Standing Committee

Minutes¹

of the meeting held in Prague (Czech Republic)
on 30 May 2017

¹ Approved by the Assembly on 26 June 2017.
1. OPENING OF THE MEETING

The meeting began at 9.30 am with Mr Agramunt, President of the Assembly, in the chair.

The President welcomed the opportunity to hold the Standing Committee meeting in Prague, a city imbued with the spirit of Václav Havel, and, drawing on that spirit, voiced the Committee’s collective condemnation of the terrorist attacks that continued to afflict our countries. He proposed holding a minute’s silence in memory of the victims of the terrorist attack in Manchester and the attack in Egypt against Coptic pilgrims.

One minute’s silence.

Our differences, which in Václav Havel’s words were our strength, were the best antidote to terrorism. During the 127th session of the Committee of Ministers held in Cyprus on 19 May, the Ministers had adopted an important strategy in the fight against terrorism. Firstly, the revised Guidelines on the Protection of Victims of Terrorist Acts had been approved. Secondly, the European Convention on Offences relating to Cultural Property had been opened for signature. The Standing Committee welcomed the Czech Chairmanship’s top priorities, namely protecting the human rights of people belonging to vulnerable or disadvantaged groups and promoting gender equality. Later that morning, Mr Alli, President of the NATO Parliamentary Assembly, would hold an exchange of views with the parliamentarians inter alia on the efforts of NATO and its Assembly to maintain peace. The Chairperson thanked the Czech authorities for their continued support for the Václav Havel Human Rights Prize.

2. WELCOME ADDRESSES BY MR MILAN ŠTĚCH, PRESIDENT OF THE SENATE, AND MR JAN HAMÁČEK, PRESIDENT OF THE CHAMBER OF DEPUTIES

Mr Štěch welcomed the Standing Committee. The Senate had been established by the 1993 Constitution on the initiative of Václav Havel and was now the guardian of the Constitution. A third of its membership was renewed every two years as the duration of a senator’s term of office varied from the term of office of members of the Chamber of Deputies. The Senate’s political make-up was therefore never the same as that of the Chamber of Deputies, thus providing an additional guarantee for maintaining the constitutional order, even though the Senate was often accused of slowing down the legislative procedure.

For the Czech people, the Czech Republic's accession to the Council of Europe in 1993 had meant a return to the family of European nations united around the same values. Those values now faced new challenges, such as international terrorism, and in order to meet them it was necessary for all citizens to take action. The Chairmanship would accordingly support local and regional democracy.

Mr Hamáček welcomed the opportunity to hold Parliamentary Assembly meetings in Prague. Since acceding to the Council in 1993 and embarking on the path of democratic transition the Czech Republic had developed a number of good practices that could help countries aspiring to democracy. The country was chairing the Committee of Ministers for the second time.

Since its creation, the Council of Europe had accomplished a great many projects: the abolition of the death penalty, the strengthening of human rights, the prohibition of all forms of discrimination and the protection of minorities. It had consistently supported free and fair elections, freedom of expression, child protection, cultural diversity and gender equality. It was regrettable to hear the current populist discourse that called the value of democratic institutions into question. It was time for European citizens to unite by surpassing social, cultural, historical or religious barriers. Participatory democracy had helped to bring together citizens at all levels of public life, and it was important to encourage their participation in public affairs in order to defeat apathy.


The Minister welcomed the Standing Committee, saying that the meeting provided an opportunity to reiterate the Czech chairmanship’s commitment to working with the Council of Europe’s bodies to promote and strengthen the Council’s common values and objectives. The Parliamentary Assembly would play a key role. The Czech Republic was chairing the Committee of Ministers for the second time. In 1993, at the time
of its accession, the Council of Europe had been perceived as a symbol of the democratic values to which the country was returning. Its accession had greatly contributed to its democratic transition. More than 100 treaties acceded to by the Czech Republic had contributed to the reform of its legal system. This chairmanship came at a difficult time, marked by the weakening of the European values and the security system. Europe faced global challenges, including terrorism. The ministerial meeting in Nicosia had discussed ways of combating terrorism and adopted guidelines paving the way for improvements in the provision of support, information and compensation for victims of terrorist acts in the 47 Council of Europe member States.

