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Standing Committee
Commission permanente

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Standing Committee

Minutes¹

**of the meeting held in Kyiv
on 27 May 2011**

¹ Approved by the Assembly on 20 June 2011.

1. OPENING OF THE MEETING

Mr Çavuşoğlu, President of the Parliamentary Assembly, opened the meeting at 9.10 am. He thanked the Chairman of the Verkhovna Rada of Ukraine for his invitation to hold the meeting of the Steering Committee in Kyiv and for the hospitality of the Ukrainian authorities. For the first time since its accession to the Council of Europe, Ukraine was holding the chairmanship of the Organisation. The chairmanship's programme bore witness to Ukraine's strong commitment to the Organisation's priorities, and in particular protection of children's rights. An international conference on "combating violence against children: from isolated actions to integrated strategies" had been organised by the Council of Europe in conjunction with the Ukrainian authorities prior to the Assembly's meetings. The Assembly was firmly committed to combating violence against children and was contributing to the parliamentary dimension of the Council of Europe campaign "One in Five". A handbook for use by members of parliament had been published to promote the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention).

With regard to the chairmanship's second priority – human rights and rule of law in the context of democracy and stability in Europe – the Assembly welcomed the Ukrainian authorities' objective of strengthening prevention and promotion mechanisms in this field. The Assembly's annual debate on the state of democracy would focus in particular on the role of parliaments as guarantors of human rights in Europe.

The third priority – strengthening and developing local democracy – was also a priority area for the Council of Europe, since local and regional authorities played a key role in implementing the principles of democracy. The 17th Session of the Council of Europe Conference of Ministers responsible for Local and Regional Government, to be held in Kyiv in early November 2011, would be an important stage in the implementation of the Utrecht declaration adopted by the Committee of Ministers in 2009. The Assembly's Committee on the Environment, Agriculture and Local and Regional Affairs would be closely following this issue.

2. WELCOME ADDRESS BY MR VOLODYMYR LYTVYN, CHAIRMAN OF THE VERKHOVNA RADA OF UKRAINE

The President welcomed Mr Volodymyr Lytvyn, Chairman of the Verkhovna Rada of Ukraine.

Mr Volodymyr Lytvyn said that the Parliamentary Assembly's work had made a significant contribution to the establishment of effective co-operation between Ukraine and the Council of Europe. The objectives of the outgoing Turkish chairmanship had focused on the political aspects of the functioning of the Council and had in this way lent support to the reform embarked upon by the Secretary General. The aim of this reform was to strengthen the Organisation's political role at European and international level. The priorities of the Ukrainian chairmanship sought to respond to the concerns voiced at both European and Ukrainian level. Since the last presidential election, Ukraine had identified a number of reforms to be implemented to enable the country to acquire a new development impetus, while at the same time bearing in mind the importance of safeguarding and strengthening democratic principles.

The protection of children's rights comprised a global dimension. In 2010, parliamentary hearings organised in Ukraine had led to the adoption of recommendations which had been transposed into legislation. Ukraine fully subscribed to the high standards defined by the Council of Europe. Questions relating to human rights and the rule of law were a key Council of Europe activity to which the Ukrainian chairmanship would be devoting its attention. Another key objective was the development of local democracy, in particular through co-operation between civil society and the public authorities and in accordance with the principle of self-governance, the very foundation of power in a democratic society. Ukraine was determined to increase the role of self-governance, particularly by improving the electoral system. It would be essential to reach consensus on the drafting of the law on elections to the Verkhovna Rada for the forthcoming parliamentary elections in 2012. A first step towards greater transparency had been made with the recent passing of the law on access to information. Another law on the role and position of civil society organisations and institutions would be passed in the near future. Both laws were complementary and shared the objective of strengthening the accountability of power vis-à-vis citizens.

It was important for Ukraine today to assert itself as a state having autonomous decision-making power in a world characterised by globalisation and the emergence of new centres of influence. Democracy and freedom, and the fight against poverty were of major importance for the country.

The President thanked Mr Volodymyr Lytvyn for his address.

3. EXCHANGE OF VIEWS WITH MR KOSTYANTYN GRYSHCENKO, MINISTER FOR FOREIGN AFFAIRS OF UKRAINE, CHAIRMAN OF THE COMMITTEE OF MINISTERS CM/Inf(2011)20 rev
CM/Inf(2011)21

The President welcomed Mr Kostyantyn Gryshchenko, Minister for Foreign Affairs of Ukraine, Chairman of the Committee of Ministers, who would be presenting the priorities of the Ukrainian chairmanship. The documents outlining these priorities, and those taking stock of the outgoing Turkish chairmanship were to be found in the files.

Mr Gryshchenko welcomed members of the Standing Committee and expressed his satisfaction at the co-operation between his country and the Council of Europe and its Parliamentary Assembly. He outlined the priorities of the Ukrainian chairmanship of the Committee of Ministers. Particular priority was given to the protection of children's rights, promotion of human rights and the rule of law in the context of democracy and stability in Europe and the strengthening and development of local democracy. In pursuit of the first priority – protection of children's rights – the Ukrainian chairmanship anticipated strengthening co-ordination between local and international initiatives. Particular emphasis would be placed on implementation of existing programmes, and on the development of new political priorities to address this major social problem. Particular attention would be paid to combating violence against children and protecting their right to health.

Respect for and protection of human rights and the rule of law were the very *raison d'être* of the Council of Europe. Consequently, it was completely understandable that this issue should also appear on the chairmanship's agenda. The Interlaken process on the future of the European Court of Human Rights should be further rationalised. Reform of the Court, difficult though it may be, was too important to fail. The Venice Commission, which was an effective means of promoting the normative standards of the Council of Europe, could also count on the support of the Ukrainian chairmanship.

