



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

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1-5 October 2012
and
The World Forum of
Democracy*

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Activities of ALDE-PACE in October 2012:

- Ahead of the PACE debate on the honouring of Council of Europe obligations and commitments by the Russian Federation, the ALDE exchanged views with Mr Boris Nemtsov, co-chair of the liberal extra-parliamentary opposition party RPR-PARNAS, Mr Oleg Orlov, one of the leaders of the Human Rights Centre Memorial and Mr Jan Erik Helgesen, first Vice-President of the Venice Commission. The report on recent restrictive amendments to a number of laws in Russia, as well as their possible implications for the development of civil society and political pluralism, raised serious concerns in the ALDE.
- The Council of Europe Commissioner for Human Rights, Mr Nils Muižnieks, in office since April 2012, addressed the ALDE on 3 October. The Commissioner gave a brief overview of the most critical human rights problems on the European continent and presented his vision of common strategies for different international bodies to find efficient remedies to these concerns.
- Following the PACE session several members of the ALDE attended the World Forum for Democracy held in Strasbourg on 5-11 October 2012. Mr Raphael Comte (Switzerland) represented the ALDE at the Council of Europe Youth Assembly and Mrs Anne Brasseur (President of ALDE, Luxembourg) addressed the participants of the World Forum for Democracy in the debate “Is representative democracy in crisis?”

We would like to take this opportunity to thank all those who took active part in plenary debates on behalf of the ALDE, presented reports, and attended group meetings and side-events. We are particularly grateful to Kristiina Ojuland (MEP), Markus Löning (Federal Government Commissioner for Human Rights Policy and Humanitarian Aid, Germany) and Mrs Simona Granata-Menghini (Deputy Secretary of the Venice Commission) for their valuable input during the meetings. The Group is also thankful to the team of young volunteers who did their best to fully experience the work of the Parliamentary Assembly: Maria Flemmich (IFLRY) and Liza Puzanskaja (Lithuania, trainee of ALDE).

ALDE endeavours to be the engine of the Assembly defending core European values
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ALDE discussed political and human rights situation in the Russian Federation



Mrs Brasseur, Mr Nemtsov, Mr Orlov and Mr Helgesen

On Monday 1 October, the ALDE-PACE exchanged views on the political and human rights situation in the Russian Federation with Mr Boris Nemtsov, co-chair of the liberal extra-parliamentary opposition party RPR-PARNAS, Mr Oleg Orlov, one of the leaders of the Human Rights Centre Memorial and Mr Jan Erik Helgesen, first Vice-President of the Venice Commission.

ALDE guests raised a number of issues of political and human rights concern in today's Russia: the overall pressure on civil society; the amendments to the laws on assemblies (the so-called "protest law") and on NGOs (the so-called "foreign agents" amendment) adopted by the State Duma and considerably undermining freedom of speech and democratic development in the country; the shortcomings in the functioning of justice and the deteriorating situation in the North Caucasus.

The recent toughening of policies in the country, if confirmed, may lead Russia further away from the values of pluralist democracy, human rights and the rule of law. Mr Nemtsov and Mr Orlov both underlined the worrying tendency towards what they referred to as "Loukashenisation" of the Russian political system with a continuous lack of separation of powers, personification of the state and restrictions on civil rights and political freedoms.

A demanding voice of the PACE could play a crucial role in the development of democratic society in Russia and draw the attention of the Russian leadership to the common values of the Council of Europe. The adoption of the Resolution on the honouring of commitments and obligations by the Russian Federation, would, regardless of some blind spots, be a strong signal for the Russian society and authorities.

President of ALDE Mrs Anne Brasseur underlined that one way or another Russia's membership in the Council of Europe is crucial for Russian society and its progressive democratic development, but its authorities must now show their willingness to fully respect the obligations that the country undertook while joining the organisation.



