



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

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4-8 October 2010*

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## **The October part session of the PACE was particularly eventful for the ALDE:**

- The Group had the honour to receive Mr Guido Westerwelle, Deputy Federal Chancellor and Federal Minister for Foreign Affairs of Germany and leader of FDP.
- Mr Mikhail Kasyanov, leader of the PDU and member of ELDR, informed the Group about the state of democracy and the coming parliamentary (2011) and presidential (2012) elections in Russia.
- The ALDE also hosted a round-table discussion on the "Media freedom in the run-up to the presidential elections in Belarus".
- During this Session the ALDE presented six reports, including a highly topical report under urgent procedure on "Recent rise in national security discourse in Europe: the case of Roma", concluding that security problems cannot be resolved with security talks.

We would like to take this opportunity to thank all ALDE members who took active part in plenary debates on behalf of the ALDE, presented reports, and attended group meetings. The Group is particularly thankful to the members of the German delegation for initiatives in facilitating the realisation of the group's projects. Finally, we thank Mr Kirjas, Secretary General of the Liberal International and our trainees Helena von Schultz (IFLRY) and Anna Bazilo, for their interest and active participation.

**We endeavour to be the engine of the Assembly defending core European values.**

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## ALDE exchanged views with Minister Westerwelle



On 4 October 2010 the ALDE Group had the honour to receive Mr Guido Westerwelle, Deputy Federal Chancellor and Federal Minister for Foreign Affairs of Germany and leader of the German liberal party, FDP. Mrs Brasseur, President of the ALDE, welcomed the Minister and congratulated him on the excellent address to the Assembly in which the issues of human rights and the re-nationalisation of certain political trends in the Council of Europe member states were addressed in the most honest, liberal and passionate manner. "Human rights cannot be a subject for discussion and it is our common duty to defend them," said Mrs Brasseur.

During the exchange of views, the ALDE raised a wide-range of issues, including the fluctuating popularity rate of liberal parties in the European countries. According to Mr Westerwelle, if politicians cared only about public opinion, many of decisive political initiatives would have never been undertaken. In present economic and political situation it is much more important to implement concrete policies, than to work for opinion polls.

Mr Westerwelle also emphasised that the Council of Europe should focus on its core objectives: democracy, rule of law and human rights. Liberal forces, traditionally fulfilling the role of watchdogs of these core principles and values, need to remain vigilant while facing new challenges. Many European countries still witness shortcomings in this respect, and liberals are here to follow and point at the weaknesses, sticking to their critical attitude and striving to make democracy work.

*Earlier this day Mr Westerwelle addressed the PACE in the frameworks of his first visit to the Council of Europe during his term in office. In a speech before the Parliamentary Assembly, the Minister emphasised the leading role of the Council of Europe in the enforcement of human rights, democracy and the rule of law throughout Europe.*

## ALDE keeps an eye on the state of democracy and rule of law in Russia



4 October 2010 the ALDE-PACE received Mr Mikhail Kasyanov, leader of the People's Democratic Union (PDU, ELDR member) and former Prime Minister of the Russian Federation. In his address to the members of the Group Mr Kasyanov drew attention to the forthcoming parliamentary and presidential elections in Russia, to be held in 2011 and 2012, respectively. Preparations to both campaigns have already started: a coalition, bringing together four opposition organisations, including PDU, was formed in order to develop a coherent strategy and coordinate efforts in the run-up to the elections.

It is highly important that the forthcoming elections do not fall short of the European standards. The PACE should follow closely the electoral process – not only on the voting day, but beginning at least six months in advance – to guarantee fairness and transparency of the procedures. “Positive change can be achieved, but only if there is pressure – internal pressure exerted by the Russian people and liberal elites, as well as external pressure coming from our Western friends to help avoid any violation of the commitments made by the Russian Federation,” concluded Mr Kasyanov. Following the discussion, Mr Mikhail Kasyanov and Mr Michael Aastrup Jensen (Denmark), Vice-President of the ALDE, met the journalists.

**5 October** Mikhail Kasyanov submitted to the European Court of Human Rights (ECHR) the request for priority consideration of PDU's appeal about the refusal by the Russian authorities to register the political party.

**6 October** Mikhail Kasyanov met with French Minister of Foreign Affairs Bernard Kouchner.

**7 October** Mikhail Kasyanov met with the leaders of ALDE-EP and ELDR, as well as representatives of the European Commission.

