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Assemblée parlementaire

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Standing Committee
Commission permanente

AS/Per (2010) PV 02
19 June 2010

Standing Committee

Minutes¹

**of the meeting held in Skopje
on 21 May 2010**

¹ Approved by the Assembly on 21 June 2010.

1. OPENING OF THE MEETING

Mr Çavușoğlu, President of the Assembly, opened the meeting at 9.10 a.m. He thanked the National Assembly and its President for their invitation to hold the meeting of the Standing Committee in Skopje and for their hospitality.

2. WELCOME ADDRESS BY MR TRAJKO VELJANOSKI, PRESIDENT OF THE NATIONAL ASSEMBLY

The President welcomed Mr Trajko Veljanoski, President of the National Assembly, and applauded the Macedonian parliament and its parliamentary delegation for their co-operation with the Parliamentary Assembly.

Mr Veljanoski, President of the National Assembly, welcomed the members of the Standing Committee and said he was pleased that his country's Chairmanship of the Council of Europe was beginning with a meeting at the parliament. Scarcely twenty years ago human rights and fundamental freedoms, parliamentary democracy and the free market economy had been taboo subjects for everyone living on the other side of the Iron Curtain. The Assembly of the Republic of Macedonia had been participating in the work of the Council of Europe since 1993, and the country had been a full member of the Organisation since 1995. It was now chairing it for six months. Human rights principles and values, parliamentary democracy, solidarity and other values had for the past 61 years constituted a firm foundation for the Council of Europe and each of its member states. These standards and values were the Council of Europe's moral strength and the basis for the reputation which the Organisation and its institutions, first and foremost the European Court of Human Rights, enjoyed beyond Europe's borders. The Republic of Macedonia was a unitary state and at the same time a multinational, multicultural and multiconfessional society. It had been confronted with many challenges, all of which it had met in accordance with the principles of parliamentary democracy. The Assembly of the Republic of Macedonia was the key institution in this process, as could be seen from the work it had done to incorporate the Ohrid Agreement into the constitution and national law.

Although the Parliamentary Assembly was not the right place to raise or settle bilateral issues, it was worth mentioning the parliament's position on the issue of the country's constitutional name; the parliament had taken the view that negotiations must be continued under the United Nations' auspices and that the solution must not interfere with the national, linguistic and cultural identity of the Macedonian nation. Respect for and protection of each individual's national, linguistic and cultural identity was a fundamental principle of the Council of Europe.

The parliament had two guiding objectives. The first was harmonisation with the body of EU law; the European Commission's most recent progress report contained recommendations with a view to the country's EU membership. The second was reinforcement of parliamentary democracy. In this connection, the parliament paid particular attention to enhanced scrutiny, by the Assembly, of the implementation of legislation and to its own constitutional responsibility for controlling the executive. It was also seeking to enhance openness and transparency in its activities, notably via the use of new communication technologies and the Internet; the introduction of the "e-parliament" enabled MPs to be aware of citizens' views, requests and concerns. The parliament attached special importance to relations with civil society and to reinforcing co-operation with NGOs. It also contributed to regional co-operation, which was essential to reinforce the region's stability, and to interparliamentary co-operation within the Council of Europe. At national level key reforms were being undertaken in a number of fields, in particular of the judiciary, and parliament was taking part in this process. The country had benefited from the Council of Europe's support in many areas and was now ready to share its experience with other countries. On the occasion of its Chairmanship, it intended to contribute to the development of Europe's oldest international organisation.

The President cordially thanked Mr Veljanoski for his address.

3. EXCHANGE OF VIEWS WITH MR ANTONIO MILOŠOSKI, MINISTER FOR FOREIGN AFFAIRS OF "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA", CHAIRPERSON OF THE COMMITTEE OF MINISTERS

CM/Inf(2010)18
CM/Inf(2010)19

The President welcomed Mr Antonio Milošoski, Minister for Foreign Affairs of "the former Yugoslav Republic of Macedonia", Chairperson of the Committee of Ministers, and expressed satisfaction at Mr Milošoski's

declared intent to enhance co-operation with the Parliamentary Assembly. The documents setting out the priorities of the incoming Macedonian Chairmanship of the Committee of Ministers and taking stock of the outgoing Swiss Chairmanship were included in the files. The President assured Mr Milošoski that he would have the Assembly's full support with a view to achieving the Chairmanship's priorities, which were consistent with those of the Parliamentary Assembly, in particular regarding strengthened protection of human rights and the continued and long-term effectiveness of the Convention system under the Interlaken process. The emphasis on the need to foster integration while respecting diversity was also to be welcomed, particularly the promotion of mutual understanding through interreligious and intercultural dialogue. The Assembly would partake in the initiatives and events planned in this connection. Lastly, the Assembly could but give its full support to the objective of promoting youth participation, the Chairmanship's third priority.

Mr Milošoski welcomed the members of the Standing Committee and expressed satisfaction at his country's co-operation with the Council of Europe and the Parliamentary Assembly. He presented the Chairmanship's priorities. (*Address reproduced in Appendix III to these minutes*).

The President warmly thanked Mr Milošoski for his detailed statement of the Chairmanship's priorities.

Mr Greenway hailed the remarkable progress regarding co-operation between the Assembly and the Committee of Ministers that had been made during the Slovenian and Swiss Chairmanships. Mr Milošoski had spoken of the Council of Europe's relevance and future. Mr Greenway considered that if the aim was really to guarantee the Organisation's future, enhance its effectiveness and implement the proposed agenda, some issues needed to be resolutely tackled. One example was the effectiveness of the roughly 200 Council of Europe conventions, many of which had not been ratified. Pointing out that the Committee on Migration, Refugees and Population, which he chaired, would be holding a meeting in the country in September, he welcomed the priority given by the Macedonian Chairmanship to the question of integration of migrants and hoped the country's authorities would enable other member states to share the benefits of their experience of managing migratory movements in the Balkans.

Mr Milošoski was pleased that the working environment between the Committee of Ministers and the Assembly had now improved and confirmed that his country's Chairmanship would pursue its predecessors' efforts and seek to foster greater co-ordination of the two bodies' activities through dialogue. The question of immigration, to which the Assembly attached importance, comprised two aspects - understanding the origins of immigration per se and its underlying causes and addressing immigration's consequences, in particular with regard to respect for human rights and the functioning of democracy, and its impact in terms of increased diversity within European society. This justified the incoming Chairmanship's focus on integration of migrants among its priorities.

In reply to **Mr Kox**, who referred to the risks surrounding, firstly, the Interlaken process and the effectiveness of the Convention system and, secondly, European Union accession to the Convention, **Mr Milošoski** pointed out that there was a general consensus on the need for improvements to guarantee the effectiveness of the Convention system, but each country had its own approach and its own views on this vital matter. The test would be actual implementation of the measures. It was to be feared that certain states might support the Interlaken process and its implementation only on paper. He could understand the Parliamentary Assembly's concerns about EU accession to the Convention, particularly with regard to its impact on the Court's budget. The process was complex, but would permit all Europeans to be gathered together under the same legal umbrella. Relations between the Council of Europe and the European Union were good. Accession to the Convention was a priority for the EU organs. There was no reason to fear that this matter could not be dealt with calmly, leading to the implementation of solutions in due time.

