

APROBATÎn ședința Biroului permanent al
Camerei Deputaților

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Parlamentul României
Camera Deputaților

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Parlamentul României Camera Deputaților

INFORMARE

**privind participarea la lucrările Comisiei pentru probleme economice
și dezvoltare a Adunării Parlamentare a Consiliului Europei
și la prima parte a Sesiunii ordinare 2011 a APCE
(Londra, 20 – 21 ianuarie 2011 și Strasbourg, 24 – 28 ianuarie 2011)**

I. În zilele de 20 și 21 ianuarie 2011, la Londra, s-au desfășurat reuniunea **Comisiei pentru probleme economice și dezvoltare a Adunării Parlamentare a Consiliului Europei (APCE)** și **întâlnirea anuală cu conducerea Băncii Europene pentru Reconstrucție și Dezvoltare (BERD)**, la care au participat domnul deputat Relu Fenechiu și domnul senator Viorel Riceard Badea, membri ai Delegației Parlamentului României la APCE.

În deschiderea lucrărilor Comisiei, prezidată de domnul Ertugrul Kumcuoğlu, prim vice-președinte al Comisiei pentru probleme economice și dezvoltare a APCE, au avut loc schimburi de vederi și informații cu membri ai conducerii Băncii Europene pentru Reconstrucție și Dezvoltare, respectiv președintele BERD, domnul Thomas Mirow, vice-președintele BERD, domnul Erik Berglof, economistul Peter Rieniger, etc. în ceea ce privește evoluțiile Băncii Europene pentru Reconstrucție și Dezvoltare în anul 2010.

În continuare, membrii Comisiei au dezbătut și aprobat programul de lucru al Comisiei pentru anul 2011 și au numit raportori pentru următoarele rapoarte: parlamentarul olandez, domnul Tuur Elzinga, pentru raportul „Activitatea Băncii Europene pentru Reconstrucție și Dezvoltare în 2010 și 2011”; parlamentarul turc, domnul Erol Aslan Cebeci, pentru rapoartele „Bugetul Consiliului Europei pentru perioada 2012 – 2013” și „Cheltuielile Adunării Parlamentare pentru perioada 2012 – 2013”; parlamentarul italian, domnul Andrea Rigoni, pentru raportul „Analiza grupurilor politice ale Adunării cu privire la utilizarea fondurilor pentru anul 2010”.

De asemenea, Comisia i-a propus ca reprezentanți ai Adunării la Centrul European pentru interdependență și solidaritate globală - Centrul Nord-Sud, pentru anul 2011, pe parlamentarul finlandez Sasi Kimmo, și pe parlamentara franceză Maryvonne Blondin, în calitate de reprezentant supleant.

Membrii Comisiei au dezbătut și aprobat propunerea președintelui privind modificarea denumirii Sub-comisiei pentru turism și dezvoltare în ***Sub-comisia pentru probleme de dezvoltare.***

II. În perioada 24 – 28 ianuarie 2011 s-au desfășurat, la Strasbourg, lucrările primei părți a Sesiunii ordinare a Adunării Parlamentare a Consiliului Europei. Din partea Delegației Parlamentului României la APCE la sesiunea APCE au participat domnii deputați **Cezar Preda, Președinte, Adrian Năstase, Mihai Tudose, Florin Anghel, Tudor Panfîru**, doamna deputată **Maria Stavrositu**, parlamentar de referință al legislativului român în campania Consiliului Europei pentru combaterea violenței împotriva femeilor, domnii senatori **Viorel Riceard Badea, Gyorgy Frunda și Titus Corlățean**, precum și domnul senator **Sorin Lazăr** în calitatea sa de parlamentar de referință din partea Senatului României în cadrul Campaniei Consiliului Europei de combatere a violenței sexuale față de copii.

În discursul inaugural **președintele APCE, domnul MEVLÜT ÇAVUŞOĞLU**, și-a exprimat îngrijorarea față de confruntările care au avut loc între guvern și opoziție în unele state membre ale Consiliului Europei, confruntări care au împiedicat funcționarea democratică a instituțiilor. În continuare, președintele APCE a adresat sincere condoleanțe familiilor îndoliate și răniților atacului cu bombă de la aeroportul Domodedovo, de lângă Moscova. Parlamentarii prezenți au ținut un minut de reculegere în memoria victimelor.

Plenul APCE a decis organizarea a trei dezbateri în procedură de urgență pe teme legate de recente violențe împotriva creștinilor în Orientul Mijlociu, situația din Belarus în urma alegerilor prezidențiale și situația din Tunisia. **Adunarea a decis, de asemenea, organizarea unei dezbateri pe o temă de actualitate privind situația democrației în Ungaria.**

În cadrul sesiunii plenare, Adunarea Parlamentară a ales judecător la Curtea Europeană pentru Drepturile Omului, cu majoritate absolută de voturi, pentru un mandat de nouă ani, pe domnul Paulo Sérgio Pinto de Albuquerque, candidat susținut de Grupul PPE.

Adunarea a luat act de contestarea deplinelor puteri ale delegațiilor parlamentare ale Serbiei, San Marino și Muntenegru-lui datorită faptului că acestea nu au în componență cel puțin un reprezentant care să fie un membru al sexului subreprezentat, în conformitate cu regulile și procedurile Adunării.

Printre personalitățile internaționale care s-au adresat plenului APCE în cadrul acestei sesiuni s-au aflat: Președintele României, domnul Traian Băsescu, Președintele Turciei, domnul Abdullah Gül, ministrul turc al afacerilor externe și Președinte în exercițiu al Comitetului de Miniștri al Consiliului Europei, domnul Ahmet Davutoğlu, Președintele Serbiei, Boris Tadić, Președintele Federației europene a jurnaliștilor, domnul Arne König.

Președintele APCE, domnul MEVLÜT ÇAVUŞOĞLU, și președinții celor cinci grupuri politice ale Adunării au adus un omagiu domnului Mateo Sorinas, în ajunul pensionării sale, felicitându-l pentru cei 33 de ani de activitate în cadrul Secretariatului Adunării Parlamentare și, în special, pentru ultimii cinci ani în calitate de Secretar General.

Dintre rapoartele supuse dezbaterii și aprobării plenului Adunării, în ordinea prezentării, menționăm:

- **Controversatul raport privind „Tratamentul inuman al persoanelor și traficul ilicit de organe umane în Kosovo” al parlamentarului elvețian Dick Marty**, membru al Comisiei juridice și pentru drepturile omului a APCE: Adunarea a adoptat un proiect de rezoluție privind „Tratamentul inuman al persoanelor și traficul ilicit de organe umane în Kosovo” și a solicitat începerea de investigații în urma indiciilor cu privire la existența de centre secrete de detenție aflate sub controlul Armatei de Eliberare a Kosovo (KLA) și în urma disparițiilor legate de războiul din Kosovo, precum și datorită deselor coliziuni dintre grupurile de crimă organizată și cercurile politice din regiune. De asemenea, Adunarea a făcut apel pentru sprijin politic la nivel înalt, pentru resurse și pentru un mandat clar de care are nevoie EULEX, misiunea Uniunii Europene în Kosovo, pentru a-și îndeplini rolul „extraordinar de complex și important”. În acest context, Adunarea a subliniat nevoia de programe eficiente de protecție a martorilor. **Rezoluția adoptată invită autoritățile albaneze și administrația din Kosovo să „coopereze fără rezerve” cu EULEX sau cu orice alt organism internațional mandatat pentru a afla adevărul despre crimele legate de conflictul din Kosovo, indiferent de originile suspecților sau victimelor.**

- **Raportul privind „Protecția surselor jurnaliștilor” al parlamentarului suedez Morgan Johansson**, membru al Comisiei pentru cultură, știință și educație a APCE: la dezbateri a luat parte, ca invitat special, domnul Arne König, președintele Federației Europene a Jurnaliștilor (FEJ) care a subliniat că mai sunt multe de făcut pentru asigurarea deplină a respectării libertății media și pentru garantarea securității jurnaliștilor și protejarea surselor lor.

Adunarea consideră că dezvăluirea de informații care identifică o sursă ar trebui să fie limitată doar pentru „circumstanțe excepționale” – în cazul în care interesele vitale publice sau individuale sunt în joc și, totodată, recomandă ca în cazul în care sursele sunt protejate împotriva divulgării lor în conformitate cu legislația națională, divulgarea acestora nu trebuie să fie solicitată. Membrii Adunării consideră că protecția surselor jurnaliștilor este o condiție de bază atât pentru exercitarea deplină a activității jurnalistice, cât și dreptul publicului de a fi informat asupra chestiunilor de interes public. De asemenea, aceștia și-au exprimat îngrijorarea cu privire la numărul mare de cazuri în Europa, în care autoritățile publice au obligat, sau au încercat să forțeze jurnaliștii să divulge sursele lor, deși există standarde clare stabilite de către Curtea Europeană a Drepturilor Omului și ale Comitetului de Miniștri. **Adunarea recomandă statelor membre să analizeze și să îmbunătățească legislația privind protecția confidențialității surselor jurnaliștilor, în special prin sprijinirea în procesul de revizuire a legislației naționale cu privire la supraveghere, anti-terorism, păstrarea datelor și accesul la înregistrările audio/ audio-video.**

- **Raportul privind „Reforma Consiliului Europei” al parlamentarului francez Jean-Claude Mignon**, membru al Comisiei pentru probleme politice a APCE: Adunarea și-a exprimat îngrijorarea față de declinul angajamentelor statelor membre ale Consiliului Europei și a sugerat organizarea unui Summit pentru a da un nou elan politic Organizației, pentru ca statele membre să fie mai responsabile față de Organizație și, dacă este necesar, pentru redefinirea rolului său actual. Membrii Adunării au reiterat sprijinul lor pentru primul val de măsuri introduse de Secretarul General cu privire la reforma Organizației, revitalizarea acesteia și adaptarea la nevoile cetățenilor europeni. În acest sens, Adunarea a propus o serie de linii directoare pentru urmărirea îndeplinirii acestor obiective și a solicitat, în special, o mai mare sinergie între organele Organizației, instituții și alte mecanisme; identificarea de soluții politice în ceea ce privește soluționarea cererilor de la Curtea Europeană a Drepturilor Omului; instituirea unui parteneriat strategic între Consiliul Europei și Uniunea Europeană. De asemenea, Adunarea consideră că Congresul Autorităților Locale și Regionale ar trebui să reprezinte o valoare adăugată pentru Consiliul Europei și o utilitate practică pentru autoritățile locale și regionale ale statelor membre, pentru evitarea duplicării lucrărilor realizate de alte organisme.

- **Raportul privind „Reconcilierea și dialogul politic între țările din fosta Iugoslavie” al parlamentarului italian Pietro Marcenaro**, membru al Comisiei pentru probleme politice a APCE: Adunarea recomandă țărilor din regiunea fostei Iugoslavii, în contextul conflictelor care au devastat regiunea în urmă cu cincisprezece ani, să-și dubleze eforturile pentru o reconciliere completă și integrare euro-atlantică. De asemenea, Adunarea invită statele în cauză la o mai bună priorizare a problemei persoanelor dispărute, pentru o cooperare deplină cu organizațiile internaționale cu privire la urmărirea penală a crimelor de război, asigurarea protecției depline a martorilor, oferirea sprijinului pentru întoarcerea și reintegrarea refugiaților și soluționarea disputelor privind frontierele.

În ceea ce privește situația din Bosnia și Herțegovina, Adunarea recomandă ca aceasta să ia măsuri urgente pentru respectarea angajamentelor sale ca membru al Consiliului Europei, să întreprindă reforme constituționale și globale și să consolideze funcționarea instituțiilor sale democratice.

Adunarea subliniază, de asemenea, importanța dialogului inter-parlamentar în regiune și oferă ca o platformă pentru un astfel de dialog, plenul Adunării.

