Report of the Canadian Parliamentary Delegation respecting its participation at the Fourth Part of the 2011 Ordinary Session of the Parliamentary Assembly of the Council of Europe

Canada-Europe Parliamentary Association

Strasbourg, France
October 3 to 7, 2011

Report

Fourth part of the Ordinary Session of the Parliamentary Assembly of the Council of Europe

Strasbourg, France, 3-7 October 2011

Mr. Bruce Hyer, M.P. and Mr. Massimo Pacetti, M.P. travelled to Strasbourg to participate in the third part-session of the Parliamentary Assembly of the Council of Europe (PACE or Assembly), in which Canada enjoys observer status, along with Israel and Mexico. They were accompanied by association Advisor Sebastian Spano, and were joined in Strasbourg by His Excellency Louis De Lorimier, Canada's ambassador to Kingdom of Belgium and the Grand Duchy of Luxembourg and Permanent Observer to the Council of Europe and Mrs. Sirine Hijal.

A. Overview

The fall session featured a full order of business with a wide range of topics being debated in committees, political groups, and in the Assembly. The assembly held regular debates on the following topics:

- Progress report of the Bureau of the Assembly and the Standing Committee
- Communication from the Committee of Ministers to the Assembly, presented by Kostyantyn Gryshchenko, Minister for Foreign Affairs of Ukraine, Chairman of the Committee of Ministers
- Prenatal sex selection
- Request for Partner for Democracy status with the Parliamentary Assembly submitted by the Palestinian National Council, and statement by Salim Al-Za'noon, Speaker of the Palestinian National Council
- Co-operation between the Council of Europe and the emerging democracies in the Arab world
- National sovereignty and statehood in contemporary international law: the need for clarification
- The activities of the Organisation for Economic Co-operation and Development in Europe (OECD) in 2010-2011, and statement by Angel Gurría, Secretary-General of the OECD
- Joint debate:
  - Combating "child abuse images" through committed, transversal and internationally co-ordinated action
  - Violent and extreme pornography

Statement by Najat Maalla M'jid, United Nations Special Rapporteur on the sale of children, child prostitution and child pornography

- The impact of the Lisbon Treaty on the Council of Europe

- The functioning of democratic institutions in Armenia
- Abuse of state secrecy and national security: obstacles to parliamentary and judicial scrutiny of human rights violations
- Address by Mahmoud Abbas, Chairman of the Executive Committee of the Palestine Liberation Organization, President of the Palestinian National Authority
- Current affairs debate: how can Council of Europe member states come to the aid of countries touched by humanitarian catastrophes such as those in East Africa?
- Urgent debate: the political situation in the Balkans
- Human rights and the fight against terrorism
- Joint debate:
    - The amendment of various provisions of the Rules of Procedure of the Parliamentary Assembly – implementation of Resolution 1822 (2011) on the reform of the Parliamentary Assembly
    - The terms of reference of Parliamentary Assembly committees – implementation of Resolution 1822 (2011) on the reform of the Parliamentary Assembly
- The protection of privacy and personal data on the internet and online media
- Undocumented migrant children in an irregular situation: a real cause for concern

The Assembly also heard from the following guest speakers:
- Salim Al-Za'noon, Speaker of the Palestinian National Council
- Angel Gurría, Secretary-General of the OECD
- Najat Maalla M'jid, United Nations Special Rapporteur on the sale of children, child prostitution and child pornography
- Mahmoud Abbas, Chairman of the Executive Committee of the Palestine Liberation Organization, President of the Palestinian National Authority

B. Canadian Activities during the Session

1. Overview

The members of the delegation actively participated in a number of meetings of committees – in particular, the Political Affairs Committee, the Committee on Economic Affairs and Development, and the Committee on Environment, Culture and Local and Regional Affairs. In addition, the members attended meetings of the various political groups in the Assembly.

The delegation was briefed by Ambassador De Lorimier Canada's in his capacity of Belgium and Permanent Observer to the Council of Europe.

A number of special meetings were also organized in order to help the delegates broaden their appreciation of the work of the Council of Europe, including meetings with

the Group of States Against Corruption (GRECO), and meetings with delegates from Norway and Sweden.

In addition, Mr. Hyer and Mr. Pacetti held a private meeting with Mr. Angel Gurria, Secretary General of the Organization for Economic Cooperation and Development to discuss the Canadian economic outlook.

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

Ambassador De Lorimier provided the delegates with an overview of the work of the Permanent Observer of the Council of Europe. He also updated the delegates on the recent economic and financial crisis in Europe, particularly the Euro crisis, and the steps being taken by the EU to manage the crisis. Ambassador De Lorimier discussed the progress of the continuing negotiations for the Comprehensive Economic and Trade Agreement with the European Union.

