

Canada - Europe
Parliamentary Association



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**Report of the Canadian Parliamentary Delegation
respecting its participation
at the First Part of the 2014 Ordinary Session
of the Parliamentary Assembly of the Council of Europe**

Canada-Europe Parliamentary Association

**Strasbourg, France
January 27-31, 2014**

Report

Mr. Corneliu Chisu, MP, delegation Chair; Hon. Michel Rivard, Senator; Ms. Marjolaine Boutin-Sweet, MP; Mr. Sean Casey, MP; and Ms. Stella Ambler, MP, travelled to Strasbourg to participate in the first part-session of the Parliamentary Assembly of the Council of Europe (PACE or Assembly), in which Canada enjoys observer status, along with Israel and Mexico. They were accompanied by Association Secretary, Mr. Maxime Ricard, and by Association Advisor, Mr. Sebastian Spano. The delegation was joined in Strasbourg by Mr. Alain Hausser, First Secretary in the Canadian mission to the European Union and Canada's Permanent Observer to the Council of Europe.

A. Background: The Council of Europe

1. Mandate and Function of the Council of Europe

The Council of Europe is an intergovernmental organisation 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.

Founded in 1949, the Council of Europe has now reached a membership of 47 countries from the Azores to Azerbaijan, and from Iceland to Cyprus, with Montenegro joining as its newest member in May 2007. The Council's main objective is to promote and defend democratic development and human rights, and to hold member governments accountable for their performance in these areas. However, it is also very active in fostering international cooperation and policy coordination in a number of other areas, including legal cooperation, education, culture, heritage, environmental protection, health care, and social cohesion. The Council of Europe is responsible for the development of more than 200 European treaties or conventions, many of which are open to non-member states, in policy areas such as human rights, the fight against organized crime, the prevention of torture, data protection and cultural co-operation.¹

¹ For a complete list of the Council of Europe's treaties, see:
<http://conventions.coe.int/Treaty/Commun/ListeTraites.asp?CM=8&CL=ENG>.

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.

The Parliamentary Assembly consists of 636 members (318 representatives and 318 substitutes), who are elected or appointed by the national parliaments of the 47 Council of Europe member states from among their members. The parliaments of Canada, Israel and Mexico currently hold observer status with PACE. The special guest status of Belarus, which had applied for membership in the Council of Europe in 1993, was suspended in January 1997 in the wake of the adoption of a new constitution in Belarus, which was widely seen as undemocratic.

The Assembly elects the Secretary General of the Council of Europe, the judges of the European Court of Human Rights and the Council's Commissioner for Human Rights. It is consulted on all new international treaties drafted by the Council, holds the Council and member governments accountable, engages in studies of a range of issues of common interest to Europeans and provides a common forum for debate for national parliamentarians. The Assembly has played an important role in the process of democratization in Central and Eastern Europe and actively monitors developments in member countries, including national elections. It meets four times a year in Strasbourg, with committee meetings taking place more frequently. Council and Assembly decisions and debates are often reported widely in the European media.

The Council of Europe and its Parliamentary Assembly bring together policy and decision-makers from a range of politically, culturally, and geographically diverse countries. Together, the Council and Assembly provide the primary forum for the formation of a trans-European political community committed to democracy and human rights. The Parliamentary Assembly also provides parliamentary oversight functions for several key international organizations, including the Organization for Economic Cooperation and Development, the European Bank for Reconstruction and Development (EBRD) and the International Organization for Migration (IOM). This wide ranging role in international policy-making and in the promotion and protection of democracy and human rights makes the Council and Assembly an important venue for pursuing and advancing Canada's multilateral and bilateral engagement in Europe.

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 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 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 European Union. 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:

- Progress report of the Bureau of the Assembly and the Standing Committee;
- Communication from the Committee of Ministers to the Parliamentary Assembly;
- Refusing impunity for the killers of Sergei Magnitsky;
- A strategy to prevent racism and intolerance in Europe;

- Election of judges to the European Court of Human Rights;
- Tackling racism in the police;
- Evaluation of the partnership for democracy in respect of the Palestinian National Council;
- Internet and politics: the impact of new information and communication technology on democracy;
- Syrian refugees: how to organise and support international assistance;
- Migrants: ensuring they are a benefit for European host societies;
- Integration tests: helping or hindering integration;
- Debates under the urgent procedure:
- The functioning of democratic institutions in Ukraine;
- Free debate;
- Stepping up action against global inequalities: Europe's contribution to the Millennium Development Goals (MDG) process;
- Climate change: a framework for a global agreement in 2015;
- Energy diversification as a fundamental contribution to sustainable development;
- Revision of the European Convention on Transfrontier Television; and
- Accountability of international organisations for human rights violations.

The Assembly also heard from the following speakers:

- Mr. Martin Schulz, President of the European Parliament;
- Mr. Werner Faymann, Federal Chancellor of Austria;
- Mr. Sergey Naryshkin, Speaker of the State Duma of the Russian Federation;
- Mr. Serzh Sargsyan, President of Armenia;
- Mr. Thorbjørn Jagland, Secretary General of the Council of Europe;
- Mr. Tomislav Nikolic, President of Serbia.

C. Canadian Activities during the Session

1. Overview

The members of the delegation actively participated in proceedings of the Parliamentary Assembly of the Council of Europe including plenary proceedings and committee meetings, in particular, the Committee on Political Affairs and Democracy; the Committee on Legal Affairs and Human Rights; 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. In addition, the members attended meetings of the various political groups in the Assembly.

The delegation was briefed by Mr. Alain Hausser, Canada's Permanent Observer to the Council of Europe. A number of special meetings with representatives from three member states of the European Union and the Council of Europe, to discuss issues arising from Canada's relationship with the European Union: Romania, Italy and Bulgaria. In addition, Canadian delegates met with delegates from the Turkish Parliament to discuss matters of mutual interest.

Meetings were also held with several entities within the Council of Europe including: the Congress of Regional and Local Authorities; the Council of Europe Development Bank; and the European Committee on Crime Problems.

2. Briefing by Canada's Permanent Observer to the Council of Europe

Mr. Alain Hausser provided the delegates with an update on the developments in the European Union of interest to Canada and the work of the Canadian mission to the European Union in furthering those interests. Mr. Hausser briefed the delegation on the several specific issues relating to Canada-Europe relations:

- Visas
- The Canada-European Union Comprehensive Economic and Trade Agreement
- Permanent Representative's Work with the Committee of Ministers of the Council of Europe
- World Trade Organization Decision on the EU Seal Products Ban
- The European Union's Fuel Quality Directive

a. Visa Dispute

Canada's imposition of visa requirements on several EU member states, particularly Bulgaria and Romania, continues to be a point of contention in Canada's relationship with the European Union. It was an important topic of discussion at the delegation's last meeting with Mr. Hausser in January 2014.² It continues to be an issue that will require discussion.

As noted in previous reports, visas are required for Bulgarian and Romanian nationals wishing to visit Canada.³ The visa requirement was recently lifted for nationals of the Czech Republic. Canada imposed this requirement following an extremely large number of applications for refugee protection from nationals of those countries. Many, if not most, of those applications were later abandoned and the applicants unable to be located. This raised suspicions that the applications for refugee protection were unfounded.