- **Raportul privind „Implementarea deciziilor Curții Europene a Drepturilor Omului” al parlamentarului cipriot Christos Pourgourides**, președintele Comisiei pentru probleme juridice și drepturile omului: Adunarea a enumerat nouă state cu „deficiențe sistemice majore” în punerea în aplicare a hotărârilor Curții Europene a Drepturilor Omului printre care și România, Bulgaria, Grecia, Italia, Moldova, Polonia, Rusia, Turcia, Ucraina. Principalele probleme au fost decesele sau relele tratamente cauzate de către funcționarii responsabili de aplicare a legii, detenția ilegală sau prea lungă, durata prea mare de

punere în aplicare a procedurile legale și nepunerea în aplicare a hotărârilor judecătorești. Membrii Adunării au subliniat că rezolvarea acestor probleme la nivel național ar reduce numărul de cazuri care vin la Curtea de la Strasbourg. Adunarea și-a exprimat, de asemenea, îngrijorarea cu privire la creșterea rapidă a numărului de cereri de măsuri provizorii, punându-se astfel presiune asupra guvernelor și asupra Curții Europene a Drepturilor Omului.

• **În cadrul sesiunii de dezbateri a plenului APCE s-a adresat în data de 27 ianuarie a.c., Președintele României, domnul Traian Băsescu.** Președintele Băsescu a subliniat în discursul său, referindu-se la minoritatea rromă, că protecția drepturilor și integrarea nomazilor rromi în societate nu poate fi doar responsabilitatea țărilor de origine, se impune necesitatea cooperării internaționale și sprijin din partea instituțiilor pan europene, precum Consiliul Europei. De asemenea, președintele a atras atenția asupra faptului că stilul de viață al romilor nomazi „nu poate fi schimbat brutal, prin măsuri coercitive”, iar instituțiile europene au obligația de a le respecta acestora drepturile fundamentale, fără discriminare.

Președintele României a evocat necesitatea de a îmbunătăți protecția minorităților naționale în unele țări europene și a evidențiat experiența României în acest domeniu. Domnia sa a tras un semnal de alarmă cu privire la tendința Europei de a transfera responsabilitatea de rezolvare a problemelor, migranților. De asemenea, Președintele României a subliniat faptul că mecanismele de monitorizare ale Consiliului Europei pot juca un rol esențial în identificarea problemelor în stadiul incipient, în scopul unei combateri mai eficiente.

Cu privire la relația României cu Republica Moldova, Președintele Traian Băsescu a făcut apel la Partidul Comuniștilor din Republica Moldova să sprijine Alianța pentru Integrare Europeană în alegerea unui președinte. Domnia sa a explicat că „o țară precum Republica Moldova nu poate să susțină alegeri în fiecare an” și să aibă o dezvoltare economică. Șeful statului român a fost interpellat de un alt parlamentar membru al APCE cu privire la frontiera cu Republica Moldova și la conflictul transnistrean, punctând următoarele: *"Romania nu a dus niciodată o acțiune de neregnoaștere a frontierei actuale cu Republica Moldova. Mai mult, în 1991, România a fost primul stat din lume care a recunoscut Republica Moldova ca stat independent, dar nu a pregetat niciodată să vorbească de nevoia de restabilire a integrității teritoriale a Republicii Moldova prin rezolvarea problemei transnistrene"*.

Referindu-se la obiectivul României de integrare în spațiul Schengen, Președintele Băsescu a subliniat că România nu are niciun motiv să-l abandoneze, domnia sa avertizând că *"s-ar crea un precedent periculos ca unui stat să i se adauge obligații cu câteva săptămâni înainte de a se lua o decizie"*. Șeful statului român a apreciat, încă o dată, că România și-a îndeplinit toate obligațiile asumate în Tratat și duce în continuare o luptă de combatere a corupției, inclusiv la frontiere.

III. Contribuția parlamentarilor români la lucrările primei părți a Sesiunii ordinare a APCE - 2011

▪ În prima zi a Sesiunii 2011 a Adunării Parlamentare a Consiliului Europei (APCE), Delegația Parlamentului României la APCE a avut o întâlnire, devenită tradițională, cu reprezentanții Delegației Parlamentului Republicii Moldova la care a participat și Reprezentantul permanent al României pe lângă Consiliul Europei, domnul ambasador Stelian Stoian. În cadrul acestei întâlniri au avut loc schimburi de vederi și informații referitoare la evoluțiile post-electorale din Republica Moldova.

▪ În ziua de 26 ianuarie a.c. a avut loc **prima Reuniune a parlamentarilor de referință privind Dimensiunea parlamentară a Consiliului Europei privind combaterea violenței sexuale asupra copiilor la care au luat parte domnul deputat Cezar-Florin Preda, Președintele Delegației române la APCE și domnul senator Sorin-Constantin Lazăr, în calitate de parlamentari de referință din partea Camerei Deputaților, respectiv ai Senatului:** în deschiderea reuniunii au luat cuvântul domnul Mevlut Cavusoglu, Președintele APCE, doamna Liliane Maury Pasquier, Președinta Comisiei pentru afaceri sociale, sănătate și familie a Adunării și doamna Maud de Boer-Buquicchio, secretar general adjunct al Consiliului Europei. În cadrul sesiunii de dezbateri, au fost trecute în revistă acțiunile care pot fi întreprinse de parlamentari în desfășurarea acestei campanii:

- exprimarea unor poziții politice și publice față de violența sexuală asupra copiilor (adoptarea de declarații politice, rezoluții, etc.);
- ratificarea și implementarea în legislația națională a Convenției de la Lanzarote (Convenția Consiliului Europei privind protecția copilului împotriva exploatarei sexuale și abuzului sexual);
- înființarea unei comisii parlamentare pentru protecția drepturilor copilului;
- creșterea gradului de conștientizare la nivel național a desfășurării acestei campanii, prin organizarea de dezbateri, audieri și conferințe în cadrul fiecărui parlament.

▪ În prima ședință din cadrul primei părți a Sesiunii 2011 a Adunării Parlamentare a Consiliului Europei, **Grupul Socialist l-a ales pe domnul Adrian Năstase, vicepreședinte al Camerei Deputaților, membru al Delegației Parlamentului României la Adunarea Parlamentară a Consiliului Europei, în funcția de vicepreședinte și membru al Biroului grupului.**

▪ **Parlamentarul român, domnul Adrian Năstase, a luat cuvântul în numele Grupului Socialist, la dezbaterile cu tema „Reconcilierea și dialogul politic între țările din fosta Iugoslavie”, și a evocat perioada de început a anilor '90 când spațiul fostei Iugoslavii a reprezentat “un poligon de încercare pentru noua configurație politică a Europei” și a arătat că astăzi, ”...Consiliul Europei și**

alte organisme europene vor și pot să reintroducă fostele țări din spațiul iugoslav pe traseul european”. Pentru aceasta, este importantă reconcilierea, aceasta reprezentând calea prin care obiectivul integrării europene poate fi atins. Parlamentarul român a subliniat necesitatea „dezarmării morale și a schimbării mentalităților pentru evitarea unor noi formule de separatism”.

- **Doamna deputată Maria Stavrositu, parlamentar de referință al legislativului român în campania Consiliului Europei pentru combaterea violenței împotriva femeilor**, a luat parte la prima reuniune din acest an a parlamentarilor de referință pentru combaterea violenței împotriva femeilor din țările membre ale Consiliului Europei.

- **Deputatul Tudor Panfîru, a susținut o intervenție pe marginea raportului parlamentarului cipriot Christos Pourgourides, președintele Comisiei pentru probleme juridice și drepturile omului, privind „Implementarea deciziilor Curții Europene a Drepturilor Omului”** propunând ca structurile competente din cadrul Consiliului Europei să aibă în vedere modificarea prevederilor Convenției Europene a Drepturilor Omului, în sensul în care CEDO să fie abilitată să aplice direct sancțiuni statelor.

- **Senatorul Viorel Riceard Badea a subliniat, în cadrul dezbaterii privind Raportul de activitate al Consiliului Europei cu privire la alegerile parlamentare anticipate din Republica Moldova din 28 noiembrie 2010**, faptul că, campania electorală s-a desfășurat în condiții de transparență, mass-media a reflectat în mod echilibrat opiniile tuturor candidaților, nu au fost constatate violări ale drepturilor civile și politice, iar recomandările Comisiei de la Veneția a Consiliului Europei și ale OSCE au fost luate în considerare în momentul modificării Codului electoral. Domnul senator și-a exprimat convingerea că autoritățile de la Chișinău vor continua reformele menite să întărească încrederea cetățenilor din perspectiva corectitudinii procesului de vot și a implementării unui sistem viabil de centralizare și verificare a listelor electorale, și a adăugat că „este de remarcat faptul că 59,1% dintre cetățenii cu drept de vot s-au prezentat la urne, precum și voința acestora de a reconfirma Alianța pentru Integrare Europeană, garanție a stabilității politice inerente continuării reformelor de la Chișinău”.

În cadrul lucrărilor Adunării, **senatorul Viorel Badea a depus două amendamente la raportul privind „Reconcilierea și dialogul politic în țările din fosta Iugoslavie”, prezentat de parlamentarul italian Pietro Marcenaro**; plenul Adunării a adoptat în unanimitate amendamentele propuse de reprezentantul Delegației române la APCE, iar, în susținerea acestora, domnul Badea a declarat că adoptarea acestui raport reprezintă „un prim pas spre aprofundarea unei politici susceptibile să ofere un cadru optim de functionare a regimului de protecție a minorităților din fosta Iugoslavie, precum și un instrument eficient pentru monitorizarea cu obiectivitate a parcursului european al țărilor din această regiune în drumul lor spre integrare europeană, din perspectiva tratamentului acordat minorităților naționale”.

▪ **Senatorul Titus Corlățean a salutat în cadrul dezbaterii privind Raportul de activitate al Consiliului Europei cu privire la alegerile parlamentare anticipate din Republica Moldova,** progresele substanțiale în organizarea și desfășurarea procesului electoral, în raport cu alegerile organizate de fostul guvern comunist, la 5 aprilie 2009, gradul ridicat de transparență, accesul neîngrădit al tuturor candidaților la mass-media, precum și implicarea cetățenilor, în special a tinerilor, în procesul electoral. De asemenea, domnul Corlățean a subliniat faptul că noul guvern de la Chișinău este unul democratic, profund atașat valorilor europene, iar progresele semnificative înregistrate recent în materie de standarde democratice și legislație electorală trebuie sprijinite de Consiliul Europei în continuare, în vederea consolidării fundamentului legislativ și instituțional democratic al statului moldovean. În încheiere, parlamentarul român și-a exprimat convingerea că Adunarea Parlamentară va susține noul guvern de la Chișinău în continuarea eforturilor de democratizare a societății moldovenești, menite să îndeplinească obiectivul prioritar al autorităților de la Chișinău, aderarea la Uniunea Europeană.

În cadrul dezbaterii privind **raportul cu tema „Implementarea hotărârilor Curții Europene a Drepturilor Omului”, al parlametarului cipriot Christos Pourgourides, senatorul Titus Corlățean** a propus ca un raport ulterior să abordeze problema vulnerabilității sistemului judiciar de la Strasbourg, care decurge din faptul că, potrivit Convenției Europene a Drepturilor Omului, rolul de monitorizare a executării hotărârilor a fost încredințat Comitetului Miniștrilor: „acesta din urmă este un organ eminentemente politic, care nu are acces la o paletă adecvată de sancțiuni și nu are forța politică de a se angaja în discuții complexe și delicate și de a lua decizii sancționatorii față de statele care refuză să execute hotărârile Curții Europene”. Domnia sa a susținut propunerea ca însăși Curtea Europeană să primească dreptul de a decide asupra acestui tip de sancțiuni. De asemenea, domnia sa a subliniat importanța și consecințele modificării jurisprudenței Curții, în sensul luării în considerare a realității economice din fostele țări comuniste, în procesele de restituire a imobilelor naționalizate sau de despăgubire.

