

Canada - Europe
Parliamentary Association



Association parlementaire
Canada - Europe

Report of the Canadian Parliamentary Delegation on the

**I. Parliamentary Mission to the Country that will next hold the
Presidency of the Council of the European Union**

**II. Fourth Part of the 2008 Ordinary Session of the
Parliamentary Assembly of the Council of Europe**

Canada-Europe Parliamentary Association

**Prague, Czech Republic and Strasbourg, France
September 25 – October 3, 2008**

Report

The Hon. Yoine Goldstein, Senator, and the Hon. Marcel Prud'homme, Senator, represented the Canada-Europe Parliamentary Association at meetings in Prague, Czech Republic, on the Czech Presidency of the Council of the European Union (EU) and at the Fourth Part of the 2008 Ordinary Session of the Council of Europe Parliamentary Assembly (PACE) in Strasbourg, France. They were accompanied by association secretary Philippe Méla and advisor Marcus Pistor. The delegation was briefed in Prague by H.E. Michael Calcott, Canadian Ambassador to the Czech Republic, about the Czech Republic's preparations for its Presidency of the Council of the EU and about recent developments in Czech politics. François LaRoche, Canada's Deputy Permanent Observer to the Council of Europe, joined the delegation in Strasbourg and briefed delegates on recent developments at the Council and on Canada's involvement.

I. PARLIAMENTARY MISSION TO THE COUNTRY THAT WILL NEXT HOLD THE PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION

A. Background

Since 2002, the Canada-Europe Parliamentary Association has sent delegations to most of the countries holding the rotating Presidency of the Council of the European Union (henceforth EU Presidency).¹ Since 2005, these visits have taken place in the months leading up to a country's EU Presidency, when the program for the six-month Presidency is still being developed. For example, in September 2007, a delegation travelled to Slovenia, which held the Presidency in the first half of 2008, and in June 2008, another delegation travelled to France, the EU Presidency country from July to December 2008. The Czech Republic assumed this role in January for the first half of 2009. It will be followed by Sweden (July-December 2009) and Spain (January-June 2010). Visit programs include high-level meetings with parliamentarians, government officials, and experts. The primary focus is on the upcoming EU Presidency and on Canada-EU relations. With the significant role of Presidency countries in defining the agenda for the EU's external relations and with the increasing involvement of national parliaments in the EU policy-making system, these meetings provide an important opportunity for Canadian parliamentarians to raise awareness in host countries of

¹ "The Council of the European Union ... is the Union's main decision-making body. Its meetings are attended by Member State ministers, and it is thus the institution which represents the Member States. ... The Council meets in different configurations (nine in all), bringing together the competent Member State ministers: General Affairs and External Relations; Economic and Financial Affairs; Employment, Social Policy, Health and Consumer Affairs; Competitiveness; Cooperation in the fields of Justice and Home Affairs (JHA); Transport, Telecommunications and Energy; Agriculture and Fisheries; Environment; Education, Youth and Culture.

Each country of the European Union presides over the Council for six months, by rotation. ... Decisions are prepared by the Committee of Permanent Representatives of the Member States (Coreper), assisted by working groups of national government officials.

The Council, together with the European Parliament, acts in a legislative and budgetary capacity. It is also the lead institution for decision-making on the common foreign and security policy (CFSP), and on the coordination of economic policies (intergovernmental approach), as well as being the holder of executive power, which it generally delegates to the Commission. In most cases, the Council's decisions, based on proposals from the Commission, are taken jointly with the European Parliament under the codecision procedure. Depending on the subject, the Council takes decisions by simple majority, qualified majority or unanimity, although the qualified majority is more widely used (agriculture, single market, environment, transport, employment, health, etc.)," http://europa.eu/scadplus/glossary/index_en.htm.

Canadian positions on key issues, as well as to learn about policy debates and developments in the EU. In addition, the program usually includes meetings on bilateral relations between Canada and the host country, as well as items on policy issues of particular importance to each Presidency country.

