

Canada - Europe
Parliamentary Association



Association parlementaire
Canada - Europe

**Report of the Canadian Parliamentary
Delegation of the
Canada-Europe Parliamentary Association to the
Council of Europe Parliamentary Assembly (PACE)
to the
Second Part of the 2006 Ordinary Session of the
Parliamentary Assembly of the Council of Europe
Strasbourg, France
April 10 to 13, 2006**

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Report

A delegation of three parliamentarians from the Canada-Europe Parliamentary Association travelled to Strasbourg to participate in the spring session of the Parliamentary Assembly of the Council of Europe (PACE), in which Canada enjoys observer status along with Israel and Mexico. The delegation was led by Association president the Hon. Lorna Milne, Senator, and included from the Senate the Hon. Frank Mahovlich and from the House of Commons the Hon. Roy Cullen. The delegation was accompanied by association secretary Philippe Méla and advisor Marcus Pistor, and was joined in Strasbourg by John McNee, Permanent Observer of Canada to the Council of Europe, and Alain Hausser, Deputy Permanent Observer of Canada to the Council of Europe.

A. Overview

The spring session featured a full order of business ⁽¹⁾ with a wide range of topics being debated in committees, ⁽²⁾ political groups, ⁽³⁾ and in the Assembly⁽⁴⁾. Two themes dominated discussions and debates. In committees and political groups, several meetings focused on the future priorities of the Assembly in light of budgetary constraints, a growing overlap in the membership and work of the Council and other European institutions – primarily the European Union but also the Organization for Security and Co-operation in Europe (OSCE) – and related efforts by PACE President van der Linden to bring the Assembly to focus on what many consider to be the core priorities of the organization: the promotion of democracy, human rights and the rule of law. In this context, Mr. van der Linden is also attempting to organize the four annual PACE sessions thematically and in a more coherent way.

The second theme of the spring session was the relationship between the Council of Europe and the European Union (EU), which has been the subject of ongoing, at times controversial debates for several years, as a result of the enlargement of the EU to now 25 member countries (all members of the Council of Europe) and efforts to expand EU responsibilities into areas that have been traditionally the domain of the Council of Europe, most notably through the establishment of a Fundamental Rights Agency of the European Union⁽⁵⁾. The Assembly devoted almost two of its six-and-a-half sittings to this issue. The first focused on a report presented by Mr. Jean Claude Juncker, Prime Minister of Luxembourg, on relations between the Council of Europe and the European Union⁽⁶⁾. In addition to Mr. Juncker, this debate featured Mr. Terry Davis, Secretary General of the Council of Europe, Mr. Calin Popescu-Tariceanu, Prime Minister of Romania and Chairperson of the Committee of Ministers of the Council of Europe, Mr. Wolfgang Schüssel, Federal Chancellor of Austria and President of the Council of the European Union, and Mr. José Manuel Barroso, President of the European Commission. In the second sitting on Council of Europe–EU relations, the Assembly debated a draft Memorandum of understanding between the Council of Europe and the European Union and the relationship between the Council of Europe and the Fundamental Rights Agency of the European Union. Mr. Terry Davis, Secretary General of the Council of Europe, and Mr. Elmar Brok, Chairperson of the Committee on Foreign Affairs of the European Parliament, were the keynote speakers for this debate.

The Assembly held regular debates on the following topics:

- Progress report of the Bureau of the Assembly and the Standing Committee;
- Observation of the parliamentary elections in Ukraine (26 March 2006);
- The place of mother tongue in school education;
- Poverty and the fight against corruption in the Council of Europe member states;
- Situation in the Middle East;
- Social reintegration of prisoners;
- Human rights of members of the armed forces;
- Combating the resurrection of Nazi ideology; and
- Refugees and displaced persons in Armenia, Azerbaijan and Georgia.

The Assembly also convened two debates under urgent procedure, the first on the trafficking in women before the FIFA World Cup in Germany in June-July 2006 and the second on Belarus in the aftermath of the Presidential election of 19 March 2006.