Canada came under criticism from the affected countries and the European Union for its decision to impose visas. Amendments to the *Refugee Protection Act* and the enactment of the *Balanced Refugee Reform Act* respond to these criticisms with the ultimate goal being to offer visa-free travel to nationals of all EU countries. The legislation authorizes the Minister of Citizenship and Immigration to establish a list of designated countries. Nationals from these designated countries would not be subject to visa requirements to enter Canada.⁴

Recently, the European Commission proposed an amendment to EU regulations dealing with visa requirements.⁵ The proposal seeks to impose a so-called "reciprocity" requirement on third countries such as Canada, which is currently exempted from such a requirement. Imposing reciprocity on Canada would mean that Canadians would require a visa to enter the EU.

The European Parliament subsequently adopted a first reading position approving the European Commission's proposal. Since the proposal of the Commission is subject to the ordinary or "co-decision" legislative procedure, it also needs to be approved by the

² See, [Report of the Canadian Parliamentary Delegation on the Fourth Part of the 2013 Ordinary Session of the Parliamentary Assembly of the Council of Europe](#), tabled in the House of Commons on 5 February 2014.

³ It should be noted that the EU has chosen, up to now, not to include Bulgaria and Romania within the "Schengen Zone" which allows visa-free travel within most EU (and some non-EU) countries, lending further support to Canada's position.

⁴ The legislation also provides an accelerated appeal process should the claims for refugee status from these nationals be denied. See J. Béchar and S. Elgersma, Legislative Summary of Bill C-31: An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Marine Transportation Security Act and the Department of Citizenship and Immigration Act, Library of Parliament, Revised 4 June 2012: http://www.parl.gc.ca/About/Parliament/LegislativeSummaries/bills_ls.asp?ls=c31&Parl=41&Ses=1#a11.

⁵ Council Regulation (EC) No 539/2001 which lists third countries whose nationals must hold visas to enter the EU's external borders and those countries whose nationals are exempt from that requirement.

Council of the European Union (Council), the other legislative body in the bi-cameral legislative process in the EU.⁶ Final approval will be required from the members of the Schengen Area, the visa-free zone within Europe, consisting of 22 EU member states and four non-member states.⁷

Mr. Hausser reported that the Canadian mission continues to actively lobby the European Parliament along with the Council to ensure that Canada retains its visa-free status.

b. Canada-European Union Comprehensive Economic and Trade Agreement

The negotiations for the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) were concluded with the signing of an agreement on 18 October 2013. The agreement will need to be approved by the Council and the European Parliament. The assumption is that the agreement is a so-called “mixed agreement,” or an agreement that touches on the competences (jurisdictions) of both the EU and the member states. If this is indeed the case, under the EU treaties the agreement will need to be ratified by all 27 member states of the EU. It is unclear, however, the extent to which the agreement is a mixed agreement. It was suggested that much of the agreement deals with matters over which the EU has legislative competence.

Mr. Hausser and the delegates also discussed the role of the European Parliament in the ratification process. Under the Treaty on the Functioning of the European Union (Article 218.6), the Parliament has an effective veto over many international agreements. (This new power was granted under the Lisbon Treaty which came into force in 2012.) This is the case for certain trade agreements where the subject-matter of the agreements is subject to the co-decision process, such as matters concerning the common market. The CETA would be subject to approval by the European Parliament.⁸

Mr. Hausser expressed optimism that the agreement would be ratified. He also reported on some new bilateral initiatives between Canada and the European Union: a long-term Agreement on Passenger Name Records (concluded, not signed);⁹ and the Treaty on

6 European Parliament, [Legislative Resolution of 12 September 2013](#) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.

7 For a listing of the members of the Schengen Area, see the European Commission's [Home Affairs](#) web page.

8 The European Parliament exercised this power in rejecting the Anti-Counterfeiting Trade Agreement (ACTA), of which Canada is a signatory (ratification has yet to take place.) As a result, the European Union will not be a party to this agreement when it comes into force with ratification by a sufficient number of signatories (six). Negotiations for the ACTA were concluded in October 2010. See Canada Treaty Information. <http://www.treaty-agreement.gc.ca/index.aspx?lang=eng>

9 The original agreement was signed in 2006. The negotiations are for the purpose of amending the agreement. The draft agreement is currently pending with the Council for its signature. It will also require the consent of the European Parliament. In the meantime, the 2006 agreement remains in force. See [European Commission, Home Affairs](#), for an overview of the proposed agreement.

the Exchange of Classified and Protected Information (under negotiation). Mr. Hausser described the latter agreement as a response to the disclosure of classified information by Edward Snowden.

c. Update on the Permanent Representative`s Work with the Committee of Ministers of the Council of Europe

Canada`s Permanent Representative to the Council of Europe, based in Canada`s mission to the European Union in Brussels, is responsible for Canada`s relations with the Council of Europe at the diplomatic and executive level, while relations at the parliamentary level are conducted by the Parliament of Canada delegates to the PACE. Mr. Hausser provided an update on some recent developments involving the Committee of Ministers of the Council of Europe. He reported that his office works closely with officials in the Department of Foreign Affairs and Trade to seek out opportunities for closer collaboration with the Council of Europe, particularly in the areas of legal cooperation. He mentioned that representatives from the Department of Justice (Canada) were to hold meetings in February 2014 to discuss collaboration on Council of Europe projects.

d. World Trade Organization Decision on the EU Seal Products Ban

In November 2013, a World Trade Organization dispute settlement panel issued its report on measures adopted by the European Union to prohibit the importation and marketing of seal products. A challenge to those measures, contained in Regulation (EC) No. 1007/2009 of the European Parliament and of the EC Council of 16 September 2009 on trade in seal products, and subsequent related measures, was brought by Norway and Canada. The WTO panel found that the EU measures did not violate the various provisions of the General Agreement on Trade and Tariffs dealing with technical barriers to trade. It found that the measures were justified as addressing “EU public moral concerns on seal welfare.”¹⁰ Mr. Hausser gave delegates his perspective on the case and expressed the concern that in the long run the decision may have detrimental effects on the EU`s own products (fois gras, veal and other meat products, for example), which may be vulnerable to trade barriers imposed by other countries based on similar public moral objections.¹¹

¹⁰ See World Trade Organization, [Dispute WT/DS 401](#). The full title of the report is: “European Communities — Measures Prohibiting the Importation and Marketing of Seal Products” (WT/DS400 and WT/DS401).”

¹¹ Canada and Norway filed notices of appeal of the panel report on 24 January 2014. See [WTO news release](#), 24 January 2014. Copies of the appeal arguments can accessed through the website. The [appeal](#) was heard from 17 to 19 March 2014.

e. EU Fuel Quality Directive

Delegates engaged in a follow-up discussion with Mr. Hausser on the latest developments surrounding the EU's fuel quality directive (FQD). The background to the issue and an explanation of the technical aspects of the FQD are explained in the delegation's report to Parliament on the fourth part session of the PACE in 2013.¹² The effect of the FQD is that it assigns a greenhouse gas (GHG) intensity value to oil sands crude that is 22% higher than the value that is assigned to crudes from other countries whose crude oil has a similar GHG intensity.

Mr. Hausser noted that the European Commission is continuing its impact assessment of the FQD. Its implementation, therefore, remains uncertain. For the time being, the Commission appears to be taking a measured approach.

f. Other Issues

Mr. Hausser provided an overview of general political and economic developments in Europe. He noted that there will be important elections to several EU member state parliaments as well as to the European Parliament. He noted the rise in populist and nationalist movements in Europe which could have an impact on the EU, particularly on economic policies.