With regard to the third priority, Ukraine would help strengthen and develop local democracy throughout the continent and would focus on devising an innovative strategy to address the challenges faced by local authorities. It was necessary to come up with a sustainable strategy for decentralised and cross-border co-operation in order to maintain democratic stability and good neighbourhood relations. In this connection, reference should be made to the report by the Group of Eminent Persons on "Living together: Combining diversity and freedom in 21st-century Europe". The members of the Assembly were invited to put forward recommendations regarding the follow-up to this report during the June part-session.

The neighbourhood policy had become a very topical issue for the Council of Europe following recent events in North Africa and the Middle East. The Committee of Ministers of the Council of Europe had asked the Secretary General to draw up an action plan. This was an area where close links needed to be maintained with the Assembly.

A few words needed to be added about the current situation in Georgia in the hope that the government would avoid a deterioration of the situation and that a dialogue between the authorities and civil society would be established, if necessary with the expert help of the Council of Europe.

The President thanked the Chairman of the Committee of Ministers for his detailed presentation of the priorities of the Ukrainian chairmanship and proposed an exchange of views.

In reply to **Mr Iwiński**, who welcomed the priorities of the chairmanship and wondered how the Congress of Local and Regional Authorities would be involved in achieving the objectives of the Ukrainian chairmanship, **Mr Gryshchenko** stressed the importance of the co-operation which had been established with that body, particularly with regard to the local elections which had been held in Ukraine. There should ideally be greater interaction between central government and local authorities which, because of their closeness to citizens, dealt with questions of paramount importance for the latter.

Mrs Feric-Vac drew attention to the specific and often insecure situation of children in rural areas, which was a problem which fell within the first and the third priorities of the Ukrainian chairmanship. **Mr Gryshchenko** shared this point of view and stressed that, in order to address this question appropriately, the different stakeholders working in this field should engage in joint action, which would receive political support from the chairmanship.

In reply to **Mr Herkel** who asked about the situation in Transnistria, **Mr Gryshchenko** pointed out that the Council of Europe had only limited competence to address this question. Nevertheless, Ukraine was committed to finding a political solution. A special representative had been appointed within the Foreign Ministry, whose role was to consult the parties concerned and propose all conceivable approaches to be

discussed in the “5+2” context. The next step would be to define the precise terms of reference of each party to the negotiations. The main claims were well-known: territorial integrity, a special status for Transnistria within Moldova, respect for human rights extended to the whole territory. The next stage would be discussion on the details, which was difficult to initiate but which should lead to a compromise which would subsequently be reflected in practical form in the legislation, or indeed in the constitution of Moldova. A forthcoming meeting with his Russian counterpart should make it possible to learn, in an informal setting, the exact position of the Moldovan authorities. Questions pertaining to human rights and local democracy took on particular importance in this context as they were essential in the search for a general political compromise. The formal negotiation process would resume the following month in Moscow.

Mr Volontè was more particularly interested in the priority concerning respect for human rights and the rule of law, both of which formed the very basis of democracy. The European People’s Party and many European countries had expressed concern at the arrest of certain members of the opposition in Ukraine. In this context, upholding the principle of the separation of powers between the executive and the judiciary fitted in perfectly with the priorities of the Ukrainian chairmanship. **Mr Gryshchenko** believed that this question was of particular importance because respect for human rights was vital for the development of Ukraine. The aim of the reforms initiated by the President of Ukraine and supported by Parliament was the implementation in practice of the principle of the rule of law. This was reflected in the accountability of the leaders towards the people. In this context, society must be able, if necessary, to take court action against politicians who, in leading the country, had threatened its security and well-being. The current situation was devoid of any political connotation. Several European countries were also experiencing examples of prosecutions of former senior political figures and it was essential in such a situation to ensure the legality of the proceedings. This did not represent an example of selective justice, but was a sign that practices of corruption and tax fraud would not be tolerated. This would also influence the outlook of members of the current and future governments, and would help drive the message home that, from day one, they could be required, at any time, to account for their actions. Unless this was understood, Ukraine could not become a prosperous democracy.

Mr Kox referred to the outgoing Turkish chairmanship which had been very attentive to recent events in North Africa and in the Middle East. As democracy was one of the priorities of the Ukrainian chairmanship, Mr Kox asked about the contribution of the Ukrainian chairmanship to the democratisation process of the regions concerned. **Mr Gryshchenko** acknowledged that the Council of Europe must play a proactive role in order to demonstrate to these countries a path of democratic development, without however seeking to impose any particular choice on those countries. It was necessary to describe the advantages of the democratic system, as it had developed in Europe, and to share one’s own experience in order to help the people in the region make their choice. For example, Ukraine had experienced situations in which populist candidates, whose goal had been to gain power at any cost, had proved to be incapable of fulfilling their promises, once they had arrived in power. The large degree of trust shown by the people had created a problem for the country. The experience of exchanges between Ukraine and the Venice Commission could also serve as an example, with regard in particular to Tunisia and Kyrgyzstan. At present, there were no plans for a visit to these regions by the chairmanship; however, these could be scheduled in continuation of the initiatives of the Turkish chairmanship which had had a number of very interesting approaches in the context of the neighbourhood policy. The Assembly would be consulted in this connection.

Mr Flego expressed his satisfaction at seeing the protection of children’s rights as the first priority of the Ukrainian chairmanship, and at the fact that Ukraine would be organising and hosting in September 2011 an international conference on “Education in the 21st century”, given the vital role of education with regard to children’s rights. **Mr Gryshchenko** shared this point of view and felt that in order to see the new generations support the democratic system, it was essential to begin learning about the positive impact of democratic principles on daily life and economic development at an early age. The Ukrainian education system was well developed but, nonetheless, needed to be modernised. It was necessary to incorporate into the secondary and university education curriculum the question of Europe because it was imperative to learn about the background of the democratic principles which we shared. The new generations could have fewer disputes if these questions were included in the education system.

The President thanked Mr Gryshchenko for his contribution and replies to the questions put to him, and invited him to attend the next part-session which would be held in Strasbourg from 20 to 24 June 2011.