B. Program and Summary of Discussions

Joint meeting with Jiří Šneberger, Deputy Speaker of Senate, and Luděk Sefzig (ODS), Chairman of Senate's European Union Affairs Committee

After welcoming the delegation, Mr. Šneberger gave an overview of the Czech Republic's preparations for the upcoming EU Presidency, the overarching theme of which will be a 'European Union without barriers'. More specifically, his country intends to push for the reduction or removal of barriers to economic integration, to the movement of people and to closer cooperation and integration in culture and education. He also noted that resolving outstanding issues concerning the ratification of the EU Reform Treaty (Lisbon Treaty), which was rejected by Irish voters in June 2008 and which has not been ratified by the Czech Republic, would be a major challenge for his government.²

Senator Goldstein discussed key issues in Canada-EU relations, including a possible enhanced economic partnership, and expressed admiration for the Czech Republic's success in building a democratic political system and a market economy after a long history of repressive regimes. Mr. Sefzig then elaborated on his country's priorities for the EU Presidency, noting in particular the importance of the EU's economic pillar for the Czech Republic and other transition countries in central and eastern Europe. He argued that closer economic integration in Europe needs to be tied to strengthening economic cooperation with other regions, including North America. In this context,

² In 2007, the EU's heads of state and government signed a new treaty (known as the Lisbon Treaty), which, if ratified, would make significant changes to EU institutions and to the respective roles of the EP and national parliaments. To come into force, the Lisbon Treaty has to be ratified by all 27 EU members states. Twenty-three countries have ratified the Treaty (as of January 2009). The parliaments of Poland and Germany have approved the Treaty, but the Polish and German presidents have not yet signed the ratification instruments.

Mr. Šneberger pointed out that the growing global financial and economic crisis could become the dominant issue during the Presidency and that it could have major ramifications for the evolution of the EU. This led to a broader discussion of the origins of the financial crisis and needed reforms to the regulatory system for financial markets.

Senator Prud'homme raised the question of the Czech Republic's support for US plans to deploy components of a missile defence system in Europe (specifically in Poland and the Czech Republic), pointing to concerns that this might lead to a new arms race in Europe. Mr. Šneberger explained that this is a difficult and sensitive question, in particular in light of his country's experience with a Soviet sponsored communist regime, but also due to its geostrategic location in central Europe and its resulting experience with war and occupation. In this context, the priority for the Czech Republic has to be ensuring its independence, and keeping the United States engaged in central Europe while providing security guarantees is seen as vital to achieving this goal. Echoing these comments, Mr. Sefzig noted that the US radar base would be purely defensive and therefore poses no threat to Russia, but rather that it should be seen as a way of countering Russian efforts to assert influence over countries in the region.

Meeting with the European Affairs Committee of the Chamber of Deputies

The delegation next met with members of European Affairs Committee of the Chamber of Deputies, including Petr Krill (Vice-Chairman), Gabriela Kalábková (Vice-Chairwoman), Soňa Marková (Vice-Chairwoman), Jozef Kochan (Member), and Pavel Vanoušek (Member). The group also included Petr Bratský, head of Czech Republic - Canada Parliamentary Friendship Group. In his opening remarks, Mr. Krill noted that there are no problems in Czech-Canadian bilateral relations, due in part to excellent relations between parliamentarians, and expressed appreciation for the work done by the Canadian Federation of Canadian Municipalities in his country. The subsequent discussion focused on the Canada-EU summit in October 2008, in particular on discussions of an enhanced economic partnership, but also the need for close cooperation to resolve common challenges in areas such as energy, energy security and environmental protection.

Committee members then talked about the priorities for the Czech EU Presidency. In addition to furthering economic integration under the overarching theme of 'Europe without barriers', they discussed energy security, climate change, EU enlargement (specifically with respect to Croatia), and migration. In response to a question concerning obstacles to the ratification of the Lisbon Treaty by the Czech Republic, Mr. Krill and his colleagues explained that the Constitutional Court had been asked to rule on whether the Treaty conforms to

the country's constitution and expressed his hope that the Treaty could be ratified by Parliament soon after a positive ruling. (In November 2008, the Court did rule that the Treaty is consistent with the constitution.) Participants also discussed the EU's relationship with Turkey and US missile defence. On the latter topic, some committee members expressed opposition to placing components of the system in their country, citing concerns about its effectiveness in dealing with threats from rogue states and possible adverse consequences for the security of the Czech Republic. Others argued for the system, noting in particular the need to keep the United States engaged in European security, emerging threats from countries developing weapons of mass destruction (WMDs), and, most importantly, the Czech Republic's precarious geopolitical position in central Europe. Canadian delegates in turn gave an overview of the Canadian debate on ballistic missile defence.