Ms Tina Acketoft (Sweden)

Progress report of the Bureau and the Standing Committee ([Doc. 13031 + Addendum, Doc. 13036](#)) – 1 October 2012

“I welcome two of the Bureau’s decisions in particular: first, the decision to urge the Committee on Legal Affairs and Human Rights to continue monitoring the situation faced by human rights defenders in Council of Europe member states and, secondly, the decision to make use of the Assembly’s democracy and human rights debates to assess progress by member states in improving the access of young people to social rights.”



Ms Hermine Naghdalyan (Armenia)

Restoring social justice through a tax on financial transactions ([Doc. 13017](#)) - Committee on Social Affairs, Health and Sustainable Development – 5 October 2012

“The report currently under debate was one in a series intended to draw lessons from the crisis and put into place protective measures. The aim was not to impose a tax but to restore social justice.”



Mr Rafael Huseynov (Azerbaijan)

The consolidation and international openness of the European Higher Education Area ([Doc. 13009](#)) - Committee on Culture, Science and Education – 5 October 2012

“In my report, I wanted to draw attention to the external dimension of the Bologna process, including the impact that developments in the EHEA have in the neighbouring regions and globally.”

Question to the Committee of Ministers

Ms LUNDGREN (*Sweden*) – Thank you. I would like to stick to the European Convention on Human Rights and the accession of the EU to that Convention.



We in this Assembly have been longing for that for a long time. You mentioned your expectations for this Assembly, and for national assemblies, but could you please tell us a little bit more about your views, and about the Committee of Ministers' work to ensure a smooth accession?



Mr PANARITI – Thank you for that question. EU accession to the European Convention on Human Rights is essential to complete the construction of a coherent area of protection of individual rights in wider Europe. Negotiations on the draft accession agreement were put on hold at the end of 2011 to allow the EU to clarify certain internal issues, but have been resumed following completion of those internal discussions. In June 2012, the Committee of Ministers instructed the Steering Committee for Human Rights to pursue negotiations with the European Union in an ad hoc group of 47 plus one, with a view to finalising without delay the legal instrument setting out the modalities of the accession of the EU to the European Convention on Human Rights. The ad hoc group in charge of that has now been established and met in September. It is expected and hoped that negotiations will be completed soon, so that accession can take place rapidly. The chairmanship will spare no efforts to achieve this major goal.

Question to Mr Nicolae TIMOFTI, President of the Republic of Moldova



Ms GUȚU (*Republic of Moldova*) asked what Mr Timofti's view was on the possibility of solving the Transnistrian conflict in the

medium and long terms, especially given recent developments. The self-proclaimed leader of that region had instituted customs taxes on goods moving from the right bank to the left bank, and had adopted the Russian flag for the Transnistrian region.



Mr TIMOFTI said that recently the Prime Minister of the Republic of Moldova had adopted measures, which he supported, which would lead to the improvement of the lives of citizens on both sides of the Dniestr River. It was unfortunate that the authorities on the other side of the river had imposed customs duties.

When the duties had been imposed he had been in Washington and had not been able to discuss the issue, but he knew that the Prime Minister was taking steps to solve the issue. The trend now was for open dialogue.

Question to Mr Bujar NISHANI,
President of Albania



Mr XUCLÀ (*Spain*) shared Mr Nishani's dream of Europe and asked what progress had been made in Albania on the rule of law insofar as it applied to the protection of personal

property.



Mr NISHANI – The rule of law is a very basic part of a democratic society. Albania, through the process of European integration, is very much focused on some priorities, particularly the rule of law. Let me tell you about the most recent development in our parliament, which I, as president

of the republic, appreciated very much. Both the opposition and majority parties reached a consensus and voted for some changes to our constitution to lift the immunities from members of parliament and some high-level employees of public administrations. That is a very good message about the implementation of the rule of law, particularly in relation to the fight against corruption. At the same time, Albania has full legislation to European standards, which our institutions now apply. Our prosecutor's office is completely independent and applies criminal policies against everyone who might be involved in criminal activities. Our judicial system is also completely independent and is becoming ever stronger in this regard.