He commented as well on the controversy surrounding the leak of sensitive security documents by Edward Snowden. Many European countries are upset about the allegations of spying by the United States of America and the United Kingdom. Canada may be seen to be implicated in the spying charges because of our close security relationship with both countries.

Mr. Hausser also discussed with delegates the political situation in Turkey. There are reports that the government is facing a corruption investigation. Concerns are also noted in the media about the treatment political opponents and the media, including reports on the incarceration of journalists.

¹² See, *Report of the Canadian Parliamentary Delegation on the Fourth Part of the 2013 Ordinary Session of the Parliamentary Assembly of the Council of Europe*, tabled in the House of Commons on 5 February 2014 (at p. 7).

3. Meeting with the Romanian Delegation to the PACE

A meeting was held with several members of the Romanian delegation to discuss among other things, Romania's position on visas, the ratification of the CETA, and relations between Canada and Romania. As Romania is also a member of the EU, a meeting was seen to be beneficial for Canadian interests in these areas.

As discussed earlier in this report, Romanian nationals require a visa to enter Canada. The Romanian delegates consider this requirement to be problematic. Canadian delegates took the opportunity presented by this meeting to explain the rationale for the requirement. They explained that while Romania is currently not on the list of countries that are exempted from the visa requirement, Canada is working towards elimination of the requirement for both Romania and Bulgaria.

On the CETA, Romania generally supports the agreement, but the Romanian delegates urged Canada to reconsider its position on visas for Romanian nationals. While Canada is not a large trading partner with Romania there are many areas for economic partnerships including in the promotion of nuclear energy and mining.

Delegates from both countries discussed the situation of Roma minorities in Eastern Europe and human trafficking. Romania has made considerable efforts to help integrate Roma into the mainstream economic and political life of the country. Examples of these efforts include the establishment of new governmental institutions with Roma representation, special funds for education, training and social programs, and the allocation of minority seats in parliament, some of which are filled by Roma.

Human trafficking remains a problem in Romania, mainly as a transit point between other Eastern European countries and the rest of the world. Despite the myriad laws in place to deal with human trafficking, enforcement remains a problem.

Canadian delegates also raised the issue of Romania establishing extraterritorial voting constituencies in Canada to enable Canadians of Romanian origin to vote in Romanian elections. Canada objects to its territories being designated, effectively, as foreign electoral districts.

4. Meeting with the Bulgarian Delegation to the PACE

The meeting with the Bulgarian delegation raised issues similar to those raised with the Romanian delegation. While generally supportive of Canada in its relations with the EU, it continues to have concerns with Canada's imposition of visa requirements. Bulgaria voted against the FQD proposal of the European Commission and has indicated that it supports the CETA. However, it wishes to see more progress on removing the visa requirement for Bulgarian visitors to Canada. While Canada lacks a permanent diplomatic presence in the capital, Sofia, it has established a visa processing centre

there. This will help to ease some of the irritants. However, Bulgaria has made it clear that the lifting of the visa requirement is a prerequisite to ratifying the CETA. Both countries, however, are hopeful that the issue could be resolved through diplomatic channels.

Delegates discussed some of the areas for economic cooperation and trade opportunities including Canadian mining and forestry equipment and expertise as well as energy development in Bulgaria. Bulgarians are also very interested in cultural exchanges with Canada. The situation of the Roma was briefly discussed. The Bulgarian delegation noted that considerable efforts are made to support Roma integration into Bulgarian society, but acknowledged that more state help is needed, particularly in improving access to educational opportunities and to provide more assistance following completion of studies.

5. Meeting with the Italian Delegation to the PACE

A bilateral meeting was arranged with the Italian delegation to the PACE. This meeting was seen as providing an important opportunity for Canadian parliamentarians to raise concerns or matters of interest to Canada with the country that will assume the rotating presidency of the Council of the European Union (Council), one of the legislative bodies in the EU in July 2014.¹³

Delegates discussed Canada's numerous political, economic and cultural links with Italy. In political terms, Italy is described as a key partner in advancing Canada's international priorities in a range of international forums and in the European Union. Our countries are like-minded in our approach to global and regional issues. We are partners in a broad range of international institutions such as the UN, G-8/G-20, and NATO.

In EU matters of interest to Canada, Italy has consistently demonstrated support for Canada. Of particular note is Italy's vote against the EU's Fuel Quality Directive. Italy has also consistently expressed support for CETA and in this regard it is noted that Italy is a significant net exporter to Canada. Canada's merchandise imports from Italy were valued at \$5.2 billion in 2012, while Canadian exports to Italy totalled \$1.7 billion. Both countries recognize the potential for further expansion of the trading relationship.

Italy's priorities for its work program when it assumes the rotating presidency of the Council are based on four themes: an economic theme; citizenship; Europe on the

¹³ The Council is composed of representatives of governments of the member states of the EU, typically ministers within the governments of the member states. There are nine different configurations of the Council, with different representatives of the presidency country, depending upon the matters under consideration, including the General Affairs and External Relations Council and the Economic and Financial Affairs Council. The presidency of the Council rotates every 6 months among each member state. Each presidency coordinates a work program with the next 2 presidencies and is valid for 18 months. See Klaus-Dieter Borchardt, *The ABC of European Union Law*, Publications Office of the European Union, 2010, pp. 55-56.

global level; and human rights in Europe. On the economic theme, Italy will focus on rebalancing the structural adjustment policies to give the member states of the EU more flexibility in achieving the restructuring goals established for the Eurozone countries following the global financial crisis. On citizenship, Italy hopes to initiate reforms to deal with legal and illegal immigration. This is of particular importance to Italy as it is more exposed to illegal migration than other EU member states, as demonstrated in recent years by the large numbers of illegal migrants arriving by sea from North Africa and the Middle East. Italy is also very focused on tackling human trafficking which is on the rise in Europe. On the global theme, Italy would like to the EU to develop a new approach to the Mediterranean area. It will also work toward developing new transnational sustainable development goals for food and food quality on a global scale. Finally, in the area of human rights, Italy will work toward advancing the process of the EU's accession to the European Convention on Human Rights. The Convention is an instrument of the Council of Europe, and as such it forms part of the legal system of each of the 47 member states, including the 28 members of the Council of Europe. While the Convention applies in respect of the laws of the EU member states, it currently does not apply to EU laws and institutions.

Italy expects that there will be far fewer legislative proposals emanating from the Commission, the EU body with the exclusive right to initiate legislative proposals under the EU treaties, given that new Commissioners will be appointed during the period of Italy's chairmanship of the Council. Thus, there will be less of an emphasis on legislative work and more on political activities.

6. Meeting with the Turkish Delegation to the PACE

This was the first meeting that Canadian delegates to the PACE have ever held with the Turkish delegation to the PACE. It presented an opportunity for Canadian and Turkish parliamentarians to become acquainted in an informal setting with a view to follow-up meetings to discuss specific issues of interest or concern to both countries. There were broad ranging discussions among delegation members on numerous topics including: the political and economic situation in Turkey; developments in countries bordering the Black Sea, particularly in relation to Russian involvement in the region; cultural ties between Canada and Turkey; our trading relationship; and the membership in international organizations that the two countries have in common. The meeting was well-attended by a large delegation of Turkish parliamentarians, with all delegates expressing a desire to continue the bi-lateral relationship through the PACE.