Finally, the Assembly heard from several political leaders:

- Mr. Thomas Hammarberg, Council of Europe Commissioner for Human Rights;
- Mr Mihai-Razvan Ungureanu, Minister for Foreign Affairs of Romania and Chairperson of the Committee of Ministers, delivering the Communication from the Committee of Ministers to the Parliamentary Assembly; and
- Mr. Vlado Buchkovski, Prime Minister of “the former Yugoslav Republic of Macedonia.”

Transcripts and summaries of the debates, the reports discussed, and the resolutions and recommendations adopted are available on the Parliamentary Assembly’s Web site: <http://assembly.coe.int/>.

B. Canadian Activities during the Session

Canadian delegates participated actively in meetings of committees – Political Affairs; Environment, Agriculture and Local and Regional Affairs; and Economic Affairs and Development – and political groups. The delegation met with Ambassador John McNee, Canada’s Permanent Observer to the Council of Europe, and his deputy, Alain Hausser, and held its regular meeting with the Mexican observer delegation.

The Canadian delegation was again honoured with a private breakfast given by the Secretary General of the Council of Europe, Mr. Terry Davis. This allowed for a fruitful discussion of the work of the Council’s Committee for the Prevention of Torture, the ongoing investigation into alleged secret detentions in member states (in particular by the CIA), efforts by the Secretary General to get the organization to focus on its core priorities, as well as Canadian politics.

Senator Milne met with Mr. Walter Schmied, chairman of the Committee on the Environment, Agriculture and Local and Regional Affairs, Mr. Pasquale Nessa, the rapporteur for a report on seal hunting, and committee staff to discuss next steps in the

drafting of the committee's report and draft recommendation on seal hunting. She presented the official response from the Canadian delegation to Mr. Nessa's revised report. His report does not accurately reflect scientific evidence or publicly available information. It contains many factual errors and fails to recognize the significant improvements in management, regulations and enforcement in Canada over the past three decades. It asserts – among other things – that the seal hunt is not humane and not ecologically sustainable, that it is economically insignificant and that Aboriginal Canadians are not involved in the commercial seal hunt. The response from the Canadian delegation provides detailed information and evidence to demonstrate problems in the report and to clarify seal hunt practices and management. It argues that the hunt is both sustainable and humane and that Canadian management practices and the new policies announced in March 2006 go a long way towards addressing legitimate concerns raised about the seal hunt. It also endorses legitimate initiatives to make it as humane as possible, such as the recommendations of the Independent Veterinarians' Working Group on the Canadian Harp Seal Hunt, that are now being implemented by the Department of Fisheries and Oceans.

The Committee has asked the Bureau for an extension of its mandate for completing this report beyond the end of April 2006. While the extension has not yet been granted, the Committee is planning to discuss Mr. Nessa's revised report and the response from the Canadian delegation at its next meetings on 12 May and 9 June in Paris, with a view to adopting a draft recommendation during the June PACE session (26-30 June). The draft recommendation would then be debated by the Assembly in early October.

Canadian delegates intended to make interventions in three Assembly debates. However, because speakers' lists were long or debate was cut short due to time constraints, they were unable to participate in the Assembly debates, although they submitted their interventions in writing. Senator Milne sent a letter to Mr. Adrian Severin who is preparing a report on the external relations of the Council of Europe for the Political Affairs Committee. She highlighted the Canadian delegation's contributions to the work of the Assembly and noted that the current rules of procedure make it very difficult for observers to participate on a regular basis in Assembly debates. And she urged him to include a recommendation in his report to change the rules governing the lists of speakers in order to encourage observers to take a greater interest and more active part in the work of the Assembly.

In his written submission to the debate on poverty and the fight against corruption in the Council of Europe member states, Roy Cullen, M.P., discussed the detrimental effects of corruption on political stability and economic development. He argued that poverty is not in itself a cause of corruption. Rather, "it is greed ... which motivates government and corporate leaders to engage in corrupt activities." Noting the important work in the fight against corruption of the Assembly and the Global Organization of Parliamentarians Against Corruption – GOPAC "was founded in 2002 at a conference hosted by the Canadian House of Commons and Senate" – he concluded by calling on parliamentarians to work together "in the fight against bribery, corruption and money laundering" (7)

Senator Mahovlich submitted a speech on the situation in the Middle East, in which he stressed the importance of renewing the peace process as the only way to achieve