Meeting with Miroslava Němcová, Deputy Speaker of the Chamber of Deputies

Deputy Speaker Němcová and Canadian delegates noted the importance of parliamentary contacts and visits for relations between the Czech Republic and Canada. Ms. Němcová then gave an overview of her country's political system and recent developments, and explained several key elements of government's agenda: ballistic missile defence, fiscal policy in the context of a possible membership in the Euro zone, health care and pension reform. The discussion then moved to the issue of political participation, specifically declining voter turnout in Canada and the Czech Republic. Senator Goldstein discussed recent developments in Canada, in particular the challenges of minority government, and addressed issues in transatlantic relations in light of the Canada-EU summit in October 2008. Finally, Senator Prud'homme asked the Deputy Speaker to elaborate on her views on missile defence, in particular the implications for relations with Russia. Ms. Němcová responded that concerns about Russia's policies towards central and eastern Europe should be taken very seriously, for two reasons: First, Russia's policies especially towards former Soviet Republics (Georgia, the Baltic states) suggest that Russia has not come to terms with their independence. Second, Russia's political system is not moving towards a liberal democracy but rather appears to be becoming more authoritarian.

Meeting with Mr. Marek Mora, Deputy Vice Prime Minister for European Affairs

Mr. Mora began by explaining his role in the Czech government as coordinator of European policies and explained the priorities for the EU Presidency in the context of several broader issues faced by the Czech Presidency. First, it will have to deal with the growing global economic crisis – much of Europe is now in recession. On this issue, there are substantial differences between more statist approaches – for example, France – and more market-oriented views of economic policy. The latter is shared by the Czech Republic, which would like to see substantial reforms to EU economic policies in general and to the Common Agriculture Policy (CAP) in particular. Second, the EU needs to get through a considerable legislative agenda before the elections to the European Parliament in June 2009; the last sitting of Parliament will be at the beginning of May. Third, the current European Commission, the EU's main executive

body, which is responsible for drafting policies and legislation and for administering EU policies, is nearing the end of its mandate, which will make it harder to address key policy issues. Fourth, elections to the European Parliament will also have an impact on domestic politics in the Czech Republic. The country's ability to pursue its priorities for the EU Presidency and to coordinate EU responses to emerging challenges will be very much affected by these issues.

With respect to the Czech Presidency's priorities, Mr. Mora focussed on three areas. The first is strengthening competitiveness in the context of the Lisbon Agenda of economic reform. He emphasized the need to focus on research and development (R&D), education and innovation – in particular to shift resources from the CAP to R&D – and to reduce barriers to economic integration. Second, with respect to energy and climate change, he explained the need to conclude legislative projects to implement the overall policy goals agreed to by EU leaders and developed under the French Presidency. Related to this is energy security and concerns over a secure supply of gas and oil in the context of tensions between Russia and Ukraine and the conflict between Russia and Georgia. Third, Mr. Mora discussed the EU's external relations, including transatlantic relations, policies towards the Western Balkans, and the EU's eastern neighbourhood (Russia, Ukraine, Georgia, Belarus, and Moldova). He noted the upcoming visit of the Governor General of Canada to Prague and argued that bilateral relations with Canada should aim at achieving concrete results. With respect to a possible enhanced economic partnership with Canada, Mr. Mora told delegates that there will be political will to move forward under his country's EU Presidency. Other topics discussed included immigration and the ratification of the Lisbon Treaty.