The chairmanship’s top priority would be the protection of the most vulnerable. A number of conferences would be organised around topics relating to gender equality, the protection of migrant children, and the rights of minorities and marginalised groups. A conference with the participation of Mr Tomáš Boček, the Secretary General’s Special Representative on Migration and Refugees, would discuss legal and practical aspects and alternatives to the detention of migrant children. In addition, Prague would host a conference of experts on the relatively little studied topic of the use of measures leading to the detention of children in specialised institutions, both in the context of the penal system and the social welfare system. Other events organised in connection with the chairmanship's priorities would include a conference on gathering data on gender equality and meetings of the Gender Equality Commission and the Committee of Experts on Roma and Traveller issues.

The Czech chairmanship had also decided to focus on strengthening the rule of law, which was one of the main aspects of the Council’s work. Achieving that goal required more effective human rights protection and monitoring mechanisms. A conference of Supreme Court presidents on the binding force of judicial decisions would take place in Brno, the country’s main city for law professionals, in June 2017. Another event, organised in connection with that priority, would entail discussion of the findings of the Fourth Evaluation Round of the Group of States against Corruption.

The third priority would be local and regional democracy, with the focus on improving citizen participation in the decision-making process. An international conference on “Improving the Quality of Public Administration at the Local and Regional Level” would be held in Prague in September 2017 under the auspices of the Mayor of Prague and the Association of the Regions of the Czech Republic.

The chairmanship undertook to promote human rights education in order to prevent abuses and teach citizens how to respect their own rights and the rights of others. A conference on the state of education for citizenship and human rights in Europe, to be held in Strasbourg in June 2017, would bring together representatives of the governmental sector, teaching institutions, and non-governmental organisations with the aim of improving implementation of the Council of Europe Charter on Education for Democratic Citizenship and Human Rights.

No quality education was possible without learning languages, and in that connection the Czech chairmanship would actively cooperate with the Council of Europe’s European Centre for Modern Languages.

Finally, in the context of cooperation with other international organisations, joint activities were planned with the Austrian Chairmanship of the OSCE.

In reply to Mr Kox on the question of Committee of Ministers support for the organisation of the Fourth Summit of Heads of State and Government of the Council of Europe, which would be the subject of the proposal of the report by the Committee on Political Affairs and Democracy, the Minister pointed out that the summit had been announced by Mr Hollande for 2019. An attractive political agenda was important. The Committee of Ministers would carefully examine the report and consider what action to take.

Mr Corlăţean welcomed the chairmanship’s priorities, in particular those contributing to combating xenophobia and extremism. The International Holocaust Remembrance Alliance had recently adopted a definition of anti-Semitism. In 2009, the EU institutions had adopted the Prague Declaration on the Eastern Partnership. How could the Czech Chairmanship contribute to maintaining the European focus of the countries targeted by the Eastern Partnership? The Minister reiterated that the chairmanship would be co-organising a round table on radicalisation. The surge in extremism and intolerance had been apparent well before the migration crisis. Those movements constituted a security risk and, as such, should be combated by the Committee of Ministers, which had a wide range of tools at its disposal to that end. The Committee of Ministers enjoyed good political cooperation with the European Union. Cooperation between the two organisations also continued on projects with the Horizontal Facility for the Western Balkans and Turkey. The Eastern Partnership should also be a focus for the joint efforts undertaken by the two organisations.
Mr Nicoletti picked up on the Minister’s remark on the need to plan a relevant agenda at political level to ensure the success of the Fourth Summit of Heads of State and Government. Since democracy depended on social conditions, might an item on impoverishment and modern slavery be placed on the agenda? According to the Minister, the source of many current problems was growing inequality, and there was a clear need to focus on social issues, including within the European Union. Without common procedures, however, efforts to resolve social problems could polarise more than unite. Prosperity was not possible if social issues were not dealt with appropriately.

4. EXAMINATION OF NEW CREDENTIALS

The Standing Committee ratified the credentials of the new representatives and substitutes, as set out in document Doc 14324.

5. MODIFICATION IN THE COMPOSITION OF COMMITTEES

The Standing Committee approved the changes in the composition of the Assembly's committees, as set out in the document Commissions (2017) 05.

