



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

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April session in Strasbourg

- Situation in Ukraine: ALDE exchanged views with **Mr Thomas Markert, Director Secretary of the Venice Commission** and took note of legal opinions prepared by the expert body. ALDE heard a report on recent developments in Ukraine presented by **Mrs Natali Sevidova**, International Officer of the European Party of Ukraine (ALDE Party member) and **Mrs Olha Herasymiuk**, former PACE member.
- Ahead of the PACE debate on the credentials of the Russian delegation, ALDE held an exchange of views with **Mr Mikhail Kasyanov**, former Prime Minister of Russia and co-leader of RPR-Parnas (ALDE Party member). Later that day, **Mr Michael Aastrup Jensen**, ALDE Vice-Chair, hosted a press-conference on the subject.
- On Tuesday 25 June 2014 the Parliamentary Assembly will elect the Secretary General of the Council of Europe for a term of five years. At its meeting on 7 April 2014 ALDE interviewed the two candidates: **Mr Thorbjorn Jagland**, current Secretary General from Norway seeking re-election, and the candidate of the German Government **Mrs Sabine Leutheusser-Schnarrenberger**, who has held mandates as the Federal Minister of Justice, MP and PACE member. ALDE is proud to see the Group's former Vice-Chair and one of the most prominent rapporteurs of the Assembly to run for the highest position of our Organisation.

As always, we wish to thank all ALDE members who took active part in plenary debates, defended our position in committees, presented reports and attended group meetings. We particularly wish to thank Mr Emil Kirjas, Secretary General of the Liberal International, for his valuable input and unfailing attention to the work of the ALDE. We are also thankful to Mr Frerik Kampman (Secretary General of IFLRY) and Mr Maxime Kern (ALDE trainee) for assistance during the session.

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Situation in Ukraine



Thomas Markert, Jordi Xuclà

How to rebuild trust in the institutions in Ukraine and how to de-escalate the tensions between Russia and Ukraine? Ahead of the PACE urgent debate on the threats to the functioning of democratic institutions in Ukraine and the vote on the credentials of the Russian delegation ALDE exchanged views with legal experts, civil society activists and liberal partners.

Natali Sevidova, international officer at the European Party of Ukraine, and Olha Herasymiuk, former MP and civic activist, reported on the escalation of the crisis in Eastern Ukraine and on the

situation in Crimea. Thomas Markert, Director Secretary of the Venice Commission, presented the Commission's recent opinions concerning the annexation of Crimea. Recalling the fundamental legal principles of international relations, those of territorial integrity, self-determination of peoples, national sovereignty and *pacta sunt servanda*, the Council of Europe's expert body on constitutional law found no legal grounds to justify the unilateral annexation of a Ukrainian region by Russia.

ALDE agreed that restoring trust in the state institutions in Ukraine implied a sustainable constitutional reform and credible presidential elections on 25 May. On 14-15 April representatives of the Venice Commission met in Kiev with the Special Commission of the Verkhovna Rada to discuss the preparation of amendments to the Constitution of Ukraine.

The use of military muscle on the territory of a neighbouring state backed by both houses of Parliament and the annexation of Crimea conducted the Assembly to put into question the credentials of the Russian delegation. ALDE recalled the [commitments undertaken by Russia](#) in 1996 and called on the Russian authorities to de-escalate the crisis and to reverse the annexation of Crimea. Mikhail Kasyanov, co-leader of RPR-Parnas Party and former Prime Minister of the Russian Federation, found that the attempts of the Russian authorities to redraw the



Michael Aastrup Jensen, Mikhail Kasyanov

European map constituted a threat to the international stability and required a clear and strong signal from the Council of Europe. "The suspension of voting rights proposed by ALDE's vice-chair Michael Aastrup Jensen is not a soft sanction and has been applied just a few times in the history of the Assembly. For now, the channels of dialogue remain open and we very much hope that the Russian authorities will hear us when we speak about the absolute necessity to respect the principles on which our organisation was built," said Jordi Xuclà, President of ALDE.