4. EXAMINATION OF NEW CREDENTIALS

Doc. 12614

The Standing Committee **ratified** the credentials of the new representatives and substitutes in respect of the parliamentary delegations of Estonia and Moldova, as set out in Doc. 12614.

5. MODIFICATIONS IN THE COMPOSITION OF COMMITTEES

Commissions (2011) 5
and addendum

The Standing Committee **ratified** the modifications in the composition of Assembly committees in respect of the delegations of Estonia and Moldova, and the composition of the Committee on Rules of Procedure, Immunities and Institutional Affairs in respect of the EPP/CD political group, as set out in document Commissions (2010) 5 and addendum.

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

The President said that no request for a current affairs debate or debate under urgent procedure had been submitted to him by the deadline laid down. Consequently, item 10 of the draft agenda no longer applied.

7. AGENDA

AS/Per (2011) OJ 2

The revised draft agenda was **adopted**.

8. THIRD PART-SESSION OF THE PARLIAMENTARY ASSEMBLY (20-24 JUNE 2011)

Doc. 12618 prov 1

The President said that Rule 26.4 of the Assembly's Rules of Procedure provided that the draft agenda of the Assembly's part-sessions be submitted, where possible, to the Standing Committee which was invited to take note thereof.

The Standing Committee **took note** of the draft agenda of the Assembly's third part-session for 2011.

9. REFERENCES TO COMMITTEES AND TRANSMISSIONS FOR INFORMATION

AS/Bur (2011) 43 rev

The President referred to document AS/Bur (2011) 43 which contained the proposals regarding references to committees and transmissions for information which the Bureau had examined at its meeting the day before.

The Standing Committee **approved** the references to committees and transmissions for information as set out in Appendix 1 below.

10. OBSERVATION OF ELECTIONS

Observation of the early presidential election in Kazakhstan (3 April 2011)

Doc. 12615

*Rapporteur of the Ad hoc Committee of the Bureau:
Mrs Yuliya Liovochkina (Ukraine, EDG)*

Mrs Liovochkina presented the report. Several points of a political or legal nature had been noted during the observation mission. Amendments to the Constitution and the Election Law had been adopted in haste shortly before the election. The legal framework still contained restrictions on freedom of assembly and on freedom of expression. There had been no clear criteria making it possible to evaluate reliably the candidates' level of proficiency in the Kazakh language. The campaign environment had been somewhat lacklustre due to the absence of any real opposition, as the opposition had called for a boycott of the election. Media coverage had been biased in favour of the outgoing president. On voting day itself, voting had taken place in a calm and relaxed atmosphere. A large number of domestic political party and NGO

observers had been present in several polling stations. Opening and voting procedures had been duly followed. The conclusions and recommendations of the ad hoc committee indicated that the presidential election had reflected the will of the Kazakhstan electorate. However, the Kazakhstan authorities were invited to rectify the shortcomings identified in the report, in particular those relating to the legal framework and the independence of the media.

Mr Iwiński said that it had been surprising that early elections had been organised just one year before the ordinary election. Several opposition candidates had been unable to take part in this election, in particular because they had failed the Kazakh language proficiency test. The only serious candidature had been Mr Nazarbayev, who was, moreover, very popular in a country which had been economically successful and in which there had been effective interaction between the different ethnic and religious groups. Nonetheless, it was regrettable to note that the election had been organised in haste. Furthermore, the ad hoc committee had decided to publish a separate communiqué, as the Office for Democratic Institutions and Human Rights had a tendency to impose the final conclusions. Relations between the Council of Europe and Kazakhstan needed to be further defined, for example by making use of partner for democracy status.

Mr Kox expressed regret at the lack of co-ordination between the international observers and felt that it was necessary to review the working methods of the observation missions.

The President said that during his visit to Kazakhstan, he had explained the advantages of the partner for democracy status which enabled a delegation from a Council of Europe non-member state to enjoy the majority of rights granted to a member state delegation, with the exception of the right to vote.

Mrs Liovochkina concurred with the view that disagreement between the different observation missions did nothing to enhance their credibility. However, the Council of Europe should not be treated as a lower-level partner. The ad hoc committee on Assembly reform had discussed the possibility of reviewing the guidelines for observation missions, and of holding a meeting with the participants in previous missions in order to discuss, amongst other things, the ways and means of avoiding similar situations in the future.

The Standing Committee **took note** of the report.

11. POLITICAL AFFAIRS

Iran's nuclear programme: the need for an effective international response

Doc. 12612

Rapporteur of the Political Affairs Committee:

Mr Tadeusz Iwiński (Poland, SOC)

Mr Iwiński presented the information report, pointing out that the decision to draft an information report had been due in part to the complexity of the subject and also to the fact that the Assembly had previously adopted two resolutions dealing with the Iranian nuclear programme, namely Resolution 1436 (2005) and Resolution 1567 (2007) whose main proposals remained valid. Furthermore, the Assembly's margin for manoeuvre in this field was very limited, and was restricted to the possible establishment of dialogue between the Iranian parliament and the Council of Europe. In this context, the Bureau's refusal to authorise a mission to Tehran was regrettable. In the process of drafting this report meetings had been organised with, amongst others, officials from the International Atomic Energy Agency, the representative of Iran and several embassies. Current concerns related to a number of enrichment plants in Natanz and near Qom, and the heavy water reactor in Arak. Several internal reports showed that Iran was continuing its uranium enrichment programme and that it would soon be able to produce enough high-enriched uranium to make nuclear weapons, even though no direct evidence had thus far been gathered by the international experts. The international negotiations had reached the point where the United Nations Security Council had stepped up sanctions against Iran.

Mr Volontè supported the call for establishing interparliamentary dialogue, particularly given the current situation regarding the Iranian opposition.