As for your concern about engagement in such important fields, Albania is working on the basis of the 12 priorities of the European Commission that directly address the rule of law and property issues. We have agreed an action plan with the European Commission and are working in that way. A special department has been created in our Ministry of Justice to address property issues, and that is a crucial project financed by the World Bank and implemented by companies supported by the World Bank through the digital registration of properties. The problem of the restitution of property in a country that suffered for five decades from terrible isolation, when everything was confiscated, will not be solved through a short process. However, things are going in a positive direction.[Back](#)

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



Mr HANCOCK (*United Kingdom*) I believe that we are fast approaching a time when we need to reform how our judges are elected. We have to hold on to that responsibility, because if we are not careful and if we do not do something to reform it, it will be taken away from us. [...] I wish to raise the issue of how we deal with conflicts outside Europe and how we have neglected two major conflicts, which involve four member states of this Assembly. [...] I also wish to discuss the Ukrainian elections. I read with dismay the press report that was attributed to him, as it paints a very different picture from the one portrayed in the agreed press statement that the delegation put together. [Read more](#)

Free debate



Ms SCHUSTER (*Germany*) put forward a practical proposal for something that all members of the Assembly could do to better protect those who protect human rights. Lawyers, journalists, representatives of women's rights organisations, and minorities, including sexual minorities and indigenous peoples, were often subject to threats. This could also apply to opposition politicians who had only exercised their right to freedom of speech. Such spokespeople were at risk of arbitrary arrest, torture, and even murder. Her suggestion, therefore, was to follow the example of the German Bundestag, which had established a programme called "Parliamentarians Protecting Parliamentarians". [Read more](#)

Tuesday 2 October 2012

The honouring of obligations and commitments by the Russian Federation



Ms BRASSEUR (*Luxembourg*) said that the report of the Monitoring Committee took a qualified view of the situation in Russia. [...] If she was critical, it was not a criticism of the country or people of Russia, but of the Russian authorities who had not honoured the commitments they had entered into 16 years ago. [...] Turning to her Russian colleagues, she emphasised that the proposals put forward in the report were not mere wishes, nor did they represent the position of western countries in respect of Russia, because there should be no East-West divide in the Council of Europe, which was concerned with defending universal values in all 47 member countries. Her concerns about Russia had been reinforced by the speaker of the Duma withdrawing from the part-session. [Read more, voting results](#)



Ms ANTTILA (*Finland*) – Political parties have a decisive role to play in enhancing women's political representation. First, we need more women candidates in the elections, because a higher share will directly ensure that more women are elected. According to the equality acts in the Nordic countries, all projects for legislation and all budgetary and project-management programmes must be evaluated with regard to their possible impact on gender. Men and women must be treated on an equal basis.

[Read more, voting results 1, 2](#)

Wednesday 3 October 2012

The activities of the Organisation for Economic Co-operation and Development (OECD) in 2011-2012



Ms FIALA (*Switzerland*) said the Council of Europe liked to style itself as the parliamentary conscience of the OECD, but this debate had only been given one and a half hours of time, which was unsatisfactory. This was especially the case since many of the social and institutional problems were interrelated. There was a connection between economic difficulties and the rise of the extreme right, and she was sorry that this had not been made clearer. [...] The OECD did not want the Assembly to just be a talking shop and the Assembly should pay heed to this.