6. REQUEST FOR A CURRENT AFFAIRS DEBATE

The Chairperson informed the Standing Committee that no requests for a current affairs debate had been tabled.

7. AGENDA

The draft agenda was adopted.

8. THIRD PART-SESSION OF THE PARLIAMENTARY ASSEMBLY (26-30 JUNE 2017)

In accordance with Rule 27.4 of the Assembly's Rules of Procedure, the Standing Committee took note of the draft agenda of the third part-session of 2017.

9. REFERENCES, TRANSMISSIONS AND MODIFICATIONS OF REFERENCES TO COMMITTEES

The Standing Committee approved the references and transmissions to committees, as set out in Appendix I.

10. EXCHANGE OF VIEWS WITH MR PAOLO ALLI, PRESIDENT OF THE NATO PARLIAMENTARY ASSEMBLY

Mr Alli emphasised that the NATO Parliamentary Assembly and the Council of Europe Parliamentary Assembly were the two pillars of parliamentary diplomacy in the Euro-Atlantic area. They had already had the opportunity to work together in the past. In eastern Europe, Russia was continuing its aggression towards Ukraine. It had illegally annexed Crimea and was supporting military units in eastern Ukraine. It continued its occupation of Georgia and was intimidating the neighbouring countries. It was also pursuing a rearmament programme and was deliberately provoking NATO countries through military acts or disinformation. At the same time, Russia was seeking to destabilise other countries’ democratic practices and institutions. During its last spring session, held in Georgia, the NATO Parliamentary Assembly had reiterated its support for Georgia's territorial integrity in the face of ongoing Russian aggression. The Assembly also provided its continued support for Ukraine. Russia’s active involvement should be a source of concern for us all. The two Assemblies had a role to play in condemning Russia’s violation of international law and defending the principles on which the European order was based. The present exchange of views provided an opportunity to rediscover a synergy of action.
At the same time, our countries faced serious threats from the south, including the conflicts in Iraq and Syria, the presence of the so-called “Islamic State” and other terrorist groups, the instability and weakness of the institutions in Libya, humanitarian disaster and unprecedented migration. Four reports, on the security and humanitarian aspects of the conflicts in Iraq and Syria, the challenges associated with food and water security, and the terrorist threat in Europe, were being studied by the Assembly committees. The Assembly maintained regular relations with a dozen parliaments in the region and planned to engage in working relations with the Gulf Co-operation Council, the Arab League and the African Union.

Developments in the east and south had dominated the NATO agenda for the past three years. However, the Alliance remained active in the traditional areas of cooperation, namely Afghanistan and the Western Balkans. The political and socio-economic aspects of the Western Balkans could be an obstacle to the region’s integration into NATO and the EU. Without that region, European integration would not be complete. There, too, the two Assemblies could work together to encourage progress and consolidation of the democratic institutions.

Parliamentary diplomacy complemented governmental diplomacy. Regardless of whether parliamentary diplomacy concerned relations with Russia and support for the territorial integrity of Ukraine or Georgia, relations with partners in the Middle East or Africa or, indeed, cooperation in the Western Balkans, it amplified government action by reaching the greatest number of policymakers. Parliamentarians also had more freedom to consider future security trends. For example, the NATO Parliamentary Assembly was one step ahead in the discussion on climate change, the security of the Arctic and the growing power of Asia. A forward-looking discussion had also taken place on the nature of the security challenges faced: cyberattacks, the proliferation of weapons of mass destruction, or the “internet of things”. In addition, parliamentarians could influence the breakdown of budgetary expenditure. Reduced budget spending and the need for burden sharing had been the subject of discussion at the most recent meeting of NATO Heads of State and Government. Furthermore, the parliamentarians’ role was to explain, especially to young people, the links between the current environment and security risks. A Working Group on Education and Communication about NATO had been set up within the Assembly to build better understanding of NATO’s work.

The interparliamentary assemblies played a crucial role in the protection of multilateralism, which was the cornerstone of an international system based on universally accepted rules.

Finally, parliamentary organisations were entrusted with safeguarding democratic values, the promotion of which was the principal activity of both the Council of Europe Parliamentary Assembly and the NATO Parliamentary Assembly. NATO was, of course, a military alliance, but its founding treaty clearly stated that it was above all a community that shared the same values.

