



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

N°4, 2016

*PACE Session
10-14 October 2016*

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Highlights of the October part-session in Strasbourg

- **Kristyna Zelienskova**, member of the ALDE group since 2014, joined ALDE's bureau as a Vice-President.
- ALDE discussed PACE **relations with Russia**. Ahead of the January session which will mark the appointment of national delegations for the 2017 PACE session, ALDE strongly pronounced against any attempts to curb the powers of the Assembly, including its right and duty to examine the credentials of the parliamentary delegations sent to Strasbourg and the right to oppose sanctions in cases of non-conformity with the Council of Europe and Assembly's democracy standards.
- ALDE commemorated the anniversary of the Russian opposition leader **Boris Nemtsov** born on 9 October 1959 and reiterated that the perpetrators and those who ordered the assassination of Mr Nemtsov must be found and brought to justice.
- During the October session ALDE held a series of hearings to raise awareness of the **democracy, rule of law and human rights situation in Turkey** following the attempted coup d'État. To defend and reinforce democracy one needs more democracy, not less.

As always, we wish to thank ALDE members who took active part in plenary debates, defended our position in committees, presented reports and attended group meetings. We welcome all new members who joined the group since June and wish them excellent work. We were glad to welcome Natalia Schomerus, participant of the human rights programme of IFLRY. A very warm and special thanks goes to Peter Kallenberger for his unfailing support and commitment.

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

Kristyna Zelienkova joined ALDE-PACE bureau



ALDE congratulates **Kristyna Zelienkova** (Czech Republic) who joined the bureau of the group as a Vice-President.

Kristyna Zelienkova has worked in the ALDE group since January 2014 and has been the rapporteur on the political consequences of the conflict in Ukraine since October 2014. During the October 2016 part session she presented her findings to the Assembly.

Ms Zelienkova is a full member of the Political Affairs and Monitoring Committees in the Parliamentary Assembly of the Council of Europe.

ALDE discussed democracy, human rights and rule of law in Turkey



Mr Reissner, Ms Zeller and Mr Gardner, ALDE-PACE meeting on 10 October 2016

On 10 October 2016, ALDE exchanged views on the rule of law, human rights and democracy in Turkey in the aftermath of the attempted coup d'État. The expert panel featured Mr Gerhard Reissner, Honorary President of the International Association of Judges, Ms Edith Zeller, President of the European Association of Administrative Judges, and Mr Andrew Gardner, Amnesty International Researcher on Turkey.

The experts reported about cases jeopardising the justice system and democracy in the country, including cases of unfounded persecution of lawyers and judges and the shutting down of media outlets.

The attempted coup d'État must be condemned, yet it does not justify cutting on democratic rights and undermining the rule of law in the country. Independence of justice, political pluralism, media freedom and the respect of the European Convention on Human Rights are not negotiable. This is a difficult test for Turkey but the only way to reinforce and protect democracy is by having more democracy, not less, concluded the speakers. It is in this perspective that during the session week the ALDE group took the floor in the current affairs debate on the "Situation in Turkey in the light of the attempted coup d'État" and in the exchange of views with Minister for Foreign Affairs of Turkey Mr Mevlüt Çavuşoğlu.

Earlier that day, Anne Brasseur chaired a side event discussing the situation in the Turkish justice system and ways to restore the rule of law. The side event brought together representatives of the "Platform for an Independent Judiciary in Turkey" composed of the four European judges associations.



Mr Mart van de VEN (Netherlands)

Lessons from the “Panama Papers” to ensure fiscal and social justice, Rapporteur for opinion AS/Jur, Tuesday 11 October 2016



Ms Kristýna ZELIENKOVÁ (Czech Republic)

Political consequences of the conflict in Ukraine (Doc. 14130), Rapporteur AS/Pol, Wednesday 12 October 2016



Ms Marieluise BECK (Germany)

Legal remedies for human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities (Doc. 14139), Rapporteur AS/Jur, Wednesday 12 October 2016



Mr Alain DESTEXHE (Belgium)

Co-operation with the International Criminal Court: towards a concrete and expanded commitment (Doc. 14136), Rapporteur AS/Jur, Wednesday 12 October 2016

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



Mr JENSEN (Denmark) – Something that is within the mandate of the Council of Europe is addressing

Russian aggression against Ukraine. What will the Secretary General do to ensure that the violations that happen almost daily from the Russian side are stopped? Will he ensure that this does not end up as a frozen conflict like many other conflicts around Europe?