Meeting at EUROPEUM Institute for European Policy

The meeting with Tomáš Weiss and Věra Řiháčková, research fellows at EUROPEUM, “a think-tank that undertakes programme, project, publishing and training activities related to the European integration process,”³ allowed the delegation to gain additional insights into issues discussed with parliamentarians and government representatives. The first part of the discussion focused on EU enlargement, with Mr. Weiss noting that this has been the EU's most successful

³ <http://www.europeum.org/index.php?&lang=en>.

foreign policy, because it has given the Union a major role in ensuring political stability, economic transformation, and democratic development in the region, first in Southern Europe and, since the early 1990s, in central and eastern Europe. He talked about obstacles to Turkish and Ukrainian accession and other forms of engagement that do not involve membership in the EU. The discussion next turned to Czech policy towards Cuba, which has been a priority for the government and for former President V. Havel. With the EU's long-standing focus on and with the Czech Republic's experience with democratic transition, he argued that Cuba was a natural focus of foreign policy. The discussion then moved to the EU's security strategy and to transatlantic relations. Finally, Canadian delegates raised the issue of missile defence and the Czech Republic's relations with Russia. Ms. Řiháčková and Mr. Weiss argued that the country's approach to Russia and to missile defence should be understood as a product of Czech history and domestic politics. They noted the strong political support for keeping the United States engaged in the European security architecture, which is a key reason for Czech support for the US missile defence system.

Meeting with Tomáš Pojar, First Deputy Minister of Foreign Affairs, and Karel Žebrakovský, Czech Ambassador-designate to Canada

The meeting, which included several other senior officials, opened with a discussion of the Czech EU Presidency's overarching theme 'Europe without barriers', with Mr. Pojar elaborating on the themes of freer movement of people and a more integrated energy market in the context of a looming recession. With regard to his government's priorities for the EU Presidency, Mr. Pojar and his officials reiterated many of the same views as earlier interlocutors. The meeting also provided an opportunity for a more detailed discussion of bilateral relations between Canada and the Czech Republic and Canada-EU relations, with Canadian delegates noting the importance of a possible enhanced economic partnership that would encompass closer cooperation in science and technology and other areas. On the issue of the ratification of the Lisbon Treaty, the Deputy Minister explained the perspective of new EU members which have not fully shared the view that the EU requires major institutional reform. Their preference would have been smaller reform steps aimed at ensuring the smoother and more effective functioning of existing institutions. There is also significant resistance to reducing the role of national governments and parliaments to EU institutions in countries that have only recently achieved sovereignty and/or democratic governance.

With respect to ballistic missile defence, Mr. Pojar argued that his government's position should be understood in the context of a moral-historical obligation to the United States for its support for democratic transition in central Europe; the need to prepare for emerging threats from countries developing or acquiring capabilities to produce and deliver weapons of mass destruction; the geopolitical position of the Czech Republic between Russia and Germany and the related need to anchor the United States in the European Security architecture – hence the primacy of NATO to Czech security interests; and, finally, Russia 'sphere of influence' approach to foreign policy. Mr. Pojar also discussed key foreign policy issues under the Czech EU Presidency, including transatlantic economic and political relations and the international mission in Afghanistan under a new American administration.

Other Program Elements

In addition to working meetings, the Canadian delegation attended working lunches and a working dinner hosted by Mr. Jan Hamáček, Chairman of the Foreign Affairs Committee, Chamber of Deputies, and by Canadian Ambassador Michael Calcott, respectively. At these events, they met with MPs Tomáš Dub, Deputy Chairman of the Foreign Affairs Committee, and Petr Wolf, Jaroslav Šedivý, former Minister of Foreign Affairs and former Ambassador to NATO and to the West European Union, Radomír Špok, Executive Director, EUROPEUM Institute for European Policy, Vít Beneš, Research Fellow, Institute of International Relations, as well as the ambassadors of Denmark, the Netherlands, Slovenia and Sweden to the Czech Republic. These meetings allowed for further, in-depth discussions of a wide range of issues, including preparations for the Czech EU Presidency, bilateral relations between Canada and the Czech Republic, Canada-EU relations, the future of NATO, and Czech domestic politics and foreign policy. Finally, the delegation participated in a meeting of the Canadian Chamber of Commerce in the Czech Republic with Karel Žebrakovský, Ambassador Designate to Canada. The focus of discussions was on commercial relations and closer cooperation in the area of science and technology.

The Canadian delegation is most grateful for the excellent work done by the Canadian embassy in Prague in preparing and implementing the program.