Mr Schrijver wondered about the commitment of the United States within the Alliance given the recent statements by the President of the United States. Moreover, even though the position on Ukraine and Georgia had to remain unchanged, confidence-building measures were necessary to bring about a strategic partnership with Russia. Mr Alli acknowledged that certain pre-election statements made by the President of the United States had suggested that the country might disengage from the Alliance, but recent actions indicated otherwise. Mr Donald Trump had budgeted an additional $1.4 billion to reassure the western allies. NATO would also be conducting an operation to provide support against the so-called “Islamic State”. The discussion on expenditure sharing and the allocation of 2% of GDP to military spending was not new and dated back to 2014. The 2016 Summit of Heads of State and Government in Warsaw had recognised the need for deterrence and dialogue with Russia. Russia had an embassy to NATO and the bilateral working group did function, albeit without making much progress. Mr Putin only understood the language of force, which had led NATO to strengthen the Alliance in the East, and there had been a balance of forces since then. It was unlikely that any substantial changes would be seen before the presidential election in Russia.

Mr Kox asked what the arguments were in support of the decision to allocate 2% of GDP to military spending.

Mr Alli said the Assembly’s discussions on sharing and distributing expenditure were far from new. In-depth analysis was needed to fully understand the situation. For example, some member states spent more than 2% of GDP but did not take part in joint missions, while others, such as Georgia, which was not a NATO member, made troops available to participate in NATO missions. Moreover, budget expenditure described as military was not all earmarked for security measures and was also used to pay salaries and retirement pensions. Security, and not gross figures, was the ultimate measure of expenditure. The High Representative of the Union for Foreign Affairs and Security Policy, Ms Mogherini, and the NATO Secretary
General, Mr Stoltenberg, had agreed 42 measures to generate synergies between the EU and NATO. Spending European taxpayers’ money would also mean buying European products. Sharing expenditure was more important for European countries than the United States. The task of members of the NATO Assembly was to explain that spending on security was not a pointless exercise.

Ms Wurm asked about the future of cooperation between NATO and Austria and about the role of women in the defence of common values. Mr Alli pointed out that the aim of the Alliance was take joint action to protect a member of the Alliance that had been attacked. Austria was part of Europe, whose borders would be jointly defended. The NATO Assembly did not contain many women as there were few women on the defence committees of their respective parliaments, but the entire Alliance was working towards the full participation of women, who had a key role to play.

For Mr Corlăţean, common values were fundamentally important. However, the Euro-Atlantic Community faced a dilemma as far as Russia was concerned. On the one hand, it was necessary to secure respect for the territorial integrity of countries like the Republic of Moldova, Georgia and Ukraine; on the other hand, there was a call for positive dialogue with Russia. How could those two points of view be reconciled? Mr Alli agreed that compliance with international law was in the interests of all nations. In Japan, there was considerable interest in the reaction to Russia’s breach of international law. If Europe did not stop Russia, China could also act in breach of international law in the future, so the firm position on Russia’s conduct, especially in Ukraine, served to protect international and regional security. The Nagorno-Karabakh conflict was influenced by foreign powers, which were rekindling it to serve their own interests. The recent agreement between Russia, Turkey and Bashar al-Assad was counterproductive in the fight against terrorism.

Ms Kavaddia wondered whether certain countries were engaging in a hypocritical game by denouncing the danger of terrorism while adopting policies conducive to radicalisation. How could a balance be maintained between combating terrorism and ensuring respect for human rights? Mr Alli acknowledged that the problem of States playing a double game existed, but in the absence of proven links between a government and a terrorist group it was hard to claim that a government was supporting terrorism. The only example was Saudi Arabia, which had financed the so-called “Islamic State”. As far as radicalisation was concerned, the political instability in the western Balkans benefited Saudi Arabia, which supported the Islamic section of the population. Parliamentarians were duty-bound to sound the alarm bell when the fight against terrorism threatened human rights.

The President thanked Mr Alli and asked the Secretary General to explore ways of setting up joint activities.

Sir Roger Gale took the chair.

Before moving on to the next item, Sir Roger said he was chairing part of the meeting following a decision of the Presidential Committee and the Bureau to allow the President of the Assembly, who had been the subject of a no-confidence vote of the Bureau, to chair the formal part of the meeting.