## Media freedom in Belarus in the run-up to presidential elections



Left to right: Zhanna Litvina (Belarusian Association of Journalists), Anne Brasseur (ALDE), Maya Shendrik (state-owned newspaper *Respublika*)

Presidential elections in Belarus are scheduled for 19 December 2010. Will these elections change the image of the so-called “last dictatorship in Europe”? Will Belarus finally make a step towards democratic transformations? Free functioning of media is one of the major pillars of democracy and will be an important indicator of liberalisation in Belarus. The degree of freedom given to media during the electoral campaign will show to what extent the state is ready to respect the standards set by the Council of Europe.

5 October 2010 the ALDE organised a round-table discussion on media freedom in Belarus. A lot remains to be done to assure that this fundamental principle of democracy is truly guaranteed in the country. Mrs Zhanna Litvina, Head of the Belarusian Association of Journalists, Sakharov Prize, informed the participants about recurrent violations of the right for information and the freedom to inform in Belarus. The Belarusian state media were also given the floor. Mrs Maya Shendrik, deputy editor-in-chief of the *Respublika* newspaper, considered that all media in Belarus were granted equal chances and the limitation of the freedom of media was justified.

Information and its distribution cannot be controlled by the state. This is the key rule and value of democracy shared by member-states of the Council of Europe. There may not be conflicting interpretations of this core value, concluded Mrs Brasseur who chaired the discussion. Further initiatives are to be taken to bring about understanding of this principle.

*Belarus is ranked 188<sup>th</sup> among 195 countries in the Freedom House’s World Press Freedom Ranking for 2009. That is the worst European record. Free media in Belarus are subject to regular administrative harassment and repressive laws.*

*Respect of media freedom, cessation of repressions against independent journalists and assuring equal access of independent and state media to the system of distribution are some of the major conditions that the Council of Europe advances to Belarusian authorities. The CoE noted on many occasions that independent media were often repressed in Belarus and their work was impeded by the state authorities and forces of order. PACE Resolution 1372 (2004) and Recommendation 1658 (2004) on “Persecution of the press in the Republic of Belarus” ascertain the lack of media freedom in the country. Recently Belarus was mentioned in the PACE report on the “Indicators for media in a democracy” as one of the “non-democratic states [that] tend to restrict the technical infrastructure for the dissemination of electronic media and the distribution channels for print media”. The 2010 PACE report on the “Respect for media freedom” (Doc. 12102) and Recommendation 1897 (2010) call on the Belarusian authorities “not to abuse arbitral administrative regulations to restrict unduly the rights to freedom of expression and freedom of association under Articles 19 and 22 of the International Covenant on Civil and Political Rights and Articles 10 and 11 of the European Convention on Human Rights”.*



**Mrs Mailis Reps (Estonia)**

**The functioning of democratic institutions in Ukraine (Doc. 12357)**

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

Presented on 5 October 2010



**Mrs Hermine Naghdalyan (Armenia)**

**The activities of the Organisation for Economic Co-operation and Development (OECD) in 2009-2010 (Doc. 12340 prov)**

Spokesperson: Contribution from the Committee on Migration, Refugees and Population (Doc. 12369)

6 October 2010



**Mrs Hermine Naghdalyan (Armenia)**

**The activities of the European Bank for Reconstruction and Development (EBRD) in 2009: facilitating economic integration in Europe (Doc. 12349)**

Rapporteur of the Committee on Economic Affairs and Development

6 October 2010



**Mrs Anne Brasseur (Luxembourg)**

**Debate under urgent procedure: Recent rise in national security discourse in Europe: the case of Roma**

Rapporteur of the Political Affairs Committee

7 October 2010



**Mr Andrej Zernovski (Macedonia)**

**Gender-related claims for asylum (Doc. 12350)**

Rapporteur of the Committee on Migration, Refugees and Population

8 October 2010

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**Mr Antti Kaikkonen (Finland)**

**Fostering the socio-economic potential of the Baltic Sea region (Doc. 12264)**

Rapporteur of the Committee on Economic Affairs and Development

8 October 2010

## ALDE questions

**Question to Mr Guido Westerwelle,  
Deputy Federal Chancellor and Federal  
Minister for Foreign Affairs of Germany**



Mrs BRASSEUR (Luxembourg) thanked Mr Westerwelle for his plea in favour of human rights. The key issue was immigration and the matter of the Roma communities, not only in

France but also in the Netherlands. She asked Mr Westerwelle what the Council of Europe could do to address these issues.