II. FOURTH PART OF THE 2008 ORDINARY SESSION OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE

A. Background: The Council of Europe

The Council of Europe is an intergovernmental organisation which aims:

- 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.⁴

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 organised crime, the prevention of torture, data protection, and cultural co-operation.⁵ The Council's main institutions are the Committee of Ministers (the CoE's 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

⁴ Council of Europe website: http://www.coe.int/T/E/Com/About_COE/. For a detailed discussion of the Council's history and role, see *The Council of Europe, 800 million Europeans*, available on that website.

⁵ For a complete list of the Council of Europe's treaties, see the organization's website: www.coe.int.

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 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 OECD, 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.⁶

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).⁷ Since gaining observer status, delegations from the Canada-Europe Parliamentary Association have participated in all four annual part sessions of PACE.

⁶ For more information on the work of the Assembly, see the organization's website: <http://assembly.coe.int>.

⁷ Canadian officials from several federal government departments and agencies and from one provincial government participate in more than 20 meetings annually of committees, expert groups, and steering committees of the Council of Europe. Canadian parliamentarians attend all four parts of the annual session of the Parliamentary Assembly, as well as parliamentary committee meetings at the EBRD in London and the OECD in Paris.

B. Overview of the Fourth Part of the 2008 Ordinary Session

The fall session featured a full order of business⁸ with a wide range of topics being debated in committees,⁹ political groups,¹⁰ and in the Assembly.¹¹ The dominant topic of plenary and committee meetings at this fall session was the war between Georgia and Russia. The Assembly spent nearly one-and-a-half days in a debate under urgent procedure on a report prepared by the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), with contributions from the Political Affairs Committee, the Committee on Legal Affairs and Human Rights, and the Committee on Migration, Refugees and Population. In addition to the urgent debate, the Assembly held a debate on “Reconsideration of previously ratified credentials of the Russian delegation on substantial grounds.”

The fall session also included the annual debate on a report on the OECD and the state of the world economy, prepared by the Committee on Economic Affairs and Development. Preparatory meetings are held at the OECD in Paris in June.¹² This annual debate is unusual in that it allows delegations from non-member OECD countries, such as Canada, Japan, Mexico, and the Republic of Korea,¹³ full participation and voting rights – hence “enlarged” debate. It is, therefore, an important opportunity for Canadian parliamentarians to participate in international discussions of global economic affairs and to contribute to the parliamentary oversight of the OECD. The debate is preceded by an ‘enlarged’ meeting of the Committee on Economic Affairs and Development, when the report was finalized. The Parliament of Canada has participated in the meetings at the OECD and in the enlarged debate in Strasbourg for many years. This involvement played a central role in leading Parliament to seek observer status with PACE, which it was granted in 1997.

⁸ The Agenda is available at:

<http://assembly.coe.int/Mainf.asp?link=/Documents/WorkingDocs/Doc08/EDOC11674.htm>.

⁹ There are 10 regular committees: the Political Affairs Committee; the Committee on Legal Affairs and Human Rights; the Committee on Economic Affairs and Development; the Social, Health and Family Affairs Committee; the Committee on Migration, Refugees and Demography; the Committee on Culture, Science and Education; the Committee on the Environment, Agriculture and Local and Regional Affairs; the Committee on Equal Opportunities for Women and Men; the Committee on Rules of Procedure and Immunities; and the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe.

¹⁰ A political group is the equivalent of a parliamentary party or caucus. There are five political groups in PACE: the Socialist Group (SOC), the Group of the European People's Party (EPP/CD), the European Democratic Group (EDG), the Liberal, Democratic and Reformers Group (ALDE), and the Group of the Unified European Left (UEL).

¹¹ Regular Assembly debates focus on a draft resolution (a decision or statement by the Assembly) and/or recommendation (a proposal addressed to the Committee of Ministers), as well as an explanatory memorandum, which are prepared by a rapporteur for the relevant standing committee. The committee adopts – and usually amends – the resolution prior to the Assembly debate. Assembly debates open with a statement from the rapporteur(s), followed by statements from representatives of the five political groups, after which the debate is opened to other speakers. Speakers have to register in advance. Speakers unable to participate in the debate due to time constraints can submit their intervention in writing, so it becomes part of the official record.

¹² The report on the OECD and the World Economy is available at:

<http://assembly.coe.int/Main.asp?link=/Documents/WorkingDocs/Doc08/EDOC11687.htm>. The resolution adopted by the Enlarged Assembly is available at: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta08/ERES1629.htm>.

