Assembly had earlier heard contributions on the subjects of the Russian Winter and the Arab Spring. He questioned whether the Assembly should act as if nothing was happening or whether it should take a clear stance on the political situation in the Russian Federation and in Hungary. It had been said that the Assembly should encourage radical, democratic change in these countries: he asked whether Mr Jagland shared these views and concerns.



Mr JAGLAND – Yes, I share the concerns but the situation in the Arab world, Hungary and Russia are three different things. There is, as I said, one thing in common for all of us – namely that where there are not checks and balances in the system we always get corruption, mismanagement and misuse of power. That is why we are stressing this so much. This is clear in the Arab world – the root causes are that they did not have a free press, an independent judiciary, free elections and an autonomous parliament. Hungary has those things so we cannot make comparisons but we are afraid that under the new laws, the independence of the major institutions in society could over time be undermined. That is why we need to look into it.

When it comes to Russia, for the time being it is not so easy to see where things are going, but one thing is absolutely clear: political life in the country has been revitalised. We do not know in which direction things will go. Just before I came down here I got a message that the banning or the non-registration of the Republican party over Mr Ryzhkov that was made five years ago has now been cancelled by the Constitutional Court in Russia. They are upholding the ruling of the Court of Human Rights here in Strasbourg. I think that there is a possibility for many constructive forces to use this to help to come to a situation where there are fair and free elections and a flourishing democracy. There were problems with the last elections to the state Duma – that is clear. But since then the situation has become more and more open. It is also, as I see it, clear that there is a need for a dialogue between the power and the opposition. I stated this after the Duma elections and I have heard that it was received positively in many circles in Russia. It should be seen that we can be a constructive force there as well. I think that Russia is on the move and there is no way of returning to the authoritarian rule of the past. As I see it, that is nearly impossible in the current situation.

Question to the Rt Hon. David Lidington MP, Minister for Europe, Foreign and Commonwealth Office, United Kingdom, representing the Chairmanship of the Committee of Ministers



Ms SCHUSTER
(Germany)

thanked the Minister for his statement. She wished to address the subject of reform of the European Court of Human Rights. The United Kingdom had been heard to criticise the European Court. The right to individual petitions was a fundamental right and the right to individual decisions was just as important. She asked for the Minister's views on these points.

Communication from the Committee of Ministers to the Parliamentary Assembly, presented by the Questions ([Doc. 12829](#))



Mr LIDINGTON – There is absolutely no question of seeking to remove the right of individual petitions. I hope I can assure you on that point. There is an issue that the Council of Europe has to decide about repetitive cases or cases that duplicate each other. I was talking to your officials earlier today about what the internet is

doing in promoting transmission of thousands of identically worded – or almost identically worded – representations to the Council of Europe that may at some stage turn into almost identically worded cases brought before the Court. A means has to be found by agreement as to how we deal with those cases, without the really important cases which raise fundamental questions about how human rights are observed throughout Europe being kept waiting for years, while stuff clogs up the system because we do not have our procedures properly in order. So it is procedural reform that we are seeking. [Back](#)

Question to Mr Grigol Vashadze, Minister for Foreign Affairs of Georgia



Mr XUCLÀ (*Spain*) thanked the President and welcomed Mr Vashadze. He noted that in 2008 the European Union had agreed to send a civilian monitoring mission on the implementation of the cease-fire agreement. He considered the mission to be ineffective, and asked Mr Vashadze for his views on the effectiveness of the European Union mission.



Mr VASHADZE – I thank you for your question. You are absolutely right. On 12 August 2008, the French presidency of the European Union was effective and expeditious in negotiating the cease-fire agreement and, even more importantly, in assembling in record time the European Union's monitoring mission and dispatching that mission to Georgia. One of the conditions agreed between the

parties was that the European Union's monitoring mission shall have access to the whole territory of Georgia. Unfortunately, the Russian Federation – the Russian authorities – opted to renege on their international obligations – all six of them, by the way, as they are written in the cease-fire agreement. They absolutely and categorically denied the right of the European Union's monitoring mission to have access to the occupied territories. Unfortunately, this unhelpful, thoughtless and very damaging situation is still going on. The European Union's monitoring mission does not have access to Georgia's occupied territories.

On the last point raised in this question, I emphasise that the European Union's monitoring mission is an extremely successful mission, which is a cornerstone of objectivity and stability on the ground. So let us not judge the European Union's monitoring mission only by this criterion of access to the occupied territories. We would all like the European Union's monitoring mission to enter the occupied territories, but this is not the only criterion that defines the success of this mission. [Back](#)

Question to Ms Tarja Halonen, President of Finland



Mr XUCLÀ (*Spain*) – Madam President, you said that all dictatorships collapse. But democracy is not built in a day. We know it quite well in the Council of Europe. What are the necessary steps to achieve democracy, especially in those member states of the Council of Europe that are still under the monitoring procedure?