7. Meeting with the Council of Europe Committee on Crime Problems

The European Committee on Crime Problems (Committee) was established in 1958 by the Committee of Ministers of the Council of Europe. Its mandate is to oversee and coordinate the Council of Europe's activities in crime prevention and control. Its specific

responsibilities include: identifying priorities for intergovernmental cooperation; making proposals to the Committee of Ministers in criminal law, criminal procedure and penology; drafting conventions; implementing Council of Europe initiatives in these fields; and organizing conferences of ministers of justice in Europe.

The Committee holds two plenary sessions annually. Participants in the plenary sessions are: the national delegations of the member states; observers from Canada; the Holy See and Japan; European Union representatives; and observers from intergovernmental organizations and non-governmental organizations. In between plenary sessions, committees of experts in the relevant fields and a permanent secretariat continue the work of the Committee.

Staff of the Committee discussed some recent initiatives of the Committee, including conventions on human trafficking, child protection, organ trafficking, Internet luring of children (including child pornography), and measures to combat transnational organized crime. Canadian delegates found many of these measures relevant to their own work in Canada, given that the Canadian government and parliamentarians have been considering similar measures, particularly legislation. Delegates noted that Canada is currently grappling with some of the same issues and looking for creative legislative and other solutions to these issues.

8. Meeting with the Council of Europe Development Bank

The Council of Europe Development Bank was established in 1956, originally as a resettlement bank for post-war refugees. It is the oldest international finance bank in the world. It is characterized as a social development bank. This is reflected in the Bank's lending priorities: strengthening social cohesion, typically for social housing, job creation, urban and rural modernisation, supporting refugees and migrants, and small and medium enterprise development; managing the environment and sustainability; and supporting public infrastructure with a social vocation such as schools and hospitals.

The Bank was created by means of a partial agreement of the Council of Europe. As a partial agreement, membership in the Bank is open to non-member states of the Council of Europe. There are currently 41 member states Council of Europe and two non-member states (the Holy See and Kosovo) that are members of the Bank. As Bank members, states are entitled to submit project proposals for funding by the Bank.

The Bank is self-financing and profit-driven. It raises funds by issuing bonds on the international money markets. Its bonds are backed by the 41 member states, which means that it typically has high credit ratings allowing it to borrow money on favourable terms.

The Bank is overseen by a governor and three vice-governors. A board of directors made up of the finance ministers of each of the member states meets six times per year to review and approve project proposals.

At the end of 2012 the Bank reported total assets of €26.8 billion, with outstanding loans amounting to €12.1 billion. Approximately 63% of loans disbursed in 2012 were directed at strengthening social cohesion, 23% for managing the environment and 14% for supporting public infrastructure with a social vocation. Borrowers of Bank funds are generally public authorities and small and medium enterprises. Private banks and other financial institutions are also borrowers. They in turn lend the funds to individuals and to small and medium enterprises at favourable rates as stipulated in the loan agreements between the Bank and these financial institutions. For larger projects, such as social housing, the loan agreements will also typically set out detailed conditions such as for whom the housing will be built and to whom money will be loaned for purchasing a social housing unit, as well as the terms of the loan.

9. Meeting with the Congress of Regional and Local Authorities

The Congress of Regional and Local Authorities is one of the institutions of the Council of Europe. It is described as a pan-European political assembly with representatives of the Council of Europe member states. It is comprised of 636 members who hold elective office in the municipal or regional governments of the member state as councillors, mayors or regional presidents. The Congress meets in two plenary sessions annually and in four committee groupings three to four times per year.

It's goal is to promote local and regional democracy, improve local and regional governance and strengthen self-government at the regional level. It encourages the devolution of powers to local and regional governments and cooperation between cities and regions across member state boundaries.

The Congress conducts regular monitoring visits to all member states to evaluate their implementation of the European Charter of Local Self-Government. These visits result in a monitoring report being prepared by the Congress with conclusions and recommendations being adopted and presented to the member state. Member states are then required to implement these recommendations. The Congress also periodically observes local and regional elections and may issue recommendations as a result of its observations.

An important function of the Congress is to draw up international conventions relating to local and regional government which the member states may ratify, the terms of which they then become bound. The principal conventions are:

- European Charter of Local Self-Government (1988; ratified by 45 member states);

- European Charter for Regional or Minority Languages (1992);
- European Code of conduct for the political integrity of local and regional elected representatives (1999); and
- European Urban Charter (1992).

Delegates engaged in a discussion of some of the challenges in promoting local and regional autonomy and governance. It was noted, for example, that like Canadian regions and municipalities, European counterparts are responsible for providing many local services like public transport, housing, and education, but they lack sufficient financial resources to do so. It is a constant challenge to persuade national authorities of the local and regional needs. There are also pressures brought about by the global financial crisis that have led to amalgamations of local government entities, which generally undermines the principles of local autonomy that are promoted by the Congress. It was noted that there are similar pressures in Canada.

10. Meeting with Azerbaijani Human Rights Non-Governmental Organizations

Three Azerbaijani non-governmental organizations (NGOs) approached the Canadian delegation to discuss media rights and freedom of speech in Azerbaijan. The Canadian delegation agreed to meet for this purpose with the following NGOs: the Media Rights Institute, the Institute for Reporters` Freedom and Safety and International Media Support. The representatives from the three NGOs outlined their concerns about human rights abuses by the Azerbaijani government. In particular, the representatives reported on the systemic persecution and prosecution of human rights advocates, journalists as well as members of opposition parties. The result is that there is no effective political opposition to the government. They also commented on extensive government corruption.

The three groups sought delegates' support by raising these concerns in Canada. They were also seeking contacts with Canadian organizations that might be willing to work with the Azerbaijani NGOs to bring attention to human rights abuses in Azerbaijan. Among the suggestions made by delegates included, the Canadian Bar Association through its international development programs, as well as organizations that have worked in other former Soviet-bloc countries who have experienced similar problems.

D. Canadian Intervention in Assembly Debates

Canadian delegates were active participants in Assembly debates during the part-session, making 10 interventions in debates on a range of a broad range of topics. All delegates presented at least one speech. Due to time constraints and the number of speakers on the speakers' lists for various debates, some Canadian delegates were unable to make their presentations. Their prepared speeches will, however, form part of

the record of proceedings of the first part-session of the PACE and are reproduced in this report.

a. Tuesday, 28 January 2014

• ***Free debate***

Ms. Marjolaine Boutin-Sweet delivered the following speech on the topic of income inequality:

I want to address the issue of income inequality and its impact on socio-economic health. Income inequality is a global phenomenon that affects both rich and poor countries. We cannot deny the abundant proof showing the growing gulf between the small number of rich and the huge population of poor. The OECD has analysed that gulf for decades. Recently, it calculated that across 33 member states the richest 10% earned an average 9.5 times more than the poorest 10%. That trend can be seen in most OECD countries. In some of the richest countries, the poorest families' income was lower than the OECD average. That is also true of Canada, where in 2010 Statistics Canada stated that 1% of the most affluent taxpayers represented more than 33% of growth in median income since the end of the 1990s. Income inequality is not only unjust and immoral but unsustainable economically, as IMF research has shown.

