

Canada - Europe
Parliamentary Association



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

Canada-Europe Parliamentary Association

**Strasbourg, France
26-30 January 2015**

Report

Mr. Corneliu Chisu, MP, delegation Chair; Hon. Percy Downe, Senator; Hon. Ghislain Maltais, Senator; Mr. Larry Miller, MP; Ms. Marie-Claude Morin, MP; and Mr. Scott Simms, 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. The delegates were accompanied by Association Secretary, Ms. Guyanne Desforges, and by Association Advisor, Mr. Maxime-Olivier Thibodeau. The delegation was joined in Strasbourg by Mr. Alan Bowman, Deputy Head of Canada's 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 organization whose aims are:

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

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 See the [Complete list of the Council of Europe's treaties](#).

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

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

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

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

- Progress report of the Bureau and the Standing Committee;
- Observation of the parliamentary elections in Tunisia (26 October 2014);
- Observation of the presidential election in Tunisia (23 November and 21 December 2014);
- Observation of the parliamentary elections in the Republic of Moldova (30 November 2014);

- The humanitarian situation of Ukrainian refugees and displaced persons;
- The implementation of the Memorandum of Understanding between the Council of Europe and the European Union;
- The honouring of obligations and commitments by Montenegro;
- Free debate;
- Debate under urgent procedure – Terrorist attacks in Paris: together for a democratic response;
- Joint debate – Equality and the crisis and Protection of the right to bargain collectively, including the right to strike;
- Challenge, on substantive grounds, of the still unratified credentials of the delegation of the Russian Federation;
- Protection of media freedom in Europe;
- Tackling intolerance and discrimination in Europe with a special focus on Christians;
- Post-electoral shifting in members' political affiliation and its repercussions on the composition of national delegations;
- Witness protection as an indispensable tool in the fight against organised crime and terrorism in Europe;
- Equality and inclusion for people with disabilities.

The Assembly also heard from the following speakers:

- Mr. Nils MUIŽNIEKS, Council of Europe Commissioner for Human Rights;
- Mr. Michael D. HIGGINS, President of Ireland;
- Mr. Thorbjørn Jagland, Secretary General of the Council of Europe.

The Assembly heard from Ms. Ida Grinspan, a survivor of the Holocaust, and Ms. Jane Braden-Golay, the President of the European Union of Jewish Students, in the context of its participation in a commemoration ceremony of the 70th anniversary of the liberation of Auschwitz-Birkenau.

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. Alan Bowman, Deputy Head of Canada's Mission to the European Union and Canada's Permanent Observer to the Council of Europe. Four special meetings were held with representatives from member states of the Council of Europe, to discuss bilateral and EU related issues: Romania, Ukraine, Hungary and Serbia.

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

Mr. Alan Bowman provided the delegates with an update on developments in the EU of interest to Canada and the work of the Canadian mission to the European Union in furthering those interests, as well as on Canada's role as an observer at the Committee of Ministers and at the Parliamentary Assembly of the Council of Europe. Mr. Bowman briefed the delegation on specific issues relating to Canada-Europe relations. In particular, he emphasized the importance of the Comprehensive Economic and Trade Agreement between Canada and the European Union, of the EU's Fuel Quality Directive, and of Passenger Name Records agreements.

a. The Comprehensive Economic and Trade Agreement between Canada and the European Union

On 18 October 2013, Canada and the European Union announced that they had reached an agreement in principle on a comprehensive economic and trade agreement. On 5 August 2014, Canada and the EU announced that a complete text had been reached, and on 26 September 2014, Canadian Prime Minister Stephen Harper and European leaders met at a Canada-EU summit to announce the conclusion of negotiations. The conclusion of negotiations for CETA and the release of a complete text have allowed the next stages of the process to begin: the legal review of the text, the subsequent translation into the other 22 official treaty languages of the EU, and the ratification of the agreement in both the EU and Canada.

In the EU, the agreement will need to be approved by the Council of the European Union and the European Parliament prior to its ratification and coming into force. Mr. Bowman explained that these European institutions and the EU member states disagree on whether every country needs to ratify CETA or only the Council and the European Parliament need to ratify it. The EU's position is that the ratification of CETA is a sole competence matter that belongs to the Council and the European Parliament; the member states' position is that it is a mixed competence agreement over which the EU institutions and the member states have shared jurisdiction.

With respect to EU treaties, a "mixed agreement," or an agreement that touches on the competences (or jurisdictions) of both the EU and the member states, would need to be

ratified by all 28 member states of the EU. However, it is unclear the extent to which CETA would be a mixed agreement. It was suggested that much of the agreement deals with matters over which the EU has legislative competence.

Mr. Bowman 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), 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 agreement is subject to the co-decision process, such as matters concerning the common market. By virtue of this power, CETA would be subject to approval by the European Parliament.² Mr. Bowman expressed optimism that CETA would be ratified in spite of the disagreement over the fact that it is a sole competence or a mixed competence agreement.

Delegates also questioned Mr. Bowman on the role of Canadian provinces in CETA's ratification process by Canada and in its implementation. He stressed the fact that the provinces have participated in the negotiations for CETA and that the agreement contains some opportunities for provinces and municipalities. Mr. Bowman acknowledged that while it is the federal government's prerogative to ratify the agreement, there would be a limit to the measures that it could take in order to force provinces to respect their obligations under a ratified CETA.

b. The Fuel Quality Directive

Delegates and Mr. Bowman also discussed the latest developments regarding the EU's fuel quality directive (FQD). This issue has been discussed in the past by the delegation and the background and technical aspects of the FQD are explained in the delegation's report to Parliament on the fourth part session of the PACE in 2013.³

On 7 October 2014, the European Commission released revised regulations to implement the FQD. This new measure does not discriminate against Canadian oil sands crude. Prior to the new regulations, the effect of the FQD was to assign a greenhouse gas (GHG) intensity value to oil sands crude that was 22% higher than the value assigned to crudes from other countries whose crude oil has a similar GHG intensity. This is not the case with the new regulations.

² 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](#).

³ 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, p. 7.

On 4 December 2014, EU member state ministers approved the proposed FQD regulations in the EU Council. A few days later, on 17 December 2014, an objection raised in the EU Parliament to the proposed FQD regulations did not receive the required absolute majority of votes, resulting in the adoption of the proposed FQD regulations. The EU Parliament had until 6 February 2015 to submit comments on the proposed FQD regulations, and ultimately no amendments were proposed.

