January 2019 part-session highlights:

- ALDE-PACE started the 2019 session reinforced with more seats on the Monitoring, Rules and Election of ECHR Judges Committees. New appointments were made as to strengthen ALDE's presence and voice in these decisive PACE bodies.

- ALDE-PACE elected two new Vice-Presidents: Judith Pallarès (Andorra) and Martin Poliacik (Slovak Republic). We wish them good work and thank outgoing Vice-President Kerstin Lundgren (Sweden) for her long-standing commitment.

- On 24 January ALDE-PACE organised a side event featuring former Swiss Senator and ALDE-PACE Bureau member Dick Marty and Vice-President of the European Court of Human Rights Linos-Alexandre Sicilianos to discuss Dick Marty's recent book *A certain idea of Justice* and the impact his reports produced.

- Facing the refusal of Russia to present a delegation to the Parliamentary Assembly and to pay its annual contribution to the Council of Europe, on its 70th anniversary the Organisation risks budgetary cuts, reduction of staff and downsizing of activities. Yet, this *crisis should be seen as an opportunity, believes ALDE-PACE*. During the January session, ALDE-PACE leader Rik Daems proposed and discussed measures which would annul the negative effects of non-payment of fees by a member state and allow the Organisation to continue focusing on its human rights and democracy-building work.

- Several ALDE-PACE initiatives are to be commended. Mart van de Ven successfully conducted the second edition of a seminar discussing how liberals can make the most of their PACE membership. Olivier Becht launched reflexion on how to give larger Europe a new project and how the Council of Europe could serve as a basis for such cooperation. The January session was also particularly productive with six motions for a resolution tabled by ALDE-PACE members: Olivier Becht (France), Beatrice Fresko-Rolfo (Monaco), Anne Kalmari (Finland), Kostantin Kuhle (Germany), and Damien Thiéry (Belgium).

- Claude Kern (France) will lead the PACE delegation to observe parliamentary elections in Moldova on 24 February. The pre-electoral observation team travelled to the country on 29-30 January.

We wish to thank all members who took part in the group's work in Strasbourg, defending the liberal position in the plenary debates and committees, presenting reports and participating in group meetings. We welcome new members who joined ALDE-PACE since the last part-session and wish them good work. We thank IFLRY for excellent cooperation. Finally, a very warm and special thanks goes to Peter Kallenberger for his unfailing support and commitment.

**ALDE endeavours to be the engine of the Parliamentary Assembly of the Council of Europe defending the core European values**

Visit our website: [www.alde-pace.org](http://www.alde-pace.org)
On the invitation of the ALDE group in PACE, Dick Marty* visited Strasbourg on 24 January to present his recently published book *A certain idea of Justice*. On this occasion, ALDE-PACE hosted a side event** debate at the Council of Europe featuring Dick Marty and Vice-President of the European Court of Human Rights Linos-Alexandre Sicilianos. The debate was chaired by ALDE President Rik Daems. PACE President Liliane Maury Pasquier delivered the laudatio.

Every year the Assembly produces almost a hundred of reports, a few of which go as far as to influence the case-law of the European Court of Human Rights. The side event particularly focused on this mutually beneficial relationship between parliamentary work and human rights justice. Dick Marty’s investigation reports conducted for the Assembly in 1998-2012 are known far beyond the Council of Europe and continue to attract attention, while most of his conclusions have been since corroborated by courts of justice.

“These reports allowed us to raise awareness of violations committed in our democratic countries in their fight against terrorism”, noted Dick Marty.

“You reports, the reports of the Parliamentary Assembly, have been an inspiration for the work of the European Court of Human Rights“, continued Linos-Alexandre Sicilianos recalling the numerous cases where the Court relied on PACE’s work.

Audio recording of the debate for download (in English and in French).