În cadrul lucrărilor Comisiei pentru afaceri politice, la dezbaterile privind raportul cu tema „Reconcilierea și dialogul politic între țările din fosta Iugoslavie”, al parlamentarului italian Pietro Marcenaro, senatorul Titus Corlățean, a susținut o intervenție pe marginea amendamentului propus de delegația Parlamentului Ungariei la APCE, care viza recunoașterea obligativității punerii în practică a unei autonomii pe criterii etnice în țările din spațiul ex-iugoslav, subliniind faptul că o asemenea abordare contravine normelor de drept internațional și principiilor de bună vecinătate. Ca urmare a intervenției domnului senator Corlățean, amendamentul a fost respins în unanimitate, atât în cadrul Comisiei pentru afaceri politice, cât și în plenul Adunării.

Domnul senator Corlățean a susținut, în calitate de co-inițiator, amendamentele depuse de domnul senator Viorel-Riceard Badea la raportul privind „Reconcilierea și dialogul politic în țările din fosta Iugoslavie”, care se

referă la necesitatea respectării drepturilor persoanelor aparținând minorităților naționale în țările din această regiune.

▪ **Delegația Parlamentului României la APCE** s-a întâlnit în cursul zilei de marți, 25 ianuarie 2011, cu membrii Delegației Parlamentului Georgiei condusă de domnul Petre Tsiskarishvili, președintele Delegației, la inițiativa acestora. În cadrul discuției, la care a participat și Reprezentantul permanent al României pe lângă Consiliul Europei, ambasadorul Stelian Stoian, parlamentarii georgieni au informat colegii români în legătură cu ultimele evoluții ale situației din Georgia.

▪ **Domnul senator Gyorgy FRUNDA, membru al delegației Parlamentului României la APCE**, a fost ales în funcția de vicepreședinte în cadrul Sub-comisiei pentru dreptul minorităților. Domnia sa s-a întâlnit în după-amiaza zilei de marți, 25 ianuarie a.c. cu reprezentanții Organizației religioase Martorii lui Iehova.

Pe durata Sesiunii APCE, membrii Delegației au răspuns întrebărilor jurnaliștilor români și străini, au dat declarații și interviuri, iar secretariatul Delegației a informat despre activitatea parlamentarilor români prin comunicate de presă.

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IV. În cadrul programului de lobby parlamentar pentru Schengen, Delegația Parlamentului României la Adunarea Parlamentară a Consiliului Europei, condusă de deputatul Cezar Florin Preda, a invitat marți, 25 ianuarie 2011, Delegația Parlamentului olandez condusă de Marie – Louise Bemelmans – Videc, membră a Primei Camere a Statelor Generale, la un dejun de lucru. Au fost prezenți ambasadorii reprezentanți ai celor două țări pe lângă Consiliul Europei. Cu acest prilej a avut loc un schimb reciproc de informații în legătură cu evoluția și perspectivele relațiilor dintre cele două țări și sprijinul pe care parlamentarii pot să îl acorde dezvoltării dialogului și mai bune cunoașteri.

Tot în cadrul programului de lobby parlamentar pentru aderarea la Schengen, deputata Maria Stavrositu, membră a Delegației Parlamentului României la A.P.C.E., a participat la un eveniment protocolar organizat la Cercul European din Strasbourg – de Comite des Amities Europeennes, o organizație non guvernamentală cu sediul la Strasbourg, ce promovează comunicarea și mai buna cunoaștere între femeile implicate în politică, soțiile personalităților politice și femeile ce s-au afirmat profesional în diferite domenii de activitate, din diferite țări.

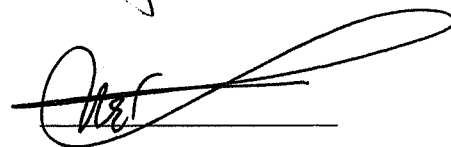
Cezar PREDA, deputat, preşedintele Delegaţiei



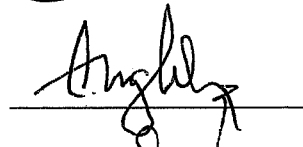
Adrian NĂSTASE, deputat



Relu FENECHIU, deputat



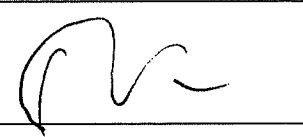
Florin ANGHEL, deputat



Maria STAVROSITU, deputată



Mihai TUDOSE, deputat



Tudor PANȚÎRU, deputat



Viorel Riceard BADEA, senator



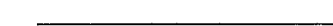
Gyorgy FRUNDA, senator



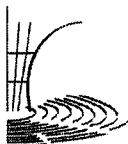
Tirus CORLĂȚEAN, senator



Sorin LAZĂR, senator



Redactat: N.I., A.I.



Doc. 12436 prov 3
24 January 2011

Draft agenda

**1st part of the 2011 Ordinary Session
(24-28 January 2011)**

updated by the Bureau of the Assembly on 24 January 2011

Monday 24 January 2011

8 a.m. Bureau of the Assembly

9.30 a.m. Political groups

11.30 a.m. 1. Opening of the first part of the 2011 Ordinary Session
(with the oldest member in the Chair)

- a. Examination of credentials (Doc. 12474)
- b. Election of the President of the Assembly
- c. Election of Vice-Presidents of the Assembly
- d. Appointment of members of committees (Commissions (2011) 01)
- e. Requests for debate under urgent procedure on:
 - "Recent violence against Christians in the Middle East"
 - "The situation in Belarus in the aftermath of the presidential election"
 - "The situation in Tunisia"Request for a current affairs debate on:
 - "The functioning of democracy in Hungary"
- f. Adoption of the agenda
- g. Adoption of the minutes of proceedings of the Standing Committee (Antalya, 12 November 2010)

2. Progress report of the Bureau of the Assembly and the Standing Committee
(Doc. 12477 Part I + Addenda 1 and 2 and Part II)
Rapporteur: Ms Anne Brasseur (Luxembourg, ALDE)

Observation of the parliamentary elections in Azerbaijan (7 November 2010)
(Doc. 12475)

Rapporteur of the Ad hoc Committee of the Bureau: Mr Tadeusz Iwiński (Poland, SOC)

Observation of the early parliamentary elections in Moldova (28 November 2010)
(Doc. 12476)

Rapporteur of the Ad hoc Committee of the Bureau: Mr Indrek Saar (Estonia, SOC)

Debate

1 p.m. End of the sitting

2 p.m. Committees

3 p.m. 1. Communication from the Committee of Ministers to the Parliamentary Assembly,
presented by Mr Ahmet Davutoğlu, Minister for Foreign Affairs of Turkey,
Chairperson of the Committee of Ministers
Questions

4 p.m. 2. Communication from Mr Thorbjørn Jagland, Secretary General of the Council of
Europe
Questions

5 p.m. 3. Progress report of the Bureau of the Assembly and the Standing Committee
(Doc. 12477 Part I + Addenda 1 and 2 and Part II) (continued)
Rapporteur: Ms Anne Brasseur (Luxembourg, ALDE)

Debate (continued) and [possibly] vote

5.30 p.m. End of the sitting

5.40 p.m. Political groups

Tuesday 25 January 2011

8.30 a.m. Committees

10 a.m. 1. **Election of a judge to the European Court of Human Rights in respect of Portugal (Doc. 12463)** (from 10 a.m. to 1 p.m.)

2. **Inhuman treatment of people and illicit trafficking in human organs in Kosovo¹ (Doc. 12462)**

Rapporteur of the Committee on Legal Affairs and Human Rights:

Mr Dick Marty (Switzerland, ALDE)

Deadline for tabling amendments: Monday 24 January at 4 p.m.

Debate

12 noon 3. **Address by Mr Abdullah Gül, President of Turkey**
Questions

1 p.m. **End of the sitting**

2 p.m. Committees

3 p.m. 1. **Election of a judge to the European Court of Human Rights in respect of Portugal (Doc. 12463)** (continued) (from 3 p.m. to 5 p.m.)

2. **Inhuman treatment of people and illicit trafficking in human organs in Kosovo¹ (Doc. 12462)** (continued)

Rapporteur of the Committee on Legal Affairs and Human Rights:

Mr Dick Marty (Switzerland, ALDE)

Deadline for tabling amendments: Monday 24 January at 4 p.m.

Debate (continued) and vote on a draft resolution

3. **The protection of journalists' sources (Doc. 12443)**

Rapporteur of the Committee on Culture, Science and Education:

Mr Morgan Johansson (Sweden, SOC)

Deadline for tabling amendments: Monday 24 January at 4 p.m.

Statement by Mr Arne König, President of the European Federation of Journalists

Debate and vote on a draft recommendation

4. **Follow-up to the reform of the Council of Europe (Doc. 12458)**

Rapporteur of the Political Affairs Committee: Mr Jean-Claude Mignon (France, EPP/CD)

Rapporteur of the Committee on Rules of Procedure, Immunities and Institutional Affairs (for opinion) (Doc.): Mr Christopher Chope (United Kingdom, EDG)

Deadline for tabling amendments: Monday 24 January at 4 p.m.

Debate and votes on a draft resolution and a draft recommendation

8 p.m. **End of the sitting**

¹ All references to Kosovo in this document, whether to the territory, institutions or population, shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

Wednesday 26 January 2011

8.30 a.m. Political groups

10 a.m. 1. **[Possibly 2nd round] Election of a judge to the European Court of Human Rights in respect of Portugal (Doc. 12463) (from 10 a.m. to 1 p.m.)**

2.a. **The protection of witnesses as a cornerstone for justice and reconciliation in the Balkans (Doc. 12440 rev)**

Rapporteur of the Committee on Legal Affairs and Human Rights:

Mr Jean-Charles Gardetto (Monaco, EPP/CD)

Deadline for tabling amendments: Tuesday 25 January at 3.30 p.m.

2.b. **The obligation of member states of the Council of Europe to co-operate in the prosecution of war crimes (Doc. 12454)**

Rapporteur of the Committee on Legal Affairs and Human Rights:

Mr Miljenko Dorić (Croatia, ALDE)

Deadline for tabling amendments: Tuesday 25 January at 3.30 p.m.

2.c. **Reconciliation and political dialogue between the countries of the former Yugoslavia (Doc. 12461)**

Rapporteur of the Political Affairs Committee: Mr Pietro Marcenaro (Italy, SOC)

Deadline for tabling amendments: Tuesday 25 January at 3.30 p.m.

Joint debate

12 noon 3. **Address by Mr Boris Tadić, President of Serbia**
Questions

1 p.m. **End of the sitting**

2 p.m. Committees

3 p.m. 1.a. **The protection of witnesses as a cornerstone for justice and reconciliation in the Balkans (Doc. 12440 rev) (continued)**

1.b. **The obligation of member states of the Council of Europe to co-operate in the prosecution of war crimes (Doc. 12454) (continued)**

1.c. **Reconciliation and political dialogue between the countries of the former Yugoslavia (Doc. 12461) (continued)**

Joint debate (continued)

Votes on a draft resolution and a draft recommendation (Doc. 12440 rev)

Votes on a draft resolution and a draft recommendation (Doc. 12454)

Votes on a draft resolution and a draft recommendation (Doc. 12461)

2.a. **The implementation of judgments of the European Court of Human Rights (Doc. 12455)**

Rapporteur of the Committee on Legal Affairs and Human Rights:

Mr Christos Pourgourides (Cyprus, EPP/CD)

Deadline for tabling amendments: Tuesday 25 January at 3.30 p.m.

2.b. **Preventing harm to refugees and migrants in extradition and expulsion cases: Rule 39 indications by the European Court of Human Rights (Doc. 12435)**

Rapporteur of the Committee on Migration, Refugees and Population:

Mr David Darchiashvili (Georgia, EPP/CD)

Rapporteur of the Committee on Legal Affairs and Human Rights (for opinion) (Doc. 12471): Mr Boriss Cilevičs (Latvia, SOC)

Deadline for tabling amendments: Tuesday 25 January at 3.30 p.m.