¹³ Of the OECD countries that are not members of the Council of Europe, these are the four that send delegations to the enlarged debate on a regular basis, although the delegation from South Korea did not attend this session. Legislators from the United States do not normally attend.

The Assembly held regular debates on the following topics:

- Progress report of the Bureau of the Assembly and the Standing Committee;
- Honouring of obligations and commitments by Bosnia and Herzegovina;
- The situation in Cyprus;
- Refreshing the youth agenda of the Council of Europe;
- The situation of national minorities in Vojvodina and of the Romanian ethnic minority in Serbia;
- Proposed 42-day pre-charge detention in the United Kingdom;
- Combating violence against women: towards a Council of Europe convention;
- Indicators for media in a democracy;
- For the promotion of a culture of democracy and human rights through teacher education; and
- Draft Council of Europe Convention on Access to Official Documents.

The Assembly heard from several European political leaders and other guest speakers:

- Mr. Lluís Maria De Puig, President of the Parliamentary Assembly;
- Mr. Terry Davis, Secretary General of the Council of Europe;
- Mr. Jorge Sampaio, United Nations High Representative for the Alliance of Civilizations;
- Mr. Yavuz Mildon, President of the Congress of Local and Regional Authorities of the Council of Europe;
- Mr Jorge Pizarro, President of the Latin American Parliament;
- Mr. Demetris Christofias, President of the Republic of Cyprus;
- Mr. Frank Belfrage, State Secretary for Foreign Affairs of Sweden, representing the Chairmanship of the Committee of Ministers;
- Mr. Haris Silajdžić, Chairman of the Presidency of Bosnia and Herzegovina;
- Mr. Mehmet Ali Talat, leader of the Turkish Cypriot Community;

- Mr. Angel Gurría, Secretary-General of OECD;
- Mrs. Nyamko Sabuni, Minister of Integration and Gender Equality, Sweden; and
- Mr. Fredrik Reinfeldt, Prime Minister of Sweden.

Detailed information about the session, the transcripts and summaries of all debates, the reports discussed, and the resolutions and recommendations adopted are available on the Parliamentary Assembly's website: <http://assembly.coe.int/>.

C. Canadian Activities During the Session

Canadian delegates participated actively in meetings of political groups and committees. The delegation was honoured with a breakfast hosted by Terry Davis, Secretary General of the Council of Europe, for overseas delegations, at which participants discussed the political situation in Canada and other observer states, the contributions made by observers to the work of the organization and the benefits they derive from their involvement, the Francophonie summit, and the United Nations General Assembly resolution on cooperation with the Council of Europe. Canadian delegates also met informally with parliamentarians from other countries and Council of Europe staff to discuss a range of issues of common interest.

During the 'enlarged' meeting of the Committee on Economic Affairs and Development, Senator Prud'homme proposed revisions to the explanatory memorandum and two amendments to the draft resolution. The Committee adopted the amendment to paragraph 9 of the resolution which was proposed to ensure that economic sovereignty was included as a legitimate concern – alongside national security - balancing “the need for recipient country governments to maintain an open, transparent global investment climate.”¹⁴

Prior to the Enlarged Assembly debate, the delegation had a working meeting with Mr. Angel Gurría, Secretary General of the OECD. Mr. Gurría used the opportunity to inform Canadian delegates about ongoing developments at the OECD, in particular with regard to the new Political Economy of Reform project,¹⁵ OECD enlargement and the accession process for Russia, Estonia, Slovenia, Chile and Israel, as well as enhanced engagement with Brazil, China, India, Indonesia and South Africa. With regard to Russia's accession to the OECD, he

¹⁴ The resolution adopted by the Enlarged Assembly is available at: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta08/ERES1629.htm>.