Ms HALONEN – Let us take first the question of Europe itself and the area of the Council's member countries. It would be nice to see the miracle, but I do not think that we will. It seems a long time ago – the early 1990s – since we saw the rapid enlargement of the Council of Europe. But in historical terms, the building of a new democracy in those countries – countries that are now members of the Council of Europe, and of the EU – has taken a very short time.

The political system is working in most of those countries quite well, but it takes much longer to educate people about good governance and the rule of law and to establish a good civil service. These are important issues.

Countries that are not members of the European Union have the same rights, and some of them have done a very good job in this regard. Norway – Mr Jagland's country – is an excellent example of a high-quality country that is outside the EU, and so is Switzerland. Those are good examples of countries that take a different approach. I very much encourage you to work with newer members such as Ukraine, and please do not isolate Belarus, for example.

I know that your programme addresses near-neighbourhood regions such as northern Africa and the Middle East. The question of what constitutes legal and illegal immigration poses difficulties, as does the issue of trafficking people. We cannot just close the doors, because we do not want to live in a fortress. We have to work together with our neighbours in such a way as to create a more harmonious place to live.

In a global future, the populations of Europe and the USA will increase by little more than 10%. You might say to me that our economies constitute about 70% of the global economy, but you know that the BRIC countries – Brazil, Russia, India and China – and some others are becoming economically more important. It is high time that we created a more harmonious world in order to save the planet and protect generations to come.

Yes, we have to concentrate very much on our own member states, but please do not think that the world stops outside the borders of Europe. [Back](#)

Question to the Rt Hon. David Cameron MP, Prime Minister of the United Kingdom



Ms LUNDGREN (Sweden) – Mr Prime Minister, we welcome the Lisbon Treaty, which provides a legal obligation for the EU's accession to the European Convention

on Human Rights. We noted the intense negotiations that have taken place since June 2010, showing that the complex technical and legal issues can be resolved. What is needed now is clear and unequivocal political commitment on the part of the 27 EU member states. Why is there a perception that your government is blocking this process?



Mr CAMERON – We are not blocking the process, but it is important to recognise that the European Union's accession to the Council of Europe and the ECHR is an important step, and a new and different step. It is the first time that an organisation, rather than a country, has joined, so there are some complex

questions that have to be worked through. Britain and other European countries that are signatories to the Lisbon Treaty are committed to answering those questions and working this through.

This perhaps goes back to the question I answered earlier. It may be boring, but we in Britain are great believers that you have to try and answer these questions in advance of signing up to something, and that is exactly the process we are going through at the moment.

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Monday 23 January 2012

Progress report of the Bureau of the Assembly and the Standing Committee



Ms BRASSEUR (Luxembourg) First, it was important to discuss the situation in the Russian Federation, although an urgent procedure debate would have been preferable.

Secondly, the situation in Azerbaijan was something that the Assembly should return to, especially given that the rapporteur was refused an entry visa, which was regrettable.

The final issue was that of Hungary which was not in the current programme for debate. [Read more](#)

Free debate

Ms BRASSEUR (Luxembourg) said that the Council of Europe needed to take more relevant action and to follow up its statements. It was regrettable that the Assembly had not voted to hold an urgent debate on the Russian Federation and Hungary. There had been many complaints about the Council's lack of visibility, but visibility was not the only problem. All members of the Council had to champion the values that the Organisation represented. The Alliance of Liberals and Democrats for Europe had recently released a communiqué denouncing the abhorrent human rights situation in Hungary. Fundamental human rights, including the freedom of association, the freedom of the media and the separation of powers were being disregarded. The Council of Europe had to ensure that monitoring was properly undertaken because the people demonstrating in the streets were depending on the Council to take action.

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Tuesday 21 June 2011

The functioning of democratic institutions in Bosnia and Herzegovina ([Doc. 12816](#))



Ms BECK (*Germany*): Despite the work of the international community in Bosnia and Herzegovina, little progress had been made. The civil war forced people to pick and identify with a single ethnic group and the reality was that an individual now had to define himself as a Croat, a Serb or a Bosnian. If they did not define themselves in this way, then they were not able to stand for president. The Assembly should make clear that this state of affairs was undemocratic and that the people of Bosnia and Herzegovina should rid themselves of leaders who perpetuated ethnic divisions. [Read more, voting results](#)

The right of everyone to take part in cultural life ([Doc. 12815](#))



Mr HANCOCK (*United Kingdom*) – I speak on behalf of the Liberal Group and suggest that the overwhelming majority of my colleagues fully support the rapporteur in what she has said. However, I have some reservations about the report; it reminded me of the English expression, “You can take the horse to water but you can’t force it to drink.” I think that this is what this report suggests. You can create all the apparatus but at the end of the day there needs to be a spark, something that comes to life in people’s lives and in their being that gives them the thrill of being involved and participating, included rather than excluded, from something that we are discussing this afternoon – the cultural life of our society. [Read more, voting results](#)

Guaranteeing the authority and effectiveness of the European Convention on Human Rights ([Doc. 12811](#))