I also want to underline some worrying developments in certain countries, including my own – trade unions, which play a crucial role in ensuring a fair distribution of income, are being marginalised. It is hardly surprising that attacks against unions by repressive legislation and the ensuing erosion of trade union representation have come about at a time when income inequality has reached worrying levels. The rates of trade union organisation in Canada have shrunk from nearly 40% in the 1980s to less than 33% today. In the private sector, one company in six is unionised, while in the United States unionisation in the private sector is barely 7%, while in general it is about 12%. One reason is the massive factory closures in the manufacturing sector due to the world financial crisis and the export of well-paid union-protected jobs to countries with no wages and minimal costs. Successive governments have facilitated that by enacting laws making unionisation more difficult and weakening trade union rights in the workplace. This trend has led to a drop in wages and growing income insecurity. That state of flux is worsened by the absence of progress to eradicate child poverty. By attacking income inequality, however, we will be taking a step in the right direction. As legislators we are in a privileged position to bring about the type of change necessary so that future generations have the possibilities we take for granted – decently paid jobs and a fair distribution of wealth throughout

the country. This was good not just for the population, but for the economy as well.

b. Tuesday, 28 January 2014

• ***Tackling racism in the police***

Mr. Sean Casey delivered a speech on tackling racism in the police. The text of the speech as delivered in the Assembly is reproduced here:

Canada is often touted as a model of inclusion, tolerance and respect for others. While acknowledging that, we need to remind ourselves that considerable work is still to be done to deal with historical wrongs against particular minorities. In 1982, Canada adopted the Charter of Rights and Freedoms, a landmark document that has, as one source of inspiration, the European Convention on Human Rights. While the charter has served Canada well in protecting minorities, whether racial, ethnic, religious or linguistic, some groups continue to face inequality.

Aboriginal peoples in our country have been the victims of systemic discrimination, first by European colonisers, then by successive Canadian Governments of every political orientation. They continue to be subject to marginalisation, and many Aboriginal communities face poverty and social and economic inequality. Canada's relationship with Aboriginals on policing does not have an entirely proud history. That was brought to the world's attention in 1989 when a special commission of inquiry released its report into the arrest and prosecution of Donald Marshall, an Aboriginal man wrongly convicted of murder. The commission issued a scathing indictment of the criminal justice system in Mr. Marshall's home province. Racism was found to be a significant factor in his arrest and prosecution. Cases such as Mr. Marshall's and the crisis involving the Mohawks of Kanosatake have led to important police reforms. One of those reforms is policing in Aboriginal communities. Aboriginal demand for policing has grown significantly and, with the support of our national and provincial Governments, more than 162 agreements have been signed by Aboriginal communities and all levels of government. In many of those agreements, the Aboriginal communities manage and administer their own police services, including the recruitment of police officers.

In 2006, shortly after taking office, Canadian Prime Minister Stephen Harper stood in our House of Commons and delivered a historic apology on behalf of all Canadians to the Aboriginal peoples. That apology was embraced by all political parties and was a moment of great unity in Canada. Canada's challenge is to turn that apology into meaningful action. Much more work is needed to address all the problems confronting Aboriginal peoples and their relationship to Canada.

Many Aboriginal communities live in severe poverty and are disproportionately over-represented in our prisons. Aboriginal policing policy is just one approach that recognises the inherent dignity of Aboriginals and seeks to respect Aboriginal culture. It is important to reform our criminal justice system and in particular sentencing and restorative justice. The resolution and the report before the Assembly appropriately recognise that member states are at different positions along the spectrum between racism and inclusion. Thank you for the opportunity to share a Canadian perspective.

Mr. Corneliu Chisu was on the list of speakers for this debate, but was unable to deliver his speech due to the lack of time. The text of his speech is reproduced here:

It is disheartening to think that after decades of legislative reforms to eradicate racism and to draw attention to the dangers and ugliness of racism, it persists in our societies. However, through the efforts of our colleagues, such as the rapporteurs on both these studies, we can continue to shine a light on racism wherever it rears its ugly head.

European countries are not alone in struggling to deal with the effects of racism and with policing in multi-cultural societies. The report examines racism, including police racism in European countries, but I have no doubt that similar observations could be made of the situation anywhere in the world.

There needs to be broader acceptance that societies are becoming increasingly diverse as people become more mobile. We should embrace this because cultural and racial diversity bring enormous benefits to our societies. This fact underlies the numerous agreements, both international and bilateral, that facilitate the free movement of people across international boundaries.

The draft resolution of the report on racism in the police contains many important prescriptions to address racism: measures such as diversity training, community policing, outreach, involvement of minority communities in police oversight, and recruitment of minority candidates for policing jobs, as well as strong enforcement of human rights, but having programmes in place to reinforce a culture of tolerance and respect for minorities should not be the end of the matter. We should always strive to improve. In this regard, for example, I should mention a unique agreement reached between the Human Rights Commission in my home province of Ontario and the Ottawa police service to address accusations of racial profiling in the police force.

Under the agreement, the Ottawa police service has committed to using data it collects from traffic stops in a bias-free way and in a manner that respects the province's human rights code. The agreement also requires the service to collect disaggregated race-based data for a two-year period and retain an expert to

analyse the data and study the impact of race in traffic stops. The data will also be provided to the Ontario Human Rights Commission, which will be authorised to do its own study. The Ottawa police service will be required to consult various community groups before starting the data collection program.

This is but one example of the kind of projects that can be put in place to understand the role of race in policing. We must continue in our work as legislators and members of parliament to press on with the tools at our disposal: public awareness campaigns urging tolerance and acceptance, denunciation of racist acts and organisations, reforming police practices, and constitutional reforms designed to strengthen the protections that already exist against the destructive effects of racism.

- ***Evaluation of the partnership for democracy in respect of the Palestinian National Council***

Mr. Corneliu Chisu spoke during the debate on the Palestinian National Council's status with the PACE. The text of the speech as delivered in the Assembly is reproduced here:

Like this Assembly, Canada supports a two-state solution to the Israeli-Palestinian conflict reached through a negotiated agreement that will guarantee Israel's right to live in peace and security with its neighbours and ultimately lead to the establishment of a viable and independent Palestinian state. Certainly, any steps taken by the Palestinian National Council to democratise, to protect human rights and to respect the rule of law can only be construed as encouraging and ultimately of great help to the lives of Palestinians.

Canada has not recognised Palestinian statehood. It is strongly opposed to Palestinian efforts to seek recognition of statehood or membership of or other status in the United Nations, or in other international organisations, prior to a negotiated peace settlement with Israel. To this end, both parties should be encouraged to take measures to build confidence for a return to peace talks. The Palestinians believe that membership of international organisations can facilitate a return to negotiations with Israel. However, we are not convinced that such status is helpful for the peace process. Despite the psychological boost that recognition in international organisations provided to the Palestinian Authority, it has significantly raised tensions with Israel. This is counter-productive to the peace process.

The Palestinian political and economic situation is still shaky. The Fatah-Hamas dispute continues to undermine the Palestinian position, and the Palestinian Authority continues to face a fiscal crisis. These are very serious problems that no amount of international recognition can resolve and which continue to plague the lives of Palestinian people.