Mr. Bowman expressed the Canadian government's satisfaction with the current version of the FQD, which does not discriminate against oil sands.

c. Passenger Name Records Agreements

In light of the recent terrorist attacks in Canada and in Europe, Mr. Bowman and delegates discussed the heightened relevance of the agreement regarding Passenger Name Records (PNR) concluded in 2006 between the EU and Canada. PNR data is information provided by passengers during the reservation and booking of tickets and when checking in on flights, as well as collected by air carriers for commercial purposes. PNR data can be used by law enforcement authorities in the fight against terrorism, because terrorism and organized crime often involve international travel.

In 2010, Canada started negotiating with the European Commission for a new long-term PNR Agreement. In June 2014, the Council of the European Union and Canada signed an agreement, which needs the European Parliament's consent to enter into force. In November 2014, the European Parliament referred the agreement to the Court of Justice of the European Union (ECJ) for an opinion on whether the agreement is in line with the EU Treaties and Charter of Fundamental Rights. The ECJ will have to determine if the sharing of PNR data under this agreement respects the rights to privacy and data protection. The European Parliament will wait until the ECJ has delivered its opinion before voting on its consent to the agreement. In the meantime, the 2006 PNR agreement between the EU and Canada continues to apply.

Of note, the European Commission is currently negotiating with the Council of the European Union and the European Parliament with respect to a proposal for a PNR agreement that would apply among EU member states. The proposed measure would require more systematic collection, use and retention of PNR data on passengers taking "international" flights, entering or leaving the EU.

d. Other Issues

The crisis in Ukraine was a central issue for the delegation, as well as for the whole Assembly, during the first part-session of 2015. Mr. Bowman pointed out that Canada is funding a 1 million dollar project on media freedom in Ukraine, and that the Council of Europe is a useful vehicle for this kind of participation from Canada.

Mr. Bowman also mentioned that there is no consensus among EU member states to open up the Eastern Partnership to more countries. The Eastern Partnership is a joint initiative that was launched in 2009 by the EU, EU member states and six Eastern European partner countries: Ukraine, Moldova, Belarus, Azerbaijan, Armenia and Georgia. The Eastern Partnership's objective is to enable partner countries to move towards EU integration while increasing political, economic and cultural links between parties.

3. Meeting with the Romanian Delegation to the PACE

A meeting was held with several members of the Romanian delegation to the PACE to discuss among other things, Romania's position on the ratification of CETA, visas, and relations between Canada and Romania. Mr. Bowman also took part in this meeting.

The Romanian delegation pointed out that debate in the Romanian parliament regarding CETA showed support for the agreement. The members of the Romanian delegation consider that CETA will be an elementary instrument for the future of Canada – Romania bilateral relations.

Regarding CETA's ratification, the Romanian delegation considers that Romania's ratification is needed for CETA to come into force. The Romanian delegation also expressed its concern with respect to the fact that small and medium companies question how they will be able to compete with bigger companies under CETA.

Romanian nationals currently require a visa to enter Canada. Canadian delegates took the opportunity presented by this meeting to explain the rationale for the requirement. They explained that Canada needs to progress gradually on this issue and that the Canadian visa system is not a point system: it involves a general assessment of a country's situation. 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.

The Romanian delegation expressed its incomprehension that Romanians could not travel freely to Canada, a country with which Romania has such good bilateral relations. According to the Romanian delegation, the feeling about the visa issue is so strong in Romania that it overrides CETA's qualities as a good agreement, even if the two issues are not directly related. The Romanian delegation is expecting Canada to issue a roadmap, including what steps need to be taken, which would allow it to move towards the resolution of this issue. The Romanian delegation expressed the need to show their citizens some progress in that regard.

A question from the Canadian delegation on the evolution of a project related to the Cernavoda nuclear power plant, which uses Canadian CANDU reactor technology, touched on an agreement with a Canadian engineering company and Chinese

investment in the project. The answer by the Romanian delegation was twofold: one aspect regards technology and the other aspect regards investment. Regarding the issue of technology, Romania will continue to use Canadian technology in relation to this project. Regarding the issue of investment, the former Romanian Prime Minister had signed an agreement with China, but he lost the Presidential elections, which means that relations with China might not develop as planned (the parliamentary elections being in 2 years).

Regarding the issue of the EU labour market and concerns that had been raised regarding Romanian workers, one year after Romania entered the EU labour market, statistics show that more workers from the United Kingdom and Western European countries are coming to work in Romania than the other way around, according to the Romanian delegation.

A plan for the Speaker of the Romanian parliament to visit Canada on 8 March 2015 was mentioned by the Romanian delegation; the Speaker expressed the will to enhance bilateral relations between Romania and Canada.

4. Meeting with the Ukrainian Delegation to the PACE

A meeting was held with several members of the Ukrainian delegation to discuss, primarily, the crisis in Ukraine resulting from Russia's aggression and the Assembly's vote on the challenge of the Russian delegation's credentials. Other issues were also discussed, such as areas of reform in Ukraine and relations between Canada and Ukraine. Mr. Bowman also took part in this meeting.

According to the Ukrainian delegation, the vote on Russia's credentials is crucial: it is not only a vote on credentials; it is a vote on freedom. As such, it is important to send a signal to Russia by means of this vote. The Ukrainian delegation also expressed its gratitude to Canada for its support during the whole conflict. The Ukrainian delegation recalled that Canada was the first country to recognize the independence of Ukraine in 1991.

The Canadian delegation mentioned that the East European diaspora in Canada supports Ukraine in general, and passed on its assurance that the entire Parliament of Canada supports Ukraine.

According to the Ukrainian delegation, members of the Ukrainian government and members of the opposition are collaborating in the Council of Europe. The Ukrainian delegation noted that the speaker of the Russian parliament made a declaration that the government of Ukraine was not legitimate.

The Ukrainian delegation noted that while Russian troops have doubled in the conflict zone; Russia blames Ukraine for not being able to go through and supply their troops.

The Ukrainian delegation stated that even in time of war, the Ukrainian parliament is trying to focus on necessary areas of reform, such as the judicial and tax system reform, and the fight against corruption. According to them, overcoming corruption will bring prosperity to Ukraine. The members of the delegation noted that a crisis like the current one can sometimes offer an opportunity to implement needed changes. Helpful in that regard is the fact that the last elections brought 56% of new MPs to the Ukrainian Parliament.

The Ukrainian delegation asserted that they would like to be able to show Ukrainian citizens that they made the right choice by electing a pro-European government and by moving towards a greater European integration.

5. Meeting with the Hungarian Delegation to the PACE

A meeting was held with several members of the Hungarian delegation to discuss among other things, the crisis in Ukraine, Hungary's position on the ratification of CETA, Hungary's electoral system and relations between Canada and Hungary. Mr. Bowman also took part in this meeting.