Mr JAGLAND – The best answer is to support the Minsk process. What are the concrete ways in which we are doing that? We are helping to stabilise Ukraine as an independent sovereign state, which is about building solid institutions in which people can believe, doing away with corruption, decentralising power – which is important in Ukraine – and establishing a constitution that will make it possible to find a deal for Donbass, including Donetsk and Luhansk. We know that the process is complicated due to what is coming from the Russian side, to which Mr Jensen referred, but we must call on all parties to look at what has been agreed in the Minsk process and to try to implement it. On the other hand, it is clear that if the Ukrainian people do not trust Ukraine's institutions, they will not support the necessary steps to establish peace or to move to a better situation. We have to do what we can within the mandate of the Council of Europe.

Question to Mr François Hollande, President of the French Republic



Mr LEYDEN (Ireland) – On my own behalf, and on behalf of the Irish delegation and my ALDE colleagues, I say fáilte – welcome – to President

Hollande. We in Ireland are deeply concerned about the economic impact of Brexit, as we have a 499 km border with the United Kingdom, and €1 billion in trade in goods and services every week, and are the only country in Europe with a border, within Ireland, with the United Kingdom. Mr President, would you support Ireland having a representative at the negotiations between the European Union and the United Kingdom to protect our economic interests in this regard?



Mr HOLLANDE* – Brexit was a decision made by the British people and now, of course, that has to be fully respected and implemented. I had hoped that the negotiations would start quickly, but Theresa May, the British Prime Minister, prefers to put them off and open the negotiations in March, and we respect that. There can be no negotiations between now and then. As of March, the European Commission together with the European Council will be able to engage in negotiations that determine the conditions under which the United Kingdom will leave the European Union. Obviously, certain issues directly affect Ireland and that will have to be taken into consideration by European Commission negotiators, in close consultation with the Irish authorities. Having been to Ireland – I visited Dublin recently – I have made it clear what the situation is and what rules will need to be applied. At present, the United Kingdom is an integral part of the European Union, but when the negotiations start, what you said will have to be taken into consideration.

Question to Mr Jürgen LIGI, Minister for Foreign Affairs of Estonia, Chairperson of the Committee of Ministers



Ms PASHAYEVA (Azerbaijan) – Radical tendencies have increased recently in the political life of some European countries. Radical statements

by some political parties negatively affect people and strengthen anti-migrant, anti-Islam and anti-Semitic feeling in some European countries, and such political parties get more votes in each new election. Are you worried about the increase of such



Mr LIGI – You are right. Unfortunately, we are witnessing a rise in racism, intolerance, disconnection, hate speech and other forms of extremist and xenophobic expression across our member States. Even before the current refugee crisis, a growing atmosphere of intolerance was evident in many, if not all, member States, with populist and xenophobic parties, among other things, gaining popularity across Europe. Such trends are a threat to peace and democratic security. Acting against extremism and rising intolerance and xenophobia is, therefore, a top priority for the Committee of Ministers. To do so, the Organisation has many tools, including a number of legal instruments and monitoring mechanisms, such as the European Commission against Racism and Intolerance. There are also practical tools such as action plans on building inclusive societies

*translation

tendencies in Europe, which create a great risk for the future of the continent? What measures does the Committee of Ministers plan to take to prevent those tendencies and promote multiculturalism in Europe?

Question to Mr Mevlüt ÇAVUŞOĞLU, Minister for Foreign Affairs of Turkey



Mr XUCLÀ (Spain)* – Minister, your country suffered an attempted coup that attacked the

institutions that you represent. I have two questions. First, capital punishment is incompatible with the stance of the Council of Europe, so do you want to restore the death penalty? Secondly, you referred to Article 15 of the European Convention on Human Rights regarding the partial suspension of convention obligations, but the state of emergency persists and the suspension of certain laws is being automatically extended. When will we again see complete respect for human rights?

Question to Mr Frank-Walter STEINMEIER, Federal Minister for Foreign Affairs of Germany



Ms BRASSEUR (Luxembourg)* – In many member States, the rule of law has been suspended. You referred to decisions handed down by the European Court of Human Rights being disregarded by many states;

human rights are also disregarded. There is growing populism, which is characterised by hate and fear. Against such a backdrop, the Council of Europe is more important than ever, as you said. Will you be able to convince your ministerial colleagues of the importance of the Council of Europe; that its role should be emphasised, and that greater resources should be allocated to it?

and the fight against violent extremism and radicalisation leading to terrorism or the campaign against hate speech on the Internet. Both the Assembly and the Committee of Ministers must use those and the other available tools to fight with determination against those negative trends.