“long-term peace and security for Israelis and Palestinians alike.” He congratulated the rapporteur and Political Affairs Committee for preparing “a balanced draft recommendation [that] sets out clearly and concisely what the new governments of Israel and the Palestinian territories must do to allow the peace process to continue,” and argued that “a clear commitment to dialogue and compromise” is now required on both sides: “For the new Hamas-led cabinet, this means the unequivocal and immediate renunciation of violence, recognition of Israel, and acceptance of previous agreements and obligations, including the road map. ... For the new Israeli government ... [this] requires it to refrain from taking any unilateral action that would prejudice negotiations aimed at achieving a peaceful two-state resolution of the Israeli-Palestinian conflict.” With regard to “the problem of widespread insecurity for so many Palestinians and Israelis,” Senator Mahovlich argued that “we need to define [security] broadly as both security of Israel and a Palestinian state, and as human security.” He concluded: “Politically sanctioned violence and ideologies advocating violence against individuals, states or peoples can have no place here, nor can policies that sacrifice the human security and economic viability of one group for the sake of achieving these goals for the other”⁽⁸⁾.

In her written submission to the debate on refugees and displaced persons in Armenia, Azerbaijan and Georgia, Senator Milne argued that, while the report being debated was very good, “the root causes of the humanitarian crisis facing [internally displaced persons and refugees in Armenia, Azerbaijan and Georgia] and the obstacles to their integration and to the long-term prospects for economic development deserve greater attention. These are fundamentally the product of the frozen conflicts that continue to afflict the lives not just of IDPs and refugees but of all people in the South Caucasus.” She raised two issues in this context: “The first concerns the need for compromise in the negotiations for a permanent and peaceful settlement of the conflicts in Nagorno-Karabakh, South Ossetia and Abkhazia. Here, all parties must not only demonstrate a genuine willingness to compromise in the negotiations themselves; they must stop the rhetoric that just adds fuel to the fire and inflames and reinforces prejudice and they must do more to communicate the importance and inevitability of compromise to their own citizens.” Secondly, Senator Milne raised the issue of human security: “We need to take a more people-centred approach to security, conflict resolution and development, which recognizes that lasting stability and development cannot be achieved until individuals are protected from violent threats to their rights, safety, lives and livelihoods”⁽⁹⁾

The complete texts of the Canadian interventions are available at:
<http://assembly.coe.int/>

Respectfully submitted,

Hon. Lorna Milne, Senator
President
Canada-Europe Parliamentary Association

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 seek solutions to problems facing European society (discrimination against minorities, xenophobia, intolerance, environmental protection, human cloning, AIDS, drugs, organised crime, etc.); and

to help consolidate democratic stability in Europe by backing political, legislative and constitutional reform⁽¹⁰⁾

Founded in 1949, the Council of Europe has now reached a membership of 46 countries from the Azores to Azerbaijan, and from Iceland to Cyprus. The Council's main objective is to promote 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 over 190 legally binding European treaties or conventions, many of which are open to non-member states, in policy areas such as human rights, the fight against organised crime, the prevention of torture, data protection, and cultural co-operation. The Council's main institutions are the Committee of Ministers (the CoE's decision-making body, composed of member states' foreign ministers or their deputies), the Parliamentary Assembly, the Commissioner for Human Rights, the European Human Rights Court, and the Congress of Local and Regional Authorities.

The Parliamentary Assembly consists of 315 members and 315 substitutes, who are elected or appointed by the national parliaments of the 46 Council of Europe member states from among their members. The Assembly elects the Secretary General of the Council of Europe, the judges of the European Court of Human Rights and the Council's Commissioner for Human Rights. It is consulted on all new international treaties drafted by the Council, holds the Council and member governments accountable, engages in studies of a range of issues of common interest to Europeans, and provides a forum for debate for national parliamentarians. The Assembly has played an important role in the process of democratization in Central and Eastern Europe and actively monitors developments in member countries, including national elections. It meets four times a year in Strasbourg, with committee meetings taking place more frequently. Council and Assembly decisions and debates are often reported widely in the European media⁽¹¹⁾