**The side event debate was organised with the support of the Swiss delegation to PACE. We also thank Maison de l’Europe Strasbourg-Alsace and CoE Amicale for co-organising Dick Marty’s visit.
Olena SOTNYK (Ukraine)

Media freedom as a condition for democratic elections
Rapporteur for opinion AS/Pol (Doc. 14809), 23 January 2019

Petri HONKONEN (Finland)

Public service media in the context of disinformation and propaganda
Rapporteur AS/Cult (Doc. 14780), 23 January 2019

Damien THIÉRY (Belgium)

Discrimination in access to employment
Rapporteur AS/Ega (Doc. 14666), 23 January 2019

Question to Mr Timo SOINI, Minister for Foreign Affairs of Finland, Chairman of the Committee of Ministers of the Council of Europe

Mr DAEMS (Belgium) – The fundamental rights of 800 million men, women and children should not depend on the non-compliance of one of the 47 member States. ALDE thinks it is a mistake to link the non-payment to the functioning of the Organisation. My question is simple: will you take up the challenge of creating, together with the Assembly and all the ambassadors here, a situation in which our functioning and the defence of rights are independent of the irresponsible behaviour of one of the 47 member countries?

Mr SOINI – Of course, the answer is yes. It is clear that everybody must obey the rules and fulfil their commitments. There can be no exceptions and no blackmailing. That is our clear, principled stance. On Russia, we should investigate, with PACE and the Committee of Ministers, how we can ensure that all 800 million people are inside, not outside, the tent.
Question to Mr Thorbjørn JAGLAND, Secretary General of the Council of Europe

Mr DAEMS (Belgium) – Secretary General, ALDE welcomes all the efforts you have made. We also welcome the fact that we are shifting away from the reasoning that non-compliance by one member will hurt the functioning of our Assembly, the Committee of Ministers and the Court. You mentioned that you are working on a number of scenarios that you will propose or at least discuss with the Committee of Ministers. May I ask that you form a working group where the Assembly will be included from the start, and that together we can look for a solution, putting it on the table for the coming part-session in April? By the way, I think the question from the Conservatives was absolutely inappropriate.

Mr JAGLAND – As I said, I think it would be a good idea to strengthen the dialogue between the Parliamentary Assembly and the Committee of Ministers on this issue. I am going to the Committee on Rules of Procedure, Immunities and Institutional Affairs, which is the body the Parliamentary Assembly that should be the one I should consult with. I will go there tomorrow to inform them of the plans and the options. I hope that the dialogue can continue in the interests of the Organisation and that we can find a solution to the financial situation. This could also contribute, as you said very wisely, to finding a political solution. The crisis is political. There are certain legal issues involved. Looking at all the issues would help us a lot.

Question to Mr Sauli Niinistö, President of Finland

Mr BILDARRATZ (Spain, Spokesperson for the Alliance of Liberals and Democrats for Europe)* – Thank you, Mr President. This morning, you addressed two very important concepts. (The speaker continued in English) First, preventing radicalisation, and secondly, developing inclusion. What is the role of education in Finland in preventing radicalisation, and what role does universal basic income play in developing inclusion in Finland?

Mr NIINISTÖ – In Finland we face a problem – specifically with young boys – where they somehow fall out of society. What we have been thinking and doing about that and about the radicalisation of youngsters fits together. The key is that everyone, especially young people, should feel that they are part of society. When people feel a part of society, they behave in a decent way. How do we make youngsters feel that? Education is surely one way, and so are financial solutions to help them. I have also pointed out the responsibility of each individual. I suddenly remember words from here or there from when I was a youngster, such as somebody saying to me “Don’t do that again” or “Now you’ve made it fine”. Such reactions from people near to us either bring us in or take us out of society. I think everybody will have similar experiences from their youth. It is very odd, actually, how one sentence from a total stranger can still come into our minds after decades. Why? Because it had an impact. We all have an impact on each other.
### Free debate

**Mr BULAI (Romania)** – In Romania, justice is assassinated on a daily basis, and corruption will thrive by government emergency ordinance. Our country needs the help of our fellow Europeans – your help – to keep democracy and the rule of law alive, because together we are Europe. That is why I urge you PACE MPs to support us in notifying for opinion the Venice Commission on this intended emergency ordinance. [Read more](#)