We should all be concerned about the political situation in the Palestinian territories, and the rapporteur has drawn our attention to a number of pressing matters. The reconciliation agreement between Palestinian authorities and the de facto rulers in Gaza has not been put in place and the formation of a Palestinian unity government has not succeeded; the Palestinian National Council continues to be an unelected body, while the Palestinian Legislative Council does not function properly; despite the creation of an anti-corruption agency, corruption remains a cause for concern, and surely the root causes of corruption are best addressed by Palestinian leaders themselves; and the death penalty has not been abolished in Gaza. Reforms in these areas can only help the situation of the Palestinian people. They are also the kinds of reforms that do not undermine, and may help in building, confidence in peace negotiations. In building on that, Canada has announced that it will provide \$66 million in additional support for the Palestinian people in the West Bank and Gaza to help to advance the peace process, promote security and the rule of law, stimulate sustainable economic growth, and deliver humanitarian assistance.

c. Wednesday, 29 January 2014

- ***Internet and politics: the impact of new information and communication technology on democracy***

Senator Michel Rivard delivered a speech on the Internet and open government. It is reproduced below:

I am always delighted to be able to contribute to the very important work of this Assembly. Our rapporteur, Madame Brasseur, has done a remarkable job and has described the opportunities presented by these new information and communication technologies, but also the difficulties that arise for democracy.

The proliferation of personal information on the Internet and the protection of the private lives of Internet users raise a number of concerns, yet the advent of the Internet and of social media tools has also opened up new opportunities for mobilisation and greater participation by citizens in the work of our democratic institutions.

I want to mention the efforts recently made by the Government of Canada in the field of open data and open government, as a member of the partnership for transparent government, which is an international initiative.

The Canadian Government launched its strategy for an open government in March 2011 and became a member of the partnership for transparent government in April 2012. The strategy for an open government seeks to promote activities based on an open government in Canada. It has three

aspects: first, making raw data available to citizens, administrations, non-profit organisations and the private sector; secondly, openly, proactively and continually divulging information on the activities of the government, including extending access to Canadian Government documents and creating a virtual library of all sorts of documents published by the government; and, thirdly, giving Canadians the possibility of engaging in an open dialogue with the federal government within the framework of various forms of public consultation.

In parallel, the government announced Canada's support for an international charter of principles concerning open data. This was done on the occasion of Canada's participation in the summit of G8 leaders in Northern Ireland. The charter commits governments to respect the following principles: data are open by default; as many high-quality data as possible are disseminated in a timely manner and in the greatest possible number of formats; and data are disseminated with a view to improving governments and ensuring innovation.

It is important that governments commit to these principles of open government and open data. The measures that have been taken are encouraging, but much remains to be done to ensure greater participation by citizens and make sure that this information is available to them.

Due to the large number of speakers on the speakers' list for this topic, Ms. Stella Ambler was not able to deliver her speech. The text of the speech she was proposing to deliver is reproduced below:

Voter turnout, ultimately, is tied to confidence in Parliament. A World Values survey showed only 38% of Canadians reported a high level of confidence. Why is this important? Because confidence in the structures of government is crucial for the functioning of democracy. The Internet and social media in particular can help in this regard – to reconnect citizens with their democratic institutions in new and dynamic ways.

The Council of Europe's Committee on Culture, Science, Education and Media has identified Internet governance as a subject for fruitful discussion at this time, the aim being to make more effective use of the Internet as a tool for transparent parliament and government action as well as a forum for exchange and dialogue with society.

In that vein, my remarks will focus on what can be done to fight youth disengagement and boost youth participation. If we succeed in doing this, we also make governments more accountable, functional and democratic. Studies show that young people today are less interested in politics and they know less. But they are not indifferent. Their interests lie in more activist-style politics, which could be considered a more individualised or private – if non-traditional – style of

participation. They demonstrate, sign petitions and volunteer more than their older counterparts.

The importance of civics education has also been identified and addressed in the literature. One organisation I deal with at home in Canada is called simply CIVIX and it connects elected representatives with 10 and 15-year-old children who are studying the subject of governance as part of the curriculum. Groups like CIVIX recognise the importance of instilling in young Canadians the desire and motivation to participate in electoral politics. It is the most effective way to address the lack of political knowledge that I mentioned, but it also imparts greater understanding of the responsibilities associated with citizenship. When a person understands these concepts, they are much less likely to use the most common excuse for not voting, which is that they are "not interested" in politics.

Election campaigns are also excellent opportunities to engage young people. Giving them more responsibility than simply stuffing envelopes would recognise their unique abilities. Candidates who take advantage of their superior knowledge of social media and the online world – and combine it with research skills they learned at school – are going to be at least one step further ahead of their opponents. And that young person will be engaged in the political process for a lifetime.

The enormous advances in information technology have raised expectations about citizen involvement in the political process, making government more responsive to citizens. We absolutely should increase and improve the use of technology to enable greater citizen involvement but we must also ensure that a greater understanding of the democratic process is imparted along the way. Using the Internet for the sake of itself does not further the goal of giving people a stronger voice in governance. Instilling trust through understanding is crucial and the Internet can help us accomplish this goal.

- ***Syrian refugees: how to organise and support international assistance?***

Ms. Stella Ambler delivered the following speech on Syrian refugees:

The refugee crisis in Syria is a sobering reminder that political and diplomatic failures have enormous human consequences. I am encouraged by this Assembly's continued contribution to the global effort that is needed to help the Syrian people, who are forced to endure the suffering that comes from armed conflict.

The rapporteur has done a commendable job in drawing our attention to the deplorable situation faced by the Syrian people. It is unfathomable that up to 3

million Syrians have been displaced from their homes to escape the fighting, along with some 6.5 million internally displaced persons. It is unconscionable that over 120 000 Syrians have died in this conflict. We heard earlier that the main victims are children. An entire generation of children is in distress and has never known anything different. Millions of students have been forced out of schools as those schools become shelters or even targets. Child labour is rising at a faster rate than non-profits can respond to, and even access to vaccines is challenging. The World Health Organisation has confirmed a small outbreak of polio – the first in 14 years. The war has affected every aspect of these innocent lives.

The situation of the refugees, in particular, continues to be precarious at best. Countries that have accepted large numbers of refugees, such as Lebanon, Jordan, Turkey, Egypt and Iraq, face an impossible situation. While they should be commended for their generosity, the task is enormous and the solutions are temporary. Much humanitarian assistance from the international community has been directed to those in need, including over \$350 million from Canada and a commitment to resettle 1 300 refugees, but the humanitarian needs continue to outweigh the available funding. Moreover, there is cause for deep concern that the humanitarian assistance that has been pledged by the international community is not reaching all those in need within Syria due to a lack of security, bureaucratic hurdles and the intransigence of those involved.

Canada shares the concerns of the international community and the Council of Europe about the needless suffering of innocent Syrians. To be sure, humanitarian intervention must be continued and made more effective, but this is no substitute for a long-lasting political solution, which nevertheless remains elusive because of the lack of will among the various parties to the conflict. We should also be concerned about the growing evidence of involvement of radical jihadists and Syrian opposition groups and the outside assistance that they and the Assad regime are receiving. It is imperative to end the violence in Syria as quickly as possible. This can only happen through a Syrian-led political transition leading to the emergence of a free, democratic and pluralist Syria.

- ***Migrants: ensuring they are a benefit for European host societies***

Mr. Corneliu Chisu delivered the following speech on migrants in Canadian society:

I am pleased to have the opportunity to address this Assembly once again on the topic of migration.