Joint debate

Votes on a draft resolution and a draft recommendation (Doc. 12455)

Votes on a draft resolution and a draft recommendation (Doc. 12435)

3. **Current affairs debate: The functioning of democracy in Hungary²**

Debate

8 p.m. **End of the sitting**

² If the current affairs debate is decided by the Assembly.

Thursday 27 January 2011

8.30 a.m. Committees

10 a.m. 1. **Debate under urgent procedure: Violence against Christians in the Middle East³ (Doc.)**

Rapporteur of the Political Affairs Committee:

Deadline for tabling amendments: Wednesday 26 January at 10.30 p.m.

Debate and vote on ...

12 noon 2. **Address by Mr Traian Băsescu, President of Romania**
Questions

1 p.m. **End of the sitting**

2 p.m. Committees

3 p.m. 1. **Address by Mr Sali Berisha, Prime Minister of Albania**
Questions

2. **Debate under urgent procedure: The situation in Belarus in the aftermath of the presidential election³ (Doc.)**

Rapporteur of the Political Affairs Committee:

Rapporteur of the Committee on Legal Affairs and Human Rights (for opinion) (Doc.):

Deadline for tabling amendments: Wednesday 26 January at 3.30 p.m.

Debate and vote on ...

3. **Debate under urgent procedure: The situation in Tunisia³ (Doc.)**

Rapporteur of the Political Affairs Committee:

Deadline for tabling amendments: Wednesday 26 January at 3.30 p.m.

Debate and vote on ...

6.30 p.m. **End of the sitting**

6.30 p.m. Joint Committee

³ If the urgent procedure is decided by the Assembly.

8.30 a.m. Bureau of the Assembly

- 10 a.m.
1. **Monitoring of commitments concerning social rights (Doc. 12441)**
Rapporteur of the Social, Health and Family Affairs Committee:
Mr Bernard Marquet (Monaco, ALDE)
Rapporteur of the Committee on Equal Opportunities for Women and Men (for opinion)
(Doc.): Ms Birgen Keleş (Turkey, SOC)
Deadline for tabling amendments: Thursday 27 January at 10.30 a.m.

Debate and votes on a draft resolution and a draft recommendation
 2. **Preventive health care policies in the Council of Europe member states (Doc. 12219)**
Rapporteur of the Social, Health and Family Affairs Committee:
Ms Liliane Maury Pasquier (Switzerland, SOC)
Deadline for tabling amendments: Thursday 27 January at 10.30 a.m.

Debate and vote on a draft recommendation
 3. **Promoting active ageing – capitalising on older people’s working potential (Doc. 12431)**
Rapporteur of the Social, Health and Family Affairs Committee:
Mr Denis Jacquat (France, EPP/CD)
Deadline for tabling amendments: Thursday 27 January at 10.30 a.m.

Debate and vote on a draft resolution
 4. **Constitution of the Standing Committee**
- 1 p.m. Closure of the first part of the 2011 Ordinary Session

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D3(2011)
24.01.2011

**Communication from the Committee of Ministers
presented by**

Ahmed DAVUTOĞLU

**Minister for Foreign Affairs of Turkey,
Chairperson of the Committee of Ministers**

on the occasion of the
first part of the 2011 Ordinary Session
of the Council of Europe Parliamentary Assembly

(Strasbourg, 24-28 January 2011)

Mr President, Ladies and Gentlemen,

Since my address to the Standing Committee on 12 November 2010, barely two days after taking over the Chairmanship of the Committee of Ministers, I have been looking forward to being able to address this plenary Assembly and present the objectives of the Turkish Chairmanship. I can assure you of the close attention which I pay to your work and of my desire to foster co-operation between the Committee of Ministers and your Assembly. I am therefore delighted to speak to you in my capacity as Chair of the Committee of Ministers in this common house representing 800 million Europeans. Turkey, as the founding member of this organization, has assumed the Chairmanship of the Committee of Ministers for the seventh time since the very beginning. We, the Europeans, in this Pan-European organization, are represented by our Governments and you, the elected representatives of the European continent. This gives us a common responsibility for the future of our fellow Europeans.

We are here not only because we share a common geography and our nation states are linked together by our borders, be they short or long. We are here also because we have shared together a common history, from which we have drawn conclusions. On these conclusions we have established ideals and values that have become our common duty to defend and take further. Today, these are in no way under the hegemony of "Europe", where they have been born and nourished, but are these to be shared by the whole mankind. Therefore, we are frequently gathered under this roof as "European Governments and Parliamentarians" where we set the highest benchmark for all.

The priorities which we have set for our six-month chairmanship are closely linked with the Council of Europe's key objectives and reflect the urgent issues concerning the future of the organisation. We are focusing on five main areas: support for the reform of the Council of Europe and, carrying on from the efforts of our predecessors, implementation of the reform of the European Court of Human Rights, strengthening the Council's independent monitoring mechanisms, the process of accession by the European Union to the European Convention on Human Rights, and, lastly, ways and means of overcoming the challenges which arise in multicultural European societies.

To quote what I said in the Committee of Ministers at the handover of the chairmanship, "we will make every effort to put the Council of Europe back on the international scene as an innovative, more flexible and visible organisation so that it can adapt itself to the changing political landscape." I am delighted to be able to share with you and with the Secretary General the exciting task of giving this new political impetus to the Organisation.

Mr President, Ladies and Gentlemen,

The first major subject which I wish to discuss with you is human rights and, more particularly, the continuation of the Interlaken process concerning the future of the European Court of Human Rights. Implementation of the process is progressing well, thanks to the positive momentum provided by the various players involved.

For instance, with a view to exercising its responsibility for supervising the judgments of the Court as effectively as possible, the Committee of Ministers last month approved a new procedure to increase the effectiveness and transparency of the supervision process.

This procedure came into force on 1 January 2011. We hope that it will come up to the expectations we have placed in it, and we will review it at the end of the year.

Another issue which the Committee of Ministers has considered is the election of judges to the European Court of Human Rights, with a focus on ensuring its authority and credibility. The discussions have led to the establishment of an Advisory Panel of Experts on Candidates for Election as Judge to the Court, which your Assembly supported in principle at its last session. The panel, comprising seven eminent legal figures from different member states, has the task of advising the High Contracting Parties as to whether the candidates for election as judge to the Court meet the criteria laid down in the European Convention on Human Rights. It will hold its constituent meeting this week, on 27 and 28 January. We hope that, together with your Assembly, it will ensure that the Court has the authority that is vital for its decisions to be complied with.

I am pleased to say that the Court itself has also taken steps to contribute to the implementation of the Interlaken process. In particular, it has published a handbook for legal professionals on admissibility rules and, at the beginning of this year, set up a team in the Registry responsible for initial filtering of applications.

I am pleased by these various developments. However, there is still work to do. The European Court of Human Rights and the Convention system continue to face major challenges. They are mainly related to the length of time to deal with applications, the quality and coherence of the Court's judgements and finally the effectiveness with which its judgements are executed.

We have to continue our joint efforts in order to strengthen our shared responsibility as high contracting parties with the Court, in conformity with the principle of subsidiarity. The credibility of the Convention system needs to be ensured to avoid the weakening of the system.

We have therefore decided to hold a high-level conference on the future of the European Court of Human Rights in Izmir in April as part of our chairmanship. The conference will be an important opportunity to begin taking stock of the implementation of Protocol No.14 and the Interlaken Declaration and to draw conclusions to be utilised in the process concerning the future of the Convention mechanism including through possible amendments to the Human Rights Convention itself. Your Assembly will, of course, be invited to take part in the process and I am counting on your input.

I would not wish to conclude this section without mentioning the question of the accession of the European Union to the European Convention on Human Rights, which can also be addressed in Izmir.

We strongly believe that this accession will offer the whole of Europe a coherent and credible system for the protection of fundamental rights by creating a single and binding legal space in our continent. I hope most sincerely that significant progress will be made in the coming months so that this can come about at the ministerial session to be held in Istanbul in May. You will have an opportunity to discuss the matter in greater detail later this week, at the Joint Committee meeting.

Another area on which the chairmanship is focusing is the challenges related to European multicultural societies and ways and means of living together in harmony and mutual understanding. Unfortunately, the last few months have shown that the challenges here are very acute, in Europe and internationally. The financial crisis, growing unemployment and marginalisation unfortunately aggravate the problems in societies, leading to the manifestation of various forms of discrimination and intolerance, mainly xenophobia and racism against those perceived as different. Intolerance and extremism are on the rise everywhere, sometimes at the cost of the lives of people whose only fault is to be different because of the colour of their skin or their religion. These unacceptable attacks, which we thought were behind us now and belonged to the era of atrocities which Europe suffered for far too long, are a challenge to us all. We cannot just stand idly by.

New ideas and a renewed commitment by governments and politicians are needed to reflect on how to live together in multicultural societies. In this respect, I subscribe to the declarations which you made on the subject, Mr President. We strongly believe that, because of the large geographical area it covers, its standard-setting work and its expertise, the Council of Europe remains the organisation best suited to taking up these challenges on the basis of the universal values of human rights, democracy and the rule of law.

In order to focus our efforts more effectively, I proposed that we set up a group of eminent persons with recognised expertise and a particular interest in this area. I am pleased that the Secretary General has acted on my proposal. I myself met the eminent persons on 13-14 January in Istanbul. They are working intensively and we are looking forward to the outcome of their discussions in time for the Committee of Ministers session in May.

To back up the Council of Europe's work in the area of combating discrimination based on racial, ethnic, religious or other bias, we recently held a joint seminar on the subject in Ankara with the

European Commission against Racism and Intolerance (ECRI). The seminar not only placed the spotlight on the important recommendations made by ECRI in this area but also offered many national and international experts a forum for discussing and exchanging views about the new challenges in combating racism and racial discrimination.

Indeed, the strengthening of the monitoring bodies like ECRI or treaty based ones such as CPT, is another priority of the Turkish Chairmanship. Among them is the Commissioner for Human Rights also of particular importance. In mid-February, we will organise with the Commissioner an international seminar on migration which is a highly topical issue for our Organisation to contribute to.

The standard setting work, which indeed makes our organisation unique, is also continuing. In this context, I am delighted that the Ministers' Deputies have very recently transmitted the draft convention on combating violence against women and domestic violence, to your Assembly. We eagerly await your opinion so that the instrument can be opened for signature in Istanbul in May.

Mr President,

The Council of Europe is the only pan-European organisation which has the mandate and the necessary tools to effectively and comprehensively monitor the compliance by member states with their obligations on respect for human rights, democracy and the rule of law. This requires the Committee of Ministers to follow the political developments in the European scene.

Among the many topical political issues which the Committee of Ministers deals with, I should like to address that of Belarus more closely. The recent presidential elections did not comply with the democratic principles to which we subscribe here. The worrying developments that took place in the wake of the elections raise a number of questions. Unfortunately, these developments have only widened the gap between Belarus and the rest of the democratic European family. On 12 January, at its first meeting after the elections, the Committee of Ministers issued an appeal to the Belarus authorities calling for the presidential candidates, journalists and human rights activists who were arrested to be released and for their fundamental rights to be duly respected. The Council of Europe nevertheless remains willing to support Belarus' European integration process, provided that the country's authorities respect the values and principles which we defend.

I should also like to say a few words about the co-operation between the Council of Europe and Moldova. As was the case with the constitutional referendum in September, the Council of Europe provided support for the holding of the early parliamentary elections in November 2010. I am pleased by the positive assessment of the electoral process issued by the international observers present in Moldova, who included several members of your Assembly. I would underline that, in the difficult situation currently facing Moldova, the Council of Europe is willing to continue to offer it all possible assistance to help consolidate its democratic institutions.