Answering a question from **Mr Herkel** about the political profile of the Council of Europe, which lacked visibility in states that had joined the European Union or NATO, **Mr Milošoski** said that, to raise its profile, the Organisation must take certain measures to refocus its action, including a reorganisation of the Council of Europe's offices in the member states to reinforce its presence in countries or fields where it could play a useful political role. In the light of its scant resources, the Council of Europe must be a competitive player on the pan-European political scene and be more effective in getting its message across. This meant rationalising the use made of its budgetary and administrative resources. The Council of Europe's recognised competence and reputation constituted an asset for conveying the desired political message in certain countries.

In reply to a question from **Ms Hurskainen** concerning the current situation in Belarus, **Mr Milošoski** referred to his joint press release with the President of the Assembly in which they again called on the country's authorities to declare a moratorium on use of the death penalty and to commute the death sentences recently handed down. Recent events in Belarus were very unfortunate and were far from creating

a rapprochement between Belarus and the Council of Europe. The citizens of Belarus should be able to enjoy the same rights as other Europeans.

Mr Volontè welcomed the Chairmanship's priorities of promoting intercultural and interreligious dialogue and youth participation. This was essential to tackle the aftermath of the economic crisis, a situation with which all the member states currently had to contend and as a result of which young people in particular suffered unemployment and social exclusion. More attention should be paid to young people in Europe. **Mr Milošoski** concurred with this viewpoint. Greater integration of young people in society was also an investment in each country's human capital.

Ms Brasseur noted that many of the documents adopted by the Assembly were given no follow-up and she wondered how the Committee of Ministers might contribute to increased implementation of the Assembly's recommendations, which would contribute to the Council of Europe's greater effectiveness.

Mr Marquet pointed out that there was a lack of co-ordination between Council of Europe bodies and of consultation between their secretariats. For instance, he had learned that the Council of Europe had 120 different websites, which was scarcely conducive to rational management of the Organisation's public profile and its communication policy.

Mr Milošoski said the Committee of Ministers would do its utmost to improve co-ordination between Council of Europe bodies. It was necessary that all the bodies speak with one voice. It was true that the Council of Europe functioned like an orchestra whose various sections were sometimes out of tune with each other. Improving working relations between the Organisation's different bodies entailed informal exchanges of views and more frequent information exchange at all levels - working groups, experts, secretariats - concerning the issues on the agenda.

Mr Popescu wondered whether and how the Macedonian Chairmanship intended to share with other member states the benefits of its experience regarding the integration of minorities, not only from an educational and cultural standpoint but also in political terms. How could conditions conducive to integration be fostered and how could national minority participation in political decision-making bodies be promoted?

Mr Milošoski believed the Council of Europe would continue to enable national minorities to make themselves heard, in accordance with the rules and the instruments in force. The issue of integrating national minorities could not be addressed solely in cultural terms. Integration meant that minorities must be able to participate in the social, education, economic and political systems of the countries concerned.

In reply to a question from **Ms de Pourbaix-Lundin** about the Chairmanship's intentions in the field of combating trafficking in human beings, **Mr Milošoski** stated that the efforts to combat trafficking posed a constant challenge for his country on account of its geographical position at a crossroads, and that the issue had been a government priority for three years now. The policy implemented, based inter alia on a reinforcement of judicial resources at national level and on the development of regional co-operation with neighbouring countries at the levels of government agencies and experts, had borne fruit.

Mr Gardetto asked what action the Macedonian Chairmanship would take to prevent the activities of the European Union and the Council of Europe from overlapping, particularly as concerned the Agency for Fundamental Rights.

Mr McIntosh drew attention to the inconsistency of the decisions concerning establishment of the Agency for Fundamental Rights and European Union accession to the Convention on Human Rights. There was a need to restore some rationality to the functioning and the activities of the European institutions, and to the Agency's expansion, which was leading to duplication of activities.

Mr Milošoski said his country's Chairmanship did not wish to impinge on the institutional structure of the European Union or its way of functioning. Nonetheless, it was necessary to introduce a co-ordination dynamic with the Agency and to co-operate on a number of issues. Working contacts had been established between the Agency and the Council of Europe, which was represented on the latter's Board. EU accession to the Convention was not just a formal process but should result in the adoption of a range of measures to deal with its consequences. The key concern was to guarantee the effectiveness of human rights protection in Europe. The European Union's commitment to the Convention was to be welcomed, and the best possible use should be made of those institutions that could most effectively safeguard human rights in Europe.

Mr Wille observed that the states had had no difficulties finding the funds needed to set up a new EU agency, and subsequently the necessary operating budget, while at the same time curtailing the funding of

another Organisation - the Council of Europe - which had at that juncture been performing the same functions for decades, to the point where the savings required of the Council no longer allowed it to operate as normal. If the governments had set themselves a zero growth objective, the Agency would never have come into being. Should the European Union accede to the European Convention on Human Rights, the least it could do would be to participate in co-financing measures decided in the past.

Mr Mignon also wondered what benefit the states had derived from creating anew something which already existed, whereas the Council of Europe and the European Union applied the same human rights standards and values.

Mr Pourgourides considered that the Council of Europe had suffered a blow to its credibility when the states had decided to allocate huge sums to the Agency for Fundamental Rights at the expense of the Court. The Agency's budget exceeded the Court's. The states would have been better advised to consider to what useful purposes these funds could have been assigned before setting up a new institution, whose productivity was raising questions. It was important that the states ensure that the Court had the budget necessary for its proper functioning.

Mr Milošoski thought these questions could justifiably be posed, whether concerning the Organisation's budgetary situation, which was known and with which the Assembly was dissatisfied, or the consequences of EU accession to the European Convention on Human Rights. There was a need for reform and for a reorganisation to make the Organisation function more effectively, so that the states' contributions were spent as wisely as possible.

The President thanked Mr Milošoski for his statement and for his detailed comments in response to the questions raised and welcomed his determination to pursue the efforts to improve working relations between the Committee of Ministers and the Parliamentary Assembly.

4. EXAMINATION OF NEW CREDENTIALS

Doc. 12263

The Standing Committee **ratified** the credentials of new representatives and substitutes in respect of the parliamentary delegations of Greece and Hungary, as set out in Doc. 12263.

5. CHANGES IN THE COMPOSITION OF COMMITTEES

Commissions (2010) 5

The Standing Committee **ratified** the changes in the composition of Assembly committees in respect of the delegations of Greece, Hungary and Italy, as set out in document Commissions (2010) 5.

6. REQUEST(S) FOR A CURRENT AFFAIRS DEBATE OR DEBATE UNDER URGENT PROCEDURE

The President announced that no request for a current affairs debate or a debate under urgent procedure had been submitted within the deadlines. As a result item 10 on the agenda was not applicable.

7. AGENDA

AS/Per (2010) OJ 2 rev

The revised draft agenda was **adopted**.

8. THIRD PART-SESSION OF THE PARLIAMENTARY ASSEMBLY (21-25 JUNE 2010)

AS/Bur (2010) 34 rev

The President reminded members that, under Rule 26.4 of the Assembly's Rules of Procedure, the draft agenda for a part-session of the Assembly shall, where possible, be submitted to the Standing Committee. The committee was invited to take note of the draft agenda.