Perhaps because of our largely positive experience with immigration and our success with multiculturalism in Canada, the question whether migrants are a net burden or benefit is not a mainstream debate there. Canadian society is generally of the view that immigration is good for the country in economic and

social terms, and the majority of Canadians want to maintain current levels of approximately 250 000 new immigrants per year.

It is widely accepted that immigration is important for addressing skill shortages and our ageing population. However, immigration not only supports a country's economy, it enriches its culture and strengthens its social fabric.

There is also a humanitarian motive, which is of no lesser importance, behind a policy of openness to immigrants. It is important that our countries welcome refugees searching to escape persecution, and permit families to reunite. That is the right thing to do, even if it creates some burden in the short term. Immigrants, whether arriving as regular migrants, refugees or under the family reunification programme, become contributing members of our societies. This has been the overwhelming experience in Canada.

The draft resolution before you emphasises that integration is critical to maximising the benefits of immigration. Indeed, the evidence shows a clear connection between factors such as in-demand employment skills and host-country language competency and successful integration, including a positive impact on immigrants' sense of belonging.

In Canada, our expectation of permanent residents is that they maintain their status through residency in Canada and lawful conduct. Then they are encouraged to apply for citizenship. Indeed, the percentage of newcomers who obtain Canadian citizenship is very high, at 86% in 2011.

Applicants for citizenship must demonstrate adequate official language ability and knowledge of Canada. Supports are in place, such as free language instruction and the option of meeting with a citizenship judge after twice failing the citizenship test, to help newcomers succeed at these measures.

With more than 200 home languages reported in our last national census, diversity is a fact of life in Canada. It is also a tremendous benefit to our country, and it is one that we try to support and enhance through our policies and everyday interactions.

The evidence is clear: whether selected on the basis of skill, family ties to Canada, or the need for protection, immigrants have shown they have the capacity to contribute economically and socially, and thus to become active citizens. It is important that we remind ourselves of the positive aspects of immigration, and I am thankful that the Assembly has allowed us to engage in this important discussion.

d. Thursday, 30 January 2014

• *Debate under urgent procedure: the functioning of democratic institutions in Ukraine*

Due the large number of speakers on the speakers' list for this topic, Mr. Corneliu Chisu was not able to deliver his speech. The text of the speech he was proposing to deliver is reproduced below:

Ukraine is a country of so much promise, in social and economic terms. There have been many encouraging signs since Ukraine expressed its interest in joining the Council of Europe in 1995 and thus indicating its wish to respect human rights and the rule of law and to ensure a thriving democracy.

Time and again Canada expressed concerns about the selective and politically motivated prosecution of political opponents, including Yulia Tymoshenko, on clearly questionable grounds and with such obvious lack of transparency. Canada also expressed disappointment when Ukraine's Government suddenly suspended the signing of the Association Agreement and the Deep and Comprehensive Free Trade agreement with the European Union.

Recent events in very quick succession have however left us deeply troubled. That sense of disappointment has now been replaced by condemnation. In an emergency debate on Monday, Canada's House of Commons approved a motion condemning the draconian law that was adopted in Ukraine on 17 January 2014 that severely limits the right of Ukrainians to peacefully organize, assemble or protest; and condemning the Ukrainian Government's use of violence and threats of legal action against the Ukrainian Greek Catholic Church for helping peaceful protesters. We all recognise that such a law undermines freedom and democracy in Ukraine.

Our House of Commons has called upon the Ukrainian Government to bring those responsible for these acts of violence and repression to justice; it called on the Ukrainian Government to refrain from the use of violence and to respect the people of Ukraine's right to peaceful protest. It has also urged the Government of Canada, in collaboration with the international community, to consider all options, including sanctions, to ensure that democratic rights in Ukraine are protected.

The Government of Canada has condemned in the strongest possible terms the killing of protesters by Ukrainian police forces and it considers them as deplorable and reprehensible acts of violence and a denial of democratic rights. On Tuesday, Canada announced that it is barring the entry into Canada of senior Ukrainian officials who have been responsible for the repression and silencing of protesters.

Canada has been a strong supporter of Ukraine, providing over \$400 million in financial support for both economic and democratic development. Canada continues to support and engage with civil society groups in Ukraine and with opposition leaders to voice its support for the democratic rights of all Ukrainians. This is a principled approach to engagement with Ukraine which balances support for Ukraine's aspirations, while regularly urging the Ukrainian administration to respect international human rights and democratic norms and respect for the rule of law.

The recent repeal of the anti-protest laws by the Ukrainian Parliament is an encouraging sign. This is only a beginning. We must continue to press Ukraine to complete the process of full democratic reform.

- ***Energy diversification as a fundamental contribution to sustainable development***

Ms. Marjolaine Boutin-Sweet presented the following speech on this topic:

Developing economies' demand for energy is insatiable. According to the International Energy Agency, the demand for global energy could grow by a third between 2011 and 2035. The agency adds that it is possible to meet the world's demand through different sources of energy, particularly renewable energies. Or, we can continue to promote fossil fuel industries with subsidies: \$544 billion in 2012 – or five times more than the \$101 billion of subsidies given to renewable energy industries. But let us be realistic: we will not be able to free ourselves from our dependency on oil from day one. On the other hand, the argument according to which it is necessary to continue to consume huge amounts of fossil fuels and to increase energy consumption in order to ensure economic growth is not based on any reliable data, as has been shown on many occasions.

As indicated by the rapporteur, who has based her conclusions on many international studies, renewable energy and energy efficiency are the essential elements that will enable us to ensure economic growth and competitiveness, while respecting the environment, equality and economic equity. By reducing dependency on fossil fuels, which are expensive, our companies can become more competitive. Replacement energies can be extended to regions that do not have the infrastructure required to use fossil fuels.

Those of us who live in countries where energy is abundant sometimes forget that a large part of the world's population has to live without electricity, oil or other fuel forms. We must perceive energy conservation and the development of other forms of energy and associated technologies as futuristic sectors that can drive economic development. The clean energy world market will be worth \$3 billion in 2020. As to the advantages for the environment, they are obvious.

As indicated by PricewaterhouseCoopers, to have even a 50% chance of limiting global warming to 2°C, in accordance with the commitments taken on by Canada and other countries under the Copenhagen agreement, the world economy must reduce its carbon intensity by 5.1% per year until 2050.

In its 2013 edition on the world's energy prospects, the International Energy Agency notes that, despite the efforts currently made to meet the objective of limiting global warming to 2° - in particular by promoting energy efficiency and renewable energies, reducing subsidies for fossil fuels, and putting a price on carbon emissions – the world is in fact confronted with the long to medium-term probability of warming by 3.6°C. To cite Madam Barnett, the rapporteur, we need more ecological, more intelligent and more balanced development, and it is those principles that must orient our energy policies. However, it is also our business, as individual citizens: each of us must turn our words into action – as of today.

- ***Climate change: a framework for a global agreement in 2015***

Senator Michel Rivard delivered a speech on this topic:

Thank you, Mr. President. It is a pleasure for me to be able to address this Assembly again.

Under the United Nations framework convention on climate change, the international community has committed itself to conclude a new world agreement by 2015 with the objective of preventing dangerous climate change. For this reason, I applaud the efforts being made by various persons and entities, including this Assembly, to accomplish the difficult task that the conclusion of such an agreement will be.