South-eastern Europe remains a particular focus of attention for the Council of Europe, too. In recent months, the Committee of Ministers has recorded notable progress in the implementation of the commitments of Serbia and Montenegro. These are very encouraging developments, which I welcome. As we are all aware, the process of reconciliation and rapprochement is of great importance in that region. In this connection, I welcome the gesture by presidents Tadić and Josipović on the occasion of the commemoration of the 15th anniversary of the Srebrenica massacre, that I too attended. For the sake of peace and political stability in the region, I hope that this process will continue to move forward throughout 2011.

I know that your Assembly is also continuing to pay particular attention to the situation in Kosovo. I can assure you that the commitment to offer all the inhabitants of Kosovo a European perspective and the enjoyment of the same standards as all other Europeans in the areas of democracy, human rights and the rule of law remains very high on the agenda for the Committee of Ministers. The chairmanship fully supports the strengthening of the organisation's activities in this respect.

Georgia also remains high on the Committee of Ministers' agenda. In this connection, I would inform you that the Secretary General in November presented a fresh six-monthly report describing the situation on the ground and reviewing the activities conducted by the Council of Europe. In this

context, the Committee of Ministers has taken note of new measures to build confidence and develop human rights standards. By way of example, I would refer to the training seminar on balanced coverage of politically sensitive events held in Istanbul in November for journalists from Abkhazia and other regions of Georgia. For many of the participants, it was the first time they had met colleagues from the other side of the Inguri to exchange points of view and share professional experience. I hope that activities of this kind will expand and that the contacts between the parties will move forward in a spirit of openness and co-operation. The Turkish chairmanship is willing to support them.

As I said in the introduction to my remarks, one of our chairmanship's priorities is to revitalise the Council's political role. To this end, we must actively continue the process of reform initiated by the Secretary General, whose efforts I welcome and support. With its extensive body of binding legal standards and monitoring mechanisms, the Council of Europe has a unique role to play on the European arena. We must continue to build on and expand these assets. The Turkish chairmanship is therefore looking forward with great interest to the proposals which the Secretary General will shortly be submitting to the Committee of Ministers concerning the second wave of reforms in the Organisation.

One issue of special importance in this context is the relationship between the Council of Europe and the European Union. The chairmanship hopes that the relationship developed on the basis of the 2007 Memorandum of Understanding, in which the EU recognised the role of the Council of Europe as the benchmark for human rights, the rule of law and democracy, will continue to develop in a spirit of complementarity and mutual reinforcement. That at least is the approach which I intend to take to this issue at a forthcoming tripartite meeting at political level with the European Union.

The recent signature by the Secretary General of the Council of Europe and Commissioner Füle of a "facility" under the EU's Eastern Partnership is an interesting development here.

Of course, our Organisation also has other very important international partners. The chairmanship therefore intends following in its predecessors' footsteps regarding co-operation with the United Nations. It paid close attention to the adoption in December by the UN General Assembly of the resolution on co-operation between the Council of Europe and the United Nations in various areas. I hope that this co-operation moves forward, in particular at the annual exchange of views to be held next month with experts from national capitals on human rights issues.

Another important international partner for our Organisation is the OSCE. We plan to continue the already existing co-operation between the two organisations.

I know that your Assembly is keenly interested in all the areas which I have just mentioned and wishes to contribute to them. I therefore hope that the new relationship of co-operation and dialogue between your Assembly and the Committee of Ministers established over a year ago by my predecessors will continue. You can count on my support in this respect. I will be glad to answer any questions.

Thank you for your attention.

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D1(2011)
24.01.2011

**Opening statement
by**

Mevlüt ÇAVUŞOĞLU

**President of
Council of Europe Parliamentary Assembly**

on the occasion of the
first part of the 2011 Ordinary Session
of the Council of Europe Parliamentary Assembly

(Strasbourg, 24-28 January 2011)

Dear colleagues,

First of all, thank you for your confidence and re-electing me as President of the Parliamentary Assembly. Let me assure you that I do not consider this re-election as a simple formality. It is for me a further encouragement, but also a reminder that I can only be your President as long as I represent your interests and the interests of this Assembly. This was how I acted all throughout the first year of my mandate and this is how I will continue to work.

We have started a New Year and today we start a new Assembly session. Let me take this opportunity to welcome you all to Strasbourg for another year of hard work and wish you and your families all the best for 2011.

Dear colleagues,

We can start our work with confidence based on the achievements of last year. In 2010 we continued to assist, through visits, reports or election observation, those member states presenting delicate political, institutional and human rights situations or facing consequences of armed conflicts. The fact that this assistance was largely welcomed by different political forces in the countries concerned, either in government or opposition, is proof of your objectivity, fairness and professionalism.

We also succeeded in concentrating on and dealing with issues which I consider as our priority, in particular:

- fighting against all forms of intolerance and discrimination, paying special attention to the rights of the Roma population;
- defending human rights of the most vulnerable groups in our societies, in particular children, women and also minorities and migrants;
- developing inter-cultural and inter-religious dialogue;
- supporting the reform of the Council of Europe and initiating the reform process in the Parliamentary Assembly;
- promoting accession of the European Union to the European Convention on Human Rights and engaging a dialogue with the European Parliament on the election of judges;
- bringing non-member states closer to the Council of Europe and our standards, particularly through the Partnership for Democracy status.

By doing so, I am convinced that our Assembly has gained respect in many parts of Europe. Our action has also obtained us more support in our national parliaments, which is of the utmost importance in the current context of budgetary restrictions in many member states. Convincing Speakers all around Europe of the need to support the activities of our Assembly has been a major item on the agendas of more than 40 official and working visits that I carried out in 2010.

Throughout last year, we continued to improve our institutional relations with other organs and bodies of the Council of Europe. We now enjoy excellent working relations with the Secretary General and have installed direct and personal contacts with the respective Chairs of the Committee of Ministers.

Dear colleagues,

However, I must also say that, despite our efforts, we could not achieve satisfactory results in some of our undertakings. In this connection, I think mainly about frozen conflicts in Europe. Negotiations concerning the settlement of these conflicts are mostly in the hands of career diplomats but parliamentary diplomacy plays an important role in creating a climate of trust and confidence, necessary for lasting solutions. Be it in Abkhazia, Transnistria, Nagorno-Karabakh, South Ossetia or on the island of Cyprus, it is difficult to see any meaningful progress in confidence-building over the last year. But we must and will continue our efforts because there is simply no other alternative.

Furthermore, in some member states, confrontations between the government and the opposition were seriously hampering the functioning of democratic institutions. In Albania, the existing tensions degenerated and resulted in the death of several persons last week. This is clearly unacceptable - people must not die as a result of political struggles. We have to be more active in supporting democratic changes through peaceful evolution. Therefore, we need to be more present in Tunisia. The people in the streets are sending a clear message - assist us to build a democratic society based on more equality and social justice.

Dear colleagues,

I said that our Assembly is becoming more relevant - and there is no better evidence of that than the agenda of this part-session. We shall welcome among us three Presidents – those of Turkey, Serbia and Romania, as well as the Prime Minister of Albania. They come, not just out of respect for our respectable body but also because we will deal with serious issues - reports on reconciliation in the Balkans, organ trafficking in Kosovo, the protection of journalist's sources of information, just to name a few.

We have also received requests to hold important urgent debates. Besides that on the situation in Tunisia, the Bureau recommends to discuss the violence against Christians in the Middle East and Belarus.

Both topics are very close to my heart. Religious violence has been the scourge of humanity since the beginning of ages and it has caused millions of victims over centuries. Religious extremists have always been there to stain the humanistic and value-based message of the world's main religions. We must clearly say that those killing in the name of religion are not believers, they are just fanatics and terrorists.

On Belarus, I still believe in achieving progress through contact and dialogue. However, this dialogue can hardly take place when people are imprisoned for obviously political reasons. Presidential candidates and human rights activists are still in prison today, some are suffering from bad health. They must be released immediately – it is only on this basis that we can continue our relations.

Dear colleagues,

Before I finish, I wish to remind you of an important commemoration which traditionally takes place during the January part-session. The date of the liberation of the Auschwitz extermination camp is not an ordinary event. It is a cruel reminder of what people can do to others if they deviate from universal human rights principles and start to categorize individuals, groups and whole nations as those who are or are not entitled to human rights.

Human rights and freedoms must be the same for all – this is what we stand for and it is against this criteria that we must measure the level of democracy in our societies today.

I wish you a successful and interesting week in Strasbourg,

Thank you for your attention.

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D2(2011)
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Communication from

Thorbjørn Jagland

Secretary General of the Council of Europe

on the occasion of the
first part of the 2011 Ordinary Session
of the Council of Europe Parliamentary Assembly

(Strasbourg, 24-28 January 2011)

All great projects in history combine vision with pragmatism. Believing in something, even very enthusiastically, is not enough. It is what we do about it which makes a difference between great ideas and great illusions.

This was true 60 years ago when our Organisation was created, and it is very much true today.

In 1949, Europe had not yet healed from a devastating war, its economies had not recovered while ominous signs of a possible new conflict had already begun to appear. It was time of uncertainty and fear. The response of European governments was the Council of Europe, an Organisation embodying the vision of European unity combined with very practical ways to implement this vision in practice.

Afterwards the European project developed step by step; economic, and later political, integration in the framework of the EU, and co-operation in the field of security in the framework of OSCE. This could not have taken place without the legal framework which was created by the Council of Europe. The Council of Europe also helped to foster a culture of tolerance, co-operation and humanism at the grass root level which was also a precondition for the broader European project.

It is a matter of fact that the great European project cannot go forward without the Council of Europe.

I say this because I strongly feel that Europe is being torn apart again by the centrifugal forces of economic globalisation, by xenophobic tendencies, by social exclusion. Basic values like freedom of the media and freedom of religion are being relativised. Terrorism is spreading fear and is being used as an argument by those who claim that Islam is a violent religion. Listen to what a member of the British government – Baroness Warsi - rightly said recently: "Islamophobia has been widely accepted in Europe". I agree. And violence against Christians is increasing in our neighbourhood. Anti-Semitism has unfortunately still not disappeared from our societies. Extreme forces in Europe and in Europe's neighbourhood are feeding on each other.

Many of our citizens feel that our societies are under threat from the multitude of social, political, cultural, religious and other tensions which foment mistrust and fear. There is a growing distrust in political institutions at national and European level. People feel that the political institutions are ineffective with regard to their concerns.

This is fertile ground for nationalist and populist forces.

We are witnessing a process that weakens the culture of togetherness that we helped build after the war.

A cold wind is blowing over Europe.

The way to respond is not to tell our citizens that they have nothing to fear, that the economic crisis will eventually pass and that we should all simply calm down a bit and weather this out.

What we need is to restore the ability of political institutions to solve problems – to act and produce results which our populations need and have the right to expect. Yes, national political institutions have to take their share of responsibility. The EU must take on its responsibility as well. I am glad to see that the EU is moving slowly towards a more active role to sort out the economic problems that the global markets have caused in Europe. I am confident that the EU once more will prove how great this project is in creating stability and peace on our continent.

But the EU cannot do it alone. 20 countries are outside the EU, including big countries like the Russian Federation and Turkey.

Dealing with the most urgent challenges today must be a pan-European project which includes everyone.

Therefore, we must rebuild a common sense of togetherness through common legal standards and continue to build a culture of living together as a basis for concrete political action. After the war we

built togetherness among democracies in the western part of Europe. Today we have to build togetherness for the entire continent; to pave the way for pan-European action.

The Council of Europe has a pivotal role to play in this. Our mandate is to safeguard the moral and legal ground for European unity, not only between states, but more importantly between peoples, cultures, religions. Our task is to see to it that Europe is not a fertile ground for extremism, but a fertile ground for political action on a pan-European level.

The great European project after the war started with the recognition deep down in society that everyone was in the same boat, that they had the same rights and shared the same values.

We have to start from this point once again.