The Standing Committee **took note** of the draft agenda for the third part of the Assembly's 2010 session.

9. REFERENCES TO COMMITTEES AND TRANSMISSIONS FOR INFORMATION AS/Bur (2010) 33

The President referred to document AS/Bur (2010) 33 setting out the proposals concerning references to committees and transmissions for information that had been examined by the Bureau at its meeting the previous day.

The Standing Committee **approved** the references and transmissions for information as reproduced in Appendix 1 of Appendix I to these minutes.

10. LEGAL AFFAIRS AND HUMAN RIGHTS**a. Reinforcing the effectiveness of Council of Europe treaty law** Doc. 12175

*Rapporteur of the Committee on Legal Affairs and Human Rights:
Mr John Prescott (United Kingdom, SOC)*

Mr Pourgourides, Chairperson of the Committee on Legal Affairs and Human Rights, presented the report "Reinforcing the effectiveness of Council of Europe treaty law " (Doc. 12175) in the rapporteur's absence. The Council of Europe played a major role in setting standards in the human rights field and in developing international law. It had worked to create a single European legal area, with over 200 conventions to its credit. Some of these conventions were more important than others. When the Council of Europe had celebrated its 50th anniversary, the then Secretary General had identified 51 instruments that constituted the Organisation's core treaties. A more limited number were listed by the Assembly in its report. Very few conventions had been ratified by all the member states. Action must be taken to secure the early ratification of these key instruments by all member states, with as few reservations as possible. In some cases the states ratified these essential treaties but their reservations were so numerous and varied as to render the instruments ineffective. The report also proposed that all 200 conventions be reviewed. The existing treaties should be re-examined and updated as necessary or abrogated if they were obsolete. Lastly, the growing use of so-called disconnection clauses should be addressed. The Committee of Ministers should draw up strict guidelines to control this practice, which posed many problems.

Mr Mignon observed that the explanatory memorandum was not up-to-date as regarded the information it contained on signatures and ratifications. For instance, it erroneously stated that Russia had not ratified Protocol No. 14 to the European Convention on Human Rights.

The Secretary General said the report had been adopted in January 2010 before Russia had ratified the protocol. This was confirmed by **Mr Pourgourides**.

Mr McIntosh said the report had his full support, but also regretted the failure to update it in view of its importance and the fact that it pointed a finger at certain countries. An updated list of ratifications should be appended to the resolution as adopted.

Mr Greenway concurred with this viewpoint. When considering specific thematic reports, the Assembly often reviewed the situation of certain conventions; its constant aim was to promote ratification by the greatest possible number of member states. He was very concerned about the fact that many conventions had only a small number of ratifications. For example, the United Kingdom had not ratified the Additional Protocol to the European Convention on Extradition, a core treaty, and this situation posed tangible legal and judicial difficulties. Nor was it acceptable that a fundamental treaty such as the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse had been ratified by only five states. It was absolutely essential that this report be treated as a priority by the Committee of Ministers, which should take follow-up action to it and, in particular, ask itself what were the real reasons why states failed to ratify a given convention. One explanation was probably that states were afraid of having their hands tied by the ratification of a human rights protection instrument, especially with regard to possible public reactions, for instance in connection with the fight against terrorism.

***Mr Herkel**, Vice-President of the Assembly, took the Chair in place of Mr Çavuşoğlu.*

Mr Kox fully endorsed the report. The Council of Europe remained the key originator of international legal standards in the field of human rights. Its flagship conventions were unique in Europe and it could take pride in them. Unfortunately, as the report noted, there was a great divide between the number of signatures and the number of ratifications and between a treaty's ratification and its effective implementation. Promoting the

ratification of treaties, particularly by states which had already signed them, should be a priority for the Committee of Ministers, which should provide the Assembly with explanations. The national parliaments must call on their governments to implement a full review of past decisions concerning the signature and ratification of these instruments. Parliamentarians should also acknowledge their share of responsibility for not having placed their governments under sufficient pressure. It was unacceptable that there should be so few ratifications of the Convention on Trafficking in Human Beings and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

Mr Volontè also fully concurred with the report, since he thought it contained essential information for all the national parliaments. The procedures for ratifying treaties and conventions differed according to the country concerned, and it was not necessarily a matter for parliament. Parliaments should therefore take up the issues raised in the report. He was astounded that the member states had not ratified certain instruments which posed no problem with regard to their national law. For instance, Protocol No. 13 to the European Convention on Human Rights on abolition of the death penalty in all circumstances had not been ratified by Italy, although the country's constitution had banned use of the death penalty many years ago. He would like the President of the Assembly to transmit this report direct to the presidents of the national parliaments.

Mr Pourgourides responded to the members who had taken the floor. He pointed out that parliamentary pressure could change things. The Council of Europe, in particular the Parliamentary Assembly, had shown that it worked when it was a case of securing the ratification of Protocol No. 14 by all the member states and bringing pressure to bear on Russia. Governments seldom tended to ratify legal instruments of their own initiative, and there was often a need for some internal pressure, from parliament and civil society, or outside pressure, from international organisations or other countries, pressures which should be taken up by the media. The ratification of the Convention on the Prevention of Terrorism by all the member states except for Andorra was due to the pressure exerted on European governments by the United States. Lobbying governments to secure the large-scale ratification of other fundamental instruments that would have an essential role in improving European citizens' lives, such as the anti-trafficking convention and the convention to protect children against sexual exploitation and abuse, constituted a new challenge for the Assembly.

The President closed the discussion and thanked the rapporteur. He put the draft resolution contained in Doc. 12175 to the vote; the committee unanimously **adopted** it [Resolution 1732 (2010)]. The draft recommendation was also unanimously **adopted** [Recommendation 1920 (2010)].

b. Reinforcing measures against sex offenders

Doc.12243

Rapporteur of the Committee on Legal Affairs and Human Rights:

Mrs Marietta de Pourbaix-Lundin (Sweden, EPP/CD)

Rapporteur of the Social, Health and Family Affairs Committee (for opinion):

Mrs Christine McCafferty (United Kingdom, SOC)

Ms de Pourbaix-Lundin presented the report "Reinforcing measures against sex offenders" (Doc. 12243), pointing out that the title of the report differed from that of the original motion so as to take account of the Legal Affairs Committee's decision not to support the idea of establishing a Europe-wide sex offenders register. Some atrocious cases of sexual abuse of children had been the focus of widespread media coverage. The level of recidivism among sex offenders was high. The question was how could children best be protected. All the measures devised to keep children and other vulnerable people safe from repeat sex offenders, first and foremost the creation of sex offender registers containing convicted persons' personal data, must be compatible with human rights standards, especially the right to a private life as recognised under the European Convention on Human Rights. A questionnaire sent to the national delegations had revealed the disparities in the member states' criminal law systems, which made it impossible to set up a Europe-wide register. The very definition of sexual abuse varied in the different countries' national law. A number of countries, including the United Kingdom and France, had introduced registers. It was therefore necessary to recommend to states that they establish a register at national level, to bring together the data that could be pooled at that level, and that they share their information with other countries, since sex offenders travelled abroad. Registers of this kind were compliant with the European Convention on Human Rights. States should also implement a vetting and barring system whereby persons convicted of certain sexual offences were prohibited from working with children and other vulnerable persons. Lastly, it was essential that the member states continue to ratify the Convention to Protect Children against Sexual exploitation and Sexual Abuse, even though it would enter into force on 1 July.