Canada takes the problem of climate change very seriously. The north of our country is particularly affected; it is heating more than twice as fast as the rest of the planet. Despite the good intentions that underpin the draft resolution, Canada could not perceive it as requiring a legislative instrument that imposes a target for reduction of emissions that stimulates action. Through the Copenhagen agreement, Canada has already agreed to reduce its emissions by 17% by 2020 with regard to the level of 2005. It will not be easy to meet that target, but there is at least an intention and a common will to succeed. In Canada a law has been enacted giving the federal government certain powers with regard to emissions reduction, and it is taking advantage of these powers. They flow from Canada's decision to identify greenhouse gases as toxic under the Canadian law on the protection of the environment of 1999, given that these gases can endanger the environment that is essential for life.

Canada certainly understands the gravity of the situation. It acts at the national level and works at the international level with a view to promoting the conclusion of a fair and effective agreement on climate change. Since 2005, Canada has reduced its greenhouse gas emissions by 4.8% during a period in which the economy has grown by 8.4%. This result is the fruit of efforts made by the federal Government, by the provinces, and by individual companies and residents. At the international level, it is necessary to intensify work in order that a multilateral agreement be finalised and implemented.

Canada is very much a pioneering state in this regard. It supports initiatives that are complementary, flexible and innovative and lie outside the United Nations framework convention on climate change – for example, the efforts being made by the Arctic Council and the Climate and Clean Air Coalition to reduce climate pollutants with short life cycles. Mathematical logic requires that in order to be effective, any multilateral agreement must apply to the countries often referred as the major emitters, but at the same time no agreement can succeed if it is not fair. According to the chairpersons of the working group responsible for drafting an agreement under the framework convention, the agreement of 2015 will have to be based on science, fairness to national realities, flexibility, effectiveness and participation. Bringing all this together in a multilateral agreement will be a colossal job of work. I thank the Assembly for contributing to this effort, and particularly for showing what an important role can be played by parliamentarians in this regard.

e. Friday, 31 January 2014

• *Accountability of international organisations for human rights violations*

Mr. Sean Casey delivered the following speech on this topic:

Thank you for giving me the opportunity to address the Assembly on this important topic.

Over the years we have all witnessed the proliferation of international organisations, both in numbers and influence. International organisations play an important role in a number of policy fields and facilitate co-operation and collective action in an ever-connected community of nations. Their contributions to international policymaking and standard-setting are undeniable. However, this rapid growth has occurred in the absence of an efficient and effective accountability system for some international organisations. Mechanisms need to be developed and strengthened in order to prevent and mitigate when human rights are threatened or violated by the actions, operations or policies of an international organisation, and to enforce accountability.

The risk posed by this potential lack of accountability is not insignificant, for it threatens the credibility of international organisations, undermines the positive contributions they make and undercuts the international community's efforts at ending impunity and upholding the rule of law. As former Council of Europe Commissioner for Human Rights Thomas Hammarberg once observed, "An international accountability deficit is no good for anyone, least of all the local population. No one, especially an international organisation, is above the law". That bears repeating: no one, especially an international organisation, is above the law.

I commend the comprehensive report drafted by the rapporteur, its technical study of the issue and its outlining of the different options available to states and the international organisations of which they are a part to increase the accountability of these organisations. Among the options presented in the report, I note particularly the need to address the role national courts can play in limiting the breadth of the immunity international organisations currently enjoy. Tackling jurisdictional immunity needs to be done with due regard for international organisations' ability to perform their functions and their autonomy from member states. However, those considerations must not provide blanket impunity for human rights violations or present undue road blocks – especially financial and bureaucratic obstacles – to a victim's search for justice. As parliamentarians, we have an important role to play at the institutional level in holding accountable the organisations that our countries support with their membership. More importantly, at a practical level we must continue to facilitate a victim's ability to access national judicial systems to remedy any human rights violations and to do so in a timely manner, for as we know justice delayed is justice denied.

In our role as legislators and representatives, we can promote limiting the immunity currently enjoyed by international organisations to only the strictest matters related to their functions. In particular, no claims of immunity from prosecution should be permitted for violations of human rights. Similarly, we must urge our governments to push for international organisations to implement and enforce stricter internal accountability mechanisms that include judicial overview.

Let us work towards meeting our common goal of upholding and promoting human rights – a goal that, of necessity, includes the elimination of impunity for everyone, everywhere. I thank the members of the Assembly for focusing attention on this important issue.

Ms. Stella Ambler also spoke to this issue:

I thank the Assembly for allowing me the opportunity to speak about the accountability of international organisations for human rights violations. This is an important topic for Canada, Europe and the world.

Over the last century, international organisations have played an increasing role in the lives of many. For some, they are employers or provide funding for crucial development projects; for others, they may provide the basic necessities of life such as food and shelter. They play many roles in modern life. I particularly want to focus my attention today on the issue of accountability for the violation of women's rights, given their unique vulnerabilities. We have all heard of peacekeepers in various countries being involved in sexual abuse and other crimes against women and girls. The local courts cannot prosecute them because they have immunity while working for an international organisation and many home countries do not prosecute when they return. The perpetrators act with impunity.

Women are also increasingly working on the international stage and, at times, face sexual harassment and discrimination in international organisations, as they do in other workplaces. Why should women have no meaningful recourse in such situations, simply because the perpetrator was working for an international organisation? UN Security Council Resolution 1325 and subsequent resolutions on women, peace and security, address, among other issues, the importance of involving women in decision-making at all levels to ensure long-lasting peace and security worldwide.

For women to have meaningful participation, their rights must be protected at all levels, including in their interactions with international organisations. It is not enough to recognise women's rights in theory; we must ensure that there are mechanisms by which individuals can be held accountable for violating such rights. We must work within our own states, as well as internationally, to ensure that no one is allowed to violate human rights with impunity. In Canada, for example, the criminal law allows for prosecution within Canada for a number of sexual offences committed overseas by Canadian citizens or permanent residents. Our government recently added a number of new sexual offences against children to the list of such offences. The provisions can be used to hold Canadians working overseas for international organisations accountable, even where local justice systems are too weak to do so.

As noted in the rapporteur's report, various mechanisms are being developed to ensure that international organisations are accountable for human rights violations. Let us work towards strengthening and expanding the number of such

mechanisms, so that there is accountability for human rights violations wherever they take place and whoever the perpetrator may be. I thank members of the Assembly for focusing attention on this important issue today.

Respectfully submitted,

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

Travel Costs

ASSOCIATION	Canada-Europe Parliamentary Association
ACTIVITY	First Part of the 2014 Ordinary Session of the PACE
DESTINATION	Strasbourg, France
DATES	January 27-31, 2014
DELEGATION	
SENATE	Hon. Michel Rivard, Senator
HOUSE OF COMMONS	Mr. Corneliu Chisu, M.P. Delegation Chair Ms. Marjolaine Boutin-Sweet, M.P. Mr. Sean Casey, M.P. Ms. Stella Ambler, M.P.
STAFF	Mr. Maxime Ricard Association Secretary Mr. Sebastian Spano Association Advisor
TRANSPORTATION	\$28,356.46
ACCOMMODATION	\$13,216.24
HOSPITALITY	\$946.38
PER DIEMS	\$5,122.94
OFFICIAL GIFTS	\$--
MISCELLANEOUS / REGISTRATION FEES	\$561.27
TOTAL	\$48,203.29