3. Meeting with the Group of States Against Corruption

The Canadian delegation attended a presentation by Christophe Speckbacher of the Secretariat of the Group of States Against Corruption (GRECO). He provided an overview of the work of GRECO. GRECO was established in 1999 by the Council of Europe to monitor the compliance by GRECO member states with the anti-corruption standards established by GRECO. Membership in GRECO is not limited to Council of Europe member states. GRECO was established by means of an enlarged agreement, which permits any state which took part in elaborating the agreement to join GRECO. In addition, any state that that becomes a party to the Criminal or Civil Law Conventions on Corruption automatically accedes to GRECO and becomes subject to its evaluation procedures. Currently, there are 48 European members of GRECO, and one non-European member state, the United States of America.

GRECO monitors and evaluates the performance of member states in combating corruption on the basis of standards set out in various conventions of the Council of Europe and other international organizations. Evaluations can be generalized or focused on specific areas. The process of evaluation consists of three stages, or rounds. In the first round a general evaluation is conducted of a member state`s institutions, legislation and practices. The assessment is designed to lead to recommendations for reforms. The second round is a compliance process which assesses the measures the member state has taken to implement the reforms identified in the first round. The third evaluation round focuses on specific areas of concern either to the member state or to GRECO. The third round of evaluations, generally, addresses political party financing and the misuse of state resources and government facilities for partisan political purposes.

The assessment process does not extend to investigations of individuals or specific incidents. Instead, the process considers the extent to which institutions, laws and practices foster transparency and accountability of public officials who can exercise power and have access to state resources.

GRECO uses various sources of information to evaluate a member state including access to government documents and interviews with public officials and civil society groups during visits to the country.

4. Meeting with the Secretary General of the Organization for Economic Cooperation and Development

Mr. Hyer and Mr. Pacetti met with Mr. Angel Gurria, Secretary General of the Organization for Economic Cooperation and Development to discuss the OECD's assessment of the economic outlook for Canada. Mr. Gurria began by noting that Canada experienced negative growth in the second quarter of 2011. This was likely in part due to the so-called "supply-chain" disruption caused by the Japanese earthquake and the Fukushima nuclear reactor failure. This would likely have affected vehicle production in Canada where Japanese auto makers are dependent upon automobile parts from Japan. In the third quarter, growth is expected to be 1%, while fourth quarter growth is expected to rise to 1.9%. Mr. Gurria indicated that the OECD expects that all of Canada's major trading partners will experience sluggish growth. The U.S., for example, is expected to see flat growth or about 1.1%.

Mr. Gurria noted that the OECD has a good relationship with Canada and Canada is a strong supporter of the work of the OECD within the G-20.

Mr. Gurria and Canadian delegates discussed a major challenge for an economic recovery in the current climate: a jobless recovery. Concerns were expressed about the prospects for employment and sustainability of growth. Unemployment, it was stressed, must be addressed in a targeted manner. It is no longer sufficient to simply rely on general economic growth.

Some of the current OECD projects of interest to Canada include:
- Report on Canada;
- Report on Quebec;
- Green Growth Strategy;
- Employment Outlook; and
- Bio-Diversity Strategy (soon to be released).

5. Meeting with Swedish Delegates

Canadian delegates had an informal meeting with two delegates from the Swedish Parliament, Mr. Lennart Axelsson and Jonas Gunnarson. The delegates discussed the Swedish electoral process to better understand how proportional representation systems function. There are 29 constituencies in Sweden and 349 members of parliament. These are multi-member constituencies. Constituencies can have as few as two members of parliament and as many as 36 representatives. There are 310 constituency MPs and 39 "at-large" MPs. The MP does not have a constituency office. Instead, the party with which the MPs are affiliated provide constituency services to voters. There are eight registered political parties. Voting is done on the basis of party-lists. Voters do not vote for individual candidates, but for the party. The party in turn

presents a list of candidates to represent constituencies and at-large candidates. The number of candidates that will be returned as MPs representing a party will depend upon the number of votes received by the party. The system is not intended for independent candidates. An individual seeking public office must be a member of a political party and be on the party's list. It is estimated that voter turnout in Sweden is about 80%.