Mr Marquet presented the oral opinion of the Social, Health and Family Affairs Committee in the rapporteur's absence. The committee fully endorsed the measures proposed in the report, such as the creation of national sex offenders registers, which would enable the exchange of information between the competent authorities and between the member states, vetting systems to prevent sex offenders from holding certain sensitive jobs, the development of awareness-raising programmes or the introduction of child abduction alert systems. Access to personal data must be strictly confined to the competent judicial authorities so as to respect a sex offender's right to privacy. The United States, where such data could be freely distributed, entailing a risk of exposing sex offenders to vigilantism, offered an example of the wrong approach. Other legal measures must be envisaged, such as the extension of preventive pre-trial detention for dangerous sex offenders, combined with social and educational measures, such as psychological support and monitoring and an offender rehabilitation scheme. It was necessary to promote the exchange of good practices between European states. There was also a need to develop awareness-raising schemes targeting children. Lastly, the member states' timid commitment to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, with only five ratifications, was to be deplored.

Mr McIntosh, speaking for himself, was not in favour of the report since he was against the creation of a Europe-wide sex offenders register for reasons that the report did not mention. A register of this kind in fact contained information not only on child molesters but also on persons convicted of sex offences as a whole, including indecent behaviour; it included data relating not just to convicted offenders but also to persons suffering from mental illnesses, and also on persons convicted of offences in the distant past. Why authorise access to data concerning people who did not intend to work with children? Children must be protected, but if, in attaining this objective, the scope of registers was broadened to encompass all kinds of sexual abuse and individuals were designated without defining the offences concerned, that argued against setting up a Europe-wide register of offenders and cast doubt on the national registers that already existed.

Mr Mendes Bota deemed it necessary to understand why so few countries had ratified the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Questions could be asked about the EU member states' attitude towards treaty initiatives taken by the Council of Europe. He pointed out a contradiction in the report: how was it possible to oppose the creation of a Europe-wide register when Interpol already had such a register and when, into the bargain, states were called upon to share their information? He also considered it useful to conduct public awareness-raising campaigns, similar to those implemented in the fields of the environment and domestic violence, targeting audiences from school age on. Lastly, there was a need to reflect further on the treatment and social support that sex offenders should receive.

Mr Wilshire, also speaking for himself, fully concurred with Mr McIntosh's reservations.

Ms de Pourbaix-Lundin thought Mr McIntosh's position was not so far removed from her own. It was for the member states to decide to what extent and in what way they wished to feed information into the vetting and barring system. Questions should indeed be asked as to why a given convention had not been ratified, a matter also addressed in the earlier discussion. One explanation was that the legislative ratification process was sometimes lengthy and complicated.

Mr Pourgourides, Chairperson of the Committee on Legal Affairs and Human Rights, drew attention to the meticulous manner in which this report dealing with a sensitive issue had been prepared, since the rapporteur had utilised the delegations' responses to a questionnaire and other information gathered during visits to the United Kingdom and to Interpol headquarters. The question of the states' lack of interest in ratifying the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse was of essential importance. Governments must be pressured to ratify it.

The President closed the discussion. He announced that one amendment to the draft resolution had been tabled.

Ms de Pourbaix-Lundin presented Amendment No. 1, which aimed to update the information contained in paragraph 8 of the draft resolution. The amendment was **adopted**.

The draft resolution, as amended, was **adopted** with two abstentions [Resolution 1733 (2010)].

c. Draft third Additional Protocol to the European Convention on Extradition

Doc. 12235

Doc. 12131

*Rapporteur of the Committee on Legal Affairs and Human Rights:
Mr Jordi Xuclà i Costa (Spain, ALDE)*

Mr Pourgourides presented, in the rapporteur's absence, the report on the draft third Additional Protocol to the European Convention on Extradition (Doc. 12235), which the Committee of Ministers had referred to the Assembly for opinion. This was an uncontroversial subject, as the protocol, which solely concerned extradition with the person concerned's consent, would help reduce periods of pre-trial detention by speeding up extradition procedures in cases where the extradition measure was not challenged.

The President put the draft opinion contained in Doc. 12235 to the vote. It was **adopted** with one abstention [Opinion No. 278 (2010)].

12. ECONOMIC AFFAIRS AND DEVELOPMENT

- a. Expenditure of the Parliamentary Assembly for the 2011 financial year** Doc. 12247
Rapporteur of the Committee on Economic Affairs and Development:
Mr Erol Aslan Cebeci (Turkey, EPP/CD)

Mr Cebeci presented the report "Expenditure of the Parliamentary Assembly for the 2011 financial year" (Doc. 12247). He said that, at its meeting on 19 March, the Committee on Economic Affairs and Development had held an exchange of views with the Secretary General of the Council of Europe, who had informed it of the Organisation's financial difficulties and the measures he had been obliged to take to prepare the 2011 budget in the zero real growth context imposed by the member states. The budget had been reduced by 2% as compared with 2010 for all entities apart from the European Court of Human Rights. Appendix I to the draft resolution contained a table comparing the Assembly's expenditure in 2010 and the expenditure proposals for 2011. Appendix II analysed this expenditure in the light of the Assembly's activities. The budget cuts affected the Assembly's staff expenditure. To preserve certain of its activities, the Assembly was obliged to rely on external funding, in particular European Union support for the co-operation programmes with the national parliaments. At the same time, some investment expenditure was necessary to enable the modernisation of the Assembly chamber.

Mr Wilshire referred to paragraph 13 of Appendix II, which stated that the Assembly's budget reflected not zero real growth but genuine degrowth and that this significant decrease in appropriations would require the Assembly to modify its working methods and structure. If the Assembly had to review its priorities and assess the relevance of its activities, this was a vital matter, which was not financial or administrative in nature but quite definitely political. Redefining the Assembly's priorities and making budgetary choices was something for the members themselves to decide and the initiative should come from the political groups. In such a crisis situation, where the Assembly was confronted with a reduction in its activities and staff, he considered that the request concerning refurbishment of the Assembly chamber was completely irrelevant.

Mr Kox backed the report. If the plans to reform the Organisation and the restrictions imposed by the Secretary General enhanced the Council of Europe's effectiveness and visibility and helped to guarantee its future, the effort was worth making. An annual budget of 15 million euros for the Assembly was a paltry amount. It must be said that the Assembly functioned not with its budget alone but also on the basis of the budgets of the national delegations, some of which had to contend with the national parliaments' budget restrictions. The report should have focused more on the dangers the budget cuts posed for the Assembly's functioning. The Assembly could no longer function properly, and would perhaps ultimately become incapable of functioning at all. Its very existence was threatened, and the next budget report should make this clear. In this context refurbishing the Assembly chamber was really not a priority.

Ms de Pourbaix-Lundin concurred with this viewpoint. The requests set out in paragraph 12 of the draft resolution were completely at odds with the Assembly's declared aim of safeguarding its key fields of activity. They should be deleted.