12. OBSERVATION OF ELECTIONS
   a. Observation of the parliamentary elections in Armenia (2 April 2017)  

   **Rapporteur of the Ad hoc Committee of the Bureau:**
   Ms Liliane Maury Pasquier (Switzerland, SOC)

The rapporteur reminded the participants that the Ad hoc Committee had observed the first elections held under the new political system marking the change from a semi-presidential to a parliamentary system. As a consequence of this transitional state, the observation mission presented a mixed picture. It was first of all necessary to stress the legal and logistical progress made. In particular, the population had been well-informed about the new and very complex electoral legislation. The new Electoral Code had taken many of the Venice Commission’s earlier recommendations into account. The Central Electoral Commission had conducted its work efficiently in a transparent and collegial manner, the sole exception being the treatment of complaints. The accuracy of electoral registers had been improved. With regard to the list of candidates, four seats had been reserved for the minorities, the gender representation quota had been observed and 30% of candidates had been women. Overall, the election campaign had been conducted without any restrictions, and freedom of expression had been broadly exercised, especially on the Internet. The voting process and counting of votes had been given a positive rating, with some comments mentioned in the report.
However, all these legal and organisational changes had not managed to dispel the long-standing suspicions concerning the reliability and integrity of the electoral process. Numerous allegations of vote-buying had been reported. The international election observation mission had also received credible reports of pressure on voters and intimidation. These suspicions had helped to taint the campaign climate and public confidence in the electoral process. In spite of the considerable number of allegations, few complaints had been made to the election administration and the courts because there was little confidence that they would be dealt with effectively. The elections had been a first step towards the establishment of a new political system, which still lacked citizen support.

Ms Naghdalyan confirmed that the elections had indeed been held against the backdrop of a fundamental change in the political system. She thanked all the international partners that had observed the elections. Their recommendations would guide the new measures to be put in place. It was important that the conclusions were generally positive, including the conclusions on respect for fundamental freedoms, the new Electoral Code and freedom of expression. The new legislation provided for stronger representation of women and, for the first time, the representation of the country’s minorities in parliament. Women occupied 18% of the seats in the current legislature. Given the shortcomings that had been observed, it was necessary to clarify the expression “abuse of administrative resources”, because in many countries holders of political office participated in election campaigns without giving up their seat. The allegations of political influence would be carefully examined by the authorities.

The rapporteur thanked Ms Naghdalyan and welcomed the announced objective of boosting democratic confidence.

The Standing Committee took note of the report.

b. Observation of the presidential election in Serbia (2 April 2017)

Rapporteur of the Ad hoc Committee of the Bureau:
Ms Ingebjørg Godskesen (Norway, EC)

The rapporteur thanked the Serbian authorities for the support they had provided during the mission. The Assembly’s Ad hoc Committee had been the only parliamentary delegation to observe the election. Despite a number of technical shortcomings, the ballot had been well-organised. However, deficiencies had been noted at the pre-electoral stage. Even though candidates had generally been able to conduct their election campaigns without any restrictions, the position of Prime Minister held by Mr Vučić, the candidate from the ruling coalition, had contributed to the unlevel playing field. It was regrettable to note that a number of Venice Commission recommendations, especially on the settlement of electoral disputes, had not been followed.

Many concerns regarding media coverage, expressed in previous reports, had not been resolved. The Ad hoc Committee had noted that the media coverage of the campaign had never been so imbalanced in favour of the candidate from the ruling coalition. With regard to campaign funding, numerous Venice Commission recommendations had not been followed, in particular the need to include in the law on the election of the President of the Republic provisions on the autonomous mandate of the Anti-Corruption Agency, to review the level of public funding and to consider introducing an overall cap on campaign spending. The Ad hoc Committee had asked the Serbian authorities to examine the shortcomings in order to strengthen public confidence in democratic elections.