- For further information watch [the press-conference](#) given by Michael Aastrup Jensen, Mikhail Kasyanov and Pieter Omtzigt (EPP, Netherlands) on 9 April 2014
- Visit the website of the [Venice Commission](#) and consult the opinions [CDL-AD\(2014\)002-e](#) and [CDL-AD\(2014\)004-e](#)



Mr Jordi XUCLÀ (Spain)

The right to Internet access, Rapporteur for opinion of the Committee on Legal Affairs and Human Rights (Doc. 13465) – 9 April 2014

In the absence of Mr Xuclà, the opinion was presented by the committee Chair



Ms Mailis REPS (Estonia)

Recent developments in Ukraine: threats to the functioning of democratic institutions (Doc. 13482) – Co-Rapporteur of the Monitoring Committee – 9 April 2014



Mr Rafael HUSEYNOV (Azerbaijan)

Access to nationality and the effective implementation of the European Convention on Nationality (Doc. 13438) - Rapporteur for opinion of the Committee on Migration, Refugees and Displaced Persons – 9 April 2014



Mr André BUGNON (Switzerland)

The protection of minors against excesses of sects (Doc. 13467), Rapporteur for opinion of the Committee on Social Affairs, Health and Sustainable Development – 10 April 2014

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**Question to Mr Sebastian KURZ,
Minister for Integration Issues,
European and International
Affairs of Austria, Chairman of
the Committee of Ministers**



Mr XUCLÀ
(Spain)* – The situation in Ukraine is now the major challenge. On 25 May its citizens will be called upon to

elect a president. I think that it would be inappropriate for them to do so without knowing whether they are moving towards a system that is more presidential or more parliamentary. What are your views on constitutional reform in Ukraine and how that will impinge on the presidential elections?



Mr KURZ* – At the moment the 2004 constitution is in force, as was decided in February. A new constitution would obviously require work, and there is a broad consensus that that should follow a recognition among the people of Ukraine and its political circles that a new constitution is necessary. The discussions that Secretary General Jagland and I had with representatives of the Ukrainian Government demonstrated clearly that Ukraine has an interest not only in preparing a new constitution, but in relying on the Council of Europe's expertise in so doing. I trust that the constitution will provide a solid basis for peaceful coexistence in Ukraine so that different community groups and minorities will be treated well and that that will provide a useful foundation for future political activity.

I hope that the presidential elections are carried out in good order, as with parliamentary elections, but there is a major challenge, because the country is large and there are still difficulties in the eastern part. I hope that no outside influence will be used to destabilise the country further, which would have a negative effect on both the parliamentary and presidential elections. I hope that it will be possible to produce the constitution as swiftly as possible. The intention is to have it ready for a first reading before the presidential elections, and the following steps would need to be taken in the autumn, but work on it has begun.

**Annual Activity Report 2013.
Question to Mr Muiznieks,
Council of Europe Commissioner
for Human Rights**



Ms BECK
(Germany)* – I, too, turn to
Crimea.

Human Rights
Watch
reported that
some people
had

disappeared for 11 days. Two young people came forward and spoke out about the authorities having tortured them. They were human rights activists. How much do you know about the highly restrictive NGO legislation being transferred and applied to Crimea?



Mr MUIŽNIEKS – All these allegations about ill treatment, abductions and attacks need to be effectively investigated. This is the standard of the European Court of Human Rights and the standard that should be applied in these cases. On NGO legislation, I am concerned about recent statements and

about the transfer of this restrictive legislation, which unfortunately the Constitutional Court of Russia has found to be in conformity with the Russian constitution. My view is that it is not in conformity with the Convention. We published a lengthy opinion on Russian NGO legislation in the light of Council of Europe standards, in which we highlighted a number of problematic practices. Those concerns remain in general for Russia, and also now for Crimea.

**Question to Mr Heinz Fischer,
President of Austria**



Ms BULAJIĆ (*Serbia*) – Mr President, thank you for your comprehensive and frank address to our Assembly. My question, too, will revolve around human rights issues. As you are well aware, we have been holding extensive discussions on the foundations of human rights in the face of crises. My question is this: how do you intend to respond to those challenges, especially in the case of the Ukrainian crisis, and what concrete measures would you propose so that utopia can cease and make way for reality?