Regarding the vote on Russia's credentials, the Hungarian delegation noted that it is important to not alienate Russia and to find a peaceful solution to the current crisis, because Russia cannot be defeated militarily, economically or politically. According to the Hungarian delegation, while there is no military solution to the conflict, Russia still needs to be contained, to receive a clear message. East European countries must be able to see that they are not neglected. The Hungarian delegation considers that the Council of Europe is the best organization to show that solidarity.

The Hungarian delegation noted that Hungary recognized the independence of Ukraine, which is a neighbouring country. It was also noted that there are important Ukrainian and Hungarian diasporas in Canada.

They noted that the German Chancellor is coming to Hungary on 2 February 2015 and will discuss the crisis with her Hungarian counterparts, who have a similar position on this issue.

Answering questions from the Canadian delegation regarding the Hungarian delegation's position with respect to Russia, the Hungarian delegation stressed that the conflict between Ukraine and Russia is a very delicate and complex issue. It was noted that recent activity demonstrated the Russian capacity to escalate the conflict. Ukraine is suffering very heavy losses.

According to the Hungarian delegation, negotiation is needed; the parameters of an agreement must be made clear. The Hungarian delegation also considers that the North Atlantic Treaty Organization (NATO)'s partners have a role to play in the conflict. The

Canadian delegation pointed out that Finland and the Baltic countries are concerned about the situation in the Arctic, where the United States is absent. The Hungarian delegation answered that this kind of provocation, where the borders of NATO countries are not respected, such as in Scandinavia and in the Baltics, happens every day.

The Canadian delegation asked about Hungary's position on the economic sanctions imposed by the EU on Russia, to which the Hungarian delegation answered that these economic sanctions also hit Hungary, whose losses amount to 300,000 Euros a day. The Hungarian delegation noted that the situation is different in Serbia, which has close ties with Russia and where a free trade agreement exists between the two countries. According to the Hungarian delegation, the EU should share the burden resulting from these economic sanctions: there should be some form of compensation for countries that are not the target of these sanctions but that suffer from them nonetheless.

The Canadian delegation stressed that Canada's priority is CETA: Hungary's support is needed for ratification. The Hungarian delegation explained that Hungary is a pro-free trade country and that it has the same position towards Canada as towards the United States. The Canadian delegation pointed out that CETA is more generous than the free trade agreement between the EU and the United States, which is in course of negotiations, and that Hungary should consider the two agreements separately.

Regarding the future of the EU, the Hungarian delegation stressed that Hungary is not a member of the Eurozone, Hungary's currency being the Hungarian Forint HUF. While the Eurozone is in serious crisis – the situation in Greece was mentioned as an example – Hungary has a growth of 2-3 %, which is important compared with other EU countries. The Hungarian delegation was confident that Hungary will see important investments in the near future (from Japan, Korea and China, for example).

The Canadian delegation raised the issue of the last three elections held in Hungary, where two-thirds majorities were won. The Hungarian delegation answered that these two-thirds majorities only show the dire situation of the opposition in the Hungarian parliament. The Hungarian delegation also mentioned the presence of Jobbik, an extreme right party that causes much concern. While the left has lost more or less 10% of votes since 2010, Jobbik obtained over 20% of votes, resulting in only 11% of representation in Parliament due to Hungary's electoral system. Hungary has a new Constitution and a new electoral system – which is not a proportional system – that was pushed through with a majority and internal discipline, according to the Hungarian delegation. In sum, according to the Hungarian delegation, Hungary has a coalition government where parties work in close collaboration.

The Hungarian delegation noted that there is no important disagreement between Canada and Hungary; Hungary is always interested in Canada's development and its European character that makes it closer to Hungary than the United States. For

example, the Hungarian delegation considers that Canada's Constitution is more flexible than the Constitution of the United States and that its different languages make Canada more European.

6. Meeting with the Serbian Delegation to the PACE

A meeting was held with several members of the Serbian delegation to Serbia's economic situation, its relation with Kosovo, the issue of immigration in Serbia, Serbia's relation with Russia in light of the crisis in Ukraine, and relations between Canada and Serbia.

The Serbian delegation mentioned the ambition of the Serbian Prime Minister to collaborate in international organizations in general, and in PACE in particular. Serbia's major priority is its economic development: everything is aimed at this goal. The fight against organized crime in Serbia was also mentioned as an important issue to tackle.

The Serbian delegation noted that its labour laws received positive reviews, which is a pre-requisite for securing more foreign investments. Regarding Serbia's foreign policy, the need to show the international community that the situation is improving was expressed.

The Serbian delegation stressed the fact that continuing the dialogue between Belgrade, the capital of Serbia and Pristina, the capital of Kosovo, is another priority. It was noted that Serbs are now part of the new government in Kosovo, which goes in the direction of continuing the dialogue between Belgrade and Pristina. However, the protest that had been going on in Kosovo in recent days was not helping that dialogue, according to the Serbian delegation.

Kosovo is trying to solve the problems faced by its minorities, according to the Serbian delegation. In that regard, the Serbian delegation stated that Serbia is trying to not issue statements that encourage violence. The Canadian delegation noted that Serbia also has significant minority populations.

The Canadian delegation noted that some major Canadian companies are present in Serbia, one of which is building a new smelter for mining activities. The Canadian delegation also noted that there are currently many opportunities to seize for Serbia, such as the ones made possible by CETA and free access to the Canadian market, Serbia's accession to the EU and the attendant reforms to be made.

Regarding the immigration issue, the Serbian delegation explained that Serbia is a transitional country. According to the Serbian delegation, there are two major problems regarding immigration in Serbia.

First, a large number of immigrants are coming to Serbia with the intention of going to Western countries afterwards; they are applying for asylum in Serbia without grounds. These applications for asylum without grounds would jeopardize Serbia's position in relation with its own application to be part of the Schengen Agreement. According to the Serbian delegation, a similar situation can be observed in Sweden – even if it is part of the EU – where immigrants are looking for political asylum. In the last two years, 10,000 people immigrated to Germany, primarily Albanians and Roma. An agreement between Serbia and Germany provided that the Bundestag declares Serbia to be a safe country; therefore asylum seekers would have no interest to apply for asylum anymore. Consequently, the Serbian delegation expects the number of asylum seekers to go down.

The second issue regarding immigration, according to the Serbian delegation, is that many immigrants are coming from North Africa. In 2008, there were 16 asylum seekers coming from that region; in 2014, there were 16,000. Regarding the asylum procedure, the Serbian legislation does not currently permit a reduction in the number of asylum seekers accepted.