[Read more](#)

The definition of political prisoner



Ms REPS (*Estonia*) – Thank you, Mr President. We have a very sensitive question before us: what things can we agree in this Council of Europe? I hope that we can all agree that this is the institution of the rule of law, democracy and human rights – our values and principles. Based on that, I hope that we can all agree that having political prisoners is unacceptable, in whatever country, be it one under monitoring or one not being monitored. [...] The question raised in the report is whether or not we need a definition. The Committee on Legal Affairs and Human Rights has agreed that we need one. [...] Some people like the definition, others think it is too vague and some would like to amend it. However, it was proposed by the committee and if we do not vote for the resolution, we send the message that the issue of political prisoners should not be dealt with by the Parliamentary

Assembly. That would be a disaster. [Read more, voting results](#)



Mr HANSON (*Estonia*) – It is obvious that the aim of diplomacy and foreign policy is to safeguard national interests. However, economic relations – and, say, energy deals – between states are becoming increasingly important, even more important than security and humanitarian interests. [...] The rapporteur proposes a conditionality clause in all bilateral agreements, and proposes that member states should consider human rights violations in the round in their political and economic dialogue with other countries. That would be an effective tool for promoting human rights in foreign policy practice.

[Read more, voting results](#)

Thursday 4 October 2012

Debate under urgent procedure: The European response to the humanitarian crisis in Syria



Ms SCHUSTER (*Germany*) said the civil war in Syria had been continuing for 18 months but progress towards a resolution had been blocked by the inaction of the Security Council – blocked in fact by Russia and China. Although the Council of Europe did not have a seat on the Security Council, this should not prevent it from raising its voice and calling for a swift resolution. Neighbouring countries had welcomed refugees but those refugees now needed medication, food and humanitarian access, under the aegis of the International Committee of the Red Cross. This would be in addition to the political support given to Mr Brahimi, in order to avoid what had happened to Mr Annan. It was not yet known what would happen after the fall of the Assad regime but it was essential that there could be no impunity for anyone involved in war crimes. [Read more, voting results](#)

Code of conduct of members of the Parliamentary Assembly: good practice or a core duty?

[Read more, voting results](#)

The right to freedom of choice in education in Europe



Mr COMTE (*Switzerland*) said that when a liberal saw a report about freedom of choice he would naturally think it a good thing. ALDE supported paragraphs 1 to 4 of the resolution about the right to establish private schools and about respecting religious faith. All children should be able to feel at ease in school. But the school systems could not pander to all whims. There was a balance to be struck between freedom of choice and the influence of religion on education. [...] There were many recommendations arising from the educational traditions of countries. [...] School systems should foster integration. It would be a shame if respect for choice in education resulted in people of different faiths being educated in different schools. [Read more, voting results](#)



Ms BRASSEUR (*Luxembourg*) The ALDE Group shared the indignation already expressed by the President of the Assembly and the Secretary-General of the Council of Europe. To turn a criminal into a hero was simply intolerable, no matter where it happened or which country did it. The attempt to whitewash the act of the murderer was also unacceptable; it had been argued that he had been defending the dignity of the people of Azerbaijan. National honour should never be used as a pretext for criminal acts or an attack on human life. The case was a reminder of the persistent lack of will shown by two member states to peacefully resolve a conflict in which they had been engaged for many years.

[Read more](#)

Friday 5 October 2012

Restoring social justice through a tax on financial transactions



Mr HANCOCK (*United Kingdom*) – First, may I explain that I am speaking on behalf of the majority of my group, but a significant number of members have strong reservations about this issue and some will vote against the report. That is the balancing act that I need to perform, and rightly so. [...] Europe's banks and financial institutions were bailed out to a substantial degree and continue to exist because of the generosity of member states and their taxpayers. The proposal is an attempt to redress the balance by saying that we are not deaf to the issues affecting people or to the loud roar demanding social justice, which comes from the people we all represent. [Read more, voting results](#)

Joint debate: The consolidation and international openness of the European Higher Education Area; Governance of higher education institutions in the European Higher Education Area



Ms GUȚU (*Republic of Moldova*) said that the debate was on a very important subject for many member states. Recommendation 1762 had been adopted six years earlier and it had been very useful in influencing states to improve their educational systems. [...] In 2010 the European Higher Education Area had been established with its three cycle model of higher education. This had not been easily accepted in the Former Soviet states which had favoured the old Soviet model.

[Read more, voting results 1, 2](#)