Ms Djurović thanked the members of the Ad hoc Committee. However, she wished to express her disappointment concerning the content of the report, which contained a number of contradictions. For example, there was a reference to unequal media coverage in favour of the candidate from the ruling coalition, describing it as “unprecedented”. At the same time, paragraph 32 of the report stated that “the presidential candidates’ activities were relatively fairly covered”. The word “unprecedented”, used three times in the report, would have been suitable for describing the refusal by state television to broadcast the campaign message of the candidate from the Serbian Progressive Party during the 2012 presidential election. She also had reservations over paragraphs 15 to 17. In particular paragraph 15, which stated that “the Prime Minister, Aleksandar Vučić, decided to run for the presidency even though he had previously declared that he did not intend to be a candidate”, did not reflect the real situation and showed that the Ad hoc Committee had taken account of information provided by the opposition only. On the other hand, the report did not mention the fact that the opposition candidate Mr Saša Janković had begun the election campaign while still holding the post of Ombudsman, which was prohibited by law. The two co-rapporteurs of the Monitoring Committee had been informed of the situation and that would be reflected in a later report by that committee. Mr Vučić had won the election with 55% of the vote, followed by an opposition candidate who had obtained 16%. Aware of the lack of popular support, the leaders of the opposition parties had not stood for election that time round. She expressed her reservations concerning the content of the report.
The rapporteur thought the word “unprecedented” had been used appropriately: paragraph 32 mentioned the 58.45% of the time given to Mr Vučić on the main television channels and the 6.99% and 6.75% given to two opposition candidates. The Ad hoc Committee had not met the former Ombudsman who had become a candidate, which was why the report did not contain the information on him. Finally, the co-rapporteurs of the Monitoring Committee had not been in Serbia on polling day.

The Standing Committee took note of the report.

c. Observation of the referendum on the constitutional amendments in Turkey
(16 April 2017)

Rapporteur of the Ad hoc Committee of the Bureau:
Mr Cezar Florin Preda (Romania, EPP/CD)

The rapporteur pointed out that all the report’s conclusions were summarised in the press release. The Bureau of the Assembly had approved Mr Kox’s amendment the previous day. The rapporteur had not supported the other amendments as they related to the general situation in Turkey after the referendum.

Mr Kox noted that the mission had taken place in a difficult context, which was well reflected in the report. The referendum had been held in an atmosphere of inequality between the two sides and in the absence of fundamental freedoms, which were essential for a truly democratic process. Thousands of individuals had been detained, including nearly 3000 members of the CHP party, its leaders among them, and several members of the HDP party. The “No” campaign had had no media coverage and been impeded by the misuse of state resources. Several journalists had been arrested under the state of emergency. On polling day, the instructions concerning the validity of the ballot papers had been significantly amended, thus casting doubt on the correlation between the votes cast and the result announced. The amendment accepted by the Bureau on the previous day deplored the doubt cast on the credibility of the observation mission by the President and the Foreign Minister and reiterated that the mission had been carried out in accordance with the Guidelines for the observation of elections by the Parliamentary Assembly. The aim of the amendment was to support the members of the Ad hoc Committee, who had been threatened by the same authorities that had invited them to observe the referendum.

The rapporteur informed the Standing Committee that the Monitoring Committee had asked the head of the Turkish delegation about the absence of the opposition at Monitoring Committee meetings. In addition, it was regrettable to see the Foreign Minister call into question the credibility of an observation mission of the Assembly of which he had been a member. While participating in the Assembly’s work, he had always praised the constructive approach of those missions.

The Standing Committee took note of the report.

Ms Djurović took the chair.

13. RULES OF PROCEDURE, IMMUNITIES AND INSTITUTIONAL AFFAIRS

a. Budget and priorities of the Council of Europe for the biennium 2018-2019

Rapporteur of the Committee on Rules of Procedure, Immunities and Institutional Affairs:
Mr George Loucaides (Cyprus, UEL)

The rapporteur reminded the participants that the Secretary General’s priorities for the biennium 2018-2019 had been presented on 9 May, after the adoption of the present report by the Committee on Rules of Procedure. This meant that the report had been drawn up on the basis of information provided by the Deputy Secretary General and the Director of Programme and Budget. Our societies faced tensions due to threats of terrorist attacks, the persistence of hostilities in conflict zones and the migrant and refugee crisis. The economic and social inequalities observed provided a breeding ground for those threats. Its goals and geographical scope made the Council of Europe the best placed organisation to deal with those threats. Three main challenges had been identified in connection with the 2018-2019 biennium: responding to populist threats, defending the rights of migrants and refugees and combating terrorism. The Council’s work must go hand in hand with the establishment of a coherent system of human rights protection on a European scale and increased cooperation with member States in order to combat terrorism – objectives that could not be attained without strengthening social rights. The programme of activities should also take account of UN Resolution 70/1 “Transforming our World: The 2030 Agenda for Sustainable Development”, in which 8 of the
17 objectives corresponded to the Council’s priorities. The Organisation’s increased visibility resulting from the extra-budgetary resources made available, especially by the European Union, was to be welcomed. However, those resources were used to help a limited number of States, so there was an urgent need to rebalance their allocation, including for the benefit of standard-setting activities, and to return to zero real growth.