In answer to questions from the Canadian delegation about Serbia's close relations to Russia, the Serbian delegation asserted that Serbia's closest countries are rather Austria and Italy, and that Serbia is trying to get closer to Germany. The Serbian delegation noted that statistics show that more than 60% of Serbian exports go to the EU, while only 3% go to Russia. The Serbian delegation also noted that all Serbian MPs are in favour of EU integration.

According to the Serbian delegation, Serbia's close relations with Russia should not be misunderstood in the context of the crisis in Ukraine; Serbia could be a useful intermediary between Russia and other countries in the future.

In answer to a question from the Canadian delegation about the representation of women in the Serbian Parliament, the Serbian delegation noted that 30% of Serbian parliamentarians are women, which compares favourably to EU countries and Canada. The Serbian delegation also noted that Serbia has a different electoral system than Canada – it is a closed list – but they are trying to change the electoral legislation in order to have a mixed system.

According to the Serbian delegation, Serbia is looking forward to establishing exchanges between Serbian and Canadian cities. The Canadian delegation noted that there is a large Serbian community in Canada, mostly in the region of Toronto. The Serbian delegation mentioned that the Speaker of the Serbian Parliament recently sent an invitation to the Speaker of the House of Commons to visit Serbia.

D. Canadian Intervention in Assembly Debates

Canadian delegates were active participants in Assembly debates during the part-session, making 11 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 below.

a. Monday, 26 January 2015

- ***Observation of the parliamentary elections in the Republic of Moldova (30 November 2014)***

Due to the large number of speakers on the speakers' list for this topic, Senator Ghislain Maltais was not able to deliver his speech. The text of the speech Senator Maltais proposed to deliver is reproduced here:

I would like to thank the Assembly for the opportunity to speak about the mission to observe the parliamentary elections held on 30 November 2014 in the Republic of Moldova.

I would like to point out that it was this assembly that institutionalized the observation of parliamentary elections in Europe. Twenty-four states have joined the Council of Europe since 1989. These new members from Central and Eastern Europe led the Assembly to make election observation a systematic process. The mission to observe Moldova's recent elections was part of this process.

A large number of observers monitored the elections in Moldova: over 400 international observers were present, and over 90% of polling stations were visited by national observers.

Canada sent 20 short-term election observers to take part in the OSCE Office for Democratic Institutions and Human Rights mission. Three Canadian parliamentarians also participated in the OSCE Parliamentary Assembly mission.

The OSCE's Office for Democratic Institutions and Human Rights coordinated these two missions as well as the European Parliament mission. In addition to the Canadian Embassy, the United States and European Union embassies also sent observation teams throughout the country. Overall, international observers agreed that the elections went relatively well, despite reports of a few incidents.

While I am pleased with how the elections generally unfolded, I would like to mention some issues noted by the observers that demand our attention.

While Moldova's election legislation by and large provided a positive framework for democratic elections, problems remain. The provisions on transparency, monitoring and enforcement of campaign finance rules need to be reviewed. Moreover, the legislation would benefit from provisions that promote the participation of women and minorities.

Media coverage of the election campaign provided voters with a wide range of viewpoints. National broadcasters also complied with their obligations to provide free airtime to the candidates and hold debates. However, the lack of independence and concentrated ownership of the media, as well as the political influences on it, remain a concern in Moldova.

In conclusion, I would like to congratulate Moldova on the progress it has made since its last parliamentary elections. I would also like to assure Moldova that Canada will support its efforts to address the problems observed in these elections, including the weaknesses in its legislation.

b. Tuesday, 27 January 2015

• ***The humanitarian situation of Ukrainian refugees and displaced persons***

Mr. Corneliu Chisu delivered a speech on the humanitarian situation of Ukrainian refugees and displaced persons. The text of the speech as delivered in the Assembly is reproduced here:

I thank you for this opportunity to speak about the humanitarian situation of Ukrainian refugees and displaced persons. I also thank the rapporteur for his report on this deeply concerning issue.

I endorse the report's resolution and add my voice to the Assembly's in calling on all sides of the conflict and on the international community to act according to its terms. Today, more than 2 million people remain in areas controlled by separatist forces, exposed to insecurity, serious human rights violations and inadequate living conditions. An estimated 5.2 million Ukrainian people live in conflict-affected areas; more than 600 000 are reported to be internally displaced; and more than 500 000 have fled to neighbouring countries. Most of those people left with few belongings and are in need of shelter, food and other assistance, placing pressure on the neighbouring regions. Many internally displaced persons choose to remain in the eastern regions of Ukraine in order to be closer to their homes, hoping they can return as soon as the situation improves.

It is important to note that two thirds of internally displaced adults are reported to be women. I agree with the report's statement that, based on the numerous reports of

serious human rights violations allegedly committed during the armed hostilities, objective investigation is required and the perpetrators must be brought to justice.

It is important to mention, as the report does, that certain efforts were made by both Ukrainian and Russian authorities to respond to the needs of displaced persons. However, it also stresses that only a sustainable political solution based on respect of Ukraine's independence, sovereignty and territorial integrity can lead to the improvement of the humanitarian situation.

I stress the importance of the international community continuing to assist and support those persons. From the Canadian point of view, the parliamentary elections and the formation of the new coalition government are positive developments that confirm Ukrainian support for a pro-reform and pro-European agenda and that have the potential to lead to lasting change in Ukraine.

For Canada, it is important to maintain pressure on Russia to cease its aggression and destabilisation of Ukraine. At the same time, we need to continue to support Ukraine in undertaking the reforms necessary for its long-term stability, security and prosperity. I assure you that Canada will continue to do so, in co-operation with our partners and allies.

- ***The implementation of the Memorandum of Understanding between the Council of Europe and the European Union***

Mr. Larry Miller spoke on the implementation of the Memorandum of Understanding between the Council of Europe and the European Union. The text of the speech as delivered in the Assembly is reproduced here:

I thank the Assembly for this opportunity to speak about the implementation of the Memorandum of Understanding between the Council of Europe and the European Union. I also thank the rapporteur, Ms Lundgren, for her useful report.

Canada values its relationship with both the Council of Europe and the European Union. We are proud that since 1997 we have held observer status with this Assembly. As stated in the report, the Council of Europe is the “benchmark for human rights, the rule of law and democracy in Europe.” In our capacity as observers, we consider it essential to participate in the work of its Parliamentary Assembly. The Canada-European Union relationship is fundamental for us. The European Union is Canada’s second largest trade and investment partner and a central actor on most global issues of interest to Canada. Canada and the European Union work together in numerous multilateral organisations. We also collaborate on a wide variety of issues. The European Union is a key ally for Canada.