¹⁵ See for example the Chair's summary of the OECD Council at Ministerial Level, Paris, 15-16 May 2007 – Innovation: Advancing the OECD Agenda for Growth and Equity, http://www.oecd.org/document/22/0,3343,en_21571361_38379933_38604566_1_1_1_1,00.html.

noted that Russia's ability to comply with OECD policies and commitments would likely result in a slower accession process for that country and that the conflict with Georgia had raised serious concerns among OPEC members. He also discussed the economics of climate change, migration during a global recession, and the OECD's Partnership for Democratic Governance. Canadian delegates focused their comments on the global financial crisis and the broader economic crisis and asked Mr. Gurría to explain the position and initiatives of the OECD with regard to the crisis. Canadian delegates also asked Mr. Gurría's for his views on a possible enhanced economic partnership between Canada and the European Union. In response, the Secretary General argued that OECD countries and the EU would be better off focusing on multilateral trade and investment negotiations, in particular the Doha Round of world trade negotiations. He also noted that Canada shouldn't have to wait for an agreement with the EU to dismantle inter-provincial barriers to trade and investment. With regard to the Doha Round, Mr. Gurría expressed the hope that governments could build on the considerable progress already made and bring the negotiations closer to a conclusion. By comparison to other, more complex challenges – climate change in particular – world trade negotiations is a “low hanging fruit”. He also argued that Canada has a significant systemic responsibility to play a part in this process.

D. Canadian interventions in assembly debates

a. Hon. Yoine Goldstein, Senator, intervention in the debate on the “Draft Council of Europe convention on access to official documents.”

The report submitted by Mr. Klaas de Vries on the creation of a binding international legal instrument that recognizes the general right of access to official documents held by public authorities is excellent and I thank him for it. It rightly underscores the fact that transparency of public authorities is a key feature of good governance.

The issue of access to official documents has been dealt with in Europe in the past. There is an excellent briefing paper entitled “Access to Information: a Fundamental Right, a Universal Standard” by Access Info Europe, which was posted in January 2006. Subsequent studies, letters and comments have all informed the report and have made it the excellent document it is.

Canada has had an Access to Information Act since 1982, and it was among the first countries in the world to grant a right of access to information held by public authorities. Some 25 years later, the Canadian Act is still not perfect, and new and progressive developments in government structure and management practices call for continuous changes to access to information legislation.

More than a decade ago, our Supreme Court pointed out that the overarching purpose of access to information legislation is to facilitate democracy by helping to ensure that citizens have the information required to participate meaningfully in the democratic process, and that politicians and bureaucrats are held constantly accountable to the citizenry of each country. A key to accomplishing this objective is to expand the number of institutions subject to access to information requirements.

First, I would suggest that any type of organization that is publicly funded or controlled, or that performs a public function of any kind, should be subject to disclosure requirements. Secondly, I suggest that all the activities of those institutions be subject to accountability mechanisms, and that limitations for reasons of public security be minimized as much as possible. Thirdly, it is important that information be furnished with minimal delays. I note that the report grappled with that issue and determined not to impose a delay for fear that public authorities would take full advantage of that delay and create an automatic delay that would be both the minimum and the maximum. With great respect, that concern can be obviated by a fourth requirement.

That fourth requirement is that a public official, independent of government and responsible only to parliament, be called on to submit an annual report, statistical in nature, not only setting out the number of requests and responses given but listing, for each body subject to disclosure requirements, how much time it took for each request to be answered and the average response time. This would subject institutions to public scrutiny and criticism if the delays were too long.

I have a fifth and last suggestion: in recognition of the emergence of methods of electronic communication, the convention should impose a duty requiring public servants to document decisions and preserve records. The right to obtain records is meaningless if documents have not been created in the first place, or if they disappear into the abyss of deletion. Transparency has become the essential hallmark of democracy, and the convention goes a long way to enhance transparency in governance.

I have 30 seconds left, and I want to raise an issue that ought to have been raised long ago. Any matter that deals with women and their rights and interests is almost invariably relegated to Friday, when many delegates are not here. My colleagues from Canada urge the governance of this institution to put an end to that approach.¹⁶

¹⁶ Report, 2008 Ordinary Session (Fourth part), Thirty-sixth Sitting, Friday 3 October 2008 at 10 a.m., <http://assembly.coe.int/Main.asp?link=/Documents/Records/2008/E/0810031000E.htm>.

**b. Hon. Yoine Goldstein, Senator, written submission to the debate on
“Refreshing the youth agenda of the Council of Europe”**

Let me first congratulate the rapporteur, Mr André Schneider, and his colleagues on having produced an excellent report draft resolution, draft recommendations and an explanatory memorandum on the question of Refreshing the Youth Agenda of the Council of Europe.