Mr Iwiński shared the point of view expressed and said that even though the question of human rights and democracy had not been addressed in the report, there was a link between the nuclear programme issue and the nature of the regime in the country.

Mr von Sydow, Chairperson of the Political Affairs Committee, thanked Mr Iwiński for the report, which he said had been prompted by a motion for a resolution signed by several members of the Assembly. However, while the report was being drafted, it had become an information report. This could be an example to be

followed if, as in this present case, the question proved to warrant monitoring without a new resolution being necessary. The Political Affairs Committee intended to pursue the question of establishing contacts with the Iranian parliament.

The Standing Committee **took note** of the report.

12. COMMITTEE ON ECONOMIC AFFAIRS AND DEVELOPMENT

a. The impact of the Eastern Partnership of the European Union on governance and economic development in eastern Europe

Doc. 12612

*Rapporteur of the Committee on Economic Affairs and Development:
Mr Andrea Rigoni (Italy, ALDE)*

Mrs Naghdalyan, Chairperson of the Committee, presented the report in the absence of the rapporteur. The Eastern Partnership of the European Union, launched in May 2009, aimed to “accelerate the political association and further economic integration” of Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine with the 27 member states. The report focused on the economic component of the partnership as economic growth was the foundation of long-term development and of transformation of the societies concerned. The format offered by the Eastern Partnership would make for greater advances to be made than in the context of the bilateral agreements which the countries concerned, and in particular Armenia, already had with the European Union. The report contained a proposal for extending the participation of the Council of Europe Development Bank (CEB) and called on the Armenian, Azerbaijani and Ukrainian authorities to accede to the CEB. Of the six countries concerned by the Eastern Partnership, only Moldova and Georgia were members of the CEB, although unfortunately they had not benefited from any particular advantages or support programmes in view of their specific needs. One important proposal concerned improving the access of women entrepreneurs to business support programmes. These programmes contributed to the independence of women, thereby facilitating their participation in the political life of the country. Two recommendations could be highlighted, namely the functioning of the interparliamentary component of the Partnership and the question of accession by Azerbaijan and Georgia to the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime and on the Financing of Terrorism.

Mr Rigoni, rapporteur, joined the meeting.

Mr Rigoni said that the Eastern Partnership encouraged the promotion of internal reform and placed an emphasis on four priorities or thematic platforms which were democracy, good governance and stability; economic integration and convergence with EU policies; energy security; and contacts between members of civil society. The Partnership also sought to bring all these countries closer together, which could help overcome the factors contributing to the existing tensions. The aim of the Partnership was not enlargement of the European Union but rather the provision of assistance for the economic growth of the countries concerned. Belarus was a party to the Partnership and an effort should be made, for the sake of the new generations, to foster this country’s opening to democracy.

The funding allocated to the Partnership should be increased in order to improve its effectiveness. The Council of Europe should closely monitor this process and, in this connection, provide for joint co-operation programmes with the European Union. The second summit of the Eastern Partnership, due to be held this autumn, offered an opportunity to discuss the possible contribution of the Council of Europe.

Ms Pourbaix-Lundin asked about the reason for the invitation to the national authorities of Belarus, contained in paragraph 15 of the draft resolution, in the light of the decision by the Assembly to suspend its activities involving high-level contacts with the Belarus authorities.

Ms Gutu thanked the rapporteur, and Poland and Sweden which had initiated the Eastern Partnership. The situations in the six countries covered by the Partnership were different and it was difficult to compare them. The common denominator between the Council of Europe member states concerned by the Partnership related to the efforts which those countries had to make in order to comply with the monitoring procedure. The Eastern Partnership had been conceived more as a pragmatic project in order to enable the countries concerned to put in place practical sustainable development projects and comply with European standards. In this context, the creation of Euronest, an initiative without any concrete terms of reference, would lead to duplication of effort by this institution with, in particular, the work of the Parliamentary Assembly at the very time when efforts were being made to raise the Assembly’s profile. The statement that participation in the

Eastern Partnership did not guarantee accession to the European Union was being repeated more and more frequently by European officials. However, such comments needed to take into account the individual situation of each country, so as to avoid any discouragement. Moldova and the European Union, for example, were in the process of negotiating an association agreement and had already concluded an action plan for liberalising the visa regime. It was necessary to maintain the reference to Belarus in the draft resolution because the Council of Europe should ensure that its values were upheld by its members and also by neighbouring countries.

Mr Corlatean agreed that there were subtle differences among the countries concerned by the Partnership with regard to the motivation, the pace of reform and the objectives pursued, and in particular the possibility of accession. Accordingly, it would be preferable to highlight the differences between the situations in the countries concerned. As far as Belarus was concerned, an appeal to the Belarus authorities to co-operate was relevant and could be incorporated in a separate paragraph.

Mr Rigoni responded to the statements from the members. Even though the role of the Council of Europe was different from that of the European Union, it was part of this process. The Partnership, which was launched in 2009, had experienced a number of difficulties at the beginning, in view, in particular, of the situation in Belarus. In addition to the multilateral component, the Partnership also made it possible to establish bilateral contacts. In these circumstances, it was important to maintain relations with Belarus, even at the level of civil society. And it was true that each of the six countries concerned had a different level of participation and involvement in this project. The objective of the European Union, like that of the Council of Europe, was to contribute to the strengthening in these countries of democracy, the rule of law and the implementation in practice of European standards.

The President closed the debate and said that five amendments had been presented to the draft resolution and two amendments had been presented to the draft recommendation. He said that the Committee on Economic Affairs and Development had unanimously approved amendments Nos. 1 and 7, which were therefore declared adopted, without a vote, in accordance with Rule 33.10 of the Rules of Procedure.

Mr Davitaia moved amendments Nos. 2, 3, 4, 5 and 6 to which no one objected. The Committee on Economic Affairs and Development had been in favour of amendment No. 2 and against amendments Nos. 3, 4, 5 and 6.

Amendments Nos. 2, 3, 5 and 6 were adopted and amendment No. 4 was rejected.