In August 2014, Canada and the European Union agreed on a complete text of the comprehensive economic and trade agreement – CETA – between the two parties. Its legal review and translation is now being completed before the respective ratification processes can begin. In September 2014, Canada and the European Union concluded their negotiations on a strategic partnership agreement and are now completing the legal review and translation of the text. The strategic partnership agreement will provide a new foundation for our political relations. It will also provide the mechanisms to engage and co-operate on issues of mutual interest.

As the report explains, co-operation between the Council of Europe and the European Union has become more structured, strategic and political since the implementation of the memorandum of understanding in 2007. I support the priorities that both organisations have identified to strengthen their co-operation, based on the 2007 Memorandum of Understanding, because they relate to our shared values. The Memorandum of Understanding is a very useful instrument for third-country partners such as Canada, as it helps us better understand how both organisations work together and makes our interactions more efficient, whether with each organisation individually or with both working together.

I would like to cite two examples of co-operation. In one case, Canada is providing substantial financial support to a Council of Europe project on media freedom in Ukraine. In the other case, Canada recently announced funding for religious freedom in Ukraine. These decisions were positively received by the Council of Europe and the European Union because they relate to joint priorities.

I look forward to the implementation of the Canada-European Union strategic partnership agreement in the coming months. It will provide us with increased opportunities for dialogue and co-operation on issues where Canada, the Council of Europe and the European Union all have common interests.

- ***The honouring of obligations and commitments by Montenegro***

Mr. Corneliu Chisu delivered a speech on the honouring of obligations and commitments by Montenegro. The text of the speech as delivered in the Assembly is reproduced here:

President, I thank you for this opportunity to speak about Montenegro's honouring of obligations and commitments. I also thank the co-rapporteurs for their report on the monitoring of these obligations and commitments.

First, allow me to praise Montenegro for having made great progress in fulfilling its commitments and obligations as a member state of the Council of Europe. In particular, I add my voice to that of the co-rapporteurs in thanking the Montenegrin authorities for their continuous efforts, in co-operation with the Office of the United

Nations High Commissioner for Refugees, and the international community, to host and integrate refugees and internally displaced persons.

As noted in the report, Montenegro is a reliable and constructive partner of the Council of Europe. It plays a positive role in the stabilisation of the region. I should also note that since its accession to the Council of Europe in 2007, Montenegro has made continuous progress in fulfilling its commitments and obligations.

In 2012, this Assembly identified five key issues on which improvement was needed from Montenegro: the independence of the judiciary; the situation of the media; the fight against corruption and organised crime; the rights of minorities and the fight against discrimination; and the situation of refugees and internally displaced persons. Montenegro has made significant advances on these issues. However, as noted in the report, Montenegro needs to pursue policies focusing on democratic standards, consolidation of the rule of law, enhanced transparency and accountability of public institutions and the equitable representation of minorities.

The report also underlines the importance of effectively implementing legislation already adopted by Montenegro. It states the Assembly's expectation that by the end of 2017 the country will implement a series of reforms pertaining to the electoral process, the independence of the judiciary, the fight against corruption and organised crime and the situation of the media.

Freedom of the media remains a particular concern. As noted in the report, a "Commission for Monitoring the Actions of the Competent Authorities in the Investigation of Cases of Threats and Violence Against Journalists, Assassinations of Journalists and Attacks on Media Property" was created in December 2013. I welcome this positive initiative and hope that it will help in rendering justice and restoring trust between investigative journalists and the authorities.

I encourage Montenegro to implement without delay the series of reforms identified by the co-rapporteurs, within the framework of the negotiations on accession to the European Union. It is encouraging that Montenegro is determined to continue its reform process in this framework and that Montenegrin society strongly supports accession to the European Union.

c. Wednesday, 28 January 2015

- ***Debate under urgent procedure: Terrorist attacks in Paris: together for a democratic response***

Mr. Corneliu Chisu delivered the following speech on the terrorist attacks in Paris in the context of debate under urgent procedure:

Thank you, Madam President, for this opportunity to speak about the terrorist attacks in Paris. I also thank the rapporteur for his work on this subject. Earlier this month, innocent people were killed, and the values embodied by the Council of Europe were attacked – values that Canada shares. The Parliament of Canada also came under terrorist attack on 22 October last year.

These events force us to examine, once again, the counter-terrorism measures implemented in Council of Europe member states, at European level as well as internationally. Measures taken to counter terrorism at different levels challenge the delicate balance that must exist between security and respect for fundamental rights. The security and defence of citizens of Council of Europe member states is highly important, but policies put in place to meet that end must respect the values on which the Council of Europe is based, such as respect for fundamental rights.

It is important to acknowledge that the protection and surveillance measures implemented so far were not able to prevent the recent terrorist attacks. Ongoing threats have led Council of Europe member states and European Union institutions to re-evaluate their internal security policies. The Paris attacks add pressure to this re-evaluation process, at a time when the European Union is working on a new strategy that would build on the 2010 to 2014 European Union internal security strategy. A sound European Union internal security strategy is crucial because it would facilitate co-operation among member states and ensure a systematic approach to these issues. There is also a need to re-evaluate international security agreements.

It is important to recall that the European Union has signed bilateral passenger name record agreements with Canada, as well as with the United States and Australia. Passenger name record – PNR – data are information collected by an airline at the time of a passenger's reservation. Law enforcement authorities can use PNR data to fight crime and terrorism. However, because the use of PNR data for law enforcement purposes involves the processing of personal data, it raises some concerns regarding the respect for fundamental rights. I invite Council of Europe member states to continue participating in the discussion regarding the establishment of a European PNR framework that would apply inside the European Union. Should they decide to go in that direction, this European PNR framework would face the challenge of taking into account terrorist threats while respecting fundamental rights. To conclude, I emphasise that co-operation on this issue between Council of Europe member states and Canada should be a priority, based on the PNR agreement between the European Union and Canada.

In his reply to the different speakers' interventions, the rapporteur who wrote the report at the source of the debate under urgent procedure, Mr. Legendre, agreed with Mr. Chisu in the following terms:

I have taken note of what our colleague, Mr. Chisu, said on behalf of Canada about the passenger name record, and we want to ask the European Parliament to revisit its position and accept the implementation of a PNR system, which could prove effective.

- ***Joint debate: Equality and the crisis, and: Protection of the right to bargain collectively, including the right to strike***

Due to the large number of speakers on the speakers' list for this topic, Senator Percy Downe and Ms. Marie-Claude Morin were not able to deliver their speeches. The text of the speech Senator Downe proposed to deliver is reproduced here:

I want to discuss the protection of the right to bargain collectively and the right to strike. I am grateful for this detailed report on the issue.

In Canada, the right to bargain collectively is a constitutionally guaranteed right, based on the freedom of association included in the Canadian Charter of Rights and Freedoms. This right has been confirmed by our supreme court in recent decisions. In the opinion of our highest court, "recognising that workers have the right to bargain collectively as part of their freedom to associate reaffirms the values of dignity, personal autonomy, equality and democracy that are inherent in the Charter."