Mr Wille pointed out that the draft budget was still based on the same self-destructive logic, despite the change of Secretary General. The members of the Assembly had clearly failed to convince their countries' governments to change their attitude and give the Assembly the resources it needed to operate. The Assembly's bankruptcy had serious repercussions, in particular in the form of staff cuts and downscaling of activities. The new direction being followed by the Secretary General, whereby savings were geared to enhanced effectiveness, was bringing about a change of outlook at the Council of Europe, with a refocus on the Organisation's core businesses. It remained to be seen what was meant by core businesses. The debate on this issue must not be left to the Committee of Ministers or the Secretary General alone. The Assembly should take up the matter itself. Who within the Assembly knew what activities were performed by the numerous Council of Europe bodies, in particular the partial agreements, and how much they cost? The

Committee on Economic Affairs believed a transition was under way and had declared itself willing to see where the Secretary General's proposals led once they had been implemented.

Mr Volontè said the budget situation was unsatisfactory, but all the governments had to give first priority to the pressing social problems at national level and make budget savings so as to cope with the consequences of the economic and financial crisis. In the current transitional period it was difficult to propose findings other than those set out in the report, and all one could do was hope things would improve in future. The report should prompt the Assembly to give further consideration to reviewing its modus operandi and its structures in the light of the resources available to it. Increased pressure should be exerted on the governments, while taking realistic account of the complex economic situation.

Mr Mignon fully concurred with these standpoints. He wondered what certain expenditure items - such as consultation of experts - specifically entailed.

Mr Cebeci responded to the members' comments. With the change of Secretary General the budget process was taking place in a new context. However, although there was a new goal of revitalising the Council of Europe, the budget constraints were unchanged. For years the purpose of these constraints had been to find increased budget resources for the Court. In 2011, for the first time, there would be no transfer of credit balances from programmes so as to finance the Court. The Assembly would have to assess the implementation of the Secretary General's organisational reform package and its results. Concerning the refurbishing of the Assembly chamber and the expenditure on technical infrastructure, included in the Council of Europe's investment plan, this was a recurring request which had long figured in the Assembly's budgetary opinions addressed to the Committee of Ministers.

The Director General gave some more detailed information on the investments required to modernise the technical infrastructure and refurbish the Assembly chamber. These investments were included in the Council of Europe's five-year investment plan, which came under a separate budget. They would accordingly not be charged to the Assembly's budget. The investments would not be of benefit to the Assembly alone, but also to all other users of the chamber. He however had no information on the timing of the work. Lastly, in reply to Mr Mignon's question, he explained in detail what expenditure on experts entailed.

The President closed the discussion.

Mr Wilshire said he wanted to table an oral amendment to delete paragraphs 12 and 13, but he feared it would not be in order.

The President explained that a member could table an oral amendment, but in the instant case such an amendment would not be admissible in the light of the criteria of Rule 33 of the Rules of Procedure.

The President put to the vote the draft resolution contained in Doc. 12247; it was **adopted** with two abstentions [Resolution 1734 (2010)].

b. The European civil aviation industry confronted with the global financial and economic crisis

Doc. 12250

*Rapporteur of the Committee on Economic Affairs and Development:
Mr Patrick Breen (Ireland, EPP/CD)*

Mr Breen presented the report on "The European civil aviation industry confronted with the global financial and economic crisis" (Doc. 12250). The European air transport industry, which accounted for 3 million jobs, made an important contribution to the European economy. It had been hit hard by the recession and had to face many challenges in terms of increased competition, use of airspace, environmental, safety and security concerns and rising fuel prices. In addition to the impact of the economic crisis there were the losses linked to the disruption of air traffic caused by the volcanic eruption in Iceland. The responses envisaged so as to cope with these challenges included consolidation, alliances and updating of fleets. With a view to rationalising the use and control of European airspace, the "Single European Sky" policy must be further developed and extended to all European countries, including Russia.

Mr Wilshire considered that the report gave a complete overview of the situation of Europe's air transport industry. He made some detailed comments regarding a number of points raised in the report, namely the situation of British Airways, which had suffered losses as a result of a protracted strike movement and had taken measures to reduce these losses, the fact that most of Ryanair's income was derived from subsidies

not from ticket sales and that its passenger policies were debateable, the need for airlines to form alliances and for restructuring, the plans to extend airports such as Heathrow, and carbon emissions, 18% of which were attributable to delays and flight diversions. Many of these challenges required international, rather than European, action. Lastly, with regard to the role of the European Air Safety Agency, it must be borne in mind that the safety regulations in force in certain Council of Europe member states were far stricter than those recommended by the EASA. Accession to this European agency must not serve as an excuse for adopting less stringent safety rules.

Mr Volontè congratulated the rapporteur on the quality of the report, which gave a clear picture of the current situation and future trends. The volcanic eruption in Iceland had highlighted the sector's great vulnerability. He referred in particular to the issue of the distortion of competition with which EU countries were faced, notably in connection with safety and security costs, and to the call on the European Union to show flexibility in its competition policy. He also mentioned the need to cut carbon emissions and to make energy savings.

Mr Fahey also expressed satisfaction with the report, which reflected the upheavals in the European civil aviation sector in recent years. To improve the situation, the focus must be on greater co-operation between the countries concerned. It was no longer possible to disregard the growing importance of the low cost airlines, such as Ryanair and Easyjet, which had set up in business some fifteen years ago and nowadays represented the industry's future. Ryanair today had the largest fleet in Europe and had made air transport accessible to everyone at a realistic price. The traditional carriers no longer had the same influence and were sleeping on their laurels, while being suffocated by the unions. Competition was undoubtedly a good thing. Lastly, while safety and security were the main concern, the attitude of the civil aviation authorities was not above criticism, as could be seen from the way they had managed the Icelandic volcano crisis, during which they had been overzealous.

Ms Brasseur also congratulated the rapporteur, although she could not share his optimism concerning the improved prospects resulting from an economic recovery. Greater prudence must be shown.

Mr Agius endorsed the report's recommendations. He wished to mention the problems of traffic frequency and connectivity, for example in the case of island states such as Malta.

Mr Breen thanked the members for their enlightened comments. It was clear that there was a need to restore confidence in the traditional airlines. Competition with Middle East and American airlines was fierce. The future of air transport was indeed a global problem, not a strictly European one, and it also concerned the aircraft manufacturers.

The President closed the discussion and put to the vote the draft resolution contained in Doc. 12250; it was **adopted** unanimously [Resolution 1735 (2010)].

13. POLITICAL AFFAIRS

Code of good practice in the field of political parties

Doc. 12246

*Rapporteur of the Political Affairs Committee:
Mr Pedro Agramunt Font de Mora (Spain, EPP/CD)*

Mr Agramunt presented the report on the "Code of good practice in the field of political parties" (Doc. 12246), pointing out that it followed on from a previous report, in 2007, and from Resolution 1546, setting out the principles which should inspire political parties' internal operating standards. The code of good practice was aimed at reinforcing political parties' internal democracy, increasing their credibility in the eyes of citizens and promoting democratic principles such as equality, dialogue, co-operation, transparency and the fight against corruption. The code was intended as a compendium of good practices rather than legal standards, setting out guidelines for political parties on the basis of European parties' best practices, without being binding or mandatory in nature. The Assembly should adopt this code and transmit it to the national parliaments, asking them to distribute it to political parties.