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)⁽¹²⁾

End Notes

- (1) The Order of Business is available at http://assembly.coe.int/Sessions/2006/Agenda/ECALSES2006_2.PDF.
- (2) There are 10 standing committees dealing with substantive matters: the Political Affairs Committee; the Committee on Legal Affairs and Human Rights; the Committee on Economic Affairs and Development; the Social, Health and Family Affairs Committee; the Committee on Migration, Refugees and Demography; the Committee on Culture, Science and Education; the Committee on the Environment, Agriculture and Local and Regional Affairs; the Committee on Equal Opportunities for Women and Men; the Committee on Rules of Procedure and Immunities; and the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe.
- (3) A political group is the equivalent of a parliamentary party or caucus. There are five political groups in PACE: the Socialist Group (SOC), the Group of the European People's Party (EPP/CD), the European Democratic Group (EDG), the Liberal, Democratic and Reformers Group (LDR), and the Group of the Unified European Left (UEL).
- (4) Regular Assembly debates focus on a draft resolution (a decision or statement by the Assembly) and/or recommendation (a proposal addressed to the Committee of Ministers), as well as an explanatory memorandum, which are prepared by a rapporteur for the relevant standing committee. The committee adopts – and usually amends – the resolution prior to the Assembly debate. Assembly debates open with a statement from the rapporteur(s), followed by statements from representatives of the five political groups, after which the debate is opened to other speakers. Speakers have to register in advance. Speakers unable to participate in the debate due to time constraints can submit their intervention in writing, so it becomes part of the official record.
“Recommendations contain proposals addressed to the Committee of Ministers, the implementation of which is within the competence of governments.”
“Resolutions embody decisions by the Assembly on questions, which it is

empowered to put into effect or expressions of view, for which it alone is responsible,” http://assembly.coe.int/ASP/Doc/DocumentGuide_E.asp

- (5) For an overview of international organizations in Europe see: Marcus Pistor, “International Organizations in Europe (Canadian Involvement),” PRB 04-28E, Library of Parliament, 15 February 2006, <http://lpintrabp.parl.gc.ca/lopimages2/prbpubs/bp1000/prb0428-e.asp>.
- (6) “Council of Europe – EU: A sole ambition for the European continent,” Report by Mr Jean-Claude Juncker, Prime Minister of Luxembourg, http://assembly.coe.int/Sessions/2006/speeches/20060411_report_JCJuncker_EN.pdf.
- (7) 2006 Ordinary Session (Second part), Report, Ninth sitting, Monday, 10 April 2006 at 3 p.m., Addendum 3, <http://assembly.coe.int/Default.asp>
- (8) 2006 Ordinary Session (Second part), Report, Eleventh sitting, Tuesday, 11 April 2006 at 3 p.m., Addendum 1, <http://assembly.coe.int/main.asp?Link=/documents/records/2006/e/0604111500ead1.htm>.
- (9) 2006 Ordinary Session (Second part), Report, Fifteenth sitting, Thursday, 13 April 2006 at 2 p.m., Addendum 1, <http://assembly.coe.int/Default.asp>
- (10) Council of Europe Web site, http://www.coe.int/T/E/Com/About_COE/. For a detailed discussion of the Council’s history and role, see The Council of Europe, 800 million Europeans, available on that Web site.
- (11) “The Assembly in brief,” <http://assembly.coe.int/Communication/Brochure/Bro01-e.pdf>.
- (12) 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	Second Part of the 2006 Ordinary Session of the Parliamentary Assembly of the Council of Europe
DESTINATION	Strasbourg, France
DATES	April 10 to 13, 2006
SENATORS	Hon. Lorna Milne, Senator Hon. Frank Mahovlich, Senator
MEMBERS	Hon. Roy Cullen, PC, MP
STAFF	Mr. Philippe Méla, Association Secretary Dr. Marcus Pistor, Advisor
TRANSPORTATION	AIR \$ 20,374.98 GROUND \$ 662.81
ACCOMMODATION	\$ 4,977.12
HOSPITALITY	\$ 768.20
PER DIEMS	\$ 2,123.36
OFFICIAL GIFTS	\$ 0
MISCELLANEOUS/REGISTRATION FEES	\$ 323.16
TOTAL	\$ 29,229.63