We have to build on the lesson learned. Namely that there is a strong inter-relationship between our ability to uphold basic standards and public moral. If tagging on the underground is not removed, tagging will increase. If nothing is being done against corruption, corruption will continue to spread. If political leaders violate the law, people will do it. If there is not justice for all, there will not be justice for anybody at the end of the day.

This is why we have to sharpen our ability to uphold the basic values enshrined in European Convention on Human Rights.

And I would like to say this: we need to have a geographic scope that includes our neighbourhood. I have already indicated why; what happens there will affect us. And we need to exploit the full potential of cooperation with our partners, the European Union and the OSCE. What they do helps us. What we do helps them.

This is what the reform is about;

- to sharpen our tools so that we can implement the rule of law, based on democratic and human right standards, throughout the entire continent;
- to build a culture of living together;
- to broaden our interaction with our neighbourhood;
- to exploit the full potential of co-operation with our partners.

Let me put the reform into a historic perspective.

The Council of Europe has developed in different phases. Until the fall of the Berlin Wall, it was an Organisation of democracies on the western side of the east-west divide. The task was to develop common standards with regard to democracy, human rights and the rule of law, and to establish mechanisms to ensure that member states comply with their obligations. This was the phase of construction.

The comprehensive system for protection of human rights and democracy that was established, represents the only real follow up and implementation of the Universal Declaration of Human Rights. After the fall of the Berlin Wall, this made the Council of Europe very attractive for the countries seeking to establish their European identity and determined to develop societies based on democracy, human rights and the rule of law. This was the phase of expansion. It enabled us to play a crucial role in the emergence of a new Europe. Without the Council of Europe, for example, the European Union would never have been able to expand so rapidly.

During the period of expansion standard-setting continued along with an increasing number of programmes and activities.

But after expansion must come consolidation. In my view, the third phase of the Council of Europe – the one we have now entered – must be the phase of implementation of our standards and principles – across Europe, and in each and every one of our member states. This is the underlying philosophy of the reform. We need to sharpen our instruments and focus our resources.

And as I said, this work has already begun. Let me briefly recall the achievements of 2010.

The year started with the ratification of Protocol 14 by the Russian Federation, continued with the Interlaken Conference on the reform of the European Court of Human Rights and with the opening of talks on EU accession to the European Convention on Human Rights.

The year behind us also saw an unprecedented intensification of co-operation with our main institutional partners, the United Nations – let me only mention my three meetings with the UN Secretary General Ban Ki-moon - the OSCE, but most of all a new quality in relations with the European Union.

We have now established the basis for close and regular policy co-ordination and consultation with the European Union at the highest level, and we have also recently signed the first “facility” envelope of 4 million Euros in the framework of the EU Eastern Partnership. A shift to an envelope financing – providing a lump sum instead of a large number of small amounts for individual projects - reflects a qualitative improvement in our relationship, allowing for strengthened partnership and long-term, strategic planning of our joint activities.

In 2010 we succeeded in mobilising a group of personalities with outstanding experience, knowledge and authority on European affairs to examine and report on some of the key challenges our societies face today and will face in the future. The report of the Group of Eminent Persons, led by Joschka Fischer, should help us to plan and act, rather than react in our work to defend and promote freedom on our continent.

The High Level Meeting on Roma last October, as well as our mediating role in overcoming the political deadlock in Moldova, demonstrated that the Council of Europe can provide quick, concrete political responses to situations related to our mandate, which is of course a precondition for political relevance and impact.

All the achievements above are reflecting a growing political relevance and impact of the Council of Europe in European affairs.

In parallel with these political achievements we have also undertaken the first stage of the reform. We have reformed our external presence by reducing the number of offices and reinforced those we really need, namely where we are conducting assistance programmes. If we did not do that we would have lost our credibility and relevance as partners to important donors starting with the EU.

We have established a policy planning cell in the Secretariat for being able to anticipate new developments. We have reached an agreement for a biennial budget. And the budget and the programme of activities are now concise, clear and easy to understand, contrary to the seven hundred pages document we have had. We can now set priorities on the basis of a longer-term perspective and intelligible figures.

Our relations with civil society are very important for the Organisation. That is why this area should also be a part of the reform process. Different civil society representatives, the NGOs be they small or big should have possibility to present their views to the Council of Europe to be listened to and to be heard without filter.

I have decided to start this reform by undertaking a stocktaking exercise of all the Council of Europe relations with the civil society which are not limited to the international NGO Conference. Indeed, be it the Commissioner of Human Rights, the European Court or this very Assembly, all of us will have relations with different representatives of civil society. I see a successful reform of this area only in combination with all these sectors within our Organisation.

These are only a few examples why the INGO Conference in its present form cannot monopolise our interaction with the civil society. Our contacts must go broader and further with what is a cornerstone in our democracies, namely a pluralistic civil society.

We have also undertaken measures to contain staff cost. Without this, the mechanical increase of staff costs within a stagnant budget would have threatened the entire Organisation.

The second stage of the reform goes deeper.

And it also involves a clarification of the strategic goals for the Organisation, which I hope can be concluded at the Ministerial Session in Istanbul in May.

I have already started consultations with member states on what should be our political objectives for the next decade.

In my view, the first strategic priority comes from what I have already explained: that at the end of this decade we have consolidated and implemented the rule of law in all our member states. And that we have created a genuine common European legal space with a fully functioning and credible, backlog-free European Court of Human Rights at its core.

Why?

- Because this is the only way of securing popular confidence in the national political institutions and in the European institutions as well. People do not trust institutions that are not able to uphold laws.
- Because new threats like corruption, money laundering, human trafficking, terrorism, cybercrime can only be combated through the rule of law. If we do not do that, these threats will grow.
- Because we once again have to highlight the interrelationship between rule of law and democratic and human rights principles. First of all, for a Council of Europe member state, the rule of law also means full compliance with the European Convention of Human Rights other legally-binding instruments and of course the judgments of the European Court of Human Rights.

This relationship is of course not only formal. An example: corruption cannot be contained without a free press. There has to be checks and balances to avoid a misuse of power. Therefore the Council of Europe has to strengthen its role in securing freedom of expression.

Consequently, the focus on the rule of law does not come at the expense of the work on democracy and human rights, to the contrary. The Council of Europe approach must combine all three aspects into effective and comprehensive responses to the problems faced by the member states.

Liu Xiaobo was sentenced to eleven years in prison based on China's criminal law. It was the rule of law. The verdict said that he had tried to undermine "the people's democratic dictatorship", which means the power monopoly of the communist party. For us rule of law means upholding the sovereignty of the people. The sovereignty to elect the government, the sovereignty to control the government by an elected parliament and the sovereignty to replace the government.

We must put this emphasis on rule of law also in the context of security. History shows clearly that lasting peace has been achieved only in regions where rule of law and human rights have been safeguarded. Nowadays, there are tendencies to relativise universal values in many places. This is a creeping threat to our security. The Council of Europe must therefore be an uncompromising guardian of these values as a part of a broader security strategy for Europe. As the only convention based pan-European organisation, the Council of Europe should be part of a security concept that goes deeper than the one we have today.

This is why another strategic goal should be to use our enormous machinery of monitoring bodies, our expertise in the Office of the Human Rights Commissioner, in the Parliamentary Assembly, in our field offices for action. We have to establish a system in which the countries are being confronted with their weaknesses and thus made more accountable in the field of rule of law.

And dear friends, keep in mind that if the accession negotiations with the EU goes well, we will also have the responsibility to oversee that this global power runs its business in accordance with the rule of law.

Can you see the historic perspective? Everybody under the same rules and the same court? Once again I would like to salute the EU. Because if the EU joins the European Convention on Human Rights and becomes a party to the Court, it will be the first time in history that a global power decides voluntarily to be under an international court. No, I am wrong. The Russian Federation was the first. Actually, Turkey which is increasingly becoming a global power, demonstrates every day that might does not need to come at the expense of accountability.

We must understand thoroughly what kind of historic project we are carrying out. Therefore we have to be serious and credible in our core businesses, namely to uphold the rule of law.

Another strategic priority must be to find solutions for multi-cultural interactions which will actually work, and allow individuals and communities to live with each other, not only beside each other, or even against each other.

The geographic expansion of the Council of Europe resulted in greater cultural diversity. It can never be a goal to reduce the importance of national cultures and identities. But it is all the more important to define clearly what unites us, namely our values.

We need to reach a higher degree of understanding on how to live together in a multi-cultural and multi-religious reality. It is not sufficient to say that we tolerate each other. Living together should mean that we accept cultures as living entities which evolve and prosper through encounters with other cultures. This means that cultures will thrive and command respect not when they are ghettoised and marginalised, but when they openly express themselves and mix with other cultures.

We should strive for something that goes beyond multi-culturalism as we know it today.

This is part of the study by the Group of Eminent Persons led by Joschka Fischer. It should be a priority for the Council to be a leading institution in this field.

At the same time, the Council of Europe should contribute to more social cohesion. In our day and age it is not difficult to see the connections between democracy, human rights and social rights. When poverty, unemployment and other kinds of social exclusion increases, political extremism and democratic values are under pressure. Achieving more social cohesion should be seen as part of a security concept for Europe that goes deeper than traditional tools including military tools can provide.

The Council of Europe should devote special attention to specific categories of persons who are particularly exposed to social, legal, economic, and professional or any other form of inequality, discrimination and marginalisation. There should be no second class citizens.

This is why we have paid special attention to the Roma people. The Council of Europe now has a decisive role in transforming decades of speeches into concrete action.

Now, to another strategic goal for this decade. We need to look at the map of Europe and fill the gaps. We also need to reach out to our neighbours and decide on whether and how we could work closer together.

When it comes to the first aspect, the key priority is of course Belarus. After the recent elections and the crackdown on the protesters which followed, I said that, unfortunately, another opportunity to end the self-imposed isolation of Belarus in Europe has been missed. However, we should be able to continue to pursue any genuine opportunity to bring Belarus closer to Council of Europe values and closer to Council of Europe standards. Without Belarus, the Council of Europe is not complete.

But I would like to make it clear: those people imprisoned after the elections must be released.

We have to reflect together with our partners on what should be the next step from our side. We need a pan-European strategy that also includes the Russian Federation. Belarus has to make a choice: not between Russia and the EU. But between Europe and isolation from Europe.

When it comes to our neighbours, I also think we should pay special attention to Kazakhstan. In the geographical sense, Kazakhstan is both a European and an Asian country. Shouldn't it be in our interest to define Kazakhstan a country with a significant stabilising role in Central Asia - as a important partner?

Security policy and economic interests suggest that Europe should strengthen its commitment in its neighbouring area. This includes Central Asia, as well as the Middle East and North Africa where the Council of Europe can play a greater role.

Our first strategic objectives in this respect should be to get countries from our neighbourhood to accede to Council of Europe conventions, in particular those which are dealing with new and emerging threats.

Finally, this decade must be the decade of European partnerships. Ever closer co-operation with our European and international partners must be our strategic priority. We should make sure that we fully exploit the potential of co-operation with other international institutions in particular with the European Union, but also with the OSCE and the United Nations.

Now, what are the concrete measures in the second stage of the reform?

First of all, we must focus our resources on the most important issues. We need to restructure the Programme of Activities.

Let me explain what the challenge is. Currently, leaving aside legally-binding, committed activities, the available amount for our operational programmes is limited to around 40 million Euros. Today, we have spread our work to over 130 programmes with these limited financial resources.

We are doing too many things with too little money. With very poor prospects for budgetary increase in a foreseeable future, we are obliged to concentrate our resources and reduce the number of programmes. Their size and design will be determined by the expected impact. Programmes which are below a minimum threshold for meaningful evaluation of impact should be dropped.

As a consequence of the new Programme, we need to review the intergovernmental structures. Today we have around 60 intergovernmental committees. Do we need all these?

We have also started a review of the conventions. How many are active, which ones are dormant? The objective is to identify those Conventions who will contribute to the consolidation of a common legal space.

What I am saying, is that we need to streamline and rationalise.