The President put to the vote the draft resolution, and then the draft recommendation contained in Doc. 12521, as amended, which were unanimously adopted [Resolution 1812 (2011) and Recommendation 1971 (2011)].

b. Promoting microcredit for a more social economy

Doc. 12609

*Rapporteur of the Committee on Economic Affairs and Development:
Mr Márton Braun (Hungary, EPP/CD)*

Mr Braun presented the report. The first part of the report gave a general introduction to the management of microcredit. Microcredit had become widely known following the award to Mr Muhammad Yunus, the founder of Grameen Bank, of the Nobel Peace Prize in 2006. However, microcredit programmes had been around in Europe since 1989, financed by the European Union, governments and development-bank type organisations such as the European Bank for Reconstruction and Development. The central part of the explanatory memorandum presented microcredit as a means of overcoming social inequalities and improving social cohesion, a means of promoting regional development and alleviating unemployment, and a potential response to the crisis. Microcredit was not an ordinary bank loan; its prime objective was to assist those micro-enterprises in which commercial banks had no interest. It offered both financial support and support in terms of advice, which was just as important. The success of microcredit depended on the financial support of governments to the financial institutions which risked their capital, and on the support of the networks of councils. The draft resolution called on member states to adapt national, institutional, legal and commercial frameworks, and to create a hospitable economic environment to encourage the development of microcredit and microfinance institutions.

Mr Volontè welcomed the report which addressed the social market economy through the strengthening of small and medium-sized enterprises and asked for further details of the action taken by governments to promote greater development of the social market economy. Microfinance was not a recent invention but a long-standing European tradition. The fundamental objective of “mounts of piety”, which had emerged in the

Middle Ages, had been to gather funds to make loans for individual projects by enterprises. This tradition continued to be a driving force for the economic development of our continent.

Mr Kox, Vice-President of the Assembly, replaced Mr Çavuşoğlu in the chair.

Mr Cebeci referred to two points of view on microcredit. The first saw microcredit as a unique solution to alleviate poverty, while the other, in contrast, regarded the system as ineffective as it enriched only those who had created it. The report explained the mechanism without taking sides, describing in an objective way the strengths and weaknesses of microcredit. This institution was important for several countries beyond Europe. There were a number of documentaries showing the impossibility of maintaining microcredit programmes at regional level in India and Bangladesh. Unfortunately, these documentaries rarely showed the success of which microcredit was capable.

Mrs Feric-Vac emphasised the value of microcredit not only for countries in the Third World but also for Council of Europe member states, and particularly for certain rural regions. Even though this development aid was not always successful, it was important to look to the good practices that existed in certain countries and suggest clear lines of action to governments. Microcredit had many positive effects on the whole prosperity chain.

Mr Braun welcomed the interest aroused by microcredit, which was due not merely to the fact that Mr Muhammad Yunus had received the Nobel Peace Prize. The report dealt with several technical aspects and presented a number of innovations which could contribute to the general discussion on the subject.

Mrs Naghdalyan, Chairperson of the Committee, thanked Mr Braun for his excellent report.

The President put to the vote the draft resolution contained in Doc. 12609, which was unanimously adopted [Resolution 1813 (2011)].

14. ENVIRONMENT, AGRICULTURE AND LOCAL AND REGIONAL AFFAIRS

a. Reforms of the Common Fisheries Policy and the Common Agricultural Policy Doc. 12607

*Rapporteur of the Committee on the Environment, Agriculture and Local and Regional Affairs:
Mr Juha Korkeaoja (Finland, ALDE)*

Mr Korkeaoja, rapporteur, said that he would be leaving the Assembly and wished to thank members for their co-operation throughout his term of office. He presented the report. The questions dealt with in the report needed to be placed in a global context. Access to healthy and natural food was a fundamental right and this explained the Council of Europe's role in this field. The question of food security was becoming increasingly more political because the challenge in the future was to be able to produce a sufficient and sustainable supply of food for a population which continued to grow. According to the United Nations Food and Agriculture Organisation the demand for food was increasing exponentially. The symptoms of this new trend had appeared in several forms, for example in China which was buying arable land in Africa. This also demonstrated the importance placed on food security by that country. Today there were many aspects of the Common Agricultural Policy (CAP) which needed to be improved. The environmental aspect was the most important because the emphasis had for a long time been placed on the use of chemical inputs in order to address the original focus of this policy, i.e. increasing food production following the Second World War. Another problem was the apportionment of funding between the older and newer European Union member states, which needed to be reviewed. As far as the Common Fisheries Policy (CFP) was concerned, it was now time to acknowledge the failure of the management of fish stocks. The draft resolution contained a number of proposals to remedy the above situations. There was a need to modify the objectives of the CAP and the CFP and strengthen management at regional level in order to adapt to the extremely diverse agricultural and fishing circumstances in the enlarged European Union. In order to preserve the potential of agriculture, it was essential to prevent the construction of road and real estate infrastructure on arable land. Lastly, it was important to defend the principle of family farms and small-scale coastal fisheries and set up a differentiated support regime within the CAP and the CFP which was adapted to their particular needs.

Mr Braun stated that the Council of Europe, the guardian of human rights, had a role to play particularly in relation to the CAP: first of all, from the viewpoint of protecting the rights of consumers by ensuring respect for product quality, and secondly, by supporting products which were more labour intensive because of the social aspect of this policy.

Mr Arnason felt that it was essential to rationalise the CFP in order to preserve fish stocks. He wondered about the fact that the report had no chapter on the issue of quotas and the danger of monopolies held by some players on the fishing of certain species. Iceland's fishing policy, considered to be exemplary, could possibly provide relevant examples of best practice, in particular with regard to the management of stocks and quotas.