Mr ÇAVUŞOĞLU* – Many people died in the coup attempt. Imagine soldiers directing weapons bought with taxpayers' money at the very people who paid for them. Imagine jets bombing your parliament, the presidential palace or the police headquarters. Tanks were on Istanbul's

bridges and firing indiscriminately. It is not easy to overcome such a major trauma. Emotions are running high and our citizens have demanded capital punishment. I wish that many in this room could have come to Turkey to discover our real ideas and intentions just as Mr Jagland did. We did not really want to discuss the matter in great detail at that point, because sentiments were running high and such topics should be discussed rationally. It would be wrong to turn a blind eye to the people's demands, but it is important that we explain the right course of action. We are trying to manage this difficult process. Unfortunately, some European organisations – not the Council of Europe – began to threaten us by saying that if Turkey restored capital punishment, we would be expelled or dismissed, which led to a further reaction from the Turkish people. You have to understand the difficult circumstances under which we were operating, but we explained our position to our counterparts when they visited us. [...] [Read more](#)



Mr STEINMEIER* – I can but agree with you. The very foundation of the Council of Europe is that all member States must recognise its fundamental ground rules. That cannot be conditional, and applies

in particular when members are involved in conflicts, which includes cases being examined by the Court. As I tried to stress in my address, that includes recognition by member States of the need to implement decisions on the basis of common agreement here in the Council of Europe. It goes without saying that we will do our utmost to ensure that all governments represented in the Council of Europe comply with the rules.

Progress report of the Bureau and the Standing Committee



Mr XUCLÀ (*Spain*)* – it is good that Mr Çavuşoğlu, Foreign Affairs Minister of Turkey, will be coming before the Chamber on Wednesday because that allows us to have a debate – we will also have a debate on Thursday – when we will be able to voice our concerns about the disproportionate nature of some of the measures adopted after the attempted coup. We can also make some general statements about the prolonged states of emergency in Turkey and France. We need to assess these extensions: should they take place automatically or should they have to be premised on some justification based on the Convention, which, after all, is there to support us and inspire our work? [Read more](#)

Tuesday 11 October 2016

The activities of the Organisation for Economic Co-operation and Development (OECD) in 2015-2016



Mr DAEMS (*Belgium*) – Your analysis of trade in value-added global value chains shows that reducing global trade costs by only 1% would increase worldwide income by more than US \$40 billion, and on top of that, 65% of it would accrue to developing countries. [...] My comment on the report, and my question to you, is simple. Would the OECD, and you personally, agree that those who defend free trade are basically defending a rise in income, an increase in jobs and, basically, more income for public services to redistribute to social costs? On the flip side of the coin, would you also agree that those who fight free trade – those who fight TTIP, CETA and all other similar agreements – would, although without wanting to, hurt that rise in income and the creation of those jobs? Do you and the OECD agree on those two statements? That is what I conclude from your report. [Read more](#)

Children’s rights related to surrogacy (Doc. 14140)



Ms RODRÍGUEZ HERNÁNDEZ (*Spain*)* – We in the Liberal group condemn the threats and attempts to put pressure on the rapporteur, Ms De Sutter. [...] We are not talking about surrogate gestation, but about children who have been born in this way. [...] The countries in which the practice is legal are perfectly clear, but we need to think about children who come from countries where there is no such protection. Are we going to defend the rights of some or the rights of all? Are there first and second-class children, or are we here to defend the interests of all children? I ask members to think about that carefully and leave aside cheap populism. Let us not blur the debate simply because we do not like the sound of something or find it challenging. [Read more](#), [voting results](#)

Lessons from the “Panama Papers” to ensure fiscal and social justice (Doc. 14141, Doc. 14141 Add.)



Mr BILDARRATZ (*Spain*)* – Let me emphasise four aspects of the report which seem to me to be key. The first is transparency concerning the beneficial owners and the management of firms. The final analysis for Panama is 72% opacity. The second important aspect is control and oversight, the third is international co-operation, and the fourth and main goal is to create trust among citizens. Citizens will only trust us if we can take the 44% measure that I mentioned earlier – the level of opacity in the European Union – and convert it to 0%. [Read more](#), [voting results](#)

Wednesday 12 October 2016

Group
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Debates

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*translation



Sport for all: a bridge to equality, integration and social inclusion (Doc. 14127)

Ms BRASSEUR (Luxembourg)* – Enormous progress has been made, but it is not enough and some people are still excluded. For example, there are still homosexual players, particularly in football, who dare not come out. Some referees decline to come out because they can be struck off by their federations, as happened in Turkey, for example, where a referee was denigrated by public opinion. There is still much work to do. Sport is about not only high performance, records and competitions, but values and a certain mind set. It is important to convey the values of the Council of Europe through sport. [Read more, voting results](#)

Joint debate: Political consequences of the conflict in Ukraine (Doc. 14130); Legal remedies for human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities (Doc. 14139)