In the process of reform, there will be no sacred cows. We shall look at every aspect of our work, critically, but with one objective only – to make us stronger and more effective in the conduct of our mission to defend and extend democracy, human rights and the rule of law.

Restructuring of the secretariat is unavoidable. But it should not be seen as a threat to the staff. To the contrary. It is not satisfying to be employed on activities that do not have a real impact. The staff deserves being on a winning team.

I should like to express my admiration for the competence and commitment of the staff and thank them for their support to the reform effort.

I understand their concerns and I am extremely attentive to all suggestions and criticisms. But I also understand that concerns and criticisms do not reflect an opposition to reform, and that a vast majority among the Council of Europe staff, but of course also the governments, parliamentarians, the NGO community and others who know and care about this Organisation, expect and want a change.

We want that change not because we have doubts about the Council of Europe, but because we believe in it – and in the values it stands for.

Benjamin Disraeli said that “action may not always bring happiness, but there is no happiness without action.”

Thank you very much.

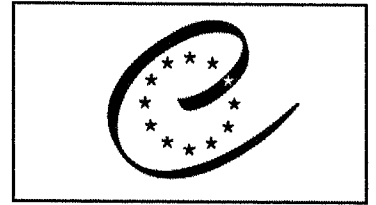
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25.01.2011

Address by

Abdullah GÜL

President of Turkey

on the occasion of the
first part of the 2011 Ordinary Session
of the Council of Europe Parliamentary Assembly

(Strasbourg, 24-28 January 2011)

Mr. President,
Mr. Secretary General,
Honorable Members of the Assembly,

Before I deliver my speech, I would like to express my deepest condolences to the Russian people. I strongly condemn, once again, all kinds of terrorism.

It is a great pleasure to be back in the Council of Europe. I served, here, as a member for almost 10 years. Being a member of the Parliamentary Assembly was a source of huge personal experience and enrichment for me.

In fact, my commitment to the Council of Europe entirely overlaps with my 20 year long political career.

I first took the floor as a member of the Parliamentary Assembly. Then, I had the opportunity to address the Assembly as the Prime Minister and represented my country at the Committee of Ministers as the Minister of Foreign Affairs.

As I address the Assembly for the second time as the President of Turkey, my fellow citizen Mr. Çavuşoğlu is now presiding over the Assembly, and my country is currently holding the Chairmanship of the Committee of Ministers.

On this occasion, I would like to extend my heartfelt thanks to the member states for the trust shown to my country.

Mr. President,

While we gather here in Strasbourg at the beginning of 2011, Europe is in a mood of deep pessimism. Our continent is trying to come out of the severest economic crisis. Although global in its scope, the economic crisis has affected Europe more severely than other regions in the world. It is gripped by high unemployment. Huge debt compels many governments to adopt harsh economic measures.

For the most part of the last four hundred years, the West has enjoyed a huge comparative advantage over the rest of the world in developing ideas, materializing industrial revolution, innovating technology and generating economic growth.

Only ten years ago, the industrial democracies dominated the world economy, contributing around 70 percent of global economic output. Today, that share has fallen to just over 50 percent. In another decade from now, it is estimated to fall around 40 percent. Then, the bulk of global output will be produced in the emerging world.

Different growth rates lead to a new distribution of global power. It is obvious that the centre of gravity is shifting towards other parts of the world, particularly towards Asia. If the present trends continue, Europe's role and influence in economic terms would gradually decline.

Nevertheless, Europe is not just about industrialization, technology or economic power. It is also a cradle of notions such as democracy, the rule of law and respect for human rights. Enlightenment and democratic revolutions were all original European achievements with historical global appeal.

The relative economic powers of countries and continents have risen and declined in the course of history. However, the values which have been developed in Europe will persist and continue to guide humanity in the coming centuries.

Therefore, we should not lose sight of the huge strengths that Europe still holds.

Ruined by warfare for centuries and having experienced several tragedies in the 20th century, Europe proceeded to produce humanity's noblest works.

Our continent has come a very long way in the last sixty years, in building a common democratic order based on the rule of law and respect for human rights.

Post World War Europe was constructed as a house where being a European citizen or resident means belonging to a community based on enjoyment of individual rights and freedoms. Those rights are guaranteed by democratically elected governments and protected by an impartial and independent judiciary. Tolerance, acceptance and mutual respect of diversity have become our shared norms.

Membership of such a community entails accepting certain obligations in respect of others and contributing to the development of a fair and cohesive society.

These democratic achievements continue to be the best that Europe offers to the rest of the world.

Europe represents a way of life based on shared common values and standards with universal relevance.

This remains its strength and relevance in the contemporary world. A divided Europe has led to war and oppression, whereas a Europe without dividing lines based on the shared democratic principles has led to peace and prosperity.

Our organization has been at the centre of this democratic construction. Its pioneering work has transformed our continent into a single legal space.

However, I should admit that Europe is not fully aware of its soft power. The European institutions have positively transformed the security and economic climate in broader Europe since the Second World War. Yet, we are not active enough to project our enormous soft power on the global scale. As a result, now Europe is seen as an "absent player" in world affairs.

Mr. President,

The growing pessimism in today's Europe is reshaping its political life. There are growing manifestations of intolerance and discrimination in many of our societies. Over the past few years, our member states have been affected by weakening social ties. Radicalization and increasing gaps between different religious, ethnic and cultural communities started to harm the social fabric of our nations.

These contemporary trends challenge the cohesion of European societies and may even endanger Europe's democratic acquis.

Racism and xenophobia represent a major cause of concern in connection with the current economic crisis. They lead governments and political elites to take a tough line on immigration.

Roma and travelers, Muslims or Jews, and more generally, those who are different, experience hostility and social exclusion in many of our societies.

There is a rise in electoral support for political parties which portray immigration as the main cause of insecurity, unemployment, crime, poverty and social problems.

These are trends which should concern us all. Those pathologies are weakening Europe and decimating its soft power in the world. We should work hard to defeat these problems to reassert Europe on the global scene.

Distinguished Parliamentarians,

The Council of Europe has done and continues to do much for promoting peaceful co-existence and mutual respect between peoples of different origin, culture and faith living in Europe.

You in the Assembly have devoted many of your sessions to this task.

The European Court of Human Rights has many judgments supporting this objective.

The Committee of Ministers, the Commissioner for Human Rights and the European Committee against Racism and Intolerance have made their contribution to living together as equals in dignity.

Therefore, the Council of Europe has the duty to address and counter these new challenges.

As the guardian of European Convention on Human Rights, we have the obligation to defend our values which are preconditions for democratic security and stability in Europe.

Mr. President,

Let me make the point clear: European societies will eventually become more diverse. As demographic trends indicate, with declining and aging populations, continued prosperity requires some degree of migration for most European societies. Experts are united in their opinion that migration will compensate slower economic growth stemming from the aging population.

On the other hand, we have also seen reverse migration among our member states due to differences in economic growth rates.

For example, my country, Turkey is now experiencing immigration from Western European countries, whereas it was a source of migration beginning from the 1960s.

Therefore, "fortress Europe" is not a rational choice. It is an illusion. If our societies will become more diverse, we have to address the growing political and social consequences of that diversity.

European democracies have begun to identify what the American democracy had discovered earlier: Separate but equal is a wrong idea. Separate cannot be equal.

Both migrant communities and host countries should do their utmost to avoid segregation, separation and parallel communities.

For harmonious democratic societies, diversity has to be inclusive. Successful integration of migrants has to be a two-way street.

European Muslims have perhaps been more affected than others by these tendencies, particularly after the terrorist attacks since September 11 in New York, Madrid, Istanbul and London.

Muslims in Europe are very diverse not only in their geographical origins and cultural heritage, but also in their ways of interpreting and practicing their faith.

Yet, there is a misperception to view these diverse communities as a unitary one defined by religion. This is fundamentally at odds with "European values".

The perpetrators of these crimes have nothing to do with Islam. One should also bear in mind that those terrorist organizations are attacking many Muslim targets too. They do not have achievable political objectives, but rather pursue their archaic and illicit utopian ideas.

Islam, like all other religions, teaches tolerance and respect for human beings of all faiths. It is the abuse of faiths for political purposes leading to intolerance and exclusion.

The same applies to almost every ethnic minority of recent immigrant origin in Europe. Those communities have found themselves the subject of stereotyped portrayal in public opinion and the media.

We must retain the confidence in the ability of our democratic institutions to promote human rights, tolerance, dialogue and social cohesion. We need to develop a democratic framework for living together.

By doing so, Europe can remain as a beacon of respect for human rights in the world.

It is said that the price of freedom is eternal vigilance. The rise in popular fears about immigration and minorities has led to larger popular support for marginal political parties.

Let me emphasize that I am even more concerned by the reaction of mainstream political parties in addressing such popular fears.

I have been advocating construction of a new political language for some time both at home and abroad. I believe, the nature of the political language determines the outcome. The political language can be either constructive or destructive. With their choice of language, political actors can serve to foster a common understanding or division.

Therefore, mainstream politics in Europe has to address these fears in a convincing manner while defending respect for diversity and human rights.

We have to make the argument much more forcefully that the continent will not be safe with politicians who claim that Europe is at war with other cultures and religions.

On the contrary, if unchecked, the growing influence of such arguments will make Europe not only less tolerant and democratic, but also a more dangerous place to live in.

European values are based not only on our achievements, but also on bitterly learned lessons. Let us not forget that the popular support for explicit anti-Semitism was only 5 % in the late 1920s. With the snowball effect, this poisonous minority paved the way to the Holocaust in the late 1930s. History does repeat itself, if we do not draw lessons from our past mistakes.

Our organization, the Council of Europe, has a major role to play in meeting these contemporary challenges.

That is why, I am particularly pleased to see the establishment of a Group of Eminent Persons at the initiative of the Turkish Chairmanship. I would like to thank Secretary General Jagland for bringing together such eminent Europeans to form this group. I am equally delighted to see that the group is headed by my dear friend, Joschka Fischer.

I call on your Assembly to bring your contribution to this project, appropriately called 'living together'.

Democracy and human rights can never be taken for granted.

As guardian of these values, the role of the Council of Europe, I believe, remains as relevant today, as it was sixty years ago.

Dear Friends,

Some members of our organization have joined in a qualitatively different relationship in the EU. But Europe is not just composed of the EU. The Council of Europe, embracing 800 million Europeans, remains the only pan-European value-based organization.

In fact, thanks to the Council of Europe, now millions of Europeans are enjoying their fundamental rights such as equal treatment, expression of opinion, gender equality, good governance, transparency, and accountability.

It is the Council of Europe which translated these values into binding commitments through monitoring mechanisms and created a European legal space.

Therefore, it would be a grave mistake to underestimate the merits of our organization in the construction of free, safe and prosperous Europe.

To maintain and enhance this role of the Council of Europe, I call on all members of the organization to increase their political involvement in the work of the Council of Europe.

I know Secretary General Jagland is firmly committed to political reform to make the Council of Europe more relevant and visible.

I shared my views about the future of the organization when he visited me in Ankara. In our meeting earlier this morning, he informed me that he will soon be presenting new ideas for more reform.

Turkey has been supporting his efforts. To this end, the Turkish Chairmanship has identified the reform of the organization as one of its priorities.

The next meeting of the Committee of Ministers is scheduled next May in Istanbul. I hope this meeting will be the appropriate occasion to finalize some of the reforms presently under consideration.

The most successful and transforming body of our organization has been the European Court of Human Rights. This unique institution is a success in itself.

It is a paradox that the Court today faces the most serious challenges. Therefore, the reform process which was initiated at the Interlaken Conference during the Swiss Chairmanship, should continue. And I am pleased that the Turkish Chairmanship will organize as a follow-up to Interlaken, a high level conference in Izmir in spring.

Mr. President,
Distinguished Friends,

Like the state of affairs in today's Europe, the Council of Europe is at crossroads. There are serious reasons for concern in Europe. Yet, our belief in democracies to correct their shortcomings and to overcome challenges should remain unshakable.

