

Canada - Europe
Parliamentary Association



Association parlementaire
Canada - Europe

**Report of the Canadian Parliamentary Delegation
respecting its participation
at the Fourth Part of the 2015 Ordinary Session
of the Parliamentary Assembly of the Council of Europe**

Canada-Europe Parliamentary Association

**Strasbourg, France
September 28–October 2, 2015**

Report

Hon. George Furey, Senator, Hon. Ghislain Maltais, Senator; travelled to Strasbourg to participate in the Fourth Part of the 2015 Ordinary Session of the Parliamentary Assembly of the Council of Europe (PACE or Assembly), in which Canada enjoys observer status, along with Israel and Mexico. The delegates were accompanied by the Association Secretary, Ms. Guyanne Desforges.

A. Background: The Council of Europe

1. Mandate and Function of the Council of Europe

The Council of Europe is an intergovernmental organization whose aims are:

- to protect human rights, pluralist democracy and the rule of law;
- to promote awareness and encourage the development of Europe's cultural identity and diversity;
- to find common solutions to the challenges facing European society, such as discrimination against minorities, xenophobia, intolerance, bioethics and cloning, terrorism, trafficking in human beings, organised crime and corruption, cybercrime, violence against children; and
- to consolidate democratic stability in Europe by backing political, legislative and constitutional reform.

The Council's main institutions are the Committee of Ministers (its decision making body, composed of member states' foreign ministers or their deputies), the Parliamentary Assembly, the Commissioner for Human Rights, the European Court of Human Rights and the Congress of Local and Regional Authorities.¹

2. Canada's Role at the Parliamentary Assembly of the Council of Europe

Canada is an observer to both the Committee of Ministers, where it has participated actively in a number of policy areas (the other observers are the Holy See, Japan, Mexico and the United States) and the Parliamentary Assembly (where the other observers are Israel and Mexico).

Canadian parliamentarians play an important role in the various political and intergovernmental institutions of Europe. Involvement by Canadian parliamentarians parallels Canada's diplomatic and ministerial efforts in Europe to promote Canadian interests there. Of particular importance are the parliamentary contacts at the

¹ More information on the mandate and function of the Council of Europe is available on the organization's website (<http://www.coe.int/en/>).

Parliamentary Assembly of the Council of Europe and the opportunities for Canadian parliamentarians to participate in debates in the plenary Assembly and in the Committees of PACE.

Canadian parliamentary delegates have the opportunity to speak directly with parliamentary counterparts from member states of the Council of Europe. Each of the 28 member states of the European Union (EU) are also members of the Council of Europe. This is a valuable entry point for Canada to raise issues of common interest, defend national interests, explain misunderstandings, and address specific irritants in relations between Canada and specific member states. This is particularly important in the next stage of the Canada-Europe Comprehensive Economic and Trade Agreement (CETA) which will require ratification by all member states of the EU and approval of the European Parliament and the Council of the EU. Participation in PACE will continue to provide unique opportunities to promote the agreement to ensure its ratification and address any potential concerns by EU member states that are also member states of the Council of Europe. Canadian parliamentarians will continue to play a valuable role in this endeavour.

Although Canada is not entitled to vote on resolutions of the Assembly or draft resolutions in the committees (except with respect to matters relating to the Organization for Economic Co-operation and Development, of which Canada is a member), Canadian parliamentarians are entitled to speak to these matters. This provides a valuable opportunity to ensure Canadian interests in a particular matter are communicated in an important international forum. It also ensures that Canadian perspectives are considered in the Council of Europe's development of broad positions on international matters.

B. Overview of the Agenda of the Parliamentary Assembly of the Council of Europe

A wide range of topics were debated in the Assembly, and in its committees and political groups. The Assembly held debates on the following:

- Current affairs debate: A comprehensive humanitarian and political response to the migration and refugee crisis in Europe
- Progress report of the Bureau and the Standing Committee
- Public health and the interests of the pharmaceutical industry: how to guarantee the primacy of public health interests
- After Dublin – the urgent need for a real European asylum system
- Countries of transit: meeting new migration and asylum challenges
- The activities of the Organisation for Economic Co-operation and Development (OECD) in 2014-2015
- Implementation of judgments of the European Court of Human Rights

- Freedom of religion and living together in a democratic society
- Abuse of pretrial detention in States Parties to the European Convention on Human Rights
- Progress of the Assembly's monitoring procedure (October 2014 - August 2015)
- Equality and shared parental responsibility: the role of fathers
- Rethinking the anti-doping strategy

The Assembly also heard from the following speakers:

- Mr. Igor CRNADAK, Minister for Foreign Affairs of Bosnia and Herzegovina, Chairman of the Committee of Ministers
- His Royal Highness the Grand Duke of Luxembourg
- Mr. Thorbjørn JAGLAND, Secretary General of the Council of Europe
- Mr. Denis ZVIZDIĆ, Chairman of the Council of Ministers of Bosnia and Herzegovina
- Mr. Aleksandar VUČIĆ, Prime Minister of Serbia

C. Canadian Activities during the Session

1. Overview

The members of the delegation participated in proceedings of the Parliamentary Assembly of the Council of Europe including plenary proceedings and committee meetings, in particular, the Committee on Migration, Refugees and Displaced Persons, ; the Committee on Equality and Non-Discrimination; the Committee on Culture, Science, Education and Media; and the Committee on Social Affairs, Health and Sustainable Development.