Recently, the supreme court was asked to determine whether the right to strike is also a constitutionally guaranteed right. The court is expected to render its decision later this year. Therefore, whether the right to strike benefits from the same constitutional protection as the right to collective bargaining remains an open question, but one that should be resolved shortly.

In Canada, labour relations are largely a provincial responsibility, with the federal government regulating about 10%. This state of affairs can present certain challenges, as well as certain opportunities, because there exists a broad spectrum of rules applying to the workers' right to unite, to bargain collectively and to strike.

The economic climate is also tied to labour relations. Slow economic growth in the last few years has resulted in significant challenges for many countries around the world, including Canada. With an increase in its real GDP of only 2% in 2013, Canada has seen slow growth in job creation, with high unemployment among young people, and its lowest wage growth since 1997.

In response to these challenges, Canada has implemented certain changes, such as increasing employee contributions to public sector pensions and streamlining collective bargaining at the federal level by expanding the category of services considered essential, making it illegal for those workers to strike. As a result of some

of these measures, 2013 saw the largest number of workers involved in work stoppages since 2004. Despite this period of fiscal restraint, Canadians remain strong supporters of workers' rights as an important foundation of our labour structure. Some 4.7 million workers were covered by 1 014 collective agreements in 2013, corresponding to 31.2% of the labour force population.

No one can predict with certainty how our global and interconnected economy will evolve. It is all the more important to ensure that we, as parliamentarians, foster an ongoing dialogue between workers and employers in the spirit of democratic values.

The text of the speech Ms. Morin proposed to deliver is reproduced here:

Thank you, Madam President, for giving me the opportunity to discuss the protection of the right to bargain collectively, including the right to strike. I would also like to thank the rapporteur for taking a stand in his report.

As the report states, the European Convention on Human Rights and the European Social Charter guarantee workers in Europe the right to organize, bargain collectively and strike.

According to the rapporteur, these fundamental rights are being threatened by the economic crisis and austerity measures in many Council of Europe member states. In some of these states, the right to organize has been limited, collective agreements have been rescinded, collective bargaining has been called into question and the right to strike has been restricted. As a result, inequality has worsened, wages have declined and working conditions have deteriorated in the affected countries.

It is important to remember that a debate is underway at the International Labour Organization (ILO) regarding whether the right to strike is included in the ILO's Convention No. 87, the Convention concerning Freedom of Association and Protection of the Right to Organise, adopted in 1948.

This convention grants workers the freedom to join organizations of their own choosing and gives these organizations the right to organize their own activities. It also provides that these organizations defend and further the interests of their members. However, this convention does not explicitly provide a right to strike.

As a result, in June 2012, employers – one of the three groups represented in the ILO governance structure – challenged the generally accepted principle that the right to strike is protected by ILO Convention No. 87. This challenge has resulted in over two years of negotiations that continue to this day, as well as obstruction of the ILO standards application committee's work.

Canada has tried to forge a consensus on this issue by attempting to bridge the gaps between the various positions and find a solution that is acceptable to all parties.

In Canada, the right to bargain collectively is protected by the Constitution as part of the freedom of association enshrined in the Canadian Charter of Rights and Freedoms. The Supreme Court of Canada was recently asked to decide whether the right to strike is also constitutionally protected. The Court is expected to render its decision in the coming months and consequently define Canadian law on this issue.

A number of positive developments regarding the protection of the right to strike are therefore possible in the near future. An ILO meeting is set for February 2015 to discuss the option of referring the issue of whether Convention No. 87 protects the right to strike to the International Court of Justice.

The report rightly concludes that “investing in social rights is an investment in the future.” I share the rapporteur’s fear that “the exclusion of certain groups from economic development, wealth and decision-making could seriously damage European economies and democracy itself.” I believe this fear is also applicable to the situation in Canada.

d. Thursday, 30 January 2014

- ***Protection of media freedom in Europe***

Senator Percy Downe delivered the following speech on the protection of media freedom in Europe:

I want to speak on the protection of media freedom. As the report states, media freedom is important for the democracy, political freedom and the rule of law in a country or region. In fact, it goes as far as to state: “Democracy and the protection of human rights depend on media freedom.”

In Canada, different levels of government protect the fundamental rights and freedoms of individuals. The Canadian Charter of Rights and Freedoms gives constitutional protection to “freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication.” That protection is based on the premise that in a democracy people must be free to discuss matters of public policy, criticise governments and offer their own solutions to problems.

The report notes that there has been a concerning deterioration of the safety of journalists and media freedom. I support the report’s call to “to strengthen the protection of media freedom domestically through law and practice, as well as internationally through the Council of Europe.”

The report importantly stresses that since 2012 the United Nations has worked with many UN agencies, states, non-governmental organisations and media organisations to implement its plan of action on the safety of journalists. That plan of action calls for positive contributions from different organisations, including the Council of Europe. I support the report's recommendation that the Committee of Ministers promote the UN plan of action beyond 2014 and step up action in the field in accordance with United Nations General Assembly resolutions on the safety of journalists.

It is also important to encourage positive developments in this field, such as the new Internet-based platform for recording and publicising infringements of the rights granted by Article 10 of the European Convention on Human Rights. As the report notes, that platform has the potential to become an important means of increasing co-operation with NGOs that advocate media freedom. I agree with the report's conclusion that the Assembly must follow closely the implementation of that initiative and contribute actively to it.

Mr. Scott Simms also spoke on this issue. The text of the speech as delivered in the Assembly is reproduced here:

Thank you, Mr. President, for giving me the honour of being able to speak. I do not have the honour of voting in this Assembly, but I can speak and I appreciate that.

Like many others, I congratulate Mr Flego on this report. It is one of the best that I have seen in the many years I have been coming here. I regret that I cannot vote in favour of it, but in consolation I will tell him that I support it in spirit and I hope that he will accept that. The report says, "the Assembly urges member States to step up their domestic and multilateral efforts for the respect of the human rights to freedom of expression and information...and security of those working for and with the media." Just yesterday, the committee spoke about the amendment, which in one sense clarifies many things for all of us by stating that "Any attack on media and journalists is an attack on a democratic society." I am extremely grateful for that.

I always like to bring an example from my own country, so I shall use one to illustrate how we ensure best practice in protecting the media. There is another dimension to the argument. We all talk about freedom of expression and as a former journalist I believe in that, of course, but the report shows that we all have institutions through which freedom of expression in the public sphere adheres to examples of good journalism. It is factual, of course, and it is based on fairness. Those two things allow us to put into our society the freedom of expression that creates plurality. Many countries should adhere to those examples, as illustrated in the report. On 19 November, the Committee of Ministers established an Internet-based freedom of

expression platform that promotes protection for journalists. I congratulate the Committee on that, because it is essential.