European states must resist the temptation to turn inwards.

Europe cannot escape the accelerating process of economic and cultural globalization. On the contrary, it must embrace it. To the extent Europe succeeds in embracing it, Europe can demand the change and shape the developments in the world.

Europe's growing internal diversity, the global relevance of its shared values and the lessons learned from its past are our major assets.

We all remember the speech by Winston Churchill to the Council of Europe in 1950 where he called for the creation of a "unified European Army" in the face of the Communist threat.

Now, our former foes have become our new friends and allies. Europe has become much safer than what it was 60 years ago.

Yet, the challenges from within Europe still exist. To overcome those menaces, we don't need to create a unified European Army. What we need today, is to construct "a unified European Conscience" for a freer, safer and more equalitarian and united Europe.

The Council of Europe is the embodiment of our values and aspirations. Therefore, it is the right venue to nurture that European conscience. Let us work together and act together to build it.

Thank you.

Allocution de M. Adrian Năstase (député, SOC, Roumanie) sur le rapport « Le suivi de la réforme du Conseil de l'Europe »

**Monsieur le Président,
Mesdames et Messieurs,
Chers collègues,**

Tout d'abord je tiens à féliciter le rapporteur, Monsieur Jean-Claude Mignon, pour son travail compréhensif, et son engagement dans le travail d'identification des meilleures solutions pour notre organisation.

L'Assemblée est un acteur privilégié dans ce processus et elle est obligée à donner son avis complet. Le Comité des Ministres exprime les vues des autorités nationales de nos Etats membres en ce qui concerne la réforme. Ils doivent tenir compte d'une manière adéquate des intérêts vitaux de nos pays, mais aussi des contraintes budgétaires actuelles. Leur tâche n'est pas facile.

En même temps, nous traversons une période d'adaptation du système européen aux changements générés par le Traité de Lisbonne sur le plan institutionnel et politique et, parmi ces changements, nous sommes contents de constater l'adhésion de l'Union européenne à la Convention européenne des Droits de l'Homme, adhésion en vertu de laquelle a été créé un nouveau cadre pour renforcer la coopération et l'interaction du Conseil de l'Europe et de l'Union européenne dans des domaines d'intérêt commun, en particulier les droits de l'homme.

Il est important d'utiliser cette période de transition afin d'assurer un cadre institutionnel fonctionnel, cohérent et efficace au niveau européen et à notre Organisation, qui est le dépositaire d'une

expertise sans équivalent dans le domaine de la promotion et de la protection des droits de l'homme. Notre Assemblée a la chance de capitaliser ses avantages dans cette matière et, pourquoi pas, d'attirer de nouvelles ressources.

La création d'un espace paneuropéen commun du droit, par la promotion d'instruments juridiques contraignants, est un objectif qui exige la pleine coopération des entités compétentes de l'Union européenne et du Conseil de l'Europe, aussi que la pleine coopération et la responsabilité des Etats membres.

Je me rallie à ceux qui soutiennent la nécessité de garder le rôle politique du Conseil de l'Europe et de ne pas réduire cette organisation à des fonctions purement techniques. On doit réfléchir comment l'Assemblée parlementaire et le Comité des Ministres, les deux organes politiques ayant des compétences générales, pourraient rendre notre Organisation plus visible aux yeux des partenaires internationaux et, en même temps, de s'assurer que les citoyens peuvent facilement faire entendre leur voix dans l'élaboration et l'application des conventions.

Nous avons pour objectif, comme le souligne le rapporteur, à rendre le Conseil de l'Europe un garant de la sécurité «soft» en Europe, un forum de débat politique pertinente entre égaux qui défends nos valeurs principales - la démocratie, l'état de droit et les droits de l'homme. Cela ne peut pas être réalisé correctement sans s'assurer que nos pays sont démocratiques, qu'ils respectent l'état de droit et les droits fondamentaux.

Il est donc essentiel de veiller à ce que nos instruments de suivi fonctionnent correctement et continuent à évaluer le respect des obligations statutaires ainsi que d'adhésion des états membres. Le respect de ces obligations ont assuré l'expansion de la démocratie sur notre continent et l'on fait attrayant pour les autres.

Par conséquent, je m'associe à ceux qui considèrent que la réforme préconisée pour notre organisation doit conserver nos instruments de suivi et les adapter au contexte actuel. Leur succès dans la démocratisation de nos propres pays est révélateur. Ils sont la clé pour promouvoir les valeurs fondamentales du Conseil de l'Europe et rendre notre organisation efficace sur la scène internationale.

Il ne faut pas oublier l'importance de la bonne coopération dans le cadre des organismes internationaux. En abordant des questions d'intérêt commun on peut renforcer le rôle politique de l'Organisation et sa contribution au règlement des problèmes régionaux et globaux.

J'attends avec intérêt les résultats du travail des structures censées à réfléchir sur l'avenir de notre Organisation et j'espère que par les programmes qui seront formulés, notre Organisation trouvera non seulement une visibilité politique renforcée, mais aussi les ressources de rester utile aux dizaines de millions de citoyens qu'elle sert maintenant.

Je vous remercie de votre attention !

**Allocution de M. Adrian Năstase, député (SOC), Roumanie,
sur le rapport "La réconciliation et le dialogue politique
entre les pays de l'ex- Yougoslavie»**

**Monsieur le Président,
Mesdames et Messieurs,
Chers collègues,**

Il est évident que la réconciliation et une reconstruction pacifique dans les Balkans dans le contexte de leur proximité à l'Union Européenne, et l'objectif final visant l'adhésion à l'Union Européenne des pays de la région et leur intégration euro-atlantique, renforcera la stabilité du continent.

Les problèmes avec lesquels la région se confronte ne peuvent être résolus qu'avec la garantie d'une perspective européenne et euro-atlantique claire, en fonction des priorités et des performances ou de l'agenda de chaque Etat, en parallèle avec la mise en application des réformes internes.

Mais pour atteindre ces objectifs, il est nécessaire pour tous les Etats de la région de renouveler leurs efforts afin de trouver des solutions : sortir de l'impasse constitutionnelle (ou c'est le cas), régler tous les différends non résolus sur les frontières, lutter contre la corruption et le crime organisé, assurer et garantir le respect des droits et des libertés fondamentales notamment assurer les droits et la protection des minorités nationales, etc. Nous encourageons les efforts actifs pour combattre la discrimination ethnique et engager un dialogue inter-parlementaire vif qui puisse favoriser des actions

coordonnées pour la conciliation des différends et qui puisse stimuler le progrès culturel.

Le succès du processus de réconciliation dans la région dépend, en grande partie, de la perspective d'intégration dans l'Union Européenne.

Je suis content de constater les progrès réels enregistrés par la Croatie en matière de réforme judiciaire, dans la lutte contre la corruption, le crime organisé et la coopération avec le Tribunal Pénal International pour l'ex-Yougoslavie.

En ce qui concerne la Serbie et le Kosovo, je crois que les deux questions - le parcours européen de la Serbie et la position de la Serbie sur la reconnaissance de l'indépendance du Kosovo - doivent être maintenues séparément. Un tel lien ne devrait être pas établi, il faut laisser du temps.

La Roumanie soutient la perspective européenne de la Serbie mais la Serbie doit remplir ses obligations y compris dans le domaine du respect des droits culturels, religieux, linguistiques et de la représentation des minorités nationales. On ne peut pas concevoir la démocratie dans l'absence du respect des droits des minorités nationales. Les standards de Conseil de l'Europe sont très claires.

Tenant compte des résultats de la réforme interne, je pense que la République de Macédoine peut commencer les négociations avec l'UE pour l'adhésion. Cet important projet politique ne doit pas rester bloqué par la «question du nom».

Nous attendons l'évaluation de la Commission Européenne sur les réponses au questionnaire concernant l'implémentation de l'acquis,

Report on

The implementation of judgments of the European Court of Human Rights (ECHR)

The implementation of the judgments of the European Convention of Human Rights is crucial for the preservation of the integrity of the system of the Strasbourg Court. As the ECHR itself noted in cases concerning execution of domestic judicial decisions, the implementation of judgments is a cornerstone of justice, both at national and international level

Against this background, the present report is timely and extremely convincing. We congratulate the rapporteur and this outstanding piece of work, a chef d'oeuvre in a series of documents produced by PACE on the issue.

We also are grateful to Mr. Pourgourides for his visit in our country, for his capacity of understanding the essential and for his excellent spirit of cooperation.

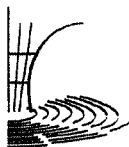
1) While the responsibility for the execution of ECHR judgments belongs to the governments, individually and in the format of the Committee of Ministers, we cannot deny our part of the job, too.

Therefore, the insistence of the rapporteur to promote a better acknowledgment of the problems at the level of domestic parliaments is valuable. In Romania, we understood that legislative measures, ultimately adopted by the Parliament, represent a key for correct implementation, and, therefore, a Parliamentary Committee for the supervision of the execution of judgments was established.

We are convinced that this measure will contribute to an even speedier finalization of the execution of ECHR judgments by Romania, in particular concerning structural problems, process which already is on a good way. In this context, I also fully support the appeal of the rapporteur addressed to all national Parliaments, to look into the proper ways of constructive participation in the process of implementation of the judgments.

2) The report shows that, in many countries, systemic problems occur in relation to the observance of the most basic rights, which is deplorable. Following this, I add my voice to those urging the member states, in particular those mentioned in the fifth paragraph of our draft resolution, to take into serious the warnings of the Court and accelerate the implementation of its decisions. This is the only way to a real pan-European space of observance of human rights.

In the end I would like to focus on a case which is not mentioned in the report, because the supervision of its execution is presently suspended by the Committee of



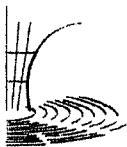
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22 January/janvier 2011

Vice-Presidents of the Parliamentary Assembly Vice-Présidents de l'Assemblée parlementaire

CANDIDATURES

In order of precedence / par ordre de préséance

Mr José VERA JARDIM	Portugal
Mr Konstantinos VRETTOS	Greece / Grèce
Mr Joachim HÖRSTER	Germany / Allemagne
Mr Robert WALTER	United Kingdom / Royaume-Uni
Mr Jean-Claude MIGNON	France
Mrs Sinikka HURSKAINEN	Finland / Finlande
Mr Frank FAHEY	Ireland / Irlande
Mr Tiny KOX	Netherlands / Pays-Bas
Mr Gebhard NEGELE	Liechtenstein
Mrs Karin S. WOLDSETH	Norway / Norvège
Mr Luigi VITALI	Italy / Italie
Mr Dariusz LIPIŃSKI	Poland / Pologne
Mr Andris BĒRZIŅŠ	Latvia / Lettonie
Mr Emanuelis ZINGERIS	Lithuania / Lituanie
Mrs Ana GUȚU	Moldova
Mr Konstantin KOSACHEV	Russian Federation / Fédération de Russie
Mr Márton BRAUN	Hungary / Hongrie
Mr Erol Aslan CEBECİ	Turkey / Turquie
Mr Ivan POPESCU	Ukraine
Mr Petre TSISKARISHVILI	Georgia / Géorgie



AS/SecDel (2011) OJ1
17 January 2011

Meeting of Secretaries of National Delegations

**Draft agenda
of the meeting to be held on**

**Monday, 24 January 2011 at 10 am
at the Council of Europe, Room 11**

1. 2011 1st part-session (24-28 January 2011):
 - Presentation of the draft agenda (Doc. 12436 prov. 3)
 - Modernisation of the Chamber
2. Reform of the Assembly
3. Next meetings of the Standing Committee in 2011:
Paris (Assemblée nationale), 11 March 2011
Kyiv (Ukraine), 27 May 2011
4. Other business
5. Date and place of the next meeting

Monday 11 April 2011 at 10 am

**To Secretaries of National Delegations
This document is also the convocation to the meeting**