Mr Kox pointed out that increased cooperation with the European Union was the result of the Third Summit of Heads of State and Government. Even though that cooperation was positive in budgetary terms, it carried the risk of depriving the Council of its freedom of action. The question of the relations between the two organisations should be dealt with at the next summit of Heads of State and Government.

The Deputy Secretary General of the Council of Europe noted that a number of countries already supported the return to zero real growth. The position of the major contributors, including France, would be important. Members of the Parliamentary Assembly should speak to their respective ministers to raise their awareness of the situation of the Council of Europe. If the zero nominal growth policy was maintained for the next biennium, 76 posts would be lost and several activities cancelled. In response to Mr Kox’s remarks, the previous year’s voluntary contributions amounted to 61 million euros, half of which had come from the European Union. Even though the work that those contributions were supposed to finance covered its core activities, the Council was obliged to act on the basis of contracts signed with the EU. Moreover, it was impossible to foresee what consequences Brexit and the subsequent reduction in the EU budget would have for that cooperation.

The rapporteur reiterated the urgent need to adopt a zero real growth policy.

The Committee Chairperson, Ms Maury Pasquier, emphasised that budgetary matters, which were of little political interest, had a direct impact on freedom of political action. She appealed to members to persuade the relevant authorities to back a zero real growth policy.

The Standing Committee adopted the draft opinion unanimously [Opinion 294 (2017)].

b. Expenditure of the Parliamentary Assembly for the biennium 2018-2019

Rapporteur of the Committee on Rules of Procedure, Immunities and Institutional Affairs: Mr George Loucaides (Cyprus, UEL)

The rapporteur invited members to consult the appendices to the report, which provided a detailed overview of the Assembly's expenditure. The Assembly would continue its policy of seeking funding from governments and parliaments for the implementation of projects to promote European and international standards through the work of parliaments in connection with diaspora policies, social rights, the No Hate Alliance, safeguarding public health, and the protection of children. The rapporteur thanked the member States and parliaments that had made contributions. The Assembly would keep up its modernisation drive, in particular with technical upgrades of its website, which was also funded by voluntary contributions. The major works on the Assembly chamber were scheduled for the period from February 2018 to March 2019, during which Assembly sittings would be held in the hemicycle of the European Parliament. The Assembly would have to find in its current budget allocation the funds necessary to cover staff salary adjustments amounting to 261,000 euros. Inflation-based adjustments were gradually eroding the Organisation’s resources, and the only remedy was to return to zero growth in real terms.

Mr Destexhe asked if the appeal to increase the budget resources allocated to the political groups, which he considered insufficient in comparison to the budgets of groups in national parliaments, had been taken into account in connection with the report.

Mr Kox said there had been no general agreement to increase the groups’ budgets.

The Secretary General pointed out that the political groups currently had an unused balance of 900,000 euros. Moreover, since the salaries of the staff of the political groups kept pace with the salary adjustments of Council of Europe staff, the allocations to the political groups were regularly increased, so that the salary adjustments of the groups’ staff did not erode the operating budgets. Finally, if an appropriation was increased, that would be reflected in a reduction in other appropriations, for example for interpretation, translation, the holding of plenary sessions etc.

The rapporteur fully agreed.
The Standing Committee adopted the draft resolution unanimously [Resolution 2165 (2017)].