Let me give a Canadian example. When the shootings happened in Paris at Charlie Hebdo, they were covered by our media, just as they were in all other countries. In Canada, the French public broadcaster decided to air the pictures of the comics, whereas the English side did not. Those decisions were based on editorial judgment. They were not influenced by the administration, by corporations or by any level of government. That is the type of exercise we need.

I congratulate Ukraine on moving from having a state broadcaster in April 2014 to allowing a truly public broadcaster.

I would highlight two points in the report. The first is the freedom of journalists to work without being subjected to violence, as we saw with what happened in occupied Ukraine. We also need to implore nations such as Turkey to get rid of provisions such as Article 301, which means that it is an insult and against the law to talk about Turkey in an inflammatory matter. That is the type of action that creates arbitrary decisions against journalism in our nations.

- ***Tackling intolerance and discrimination in Europe with a special focus on Christians***

Mr. Larry Miller delivered a speech on the issue of tackling intolerance and discrimination in Europe with a special focus on Christians. The text of the speech as delivered in the Assembly is reproduced here:

I thank the President for allowing me to speak on tackling intolerance and discrimination in Europe, with a special focus on Christians. I also thank the rapporteur for his great report on this issue. As explained in the report, freedom of thought, conscience and religion is a fundamental right that is protected in different national, European, and international instruments. In particular, it is guaranteed by Article 9 of the European Convention on Human Rights, and by Article 18 of the Universal Declaration of Human Rights.

I agree with the rapporteur that "the right to hold religious beliefs, to change them or abandon them freely, to promote and express them openly, and to expect the State to protect individuals as they exercise their rights is among the most fundamental civil rights." However, some of the report's findings are concerning, especially when it states that intolerance and discrimination on grounds of religion or belief affect both minority and majority religious groups in Europe.

The report mentions numerous acts of hostility, violence and vandalism that have been recorded in recent years against Christians and their places of worship, but

that have often been overlooked by the national authorities. Jews are still being persecuted in places around the globe. Indeed, one religion believes that Jews should not have the right to practise their faith, and some of that religion also believe that Jews should not even be allowed to live in this world. Plainly put, that is unacceptable in the 21st century.

In Canada, the Canadian Charter of Rights and Freedoms protects freedom of conscience and religion in the constitution, as well as the freedom of thought, belief, opinion and expression. The Canadian Government has made the protection of religious communities and the promotion of pluralism a foreign policy priority. For example, in February 2013 our prime minister announced the establishment of the office of religious freedom within the department of foreign affairs, trade and development. Dr Andrew Bennett was appointed as Canada's first ambassador of religious freedom and head of the office.

The office of religious freedom promotes the freedom of religion as a core human right, encourages the protection of religious communities, and highlights Canadian values of pluralism and diversity around the world. The office focuses on advocacy, analysis, policy development and programming related to promoting Canadian values of pluralism and respect for diversity abroad; protecting religious communities under threat and advocating on their behalf; and opposing religious hatred and intolerance.

I agree with the report's conclusion that "the accommodation of religious beliefs should be considered by the member States of the Council of Europe in a spirit of tolerance, within the borders defined by law and according to a case-by-case approach." I consider that that is compatible with the Canadian approach and the work of the office of religious freedom. We share the same objective, which is for all religious groups to live in harmony and in respect and acceptance of their diversity. We look forward to working with the Council of Europe and other international partners to promote and protect freedom of religion around the world.

Senator Ghislain Maltais also spoke on this issue. The text of the speech as delivered in the Assembly is reproduced here:

I congratulate the rapporteur on his report, and I thank all the speakers, to whom I have listened religiously.

We should learn lessons from history. We are in the digital era, but what have we learned? Massacres and wars, including ethnic and religious wars, are continuing. As I am sure you all know, there is a secular movement in Europe and America, which is the result of a period that has ended. We are now in the 21st century.

Individuals, citizens, politicians, parliamentarians and prime ministers should follow what they feel in the depth of their hearts.

I agree with the rapporteur. However, what will the outcome be if we simply leave the report to gather dust in a drawer once it has been adopted by the Assembly? We should instil the values of the report in each and every parliamentarian, regardless of their religion, race and language. If we really want to give full credence to the report and put our trust in it, it must have a real impact in all our countries. We must do important work in the next few months and years if it is not to have only symbolic value.

Somebody said that a Christian is killed every four minutes in the world. That is completely unacceptable, although it was common more than 1,800 years ago. What have we learned from history? We must use the report to change things. We must make a real difference. If we do not publish the report and ensure that it is communicated outside this Assembly, what is the point of all the work that has been done on it, and what is the point of adopting it? It would simply be another report gathering dust in a drawer. It would not have any results and would not have an effect on people's hearts.

e. Friday, 31 January 2014

- ***Witness protection as an indispensable tool in the fight against organised crime and terrorism in Europe***

Senator Percy Downe delivered the following speech on witness protection:

I support the report, which emphasises various areas of witness protection, and I particularly thank the rapporteur for his excellent presentation. I was most impressed by his emphasis on the need for co-operation – not only inter-agency co-operation within our countries, but co-operation between countries – because, as we know, borders no longer exist in respect of organised crime and terrorism. Money can be transferred at a keystroke to anywhere in the world, into tax havens, shell companies and hidden accounts. The emphasis in fighting organised crime and terrorism has to be on following the money, to find the source of that money, and to capture back that money, which in the case of organised crime has been stolen and in that of terrorism has been raised through horrendous methods with which we are all familiar. It is important that to protect the people who provide information to us. Those people, who need protection for themselves and for their families, are the ones put into the witness protection programme.

In Canada, we have a legislative framework for a programme, with transparency on reporting back – obviously not anything that would disclose who is in the programme

or where they are – and accountability to the Canadian Parliament on how the programme functions and what has to be done to improve it.

A growing concern in Canada is where the money goes – I mentioned earlier that it can go to overseas tax havens, for example. Are some Canadians just not willing to participate in funding the requirements of the state for health care, defence and so on? Or are they using the money for more devious purposes such as supporting terrorism or, in many cases, laundering money raised through organised crime? Because our agencies do not have the resources, the key to fighting this situation is witnesses coming forward – people who are on the inside, understand what is going on and can explain it to officials. That is why it is important to have the protection that this report highlights.

I join colleagues from other countries in thanking those who worked on the report, and I urge us all to work together collectively, not only within our own countries, but with countries all around the world, to fight these horrendous criminals and terrorists.