Mr WESTERWELLE said that it was not appropriate for him to comment on what was happening outside Germany. It was the duty of the European institutions to ensure that European law was upheld. This was why there were clear rules of procedure that applied to all countries equally. All states were on a level

playing field and had to play by the same rules. Developments in Europe were a matter of significant concern. There was a growing trend towards renationalisation which was very dangerous and which could undermine co-operation between countries. The solution would always be more co-operation rather than less. [Back](#)

**Question to Mr Antonio Milošoski,  
Minister for Foreign Affairs of "the  
former Yugoslav Republic of  
Macedonia", Chairperson of the  
Committee of Ministers**



Mr BADRÉ (*France*) asked about the accession of the European Union to the European Convention on Human Rights. The relationship between the Council of Europe and the European Union was becoming ever more acute. He asked what Mr Milošoski had done in his capacity as Chairperson of the Committee of Ministers to ensure that the relationship between the two institutions was complementary rather than competitive.



Mr MILOŠOSKI – I will give you a brief answer. It relates to my visit and talks with Viviane Reding a few months ago when we spoke about the issue of accession of the European Union to the Convention. Our joint goal will be to have the European Union as a legal party to the convention. That will strengthen the pan-European area in the sense of promoting human rights and the rule of law, with not only EU member states, but the newly established institutions taking responsibility. At the same time, our chairmanship will continue offering support within the Committee of Ministers to achieve that outcome as soon as possible. We believe as always that the devil lies in the detail and that many smaller details will be part of the negotiations between the representatives of the European Union and the Commission and the Council of Europe. However, we want to underline that the political will is there. We want to support the negotiations and base them at an expert level, creating positive circumstances for all representatives involved in those negotiations, including the Court here, so that they have the political support of all member states here, including the Parliamentary Assembly, and so that the goals are achieved soon. [Back](#)

**Question to Mr Nikola Gruevski,  
Prime Minister of "the former  
Yugoslav Republic  
of Macedonia"**



Mr ZERNOVSKI (*Macedonia*) – On behalf of the Liberal Democrats, Mr Prime Minister, welcome to Strasbourg. The government and opposition in the Republic of Macedonia hold the same position: the main problem with fulfilling Macedonia's European Union aspiration is the obstruction of our southern neighbour, whose veto goes totally against the Council of Europe's values and principles. Based on one of our previous sessions, we know the so-called "red line" of your colleague, Papandreou, so what is your red line regarding the name issue?



Mr GRUEVSKI – Our strong belief is that if somebody wants to solve the problem, red lines are not the right instrument for doing so, so the lines that the other side, Greece, presents just create a bad atmosphere and limit our efforts to solve the problem. Our approach is different. We have to solve the problem through dialogue, mutual respect, including respect for the right of every country to name themselves as they wish and the respect for individual rights, nationality, language and identity. We will solve that problem through discussion and dialogue, not through red lines, which just create problems and block the possibility of any deeper dialogue. I hope that by working in those circumstances, with red lines, we will come to understand that they are not a good way of solving the issue and overcoming the problem. The problem is damaging both of us. We, the Republic of Macedonia, have problems obtaining membership of NATO and the European Union, and we are of course not happy that we have a problem with our first neighbour, who should promote our European integration. They are a trade partner and the third biggest investor in our country. We want much better relations, a much better approach from our neighbour to us and a situation in which they are prepared to discuss with us, in the common ground of the European Council, respect for human rights and the rights of every country to identification. We want to solve this problem. We intend to continue the discussions in order to find a solution that is acceptable to both sides, including our country and our citizens, bearing in mind that if we find a solution we have a political obligation to hold a referendum on whether our citizens accept it. [Back](#)

Monday 4 October 2010

Progress report [Read more](#)

Tuesday 5 October 2010

### **Fight against extremism: achievements, deficiencies and failures (Doc. 12265)**



Mrs BRASSEUR (Luxembourg) said that there were many questions to answer in this debate, such as: “Where are we going?”; “What mistakes have we made?”; “Are we capable of developing and living in multicultural societies where individuals can flourish in accordance with their own identities?”; and “Why are we seeing a growth in extremist movements?” The Council of Europe had no answers to give and the field had been left open to extremists. Extremist politics was on the rise in many countries. The rapporteurs were to be congratulated for their balanced and subtle, yet robust, report. Politicians had to act on the report’s recommendations in their own countries. The defence of human rights was vital, not only for current generations but for generations to come. [Read more, voting results](#)

### **Child abuse in institutions: ensure full protection of the victims (Doc. 12358)**



Mr MARQUET (Monaco) said that children were the most vulnerable members of society. Children in institutions were more vulnerable still. Various international instruments had sought to guarantee their safety but it was clear that states were still failing to protect children in individual institutions. The ALDE Group supported the resolution and recommendation of the report. [Read more, voting results](#)