Ms REPS (Estonia) – On behalf of ALDE, I am very proud of these two brave ladies from our group who, with help from the Ukrainians and from this Parliamentary Assembly, have published two excellent and historic papers. Let me draw your attention to why they are historic. These are the first international reports putting down facts that we are used to discussing in corridors, maybe with friends, but that have somehow ended up being very modestly worded when they come to political circles. We are now talking about these territories as under the de facto control of the Russian Federation. Russian Federation armed forces and special forces still have a presence there, and conflict is ongoing. That is no surprise to us, but these are the first international documents for almost three years to point that out. [Read more, voting results 1, 2](#)

Co-operation with the International Criminal Court: towards a concrete and expanded Commitment (Doc. 14136)

Mr JORDANA (Andorra)* – Many states have failed to do their duty and have not signed the Rome Statute or ratified the agreement. It is surprising that six member States of the Council of Europe – Armenia, Azerbaijan, Monaco, Turkey, Ukraine and Russia – have still failed to sign the statute. As the report stresses, the ICC can carry out its duties only if the person who is to be prosecuted is a national of a state party and if the crime was committed on the territory of a state party. The ICC was set up to carry out international law. Its powers come into force only if national jurisdictions refuse or do not have the power to judge crimes. [Read more, voting results](#)



Thursday 13 October 2016

Current affairs debate: Situation in Turkey in the light of the attempted coup d'Etat

Ms FIALA (Switzerland)* – For more than 60 years, hopes in relation to democracy and human rights have characterised relations between the Council of Europe and Turkey, and we have common interests in so many fields:



geopolitical, geostrategic, economic, and, more recently, coping with flows of migrants and refugees. However, that does not mean that we are taken hostage by the interests that we have in common. Given the way that it has handled the refugee crisis, Turkey deserves our respect. [...] We need to voice our concern that, under the autocratic rule of President Erdoğan, we are seeing Turkey drift further away from our common values. We need to respond to Turkish sensitivities, but we also need to make it clear to our Turkish friends that a putsch cannot lead to peaceful structures or prosperity. We believe that democracy has to be strengthened through democracy rather than having recourse to dictatorial means. [Read more](#)

Female genital mutilation in Europe (Doc. 14135)



Ms RODRÍGUEZ HERNÁNDEZ (Spain) – In 2012, the European Parliament said in a resolution on FGM that here in Europe more than 500 000 women have been mutilated in this way, and there is a palpable risk that more than 150 000 girls and women may yet suffer this type of aggression. I support the rapporteur in saying that this practice does not merely violate rights to health, to safety and to physical integrity, but to the basic freedom of girls and of women. It violates their intimacy in ways that they will never be able to recover from. The consequences last the victim's whole life. Let us not forget that they can include death in many cases. The United Nations has already made a considerable effort with the first specific resolution on this subject in December 2012, but that is not enough... [Read more, voting results](#)



Harmonising the protection of unaccompanied minors in Europe (Doc. 14142)

Mr van de VEN (Netherlands) – ALDE endorses the draft report and draft resolution. ALDE agrees that the protection of unaccompanied migrants does not necessarily require a new or revised international legal framework. We concur that there is an urgent need to harmonise procedures involving unaccompanied migrant children – from when they arrive in Europe to their integration or their return to their loved ones – and to step up international co-operation at all levels. [Read more, voting results](#)

Friday 14 October 2016

The impact of European population dynamics on migration policies (Doc. 14143, Doc. 14143 Add.)



Ms PALLARÉS (Andorra)* –On one hand, the Council of Europe's member States have the oldest population in the world and a birth rate well below the world average. On the other hand, for historical reasons we account for the largest number of migrants, which has had a major impact on our continent. [...] We need to tackle the issue in demographic terms. How far can we go? How many people can we actually welcome and care for? As I said, there are examples of how our economy has benefited. The complexity of the labour markets in many countries, all of which are different, means that dealing with the current migratory crisis is not straightforward. [Read more, voting results](#)

Free debate



Mr XUCLÀ (Spain)* – At the beginning of this month in Hungary, the government decided to hold a referendum on immigration quotas in that country in order to challenge an agreement that had been reached by the member States of the European Union. The referendum failed because of low turnout. However, the issue is still a priority for many in relation to the provision of basic services. The trends in the United Kingdom and Hungary regarding referendums show that countries are moving away from European co-operation and integration. [...] Those of us here, as convinced Europeans, must therefore do everything in our power to press ahead with European integration and say loud and clear that the solution is not the renationalisation of policies. A lot of these policies come about as a result of fear – fear of integrating and of joining in a shared European project. [Read more](#)