Ms Brasseur thought it would be a good thing to append the code itself to the draft resolution.

Mr Mendes Bota wondered what procedure had been followed to draw up the code, since the Venice Commission had approved it in December 2008 - and had gone on to approve the explanatory report three months later in March 2009 - but it had not been referred to the Assembly until six months later. The

Assembly could not afford to be so slow in dealing with this kind of subject. He regretted that the code said nothing about gender equality and non discrimination in the case of women and contained only one very general paragraph on non discrimination as a whole, whereas political parties were the key players when it came to promoting gender equality and improving women's representation in politics.

Mr Volontè congratulated the rapporteur. The report dealt with a fundamental issue for the promotion of the democratic process. Political parties' credibility depended on a reinforcement of their internal democracy. This would help reduce the gap between parties and citizens and public disaffection with politics. Citizens' participation in politics and in shaping the nation's common destiny was the basis of democracy. This code must be properly applied by political parties. It was a useful instrument, since it set out guidelines enabling political parties to improve their operating methods and to enhance their transparency and credibility.

Mr Agramunt responded to the comments. The code was a reference instrument that should help reinforce citizens' confidence in political parties.

Mr Çavuşoğlu, *President of the Assembly*, resumed chairing the meeting.

The President closed the discussion and put to the vote the draft resolution contained in Doc 12246, which was **adopted** unanimously [Resolution 1736 (2010)].

14. ENVIRONMENT, AGRICULTURE AND LOCAL AND REGIONAL AFFAIRS

a. Geothermal energy: a local answer to a hot topic?

Doc. 12249

Rapporteur of the Committee on Environment, Agriculture and Local and Regional Affairs: Mr René Rouquet (France, SOC)

Mr Rouquet presented the report "Geothermal energy: a local answer to a hot topic?", which was part of the debate the Environment Committee had been holding for some years now on renewable energy sources. The report described in detail the origins, history, methods of exploitation and uses of geothermal energy, and its advantages and disadvantages. It constituted a sustainable, non-polluting, autonomous energy source, with a yield of 100%, far higher than other sources of energy. However, geothermal projects had a long pay-back period, since they required considerable initial investments. It was an energy source with good future prospects that could be developed in Europe if its exploitation were facilitated through legislative, regulatory, financial and economic measures and the pooling of competences between states.

The President put to the vote the draft resolution contained in Doc. 12249. It was unanimously **adopted** [Resolution 1737 (2010)].

b. Noise and light pollution

Doc. 12179
Amendment

Rapporteur of the Committee on Environment, Agriculture and Local and Regional Affairs: Mr Rafael Huseynov (Azerbaijan, ALDE)

The President proposed that, in the absence of the rapporteur, not present in the room, the debate on this item be postponed to the Standing Committee's next meeting.

Agreed.

15. EQUAL OPPORTUNITIES FOR WOMEN AND MEN

Gender budgeting as a tool for safeguarding women's health

Doc. 12231
Amendments

*Rapporteur of the Committee on Equal Opportunities for Women and Men:
Ms Ingrida Circene (Latvia, EPP/CD)*

*Rapporteur of the Social, Health and Family Affairs Committee (for opinion):
Ms Carina Ohlsson (Sweden, SOC)*

Doc. 12248

Ms Circene presented the report on "Gender budgeting as a tool for safeguarding women's health" (Doc. 12231), which followed on from the Assembly's Recommendation 1739 (2006) on gender budgeting and

from initiatives taken by the Council of Europe's intergovernmental sector, in particular the conference on "State budgets: a key factor in real equality between women and men", held in May 2009. Gender budgeting was an essential tool for incorporating gender mainstreaming in the budgetary process, especially with regard to the implementation of the member states' health policies. The objectives were to introduce budget policies that were more equitable, with a better distribution of health spending and more effective policies, encouraging better use of public expenditure and ensuring greater transparency of public health policies. Inequality between women and men could result in unequal access to health care services. Certain specifically female diseases, such as cervical cancer and breast cancer, were easily detectable, and the fight against these diseases could be more effective if, for example, greater sums were allocated to screening and to preventive health care.

Mr Marquet, Chair of the Social, Health and Family Affairs Committee, presented the committee's opinion, in the absence of the rapporteur for opinion. The committee fully endorsed the approach proposed by the Committee on Equal Opportunities for Women and Men. Health care strategies could be properly implemented only through gender mainstreaming. Gender budgeting must be an essential element of any modern health care policy that was gender balanced and based on human rights.

Ms Brasseur, speaking for herself, said she did not support the draft recommendation, since she was not convinced that gender budgeting was justified. Combating cancer was a general public health issue. She did not concur with the idea that health care budgets should be categorised. If the decision was taken to divide up the budget on a gender basis, then there would also have to be a budget for young people and a budget for the elderly.

Ms Circene responded to the comments, pointing out that the focus of the report was the manner in which public budgets were spent with regard to the expected results. A great deal of money was devoted to certain diseases, whereas others were the poor relations of health care policy. The aim was not to have separate budgets for men and women but to ensure that public budgets ensured a fairer distribution of funds when it came to preventing certain diseases specific to women. Public health could be improved at lower cost. The evidence showed that the allocation of funds was imbalanced and that typically female diseases were not sufficiently taken into account. Spending on diseases which specifically affected men was five times higher than on those affecting women. At the same time, it was clear that in countries where public funds were in generally short supply and spending was concentrated on emergency cases this preventive approach would be unlikely to strike a chord.

Mr Mendes Bota, Vice-Chair of the Committee on Equal Opportunities for Women and Men, paid tribute to the rapporteur's personal commitment to the preparation of the report. Women and men must be treated on an equal footing, but in reality this was of course not the case. A budget was never neutral. The aim was not to have two separate budgets, but a single budget that paid more heed to social realities and to gender differences.

The President closed the discussion. He said that four amendments to the draft resolution had been tabled. Since the Committee on Equal Opportunities for Women and Men had unanimously approved amendments 2, 3 and 4, these amendments were declared **adopted**, without a vote, in accordance with Rule 33.10 of the Rules of Procedure.

Mr Marquet moved Amendment No. 1, which **Ms Circene** spoke against. **Mr Mendes Bota** said the Committee on Equal Opportunities for Women and Men had come out against the amendment. Amendment No. 1 was **rejected**.

The President put to the vote the draft recommendation contained in Doc. 12231, as amended. It was unanimously **adopted** [Recommendation 1921 (2010)].

16. OTHER BUSINESS

None

17. NEXT MEETING

The Standing Committee **agreed** to hold its next meeting in Turkey in November 2010.

The meeting **rose** at 1.30 p.m.