### **The functioning of democratic institutions in Ukraine (Doc. 12357)**



Mr XUCLÀ i COSTA (Spain) congratulated the rapporteurs on behalf of the Alliance of Liberals and Democrats for Europe. The report demonstrated the democratic evolution which was taking place Ukraine under the Council of Europe. The ALDE was however concerned about serious problems of media freedom. “The role of the security services and their leadership, as well as their links with the media gave rise to unease. The influence of the security services in judicial bodies was also unacceptable from the perspective of democratic traditions...” The ruling from the Constitutional Court, 1 October 2010 demanded further work and examination by the Venice Commission. [Read more, voting results](#)

### **Duplication of the work of the Council of Europe by the European Union Agency for Fundamental Rights**



Mr BADRÉ (France) thanked the rapporteur for the excellent, objective and well-argued report. It was also a highly nuanced report. It was hard to see the added value of the Agency. The operation of the Agency was very complex and there was a risk that there could be a great deal of activity with very little in the way of results. The fears expressed by the Council of Europe at the time of the creation of the Agency had turned out to be well founded. There was mistrust between the two organisations and a significant overlap of functions. The Council of Europe was already carrying out the same work to a better standard than the Agency. There was a risk that, in time, the Agency might even seek to have the same support enjoyed by the Council, such as an Assembly of its own. The Agency was part of an increasing trend within the European Union that had seen the number of agencies multiply rapidly. [Read more, voting results](#)

**Human rights and business (Doc. 12361)**



Mr HANCOCK (United Kingdom) – It is a bit of a contradiction for most of us to believe that business and human rights are compatible in any way. The rapporteur has attempted to prove that that can be the case. I applaud his comments, and his presentation of the report. I also urge the Assembly to accept the amendments tabled by the Committee on Economic Affairs and Development, as they would improve the report and take it a stage further. I support entirely what my colleague Doug Henderson said: there is only one way of dealing with this issue. We must name and shame the businesses that have for too long ignored their responsibilities in respect not only of human rights, but of other crucial issues that affect everybody's pattern of life. [Read more, voting results](#)

**The activities of the Organisation for Economic Co-operation and Development (OECD) in 2009-2010 (Doc. 12340 prov)**



Mr GIARETTA (*Italy*) There was only one way to overcome the crisis, and that was to increase international co-operation on financial institutions. Unemployment and the risk of a jobless recovery were real problems. It was necessary to extend minimum human rights standards in the sphere of employment. Purely speculative trading had to be combated with a financial transaction tax to guard against destructive short-term investments. OECD had an important role to play, and the legal framework for taxation had recently been improved. The Alliance of Liberals and Democrats for Europe supported the proposals in the report. [Read more](#)

**Celebration of the 60<sup>th</sup> anniversary of the European Convention on Human Rights**



Mrs BRASSEUR (Luxembourg) thanked the President and the President of the European Court of Human Rights. The celebrations of the 60th anniversary of the European Convention of Human Rights was taking place in a simple setting but the modesty of the setting did not match the importance of the step that had been taken. Tribute should be paid to those who had reached the agreement 60 years ago – their courage and clarity in particular. It would not be possible to create a similar text today. Human rights were increasingly breached. There was concern across Europe about this. The European Convention on Human Rights not only established the rights, but also provided for their protection. The judgments of the European Court of Human Rights were essential to the effectiveness of the European Convention on Human Rights. The Parliamentary Assembly should make sure that national governments followed through on the rulings of the Court. All European countries, with the exception of one, had agreed to the principles. They applied to all. It was a duty to be fulfilled. [Read more](#)

**The activities of the European Bank for Reconstruction and Development (EBRD) in 2009: facilitating economic integration in Europe (Doc. 12349)**

[Read more, voting results](#)

**The strategy, governance and functioning of the Council of Europe Development Bank**



Mr RIGONI (Italy) said that the Economic Affairs and Development Committee's report had redefined the strategy, governance and operation of the Bank, which was a very important tool of the Council of Europe. The Bank had to be linked to the values of the Council of Europe as well as to the economic and social objectives for countries in the Council of Europe target group in central, southern and south-eastern regions of Europe. The Bank, which could be better used, could become a big hitter on the international scene. Its links with the Council of Europe needed to be consolidated and strengthened, and its impact on development needed to become even more effective.