Mr DIJKHOFF (*Netherlands*) – The report points out clearly that the Court is one of the pillars protecting human rights – but not the only one. The report reminds us that it was never intended to be the primary caretaker of human rights, as the Court is subsidiary to the responsibilities of member states themselves. Politicians in member states have other responsibilities in this area, too. The Committee of Ministers should be more active in offering guidelines when interpreting and modernising the Convention and its protocols – instead of leaving all the work for the Court. We parliamentarians have the responsibility to discuss human rights in our national parliaments. In adopting new laws, we should pay more attention to conformity with human rights. Again, that question should not be left only for the Court after the law has entered into force. We politicians have an added responsibility when it comes to the scope of human rights. When we try to play down their importance, we damage them. When we try to expand them to fit our own political desires, we undermine them. We should refrain from both. Precisely because the Convention is so valuable, we should protect its Court to keep it effective. To conclude, what is needed most is more respect for individual rights and freedoms for all. The best remedy for the problem of having too many cases before the Court is life without human rights violations. [Read more, voting results](#)

The situation in Belarus ([Doc. 12820](#))



Ms LUNDGREN (*Sweden*) – Belarus is the only country that is not a member of this family, and that is sad. One and a half years ago there was hope. Then came 19 December and its aftermath. We saw how the windows were closed, and we saw harsh oppression. We have seen new death penalties, political prisoners, and strong pressure on civil society and civil rights offenders. We give full support to the rapporteur's approach to a moratorium on the death penalty, freeing and rehabilitating political prisoners, civil rights offenders, stopping repression against political opponents, civil society and individuals such as journalists. [Read more, voting results](#)

The honouring of obligations and commitments by Serbia ([Doc. 12813](#))



Ms BECK (*Germany*) The monitoring process gave a positive view of Serbia's route to membership of the European Union. In particular, reforms of the Serbian Parliament and the judicial and legal system were positive. However, issues remained. One such issue was corruption, although this problem was not unique to Serbia or indeed new democracies in general. Northern Kosovo also had a role to play. The Serbian Government was now working with the Albanian Government to try to achieve good neighbourly relations, something that was essential if Serbia was to be able to join the European Union. [Read more, voting results](#)

Protecting human rights and dignity by taking into account previously expressed wishes of patients ([Doc. 12804](#))



Mr MARQUET (*Monaco*) said that the Alliance of Liberals and Democrats for Europe welcomed the report, which offered effective protection for the dignity of all patients in line with Oviedo Convention. He added his congratulations to France for ratifying the Oviedo Convention, and hoped other member states would follow. The issue of euthanasia was not in the report and this was to be welcomed. Ensuring that a patient's directions were followed was the best way to guarantee their human rights and therefore it was essential for the report to be approved and for states to implement its recommendations. [Read more, voting results](#)

Thursday 26 January 2012

Current affairs debate:

The Russian Federation between two elections

Ms LUNDGREN (*Sweden*) – We want to be helpful in this Assembly. Over the past seven years, we have not been able to see a report on the honouring of obligations and commitments made by the Russian Federation. I do not think that that is helpful. We should have been able to have a proper debate in order to be helpful. Democracy is the heart of this Assembly – not elections as such. Democracy is much older. If we look at the environment for democracy in Russia, we see denial of registration, harassment and the arrest of journalists. The independent organisation, Golos, has been stopped. Many people have told us that there are two ways forward: to keep on as before or to change the pattern. So far, we have not seen any change. Many voices have said that if it is not possible to change power with elections, what should we do? [Read more](#)

Joint debate: a. Advancing women's rights worldwide ([Doc. 12812](#)), b. Promoting the Council of Europe Convention on preventing and combating violence against women and domestic violence ([Doc. 12810](#))



Ms SCHUSTER (*Germany*) : The Istanbul Convention was a milestone because it was the only convention in the world that covered all forms of violence against women. This could take many forms such as forced marriage, psychological and sexual violence, stalking, female genital mutilation and sexual exploitation. There was also the violence described as “honour killings”. This was an unacceptable term. Honour could never be used as a pretext for actions of this kind. These were not “honour killings”, these were despicable crimes. Above all, it was important for delegates to take these reports back to their home countries to ensure they were debated on a national level and that the convention was ratified by their governments. The Council of Europe also needed to consider opening up the convention to countries outside Europe. [Read more,](#)

[voting results 1, 2](#)

The functioning of democratic institutions in Ukraine ([Doc. 12814](#))



Ms MATEU PI (*Andorra*): Ukraine had to honour the commitments it had made when it had acceded to the Council of Europe. It was evident that there was some way to go before the people of Ukraine would be able to live in a democratic state governed by the rule of law and respect for human rights. The report also highlighted shortcomings in the judicial system. For example, there was no presumption of innocence. Judges were appointed on a discretionary basis for five years before their appointment was confirmed for life. This left them open to pressure from the authorities. It was also a problem that people could be held on remand indefinitely. [Read more, voting results](#)

Friday 27 January 2012

Enforced population transfer as a human rights violation ([Doc. 12819](#)) : [Read more, voting results](#)

Demographic trends in Europe: turning challenges into opportunities ([Doc. 12817](#)) : [Read more, voting results](#)

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