APPENDIX I**LIST OF PARTICIPANTS****President of the Assembly / Président de l'Assemblée**

Mr Mevlüt ÇAVUŞOĞLU Turkey

Vice-Presidents of the Assembly / Vice-Président(e)s de l'Assemblée

Mr Konstantinos VRETTOS Greece
 M. Jean-Claude MIGNON France
 Mrs Sinikka HURSKAINEN Finland
 Mr Frank FAHEY Ireland
 Mrs Anna ČURDOVÁ Czech Republic
 Mr Andres HERKEL Estonia
 Mr Erol Aslan CEBECİ Turkey
 Mr Juan MOSCOSO DEL PRADO HERNÁNDEZ Spain
 Mrs Dzhema GROZDANOVA Bulgaria
 M. Ivan POPESCU Ukraine

Chairpersons of Political Groups / Président(e)s de Groupes politiques

Mr Luca VOLONTÈ Group of the European People's Party /
 Groupe du Parti populaire européen
 Mme Anne BRASSEUR Alliance of Liberals and Democrats for Europe /
 Alliance des démocrates et des libéraux pour
 l'Europe
 Mr David WILSHIRE European Democrat Group /
 Groupe démocrate européen
 Mr Tiny KOX Group of the Unified European Left /
 Groupe pour la gauche unitaire européenne

Chairpersons of National delegations / Président(e)s de délégations nationales

Mr Davit HARUTYUNYAN Armenia
 Mr Paul WILLE Belgium
 Mr Francis AGIUS Malta
 M. Jean-Charles GARDETTO Monaco
 Mr Dariusz LIPIŃSKI Poland
 Mr Dragoljub MIĆUNOVIĆ Serbia
 M. Theo MAISSEN Suisse
 Mr Aleksandar NIKOLOSKI "The former Yugoslav Republic of Macedonia"

**Chairperson of the Committee on Legal Affairs and Human Rights /
 Président(e) de la Commission des questions juridiques et des droits de l'homme**

Mr Christos POURGOURIDES Cyprus

**Chairperson of the Committee on Economic Affairs and Development /
 Président(e) de la Commission des questions économiques et du développement**

Mr Paul WILLE Belgium

**Chairperson of the Social, Health and Family Affairs Committee /
 Président(e) de la Commission des questions sociales, de la santé et de la famille**

Mr Bernard MARQUET (for Mme Liliane Maury Pasquier) Suisse

**Chairperson of the Committee on Migration, Refugees and Population /
Président(e) de la Commission des migrations, des réfugiés et de la population**

Mr John GREENWAY United Kingdom

**Chairperson of the Committee on Culture, Science and Education /
Président(e) de la Commission de la culture, de la science et de l'éducation**

Mr Andrew McINTOSH United Kingdom

**Chairperson of the Committee on Equal Opportunities for Women and Men /
Président(e) de la Commission sur l'égalité des chances pour les femmes et les hommes**

Mr José MENDES BOTA Portugal

Rapporteurs (not member of the Standing Committee / non membres de la Commission permanente)

Mr Pedro AGRAMUNT	Spain
Mr Patrick BREEN	Ireland
Mrs Ingrida CIRCENE	Latvia
Mr Rafael HUSEYNOV	Azerbaijan
Mrs Marietta de POUBAIX-LUNDIN	Sweden
M. René ROUQUET	France

Secretariat of the Parliamentary Assembly / Secrétariat de l'Assemblée parlementaire

Mr Mateo SORINAS, Secretary General of the Parliamentary Assembly / Secrétaire Général de l'Assemblée parlementaire

Mr Wojciech SAWICKI, Director General / Directeur Général

Mr Alfred SIXTO, Head of the Table Office / Chef du Service de la Séance

Mrs Valérie CLAMER, Secretary of the Standing Committee / Secrétaire de la Commission permanente

Mr Petr SICH, Head of the Private Office of the President of the Parliamentary Assembly / Chef de Cabinet du Président de l'Assemblée parlementaire

Council of Europe/Conseil de l'Europe

Mrs Mireille PAULUS, Secretary to the Committee of Ministers/Secrétaire du Comité des Ministres

APPENDIX II**SYNOPSIS**

The **Standing Committee**, meeting on 21 May 2010 in Skopje (“the former Yugoslav Republic of Macedonia”), with first Mr Çavușoğlu, President of the Assembly, and then Mr Herkel, Vice-President, in the chair:

- heard a welcome address by Mr Trajko Veljanoski, President of the National Assembly;
- held an exchange of views with Mr Antonio Milošoski, Minister for Foreign Affairs of “the former Yugoslav Republic of Macedonia”, Chairperson of the Committee of Ministers of the Council of Europe;
- ratified the credentials of new members of the Assembly submitted by the delegations of Greece and Hungary;
- ratified the changes in the composition of Assembly committees in respect of the delegations of Greece, Hungary and Italy;
- took note of the draft agenda of the third part-session of the Assembly (21-25 June 2010);
- ratified the references proposed by the Bureau which are contained in the Appendix hereafter;
- adopted, on behalf of the Assembly, the following texts:

Opinion 278 (2010)	Draft third Additional Protocol to the European Convention on Extradition
Recommendation 1920 (2010)	Reinforcing the effectiveness of Council of Europe treaty law
Recommendation 1921 (2010)	Gender budgeting as a tool for safeguarding women’s health
Resolution 1732 (2010)	Reinforcing the effectiveness of Council of Europe treaty law
Resolution 1733 (2010)	Reinforcing measures against sex offenders
Resolution 1734 (2010)	Expenditure of the Parliamentary Assembly for the 2011 financial year
Resolution 1735 (2010)	The European civil aviation industry confronted with the global financial and economic crisis
Resolution 1736 (2010)	Code of good practice in the field of political parties
Resolution 1737 (2010)	Geothermal energy: a local answer to a hot topic?

- postponed consideration of the report on Noise and light pollution (Doc. 12179) to the next Standing Committee;
- decided to hold its next meeting in Turkey in November 2010.

Appendix

Decisions on documents tabled for references to committees

A. REFERENCES TO COMMITTEES

1. **Mediation by the Council of Europe in cases of hostage-taking of Council of Europe member states citizens**
Motion for a resolution presented by Mr Müri and others
Doc. 12225

Reference to the Political Affairs Committee for report

2. **Armenia's determination to become a monoethnic State and implement a policy against its national minorities**
Motion for a resolution presented by Mr R. Huseynov and others
Doc. 12227

Reference to the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) to be taken into account in the preparation of the report on Honouring of obligations and commitments by Armenia

3. **European cultural and educational policies through national parliaments**
Motion for a resolution presented by Mrs Brasseur and others
Doc. 12228

Reference to the Committee on Culture, Science and Education for report

4. **Securing the fundamental right to equality between women and men in the European Convention on Human Rights**
Motion for a recommendation presented by Mrs Err and others
Doc. 12229

Reference to the Committee on Equal Opportunities for Women and Men for report and to the Committee on Legal Affairs and Human Rights for opinion

5. **Right of member states to cultivate or not to cultivate genetically modified crops**
Motion for a recommendation presented by Mr Toshev and others
Doc. 12233

Reference to the Committee on the Environment, Agriculture and Local and Regional Affairs to be taken into account in the preparation of the report on "Genetically modified organisms (GMOs): a solution for the future?" (Ref. 3532)

6. **Health hazards of heavy metals**
Motion for a resolution presented by Mr Huss and others
Doc. 12234