Mr FISCHER* – As the Austrian President, I would say, first, that we need to become very active in the bodies where we are represented, such as the European Union and the Council of Europe, in order to promote efforts within the community of democratic states and to have a positive effect in encouraging peaceful and legitimate solutions to come about. Of course, we need to look at the economic and social basis on which we are working for these solutions. We cannot ignore the fact that there is a connection between social cohesion and concern for the weaker and more vulnerable members of a society, and that society's solidity.

Austria has a special bilateral dialogue at the moment with senior representatives of Ukraine, who turned to us and asked if we would be prepared to provide our best offices and explain our experience, for example of neutrality and not belonging to a specific bloc. We hope to be able to make a contribution there.

Furthermore, Austria has offered Ukraine assistance in framing a constitution. The President of the Supreme Court in Austria has just retired on age grounds and spent a week in Ukraine, where he has been talking to people there about how to create a better foundation for a constitution. This is what we can do bilaterally and what we can achieve as members of the European Union and the Council of Europe.

Monday 7 April 2014

Progress report of the Bureau and the Standing Committee



Ms KHIDASHELI (*Georgia*) – First, I thank the rapporteur for this comprehensive report. It is always important to understand such activities. We will have an opportunity this week to speak at length about Ukraine and Russia. I hope that the Assembly will be clear about why the Council of Europe was created, that we will send a clear and concise message and that there will be no fundamental review of the Assembly's principles and democracy and sovereignty will be respected. [Read more](#)

Free Debate



Ms GUȚU (*Republic of Moldova*)* – Thank you, Madam President. On behalf of the Alliance of Liberals and Democrats for Europe I would like to draw attention to the special situation that has arisen in the secessionist area of Transnistria, where there are constant violations of human rights. We have seen the violation of the fundamental right to education in the mother tongue. There are pupils at eight schools with Romanian as their mother tongue, but the authorities regularly persecute them. Not long ago, the headmaster of a school in Tiraspol was arrested for confiscating the money used to pay the salaries of the teachers there. [Read more](#)

Tuesday 8 April 2014

Prostitution, trafficking and modern slavery in Europe

**Group
Speakers**

Debates

Results



Ms FIALA (*Switzerland*)* – The report considers the different developments in several Council of Europe member states and advocates neither the criminalisation of prostitution nor blanket liberalisation. Regrettably, several member states are not yet party to the Council of Europe convention on human trafficking. The fact that, according to studies, legalisation of prostitution can have two contradictory effects on human trafficking is documented convincingly by the report, but data from 150 countries point to the conclusion that the legalisation of prostitution would probably lead to an increase in human trafficking.[...] As a liberal, however, I have problems with criminalising the use of sexual services. I am very grateful for the report, and I recommend it most warmly to the Assembly. [Read more, voting results](#)

Request for Partner for Democracy status with the Parliamentary Assembly submitted by the President of the Kyrgyz Republic



Ms KHIDASHELI (*Georgia*) – An obvious question is whether Kyrgyzstan is already there, but it is obviously not. It has much homework to do, but the commitment shown over the years proves that with our help and with the recommendations and conditions set by the Council of Europe it can deal with difficult issues, such as justice system reform, prisoners' rights, in particular for political prisoners, which gives serious cause for concern, equality and ensuring stability of democratic institutions. The list could go on. Kyrgyzstan cannot do it alone. It has tried over the years and has been quite successful while working alone and joining our Partnership for Democracy club will give them even more chances and opportunities to become a viable democracy. [Read more, voting results](#)

The situation and rights of traditional national minorities in Europe



Mr STROE (*Romania*) – The report is politically welcome as an expression of pluralism, but we believe that its proposals have a number of deficiencies that we can hardly ignore, such as trying to impose a few specific cases of territorial autonomy as a model or the insistence on the idea of collective rights, which often come to contradict the individual rights of members of minority communities. [Read more, voting results](#)

Wednesday 9 April 2014



Joint debate: Improving user protection and security in cyberspace and the right to Internet access

Mr GARÐARSSON (*Iceland*) – We all want our right to privacy to be respected. As an individual, I want a say in what information about me is gathered and distributed on the Internet. I also want my freedom of expression to be respected. We need to understand how important that is. The Internet of course provides us with numerous possibilities, but the rapidly deteriorating status of user protection and security in cyberspace is a cause of great concern. [Read more, voting results 1, 2](#)