6. Meeting with Norwegian Delegates

Canadian delegates held a second meeting with a foreign delegation, this one with the head of the Norwegian delegation, Lise Christofferson. Accompanying Mrs. Christofferson were Dorthe Bakke, Delegation Secretary and Eric Chirstensen, Senior Executive Officer. Delegates discussed the Norwegian proportional representation electoral process. As with the Swedish model, members of parliament are elected based on the number of votes a party receives. This in turn determines the number of party candidates that become elected in a constituency. Constituencies are represented by multiple MPs. The number of representatives per constituency depends upon the geographic size of the constituency, the population and the number of counties within the constituency. Both the MP and the party address constituency concerns, but there is no traditional constituency work as is done in Canada such as assisting constituents with immigration or federal pension issues.

There is a strong political party culture in Norway. Parties receive public funding based on the number of votes the party receives and the number of members of a party. Unions and corporations as well as individuals may contribute only to political parties, not to individual candidates.

7. Canadian Intervention in Assembly Debates

- **Enlarged Debate on the Activities of the Organization for Economic Cooperation and Development in 2010-11**

During the fourth part session of the Parliamentary Assembly of the Council of Europe, the activities of the OECD are reviewed by the Committee on Economic Affairs and Development and a draft resolution in respect of such activities is debated and voted upon by the full Assembly. Because Canada is a member of the OECD, Canadian delegates are permitted to participate fully in the Committee deliberations, including voting on draft resolutions, and to vote on the draft resolution presented to the full Assembly. Mr. Bruce Hyer participated in the Committee deliberations and presented a speech in the Assembly. Below is the verbatim transcript of his speech.

"I speak for myself and not necessarily my delegation or government.

I find there is much in the draft resolution that is excellent, but I also find that parts of it seem to place **quantity** of development before **quality** of development. The 34 member countries of OECD have come together to balance environmental, social and economic needs for now and the future – hopefully in that order. The treaty that created OECD includes the phrase "economic strength and prosperity are essential for the preservation of the individual liberty and the increase of

general wellbeing." That is often true. But the opposite is at least as valid. That is, the general wellbeing of all world citizens and the natural environment is essential for economic prosperity.

The section of the draft resolution on the global economy is somewhat focused on GDP and growth. Developed countries should be seeking maturity. We should recall that organisms grow when they are young and developing. Having reached maturity, growth stops. Mature countries, like organisms, know when to stop growing. At this point, the focus should shift from growth to maintaining the quality of life.

Mature societies should measure progress in terms of human rights, social infrastructure, meaningful employment, sustainability and protecting and enhancing the environment. In other words, by quality more than quantity. Despite that significant focus on GDP, the draft resolution does also encourage OECD to develop policy priorities which address the societal problems of discrimination, income inequalities, gender imbalances and a decrease in wages and employment as a share of global output.

I am a scientist – a biologist and terrestrial ecologist. In managing any animal species, we must stay within the carrying capacity of the habitat such as climate and protein. I fear that if all of the underdeveloped peoples and nations actually achieve the affluence and wastefulness of developed countries, we will need four or five new planets to support them.

I welcome the endorsement of the *Better Life Index.* This will help us to assess how well countries perform against critical criteria such as housing, income, safety, health and the achievement of the United Nations Millennium Development Goals.

Lastly, I compliment Ms. Vėsaitė, the rapporteur, for her analysis. She has added to the debate immeasurably, with her sophisticated analysis in the draft resolution. Her document is a welcome addition to the important discussions that are needed to address impacts on the global conditions. Her work underscores the importance of remembering that the primary goals are social and environmental quality and that the economic goals are the means towards those ends."

It is noteworthy that the Committee on Economic Affairs and Development introduced an amendment to its own resolution to urge the OECD to develop a proposal for an international financial transaction tax. Both the motion and the amendment were passed unanimously by the Assembly. This proposal is viewed by many as quite auspicious with the potential to have far-reaching implications.

C. 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.

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]

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.

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

The Council 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. 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).[2]

Respectfully submitted,

Mr. Bruce Hyer, M.P.
Canada-Europe Parliamentary Association

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[2] 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.

Travel Costs

ASSOCIATION	Canada-Europe Parliamentary Association
ACTIVITY	Fourth Part of the 2011 Ordinary Session of the Parliamentary Assembly of the Council of Europe
DESTINATION	Strasbourg, France
DATES	October 3 to 7, 2011
DELEGATION	
SENATE	N/A
HOUSE OF COMMONS	Mr. Bruce Hyer, M.P. Mr. Massimo Pacetti, M.P.
STAFF	Mr. Sebastian Spano, Adviser
TRANSPORTATION	$ 10, 693. 49
ACCOMMODATION	$ 3, 400. 29
HOSPITALITY	$ 0. 00
PER DIEMS	$ 1, 612. 38
OFFICIAL GIFTS	$ 0. 00
MISCELLANEOUS / REGISTRATION FEES	$ 0. 00
TOTAL	$ 15, 652. 16