Mr Chope, like a large number of UK parliamentarians, acknowledged the exemplary nature of Iceland's fishing policy which enabled the fisheries sector to manage its own stocks rationally and profitably. However, this was not the case with the CFP. The shameful practice of discarding fish continued and it was regrettable that the report did not condemn such practices in sufficiently strong terms. Another aspect concerned the CAP and the right to freely sell the fruits of one's labour, which could, by analogy, be considered a fundamental right. The CAP needed to be radically reformed in line with the global economic context and moves needed to be made to suppress the customs and other obstacles to the sale on the European market of products from producers outside the European Union. This would contribute to the economic development of, for example, the countries of North Africa and in this way would help alleviate migration for economic reasons. It was regrettable that the report had missed the opportunity to raise this point.

Mr Haugli referred to the growing importance of fishing for the world's population. The report referred to Norwegian regulations which prohibited the discarding of fish. These practices, which were harmful to the environment, should have been criticised more strongly.

Mr Korkeaoja replied to the points raised by the members. Regarding the CAP from the point of view of protecting the rights of consumers could prompt citizens to pay closer attention. The post-war tendency towards intensive agriculture using chemical inputs and reducing labour was one of the reasons for the current ecological problems. Environmental requirements and the increase in the cost of inputs forced farmers to return to traditional natural and social production. This new type of production was described in the report. With regard to the Icelandic fishing policy, the report referred to individual transferable quotas which could be relevant for managing cod stocks in the Baltic Sea. However, not all of this policy could be transposed for all stocks and fish resources. The liberalisation of world trade in agricultural products was a difficult question; numerous problems had been raised during the Doha negotiations cycle. 10 years previously, the free movement of agricultural products had been the solution to the management of the food market on which the parties concerned had agreed, but this was no longer the case. Preferably, current production should take place as close as possible to consumers. Solutions to strengthen more local production should be found even though it would be impossible not to have recourse to imports. Lastly, the discarding of fish was a genuine waste of natural resources requiring a new stock management policy.

Mr Çavuşoğlu, President of the Assembly, returned to the chair.

The President closed the debate and presented an oral amendment by the rapporteur **Mr Korkeaoja** to the draft resolution to delete the word "perverse" in paragraph 4 of the resolution. Mr Chope objected. The amendment was adopted.

The President put to the vote the draft resolution contained in Doc. 12607, as amended, which was adopted with two abstentions [Resolution 1814 (2011)].

b. The potential dangers of electromagnetic fields and their effect on the environment

Doc. 12608

*Rapporteur of the Committee on the Environment, Agriculture and Local and Regional Affairs:
Mr Jean Huss (Luxembourg, SOC)*

Mr Huss presented the report on "The potential dangers of electromagnetic fields and their effect on the environment". A growing number of specialists, on the basis of studies financed by public funds, were warning about the risks of electromagnetic fields and on the need to lower the regulatory protection thresholds in force. Comparing these studies with those financed by the companies in the sector highlighted the question of conflicts of interest and the independence of the scientific expert input. It was the duty of the Assembly to alert governments and, by means of a draft resolution, put forward solutions and recommendations to guarantee the right to a healthy environment and ensure the independence of scientific expertise. Lastly, paragraph 8.3.2 of the draft resolution should be made more explicit by replacing the currently advocated ban on all mobile phones, DECT phones or WiFi or WLAN systems from classrooms and schools by the following wording: "for children in general, and particularly in schools and classrooms, give preference to wired Internet connections, and strictly regulate the use of mobile phones by schoolchildren on school premises".

Ms Pourbaix-Lundin noted that the scientific community was not in agreement on this issue. Consequently, there was no certainty that the risk would be lessened once the proposed recommendations were implemented. It was regrettable that the report and the draft resolution were worded in such forceful terms. Even though she welcomed the proposal to tone down the wording of paragraph 8.3.2, the proposal to have wired Internet connections in schools was not feasible because many schools no longer had this possibility. Accordingly, paragraph 8.3.2 should be deleted.

Mr Kox felt that this report had the merit of giving a warning about the danger of electromagnetic fields. Unfortunately, for years, the Assembly had been reluctant to take a position on the new technologies. Today, however, it was necessary to proceed with caution and avoid making radical proposals such as a total ban on the use of mobile phones in school premises. He welcomed the new toned-down wording proposed by the rapporteur.

Mr Kox, speaking on behalf of the Group of the Unified European Left, thanked Mr Huss, who would shortly be leaving the Assembly, for his strong commitment.

Mr Maissen acknowledged that the question of electromagnetic radiation was an important one. The Council of Europe should continue looking into this matter. The results of a recent study carried out in Switzerland should be taken into account in examining this issue, which he encouraged the Council of Europe to pursue.

Mr Corlatean felt that the aim of the Assembly was to send a political signal which, subsequently, would be reflected at legislative level. Concerning paragraph 8.3.2, there was a possible compromise between the two extremes of a total ban, which would be difficult to implement, and total freedom, which would have negative consequences not only on health, but also on the quality of education.

Mr Papadimoulis supported the new wording of the paragraph which he found more balanced.

Mrs Naghdalyan observed that a total ban did not equate to the negation of progress but could be justified by the higher interests of protecting children.

Mr Volontè congratulated the rapporteur for his readiness to modify the paragraph in question but concurred with the views of Ms Pourbaix-Lundin.

Mrs Feric-Vac thanked the rapporteur and said that mobile phones were now part of our daily life and that the way they were used by children would depend on how we educated them. With regard to Internet at school, this was often the only way for children from lower-income families to have access to information. Depriving them of the Internet could increase the inequalities already existing in society.

Mr Hougli conceded that the results of the scientific studies on this issue were often ambiguous. Nonetheless, it was necessary to call for the precautionary principle to be observed.

Mr Korkeaoja spoke further about the precautionary principle which was the guiding principle for making decisions in various fields, such as genetically modified organisms. There were differences in approach between Europe and the United States. Europeans accepted a product for which there had been scientific proof that it caused no harm, whereas in the United States, they waited for proof that a product was harmful before banning it. The difference was the degree of risk to be taken. Were we willing to have our children accept the risk that we accepted for ourselves today? The change to the draft resolution proposed by the rapporteur should be supported.