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### Tuesday 22 January 2019

#### Updating guidelines to ensure fair referendums in Council of Europe member States (Doc. 14791)

**Mr BECHT (France)** – ALDE would like to draw your attention to a number of points. The scope of the referendum has to be properly defined. The freedom of each member State should be broad, but they must make sure that no referendum is a tool for bringing fundamental human rights into question. The questions put must be clear and sufficiently linked to the concerns expressed by public opinion, so that participation and turnout will be high enough to provide legitimacy. Financial rules must apply to a referendum. [...] We need legislation and control measures to prevent the spread of fake news on issues that are extremely sensitive with regards to public opinion. [Read more](#)

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#### Sergei Magnitsky and beyond – fighting impunity by targeted sanctions (Doc. 14661)

**Ms SOTNYK (Ukraine)** – My colleagues and I have initiated a Ukrainian Magnitsky Act, which includes the names of those connected to other violations, such as the case of Sentsov and other political prisoners in the Russian Federation. However, my main message, which the rapporteur also mentioned, is that our Assembly, the Council of Europe, passed our own resolution in 2014. I would remind you that paragraph 18 of that resolution called on “member States of the Council of Europe to...resort” to “the example of the United States” and impose personal sanctions on Russian officials involved in crimes against Magnitsky. The best thing would be not for just Great Britain, Ukraine or Latvia to implement such Acts, but for all member States to do so. Colleagues, I call on you to begin similar initiatives in your Parliaments. [Read more](#), [voting results](#)

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#### Compatibility of Sharia law with the European Convention on Human Rights: can States Parties to the Convention be signatories to the “Cairo Declaration”? (Doc. 14787)

**Ms STIENEN (Netherlands)** – ALDE underlines the importance of the rule of law, the separation of State and religion, and the recognition of pluralism. Where human rights are concerned, there should be no room for cultural or religious exceptions, and we acknowledge that the Cairo Declaration is not in line with the main international human rights instruments. However, the set-up of the report and the examples chosen imply that we are faced with a trend of Sharia being considered, one way or another, a source of law in Europe, which is obviously not the case. [Read more](#), [voting results](#)
Mr COMTE (Switzerland) – The media is undergoing a real revolution as far as business models are concerned, as a result of the drop in advertising revenue. For private media, things have become very complicated. Good journalists need the financial resources to be able to do their job. The public service media are fortunate to be entitled to set resources, but we need stable independent resources as well. The public service media, as has already been said, are not there to act out the will of the government. They are not subject to the same economic pressures and they should be entitled to resources placed at their disposal to carry out a number of tasks that may not be cost-effective from an economic point of view. Therefore, their resources need to be maintained and secured.

Mr KOPŘIVA (Czech Republic, Spokesperson for the Alliance of Liberals and Democrats for Europe) – I am delighted by the draft resolution and the draft recommendation, because I believe this is the right and effective approach. Since the Internet is a worldwide web which is decentralised by its very nature, it makes sense to govern it on an international level. It is also vital to keep the balance between the responsibilities of users and online platform administrators. […] Regarding human rights violations and crime on the Internet, it is imperative to ensure that online space is a safe place for everyone, while maintaining freedom of speech and facilitating creativity.

Mr BEUS RICHEMBERGH (Croatia) – We have also witnessed a large amount of migration from eastern and southern European Union States to western and northern ones. But the impacts of migration should not be a cover for tolerating discrimination in access to employment. On the contrary, it has to be the triggering moment for the liberalisation of access to jobs in order to reduce prejudice, to combat the obstacles that still exist towards deprived citizens and to implement related conventions. […] There should be no excuse for discrimination based on gender, religion, race, ethnicity, age, lifestyle, disability or any other origin, affiliation or physical ability. States are responsible for ensuring equal chances and transparent access for all social groups, as well as the protection of their human rights.
Thursday 24 January 2019

Urgent procedure: The escalation of tensions around the Sea of Azov and the Kerch Strait and threats to European security (Doc. 14811)

Mr BECHT (France) – The Alliance of Liberals and Democrats for Europe group calls for de-escalation, and the release of both the sailors and the vessels. The United Nations has called for pacification measures in the strait and guaranteed access for Ukraine to its ports in line with international law and in line with the international agreements that both countries have signed. We call on both Russia and Ukraine to do their utmost to find a peaceful solution to the current conflict, in particular by addressing the question of Crimea, if necessary by submitting the case to the International Court of Justice. Regardless of what happens, the member States of the Council of Europe are duty bound to pursue peace and order. This is why we support the resolution proposed today by the rapporteur. Read more, voting results