Reference to the Social, Health and Family Affairs Committee for report

B. TRANSMISSION FOR INFORMATION

1. **Nuclear energy projects in Belarus and the Kaliningrad Region of the Russian Federation**
Motion for a resolution presented by Mrs Vésaité and others
Doc. 12226

Transmission to the Committee on the Environment, Agriculture and Local and Regional Affairs for information

APPENDIX III**SPEECH DELIVERED BY MR ANTONIO MILOŠOSKI,
MINISTER FOR FOREIGN AFFAIRS
OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA,
CHAIRPERSON OF THE COMMITTEE OF MINISTERS**

It is a great honour for us to have the opportunity of chairing the oldest pan-European organisation, an organisation which has established the highest standards in human rights and democratic development. Our country stands ready to manage the steering of the Committee of Ministers by keeping in mind the interests of all its member states, as well as the interests of the Organisation as a whole. We have also taken into consideration the issues that are of importance for our region, thus being focused on the common determination to bring the region closer to fully-fledged European integration, which cannot be achieved without an effective and sustainable implementation of the Council of Europe's standards and principles. Our intention is to promote further good neighbouring co-operation and to contribute to the European development of our region becoming stronger and more stable than ever.

We are aware that the Chairmanship could open new political horizons for us and could bring information for the active role we intend to play in the following 6 months. I hope this experience will help us to comprehend the political realities better and will bring us new friends.

The priorities of the Macedonian Chairmanship have been chosen relying on our national perspectives, but at the same time having in mind the wider interest of the region and of the Organisation as a whole. Consistency between the chairmanships of the Committee of Ministers is an important issue. Therefore, our priorities intend to ensure logical continuity of the activities of the Committee and will focus on the reform of the European Court of Human Rights, ensuring the continued effectiveness of the European Convention on Human Rights, strengthening the principle of subsidiarity by integrating the Convention profoundly into the national legal systems in order to secure its direct application, which are the commitments of the Interlaken process; implementing gender equality standards and mechanisms with an emphasis on gender budgeting; fighting corruption; ensuring social cohesion; strengthening intercultural and inter-religious dialogue; the integration of national minorities, particularly including Roma, and improving youth participation in the democratic and political process of the South Eastern European countries.

All of these different issues are grouped around three main thematic priorities, with the aim to spread the political messages of the Macedonian Chairmanship. These themes are already familiar to you:

- 1) Strengthening human rights protection;
- 2) Fostering integration while respecting diversity and
- 3) Promoting youth participation.

The need to co-operate closer and to have a more cohesive approach regarding human rights protection is connected with the Interlaken reform process, but also with the reform process of our Organisation. We have to preserve the most valuable institution of our human rights system and to improve its functioning in parallel to measures made in the legislations and judicial practices of the member states and by the Court itself. The decisions taken at the 120th session of the Committee of Ministers reaffirmed our determination to work intensively on the implementation of the documents adopted at the Interlaken Conference.

Our contribution towards this process will be the organisation of a Conference in November 2010 on the relevant theme of "Strengthening subsidiarity: integrating the Court's case-law in the national law and practice". The aim of this Conference will be to adopt some conclusions that will be transmitted as a concrete message to the Conference of Ministers of Justice of the Council of Europe member states, to be held in Istanbul on 24-26 November 2010 during the Turkish Chairmanship.

The political realities on our Continent are constantly changing and a Europe of tomorrow may not resemble the Europe of today. Diversity will increase. We have to follow closely this dynamic process and be prepared for the new challenges that our societies will face in the future. We have to adopt better integrative policies and unite all the diversities that exist in our countries. I see Europe of tomorrow as more united in its diversities, be they of linguistic, ethnic or religious nature.

One of the aims of the Council of Europe, which was the commitment from the Warsaw Summit, is to achieve a more inclusive Europe, which cannot be imagined without the integration of national minorities in European societies. The integration of minorities means creating more inclusive and cohesive societies where individuals and groups have the opportunity to participate equally in their communities. The Macedonian Ministry of Foreign Affairs will organise a Conference on the issue of "Strengthening the cohesion of European societies: effective participation of persons belonging to national minorities in the decision-making process", as an important issue for achieving *de facto* integration. In this context, I would like to say that the Macedonian society has already achieved its experience. We are still not an ideal country but at the same time we have succeeded in creating one society of inclusiveness where all citizens regardless of the ethnic or national community to which they belong are given a chance to participate in decision-making on the social, political and educational life of the country.

The Standing Committee will consider the report on "Gender budgeting as a tool for safeguarding women's health". In this context, let me point out that a seminar on the issue of gender budgeting will be organised during our Chairmanship. Member states of the Council of Europe agree that gender equality can be implemented in practice, if policies are gender sensitive and supported by adequate budgets which, in their process of elaboration are based on gender analysis and integrate a gender perspective. Successful achievement of gender equality is linked to the necessary implementation of both gender equality policies and a gender mainstreaming strategy, including budgeting. Being among the first countries in the region to include a gender analysis as a central element in policies and programmes in the Departments of Social Welfare, Labour and Finance, has motivated us to place a special focus on this particular issue of importance to the Committee of Ministers, but also to the Parliamentary Assembly.

One of the Macedonian Chairmanship priorities promotes youth participation in the Region of South East Europe and could be considered as one of the Council of Europe's contributions marking 2010 as the "International year of Youth", as proclaimed by the United Nations. The Macedonian Chairmanship intends to launch a process which is aimed at providing an organised setting for exchange of views among young people, which could help further foster their participation in the political processes and democratic reforms in their respective countries.

Pro-active inclusion of the youth in the creation of the future South East European region, founded on European values and standards of the Council of Europe in the area of human rights protection, rule of law and democracy will enable prompter overcoming of problems from the distant and contemporary history of this region.

The Macedonian Chairmanship will pay special attention to the strengthening of co-operation with other international organisations, especially with the EU, OSCE and the United Nations. In the past years, the Council of Europe has made progress in strengthening the relations with other European institutions and international organisations, starting with the European Union, and other organisations mentioned. With the entry into force of the Lisbon Treaty and the Charter of Fundamental Rights new opportunities have been created to further enhance the value-based partnership between the Council of Europe and the European Union. This has increased the need to ensure the coherence between the standards of the Council of Europe and the EU law in the field of human rights and fundamental freedoms. The accession of the European Union to the European Convention on Human Right could further contribute to the creation of the European legal area. The legal standards developed by the Council of Europe have helped stabilise Europe and transform it into a community of democracies. This important achievement should be nurtured so that new generations of Europeans benefit further from it. The Macedonian Chairmanship will facilitate the process of accession of the European Union to the European Convention of Human Rights to the extent possible.

We are continuing our efforts in strengthening the co-operation with the Parliamentary Assembly that has always reminded us that the Council of Europe is not a club of perfect democracies and that our mission is always work in progress. Let me mention that there are some questions we are still asking in our Organisation from time to time. What should the Council of Europe be? Do we still need the Council of Europe?

Perhaps the answer is in the fact that you parliamentarians have always reminded us that human rights, democracy and the rule of law are not something which can be achieved once and for all. It has to be won anew almost every day. These are the commitments which all member states, large or small, old and new, have embraced as the values and principles of our Organisation and which have brought peace, democracy and prosperity in Europe.