Mr Huss thanked the speakers and wished to make a few final remarks. The initial version of the draft resolution advocated a ban on the use of mobile phones in schools. This was a matter of education and health. Even though the option of a total ban had to be ruled out, the use of mobile phones in schools should be strictly regulated. With regard to wired Internet connections, this option existed and should be further promoted. Recent studies published by the Russian National Committee on Non-Ionising Radiation Protection advised against children under 16 years of age, pregnant women and persons suffering from certain diseases using mobile phones. It would be helpful to continue to address this issue in order to clarify certain points raised in the report.

The President closed the debate and said that two amendments had been presented to the draft resolution. If amendment No. 2 were adopted, amendment No. 1 would fall.

Ms Pourbaix-Lundin presented amendment No. 2. **Ms Brasseur** objected. Amendment No. 2 was rejected.

Mr Huss presented amendment No. 1. There were no objections. Amendment No. 1 was adopted.

The President put to the vote the draft resolution contained in Doc. 12608, as amended, which was adopted with three abstentions [Resolution 1815 (2011)].

15. SOCIAL HEALTH AND FAMILY AFFAIRS

Health hazards of heavy metals and other metals

Doc. 12613

*Rapporteur of the Social, Health and Family Affairs Committee:
Mr Jean Huss (Luxembourg, SOC)*

Mr Huss presented the report. The Assembly should seize this opportunity insofar as everyone, in his or her consumption habits, particularly as regards food, was exposed to heavy metals. Heavy metals, which were of natural or industrial origin, or the result of pollution, were to be found in jewellery, plastics, paint, medical products such as vaccines, etc. Moreover, in their conclusions of 10 February 2011, researchers working on the PHIME project (Public Health Impact of long term, low-level Mixed Element Exposure in susceptible population strata) warned against the dangers of certain heavy metals, primarily for foetuses and newborn babies. Measures such as the ban on leaded petrol, 20 years ago, or more recently the ban on cadmium in jewellery and plastics were encouraging signs but were not enough. In this connection, the question of conflicts of interest arose in various fields such as the use of mercury in certain vaccines or dental treatment. It was for the Assembly to ensure that people's rights to a healthy environment were upheld, for example through information activities, the drafting of technical measures to reduce the use or emission of heavy metals, or even their prohibition. Lastly, it was important to ensure university training, and also ongoing training for doctors in this field.

Mr Vareikis felt that the report could benefit from a few clarifications of a scientific nature given its title, as certain elements mentioned in the table were not heavy metals. The title of the report could be changed so as to cover all the elements referred to.

Mr Huss agreed with the speaker. A new title, "Health hazards of heavy metals **and other metals**" was adopted.

The President put to the vote the draft resolution contained in Doc. 12613, as amended, which was unanimously adopted [Resolution 1816 (2011)].

16. OTHER BUSINESS

Mr Seyidov informed members about the amnesty granted by the President of Azerbaijan to 100 or so prisoners whose names had appeared in the resolutions adopted by the Parliamentary Assembly.

17. NEXT MEETING

The Standing Committee **decided** to hold its next meeting in the United Kingdom (Edinburgh) on 25 November 2011.

The meeting **rose** at 1.15 pm.

Appendix 1

List of participants

President of the Assembly / Président de l'Assemblée

Mr Mevlüt ÇAVUŞOĞLU (EDG) Turkey

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

M. Jean-Claude MIGNON (PPE/DC) France
 Mr Tiny KOX (UEL) Netherlands
 Mme Ana GUȚU (ADLE) Moldova
 Mr Márton BRAUN (EPP/CD) Hungary
 Mr Erol Aslan CEBECİ (EPP/CD) Turkey

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

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

Mr Samad SEYIDOV Azerbaijan
 Mr Krasimir MINCHEV (for/pour Mrs Dzhema Grozdanova) Bulgaria
 Mr Andres HERKEL Estonia
 Mr Antti KAIKKONEN (for/pour Mrs Sinikka Hurskainen) Finland
 Mr Paata DAVITAIA (for/pour Mr Petré Tsiskarishvili) Georgia
 Mr Mördur ÁRNASON (for/pour Ms Lilja Mósesdóttir) Iceland
 Mr Håkon HAUGLI (for/pour Ms Karin S. Woldseth) Norway
 Mr Dariusz LIPIŃSKI Poland
 M. Titus CORLĂȚEAN (for/pour M. Cezar Florin Preda) Roumanie
 Mr Dragoljub MIĆUNOVIĆ Serbia
 Ms Marietta de POURBAIX-LUNDIN Sweden
 M. Theo MAISSEN Suisse
 M. Ivan POPESCU Ukraine

Chairperson of the Political Affairs Committee / Président(e) de la Commission des questions politiques

Mr Björn von SYDOW (SOC) Sweden

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

Mrs Hermine NAGHDALYAN (ALDE) Armenia

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

Mme Liliane MAURY PASQUIER (SOC) Suisse

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

Mr Christopher CHOPE 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 Gvozden Srećko FLEGO (SOC) Croatia

**Chairperson of the Committee on the Environment, Agriculture and Local and Regional Affairs/ Président(e)
de la Commission de l'environnement, de l'agriculture et des questions territoriales**

Mr Dimitrios PAPADIMOULIS (for/pour Mr Aleksei Lotman) Greece

**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**

Mrs Mirjana FERİĆ-VAC (for/pour Mr José Mendes Bota) Croatia

**Chairperson of the Committee on Rules of Procedure, Immunities and Institutional Affairs /
Président(e) de la Commission du Règlement, des immunités et des affaires institutionnelles**