It was George Bernard Shaw, the English playwright, who said that youth is a wonderful thing but it is a crime that it is wasted on the young. One hundred years ago, Mr Shaw’s sentiment rang true. But today it strikes a hollow sound. Young people in Europe and everywhere else represent both a meaningful component of the hopes and aspirations of our countries, and significant problems within our countries. That dichotomy, however, presents great opportunities, both for our generation and for their generation.

Eighteen per cent of the world’s population is between the ages of 15 and 24, but constitute fully 25% of its working population. The report primarily emphasises the need to create innovative strategies that give our young people the tools they need to make a successful transition into adulthood with the confidence and certitude that they will need to become fully responsible and responsive adults. That is an enormous challenge and it weights on them, and on us.

Young people are seeking their own space in public discourse, in a variety of institutions, in the political process, and, especially, in the decision-making centres of our democracies. The political arena must be seen as an appropriate and responsive avenue to address the younger generation’s desire to influence the direction of their lives and that of the communities in which they live.

This means that the political structure has to be actively receptive to their needs and not just a passive recipient. The political structure including government, and especially political parties, must reach out to our young, and engage them intellectually as well as emotionally. We have to leave specific space within which they can freely express themselves, so that they can not only feel that they have a stake in the direction of the body politic, but also an ability to influence and form that direction, and it is up to us, the current leaders, to show them the way, give them that space and allow them the time to grow and make their own mistakes.

Let me give you just one example: in my own political formation, the Liberal Party of Canada, has created a youth wing that is mandated and required by the party’s constitution and is guaranteed to be autonomous. The Liberal party’s constitution guarantees that at least one third of the delegates to any convention will be under 25 years old, providing an institutional certitude that young voices will be heard in the creation and formation of policies. Outreach to this group must be done in ways which are consistent with current communication and information technologies such as blogs and interfaces like Facebook and other internet based technologies.

The Liberal party’s institutionalisation of the place of the young assures their engagement in the process. But other organisations in civil society must also institutionalise youth participation in order to permit young people to operate effectively within society. Universities are a natural springboard for youth participation in social

progress, but not all young people go to university. Other institutions such as unions and youth NGOs must also encourage engagement.

We know that young people, working together, can make a difference. We all recall when tens of thousands of students marched on Washington, fought for justice and equal rights and succeeded. So it is incumbent on all of our institutions to support, nurture and respectfully engage with young people as rightful stakeholders and to take advantage of this generation's yearning for change, by acting not merely for them, but with them.

The Governor General of Canada, Michaëlle Jean, said it perfectly well: "More than ever", she said, "our young people represent not only the promise of a brighter future, but also the vitality of our present".¹⁷

Respectfully submitted,

The Honourable Yoine Goldstein, Senator
Canada-Europe Parliamentary Association

¹⁷ Report, 2008 Ordinary Session (Fourth part), Thirty-third Sitting, Wednesday 1 October at 3 p.m., Addendum 2, <http://assembly.coe.int/Main.asp?link=/Documents/Records/2008/E/0810011500AD2E.htm>.

Travel Costs

ASSOCIATION	Canada-Europe Parliamentary Association
ACTIVITY	I. Parliamentary Mission to the Country that will next hold the Presidency of the Council of the European Union II. Fourth Part of the 2008 Ordinary Session of the Parliamentary Assembly of the Council of Europe
DESTINATION	Prague, Czech Republic and Strasbourg, France
DATES	September 25 - October 3, 2008
DELEGATION	
SENATE	The Hon. Yoine Goldstein, Senator The Hon. Marcel Prud'homme, P.C. Senator
HOUSE OF COMMONS	
STAFF	Mr. Philippe Méla, Secretary Mr. Marcus Pistor, Advisor
TRANSPORTATION	\$ 29,765.85
ACCOMMODATION	\$ 8,291.95
HOSPITALITY	\$ 666.44
PER DIEMS	\$ 3,563.02
OFFICIAL GIFTS	\$ 439.70
MISCELLANEOUS / REGISTRATION FEES	\$ 296.05
TOTAL	\$ 43,023.01