Debate under urgent developments – recent developments in Ukraine: threats to the functioning of democratic institutions



Ms BECK (*Germany*) – Peace in Europe must be based not on the military force of the most powerful states but on the rule of international law. Russia guaranteed the integrity of Ukraine’s borders in the Budapest memorandum, but broke its promise when it annexed Crimea. Thus, it challenged the order of peace in Europe. When we talk about Ukraine, we are talking about ourselves. The Council of Europe stands for the survival of international law; it is responsible for peace on our continent.[...] I am worried that the eastern part of Ukraine is systematically being destabilised. That destabilisation was instigated partly by provocations from across the border, perhaps with the intention of preventing the elections on 25 May. Those elections are crucial. Ukraine needs stability through legitimate elections and a pluralistic constitution. The Council of Europe must support that political process with all

our might. We owe it to the idea of Europe and its citizens. [Read more, voting results](#)

Access to nationality and the effective implementation of the European Convention on Nationality



Ms GUȚU (*Republic of Moldova*)* – In the report, we see that civic identity and nationality are essentially identical. [...] I draw your attention to the situation in post-Soviet countries, including Moldova. Post-Soviet countries have been marked by the civic identity approach. We all have a civic identity. We are citizens of the Republic of Moldova. However, we have seen political speculation proliferate and the national cultural aspect has been emphasised. However, no one would say that you are necessarily first and foremost Moldovan, rather than Russian or Bulgarian. [Read more, voting results](#)

Thursday 10 April 2014



Reconsideration on substantive grounds of the previously ratified credentials of the Russian delegation

Mr JENSEN (*Denmark*) – The suspension of voting rights is not a soft sanction. It is a clear warning to Mr Putin and his regime. I cannot emphasise enough that Russia is on the edge of getting even further sanctions. If Russia does not withdraw from Ukraine and de-escalate the situation, we must consider removing the credentials of the Russian delegation. The Russian leadership and Mr Putin must decide whether they want to be part of a democratic Europe or to continue down the authoritarian way. [Read more, voting results](#)

Urgent need to deal with new failures to co-operate with the European Court Of Human Rights



Ms FIALA (*Switzerland*) – Non-compliance with the Court’s interim measures is a political, as well as a legal, issue. We must continue to remind states of their legal obligations, which they undertook voluntarily, such as co-operation with the Court to ensure effective protection of the rights in the Convention to anyone within their jurisdiction. We must not act out of political self-interest; we must act within the law. [Read more, voting results](#)

The protection of minors against excesses of sects

[Read more, voting results](#)

Decent work for all



Ms GORGHIU (*Romania*) – Fortunately for some people, but unfortunately for many others, labour has turned into life itself for a great many employees. Clear evidence of that is shown by the case of 60 employees in a communications company who have chosen to end their lives as a result of their dismissal or the amount of pressure that they were put under by the management board. Labour should be decent and accessible to all. [...] To return to the report, we Liberals suggest that the strategies should contain solutions identified both at the global and national level which can address the specifics of each problem that needs attention. [Read more, voting results](#)

Friday 11 April 2014

Refugees and the right to work



Mr XUCLÀ (*Spain*)* – There are different types of refugees. Some are political refugees. On occasion, we will find ourselves confronted by all kinds of paradoxical situations. For example, political prisoners and people who are subject to political persecution in their home countries can be seen as heroes abroad, but when they try to enter the labour market, there is not the same degree of recognition for them as when they were being persecuted. That is the paradox. [...] We should look very carefully at the thousands of anonymous refugees – for example, the Syrians whom we are taking in and whom we should integrate in our societies as a gesture of solidarity and a very small and inadequate response to the crisis in that country. [Read more, voting results](#)

Ending child poverty in Europe



Mr COZMANCIUC (*Romania*) – I congratulate the rapporteur on a great report. Child poverty needs special attention from the Council of Europe and all international organisations and combating it needs the support of all members of the Assembly. It needs to become a thing of the past. [Read more, voting results](#)

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