Mr Egidijus VAREIKIS (EPP/CD) Lithuania

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

M. Jean HUSS	Luxembourg
Mr Tadeusz IWİŃSKI	Poland
Mr Juha KORKEOJA	Finland
Mrs Yuliya LIOVOCHKINA	Ukraine
Mr Andrea RIGONI	Italy

Invited personalities / Personnalités invitées

Mr Volodymyr LYTVYN, Chairman of the Verkhovna Rada of Ukraine/Président du Verkhovna Rada d'Ukraine
Mr Kostyantyn GRYSHCENKO, Minister for Foreign Affairs of Ukraine, Chairman of the Committee of Ministers of the Council of Europe/ ministre des Affaires étrangères de l'Ukraine, Président du Comité des Ministres du Conseil de l'Europe

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

Mr Wojciech SAWICKI, Secretary General of the Parliamentary Assembly/Secrétaire Général de l'Assemblée parlementaire
Mr Horst SCHADE, Director of General Services/Directeur des Services Généraux
Mr Alfred SIXTO, Head of the Table Office/Chef du Service de la Séance
Mr Petr SICH, Head of the Private Office of the President of the Parliamentary Assembly/Chef de Cabinet du Président de l'Assemblée parlementaire
Mrs Kateryna GAYEVSKA, Secretary of the Standing Committee/Secrétaire de la Commission permanente

Council of Europe / Conseil de l'Europe

Mr Thorbjørn JAGLAND, Secretary General of the Council of Europe/Secrétaire Général du Conseil de l'Europe
Mr Bjørn BERGE, Director of Private Office/Directeur de Cabinet
Mr Christophe POIREL Deputy Secretary to the Committee of Ministers/Secrétaire Adjoint du Comité des Ministres
Mr Vladimir RISTOVSKI Representative of the Secretary General of the Council of Europe in charge of the co-ordination of the Council of Europe co-operation programmes in Ukraine / Représentant du Secrétaire général du Conseil de l'Europe pour la coordination des programmes de coopération du Conseil de l'Europe en Ukraine
Mr Alexandre GUESSEL, Adviser, Private Office of the Secretary General and the Deputy Secretary General/Conseiller, Cabinet du Secrétaire Général et de la Secrétaire Générale Adjointe

APPENDIX II**SYNOPSIS**

The **Standing Committee**, meeting on 27 May 2011 in Kyiv (Ukraine), with Mr Çavuşoğlu, President of the Assembly, in the Chair:

- heard a welcome address by Mr Volodymyr Lytvyn, Chairman of the Verkhovna Rada of Ukraine;
- held an exchange of views with Mr Kostyantyn Gryshchenko, Minister for Foreign Affairs of Ukraine, Chairman of the Committee of Ministers of the Council of Europe;
- ratified the credentials of new members of the Assembly submitted by the delegations of Estonia and Moldova;
- ratified the changes in the composition of Assembly committees in respect of the delegations of Estonia and Moldova and in the composition of the Committee on Rules of Procedure, Immunities and Institutional Affairs with regard to the EPP/CD political group;
- took note of the draft agenda of the third Part-Session of the Assembly (20-24 June 2011);
- ratified the references proposed by the Bureau which are contained in the Appendix hereafter;
- took note of the report of the Ad hoc Committee of the Bureau on the "Observation of the early presidential election in Kazakhstan (3 April 2011)";
- took note of the information report by the Political Affairs Committee on "Iran's nuclear programme: the need for an effective international response";
- adopted, on behalf of the Assembly, the following texts:

Recommendation 1971 (2011)	The impact of the Eastern Partnership of the European Union on governance and economic development in eastern Europe
Resolution 1812 (2011)	The impact of the Eastern Partnership of the European Union on governance and economic development in eastern Europe
Resolution 1813 (2011)	Promoting microcredit for a more social economy
Resolution 1814 (2011)	Reforms of the Common Fisheries Policy and the Common Agricultural Policy
Resolution 1815 (2011)	The potential dangers of electromagnetic fields and their effect on the environment
Resolution 1816(2011)	Health hazards of heavy and other metals

- decided to hold its next meeting in Edinburgh (United Kingdom), on 25 November 2011.

Appendix: Decisions on documents tabled for references to committees**A. REFERENCES TO COMMITTEE**

1. **The need for an international inquiry into the crackdown against the Belarusian opposition in December 2010**
Motion for a resolution presented by Mrs Beck and others
Doc. 12543

Reference to the Political Affairs Committee for report

2. **Metsamor nuclear power station - a vital threat to Europe in the present and the future**
Motion for a resolution presented by Mr R. Huseynov and others
Doc. 12580

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

3. **Fighting “child sex tourism” through committed legal and political action**
Motion for a resolution presented by Mr Volontè and others
Doc. 12582

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

4. **Strengthening consumer rights protection mechanisms**
Motion for a resolution presented by Mr Marquet and others
Doc. 12584

Transmission to the Social, Health and Family Affairs Committee for information

5. **Improving user protection and security in cyberspace**
Motion for a resolution presented by Mr Fischer and others
Doc. 12585

Reference to the Committee on Culture, Science and Education for report and to the Committee on Legal Affairs and Human Rights for opinion

6. **Reinforcing the selection processes of experts of the monitoring mechanisms of the Council of Europe**
Motion for a resolution presented by Mr Cilevićs and others
Doc. 12586

Reference to the Committee on Legal Affairs and Human Rights for report

7. **Criteria for the definition of a political prisoner**
Motion for a resolution presented by Mr Conde Bajén and others
Doc. 12587

Consultation of the Committee on Legal Affairs and Human Rights for a possible follow-up to be given

8. **Lives lost in the Mediterranean sea: who is responsible?**
Motion for a resolution presented by Mrs Strik and others
Doc. 12617

Reference to the Committee on Migration, Refugees and Population for report

B. REPLY AFTER CONSULTATION

1. **The state of media freedom in Europe**
Motion for a recommendation presented by Mr Mats Johansson and others
Doc. 12518

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