Mr. Larry Miller also spoke to this issue. The text of the speech as delivered in the Assembly is reproduced here:

Thank you for allowing me to speak on witness protection, which is an indispensable tool in the fight against organised crime and terrorism in Europe. I thank the rapporteur very much for a great report. Although there is not a great quantity of speakers this morning, let us hope that the quality is there – I trust that it is.

I agree with the rapporteur's statement that “witnesses who stand up for truth and justice must be guaranteed reliable and durable protection, including legal and psychological support and robust physical protection before, during and after the trial” in which they testify. I also agree that witnesses can be particularly vulnerable to perceived or actual threats and intimidation from perpetrators of crimes against themselves or people close to them, especially in cases of organised crime and terrorism. It is important to protect these witnesses properly if we want to achieve results in prosecuting criminals and terrorists.

I would like to say a few words on the Canadian experience of witness protection. By doing so, I hope to contribute to the Assembly's objective of strengthening international co-operation by exchanging information and sharing best practices, should the Assembly decide to follow the report's recommendation in that regard.

In Canada, witness protection has been recognised as one of the most important tools law enforcement has at its disposal to combat criminal activity. The federal Parliament enacted the Witness Protection Program Act in 1996, which established the current witness protection programme administered by the federal law enforcement agency.

At the provincial level, five provinces administer their own witness protection programmes, which are generally overseen by provincial attorneys-general, or the equivalent, and co-administered by provincial law enforcement agencies.

Only the federal programme has the legal mandate to provide protection services to all Canadian law enforcement agencies and federal agencies that have a mandate related to national security, defence or public safety. The programme's mandate also promotes the protection of persons involved in providing assistance to international criminal courts or tribunals.

The federal witness protection programme's primary purpose is to promote law enforcement by facilitating the protection of persons who, as a result of providing assistance to law enforcement agencies or testimony in criminal matters, are deemed to be at risk. The Witness Protection Program Act identifies certain factors to consider in determining whether a witness should be protected by the programme, including: the risk to the witness; the danger to the community; the nature of the inquiry and the importance of the witness; the likelihood that the witness can adjust to the programme; the cost of protection; and alternative methods of protection.

Recently, a series of amendments to the Act came into force with the objectives of making the federal witness protection programme more effective and secure, improving its interaction with provincial, territorial and municipal programmes and protecting the information involved in a better way. My government's view is that the modernised Act improves the federal programme and provides better service to municipal, provincial and territorial witness protection programmes. Time will tell whether more improvements are needed.

I encourage Council of Europe member states to follow the report's recommendation to eliminate discrepancies in their witness protection schemes, and I look forward to enhanced international co-operation in that field.

In his reply to the different speakers' interventions, the rapporteur, Mr. Diaz Tejera, praised Canada's contribution to the work of the Assembly in the following terms:

I thank the Canadian observers, who add greatly to the dynamic of this Assembly, as do the Moroccans and others. The interventions from our Canadian colleagues are always full of concrete content. They are very useful. They co-operate with us and contribute a great deal. I thank them very much for that.

- ***Equality and inclusion for people with disabilities***

Ms. Marie-Claude Morin delivered the following speech on equality and inclusion for people with disabilities:

I thank Ms Quintanilla for her excellent report, which notes: “There are more than 80 million people with disabilities in Europe and with the ageing population, this number is likely to increase in the years ahead.” However, the equality and inclusion of persons with disabilities are rarely perceived as high priorities.

It is important to note that a number of international legal instruments and action programmes have been developed to guarantee the rights of persons with disabilities to equality and full participation in social life. It is also important to note, as the rapporteur has said, that there is still a big gap between international standards and the daily reality experienced by people with disabilities. They are often invisible to the rest of society and confronted by various forms of discrimination. It is particularly disquieting that violence is perpetrated against persons with disabilities, especially women and children.

Like the report, I exhort member states of the Council of Europe that have not already done so to ratify and implement, without further delay, the United Nations Convention on the Rights of Persons with Disabilities. The convention was adopted by the General Assembly of the United Nations in 2006.

In Canada, 3.8 million persons aged over 15 have some impairment, and more than half of them have a disability that is considered severe or very severe. Through the Canadian Charter of Rights and Freedoms, the Canadian Constitution guarantees the equality of all before the law by prohibiting any form of discrimination, particularly discrimination based on mental and physical disabilities. In 2010, Canada ratified the United Nations Convention on the Rights of Persons with Disabilities, after having engaged in consultations with its provinces and territories, the autonomous first people’s governments and Canadians in general, particularly those representing persons with disabilities. Our office for disability issues has been designated as the focal point for issues relating to the implementation of the convention at the federal level. It also behoves the office to increase the social and economic integration of the persons in question by co-operating with various government partners, both in Canada and abroad. The provinces and territories are responsible for ensuring the implementation of those parts of the convention that fall within their sphere of competence.

I fully agree with the report’s assertion that the protection of the rights of persons with disabilities has achieved a major turning point with the adoption of the United Nations Convention on the Rights of Persons with Disabilities, which is important

both for international organisations such as the Council of Europe and for non-governmental organisations. Its implementation, however, continues to be a challenge for all states that are party to it.

In her reply to the different speakers' interventions, the rapporteur, Ms. Quintanilla, cited Canada as an example in the following terms:

The report addresses what we should do to ensure that people with disabilities can be visible in society. I call on colleagues to speak to non-governmental organisations and to address civil society. The report notes that Canada, Sweden, the United Kingdom and Spain have signed and ratified the United Nations Convention on the Rights of Persons with Disabilities.

Respectfully submitted,

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

Travel Costs

ASSOCIATION	Canada-Europe Parliamentary Association
ACTIVITY	First Part of the 2015 ordinary Session of the Parliamentary Assembly of the Council of Europe
DESTINATION	Strasbourg, France
DATES	26 – 30 January 2015
DELEGATION	
SENATE	Hon. Percy Downe, Senator Hon. Ghislain Maltais, Senator
HOUSE OF COMMONS	Mr. Corneliu Chisu, M.P. Delegation Chair Mr. Larry Miller, M.P. Ms. Marie-Claude Morin, M.P. Mr. Scott Simms, M.P.
STAFF	Ms. Guyanne Desforges Association Secretary Mr. Maxime-Olivier-Thibodeau Association Advisor
TRANSPORTATION	\$42,496.46
ACCOMMODATION	\$13,509.06
HOSPITALITY	\$588.02
PER DIEMS	\$6,203.97
OFFICIAL GIFTS	\$0
MISCELLANEOUS / REGISTRATION FEES	\$0
TOTAL	\$62,797.51