Member states needed to give serious consideration to increasing their capital contributions.  
[Read more, voting results](#)

**Thursday 7 October 2010**

**Debate under urgent procedure: Recent rise in national security discourse in Europe: the case of Roma**



Mr HANCOCK (United Kingdom) – In the Council of Europe, we have had numerous reports on the Roma, covering many different aspects of the issue, but none has ever concluded that there was a solution that we politicians could work to address. Today, we are talking about 12 million people who live on the very edge of despair. They have little or no chance of ever seeing any fundamental improvements in their lifestyle, any opportunity to develop as people, or for their children to grow up and be educated. We have to find a way of sharing responsibilities with people. We cannot assume that people will automatically accept that they have responsibilities; we have to educate and work with people. Politics should be above making

people into scapegoats and making them excuses for the failure of the political body to determine a reasonable way for people's lives to be developed. [Read more, voting results](#)



**Guaranteeing the right to education for children with illnesses or disabilities (Doc. 12262)**

Mr HANCOCK (United Kingdom) – Giving a child the opportunity to develop their full potential is something that we should all aspire to achieve in the name of children. If this Organisation stands for anything, it stands for ensuring that children have that opportunity – for ensuring that no child lives their life at anything less than their full potential, and that every child is given the chance to shine. One of the characteristics of this Assembly is that when we talk about such issues, everyone is listened to with the greatest respect. I hope that we respect not just this

debate, but the issue, and that we give that opportunity to children right across Europe, bearing in mind their right to be different, and irrespective of their ability to run, speak, see, or hear.

[Read more, voting results](#)



**Children without parental care: urgent need for action (Doc. 12345)**

Mr MARQUET (Monaco) Some children were deprived of a family home and could be victims of discrimination, inadequate care, ill-treatment and exploitation. Care needed to include the social dimension of parental care as well as adequate intellectual stimulation. The report was excellent. It outlined what national and international action was required and how more resources could be deployed. It encouraged national policies to restructure care institutions into smaller family units. Analysis and data at the European level would help promote better practices. Members

needed to work together to evolve both practices and mentalities and to end discrimination which resulted in children being placed in institutions. [Read more, voting results](#)

**Women's access to lawful medical care: the problem of unregulated use of conscientious objection (Doc. 12347)**



Mr WILLE (Belgium) – The Alliance of Liberals and Democrats for Europe has been participating with growing concern in this debate in the Council of Europe. Of course, ideas and convictions can be firm. However, the rapporteur's initiative is entirely appropriate for the agenda because the situation is unregulated in many countries, so the utility of the report is beyond question. Our idea has always been that you cannot force those who do not want to do something but, for those who do want a legal framework in which to do it, you must try to provide one. Of course, with conscientious objection there is the obligation of giving a responsibility to another person, which is very

important. The new tendency to say that there is not only freedom of conscience for individuals but also for organisations is an increasing danger and an unacceptable development. That is why we must be cautious and tolerant in every way, and try to create rights for the many in society rather than the few. Although people are free to vote in the Alliance of Liberals and Democrats for Europe as they wish, I have been asked to give our full support to the report of Mrs McCafferty. [Read more, voting results](#)

### **Friday 8 October 2010**

#### **National procedures for the selection of candidates for the European Court of Human Rights**



Mr KAIKKONEN (Finland) – The Assembly urges the governments of member states that do not yet have appropriate national selection procedures to create them without delay. Selection processes should not be politicised at any point, so that we can ensure the credibility of the Court. President Costa's proposal to set up an advisory panel to advise governments is highly commendable. I strongly defend Rapporteur Wohlwend's view that the Assembly as a whole should continue to ensure the consistency and transparency of national selection procedures, regardless of whether the panel's proposals are accepted by the Committee of Ministers. The European Court acts as the ultimate arbiter on human rights issues, and that is why the competence of the judges is vital. [Read more, voting results](#)

#### **Gender-related claims for asylum (Doc. 12350)**



Mr KAIKKONEN (Finland) – First, I thank Mr Andrej Zernovski for this important report. Women face persecution in many areas of their lives. They face the same problems as men, but they experience additional harm and suffering due to their gender. In general, women's human rights are violated more frequently. They face rape, human trafficking, genital mutilation, honour crimes and persecution on the grounds of sexual orientation – just because they are women. gender-based issues are not always taken into account in member states' asylum processes. Due to a lack of recognition of gender-based problems, there is a need for an intergovernmental body in the Council of Europe to study the legal and procedural approach of member states to these problems, as is suggested in the report. The concrete findings of such a study could lead to a set of guidelines that would ensure that gender-based violence, for example, is taken into account in the asylum processes. [Read more, voting results](#)

#### **Fostering the socio-economic potential of the Baltic Sea region ([Doc. 12264](#))** [Read more, voting results](#)

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