2. Other Issues

The crisis in Migration and Refugees was a central issue for the delegation, as well as for the whole Assembly, during the Fourth Part of the 2015 Ordinary Session. In response to the current migrant crisis in Europe, the Secretary General has issued guidance to the Council of Europe's 47 member States regarding "the Protection of migrants and asylum-seekers: States' main legal obligation under the Council of Europe Conventions". The Council of Europe's important commitment in the field of human rights of migrants is well-established. As indicated in the Secretary General's Framework for Council of Europe Work on Migration Issues of 2011-2013, the Council of Europe has already developed an impressive corpus of standards concerning the human rights of migrants relating to both their reception and their integrations. The subject was well debated during the Current Affairs Debate on Tuesday afternoon.

The delegation also followed the debate on the activities of the Organisation for Economic Co-operation and Development (OECD) for 2014-2015. The secretary

General, Mr. Angel Gurria commented on the report and a resolution was adopted (doc. 13865).²

The third Vaclav Havel 2015 Human Rights Prize which honours outstanding civil society action in defence of human rights was awarded to veteran Russian human rights defender, Ms. Ludmilla Alexeeva.

Election for Judge to the European Court of Human Rights in respect of the Slovak Republic took place and Mr. Wojciech Sawicki was re-elected for a second term as the Secretary General of the Parliamentary Assembly.

3. Canadian Intervention in Assembly Debates

Canadian delegates were active participants in Assembly debates during this fourth session, making two interventions in debates which included the current affairs and on the public health and pharmaceutical debates.

Tuesday, 29 September 2015

Public health and the interest of the Pharmaceutical industry: how to guarantee the primacy of public health interests.

Senator George Furey spoke on this issue. The text of the speech as delivered in the Assembly is reproduced here.

I thank the President for the opportunity to participate in this debate on balancing the importance of public health with the interests of the pharmaceutical industry. I thank the rapporteur, Ms Maury Pasquier, for her excellent report on this important matter.

As noted by the rapporteur, the pharmaceutical industry plays an important role in the public health sector, notably by investing in research and development for new medicines. It also represents an important sector of economic activity. That is true in many Council of Europe member states and also in Canada, where the supervision of the pharmaceutical industry is a responsibility shared between the federal, provincial and territorial governments. The federal government is responsible for authorising the sale of medicines on the basis of their safety, efficacy and quality. The intellectual property regime, which includes the management of pharmaceutical patents, is also a federal responsibility.

The provincial and territorial governments are responsible for administering and delivering health care, which includes deciding which medicines are covered by

² <http://assembly.coe.int/nw/xml/XRef/Xref-DocDetails-EN.asp?FileID=22185&lang=EN>

the public system. Because they are responsible for the regulation of professional orders, provincial and territorial governments also regulate the scope and standards of practice of health care practitioners. Provincial and territorial regulations aim to prevent undue influence of the pharmaceutical industry over health care practitioners. In 2014, the pharmaceutical industry was responsible for \$31 billion in medical expenditure, which represents approximately 16% of total health care expenditure in Canada, second only to health care expenditure after hospital costs.

Regarding the relationship between the pharmaceutical industry and the health sector, I fully support the resolution calling on the industry to increase its efforts to avoid conflicts of interest, to increase transparency and to co-operate more closely with the public authorities in the health sector. I also support the rapporteur's conclusion that while a responsible balance must be struck between the industry's private interests and public health interests, it is paramount that health policies be decided in line with patients' needs, and public health and safety concerns.

Debate under current affairs: A comprehensive humanitarian and political response to the migration and refugee crisis in Europe

Senator Ghislain Maltais delivered a speech on comprehensive Humanitarian and Political Response to the Migration and Refugee Crisis in Europe. The text of the speech as delivered in the Assembly is reproduced here.

I thank the Parliamentary Assembly for allowing Canada to take the floor in a debate on this unprecedented crisis. I need hardly remind you that the crisis affects not only the borders of Europe but goes far beyond it to the entire democratic civilised world. We cannot let Europe deal with this problem on its own. Canada is a welcoming country born from immigration. People in every one of the 47 member countries of the Council of Europe have descendants who live in Canada. Every year we welcome a significant number of refugees and migrants.

Canada understands the European community and would like to join it in helping to find a concrete solution to this crisis as swiftly as possible. Since the beginning of the crisis in 2011, Canada has ring-fenced \$800 million in refugee aid, which has been allocated to countries bordering Syria. An emergency fund of \$5 million has been announced by UNICEF, and Canada will contribute 1 million Canadian dollars to that. Canada has also committed itself to take in 23 000 Iraqi refugees and other Syrian refugees. We have sent immigration officers out to the region to speed up the process of welcoming them to our country. We would like to point

out that although we are 6 000 kilometres from your continent, we are very close to you in our thoughts and we are reaching out our hands to you.

Discussions should have been held by now. Enough has been said; it is now time to take action. We need to take humanitarian action and provide food, help and shelter, exactly as we did after the last world war and exactly as we have done when other crises have broken out. America and the European community need to work in unison.

The President of PACE, Anne Brasseur thanked everyone for their participation and indicated that she was looking forward to the next session at the beginning of the New Year.

Respectfully submitted,

Mr. David Tilson, M.P.
President
Canada-Europe Parliamentary Association

Travel Costs

ASSOCIATION	Canada-Europe Parliamentary Association
ACTIVITY	Fourth Part of the 2015 Ordinary Session of the Parliamentary Assembly of the Council of Europe
DESTINATION	Strasbourg, France
DATES	September 28–October 2, 2015
DELEGATION	
SENATE	Hon. Ghislain Maltais Hon. George Furey
HOUSE OF COMMONS	--
STAFF	Ms. Guyanne Desforges Association Secretary
TRANSPORTATION	\$14 863,45
ACCOMMODATION	\$ 4 790,37
HOSPITALITY	- \$
PER DIEMS	\$ 2 503,81
OFFICIAL GIFTS	- \$
MISCELLANEOUS / REGISTRATION FEES	- \$
TOTAL	\$ 22 157,63