Urgent procedure: The worsening situation of opposition politicians in Turkey: what to do to protect their fundamental rights in a Council of Europe member State? (Doc. 14812)

Ms Gyde JENSEN (Germany) – For several years, the Council of Europe has been warning that the dismantling of fundamental rights contravenes the principles and values to which Turkey has committed. More than once, the European Court of Human Rights has ruled that the pre-trial detention of journalists on the grounds of suspicion of terrorism violates the human rights of freedom and freedom of expression. […] Good relations must always be tied to adherence to human rights and democratic values. For many Turkish people, Europe continues to represent the rules that are being trampled in Turkey. It stands for freedom of the press, citizen participation, gender equality, the separation of powers, and democracy. On 31 March, there will be local elections in Turkey, and the fear of losses on the part of President Erdoğan and the AK Party is casting a long shadow over them. Read more, voting results

The progress of the Assembly’s monitoring procedure (January-December 2018) and the periodic review of the honouring of obligations by Iceland and Italy (Doc. 14792 Part 1)

Mr HEER (Switzerland) – One of the most useful tools of our Parliamentary Assembly is the Monitoring Committee. […] The Monitoring Committee must have one task despite the diversity of the systems in our countries: to ensure that every citizen can cast his vote and that it counts, that freedom of media and freedom of expression is guaranteed, that access to courts is granted, that the rule of law is the basis of acts by the State and that corruption does not take place. The Parliamentary Assembly has the ability to discuss reports by the Monitoring Committee. There should be a dialogue among us and with our member States. We should all have in mind not party politics, power or global strategies but each and every citizen in our Council of Europe States. We must protect their rights as outlined in the European Convention on Human Rights. We must therefore strengthen our Council of Europe and strengthen a fair and open dialogue. Read more, voting results
Promoting the rights of persons belonging to national minorities (Doc. 14779)

Mr XUCLÀ (Spain)* – The resolution invites member States to ratify Protocol 12 to European Convention on Human Rights. It is not a political protocol; rather, it is one designed to afford protection to our citizens. That is the purpose of this report. It is only right and proper to point out that we have a very useful instrument in the form of the European Charter for Regional or Minority Languages. It is important that we realise that Europe is more than 47 national identities; we have a profusion of identities within nationalities. Read more, voting results

Friday 25 January 2019

Withdrawing nationality as a measure to combat terrorism: a human rights-compatible approach? (Doc. 14790)

Ms MEHL (Norway, Spokesperson, Alliance of Liberals and Democrats for Europe) – Citizenships are not directly regulated by the European Convention on Human Rights, but the loss of citizenship may have consequences that fall within the scope of the Convention […] Depriving someone of their citizenship as a measure to combat terrorism raises two questions. The first, which is at the core of the report and draft resolution, is whether citizenship can be withdrawn in accordance with human rights. The second, which is also important in determining whether the measure is worth its eventual price, is whether it is effective. On behalf of the Alliance of Liberals and Democrats for Europe Group, I say that, yes, citizenship can be withdrawn in accordance with human rights, but only if certain criteria are met. Read more, voting results

Improving follow-up to CPT recommendations: enhanced role of the Parliamentary Assembly and of national parliaments (Doc. 14788)

Ms de BRUJN-WEZEMAN (Netherlands, Spokesperson for the Alliance of Liberals and Democrats for Europe) – We must face it: the absolute prohibition of torture and inhumane or degrading treatment or punishment is and will remain a fragile commodity. To hold onto our ambition to make Europe a torture-free zone, more work needs to be done […] Special attention is drawn to the role of national parliaments, on which I would like to comment. The resolution provides that CPT reports should be subject to policy discussions and questions to governments in order to oversee compliance with CPT recommendations […] There is also a parallel with the role that national parliaments take in supervising the execution of judgments of the European Court of Human Rights. Why not add the national visit and annual reports of the CPT to a systematic review in national parliaments, to hold the government to account on the timely implementation of CPT recommendations, and be transparent by making the CPT’s visit reports public as well as the government response? Read more, voting results