14. POLITICAL AFFAIRS AND DEMOCRACY

The political transition in Tunisia

Rapporteur of the Committee on Political Affairs and Democracy:
Mr George Loucaides (Cyprus, UEL)

The rapporteur welcomed the country’s progress towards democracy. However, the success of the democratic transition was still fragile. It was important to note that the political leaders were fully convinced of the need for reforms in line with international standards in the areas of combating discrimination against women, combating racism and providing protection for whistleblowers. Tunisia would be the first non-member country to sign the Lanzarote Convention. Civil society was well-organised and capable of completing projects. At the same time, the country faced a two-fold challenge based on economic and security issues. There had recently been clashes between demonstrators and the police and there was a fear that old habits would resurface and risk destroying the rights and freedoms hard won in the revolution. The recent resignation of three members of the Independent High Authority for Elections, including its President and Vice-President, was an alarming sign. In conclusion, Tunisians knew that they enjoyed a special geopolitical status and wanted that status to be recognised. For that to be done, it was necessary to go beyond conventional measures.

The two amendments to the draft resolution and an amendment to the draft recommendation tabled by Ms Brasseur with the aim of taking the latest developments into account were adopted unanimously.

The Standing Committee adopted the draft resolution and draft recommendation unanimously [Resolution 2166 (2017) and Recommendation 2103 (2017)].

15. LEGAL AFFAIRS AND HUMAN RIGHTS

Draft protocol amending the Additional Protocol to the Convention on the Transfer of Sentenced Persons (ETS No. 167)

Rapporteur of the Committee on Legal Affairs and Human Rights:
Mr Philippe Mahoux (Belgium, SOC)

In the absence of the rapporteur, the report was presented by Mr Rouquet. In September 2016, the Committee of Ministers had invited the Assembly to present an opinion on the draft protocol amending the Additional Protocol to the Convention on the Transfer of Sentenced Persons (ETS No. 112). The Committee had already considered questions concerning this Convention's application in 2001 and 2014. It was to be borne in mind that the Convention's main aim was to promote the social reintegration of sentenced persons by facilitating the transfer of foreign prisoners to their country of origin. The Convention had been signed by 46 Council of Europe member States and 19 non-member States. Besides a few additions of a purely procedural nature, the draft was chiefly intended to resolve two different issues: authorising the transfer of a person having been subject to a final sentence who had freely returned to the country of their nationality and deleting the consequential link between the expulsion or deportation order and the sentence. The latter scenario could theoretically pose problems from the viewpoint of the protection of fundamental rights, particularly in terms of "double punishment" and respect for private and family life. Nevertheless, the proposed amendment to the additional Protocol applied above all to situations where a sentenced person would have to leave the territory of the State where they had been convicted after serving their sentence, as they would not be allowed to stay on the territory of that State. Furthermore, the additional Protocol also contained several safeguards against unjustified transfers. In sum, the amendments merely added a few new components geared to improving the Convention's application. The Assembly was invited to endorse it.

Mr Ariev wished to draw the Committee's attention to the cases of sentenced persons who had been imprisoned in Crimea when the territory had been under the control of Ukraine. Following the illegal annexation of Crimea by Russia, those individuals had been forcibly transferred to Russia. The same situation could be observed in eastern Ukraine.

Mr Rouquet thanked Mr Ariev for his observations. If it wished, the Committee might discuss the issue but outside the framework of the proposed amendments to the additional Protocol.
16. SOCIAL AFFAIRS, HEALTH AND SUSTAINABLE DEVELOPMENT
a. The employment rights of domestic workers, especially women, in Europe

Rapporteur of the Committee on Social Affairs, Health and Sustainable Development:
Mr Viorel Riceard Badea (Romania, EPP/CD)

The rapporteur pointed out that the demand for domestic work had increased heavily in recent years, especially in Western Europe where the population was ageing and both partners in young couples were working. Furthermore, the precarious economic situation in domestic workers’ countries of origin was an incentive to migrate. Domestic workers, who were mostly women, carried out their work behind the scenes: they were often invisible, underpaid or undeclared, and their status was often precarious. Women could sometimes fall victim to ill-treatment and discrimination. Accordingly, it was important to recognise domestic work as “real work” in order to extend social and labour protection to domestic workers. The States were invited to ratify the International Labour Organization Convention on domestic workers (No. 189) and apply Recommendation No. 201 on domestic workers, adopted by the ILO in 2011. Stronger social guarantees could also be afforded by extending the scope of the European Social Charter (revised) (ETS No. 163) to guarantee inter alia normal hours of work, periods of daily and weekly rest, the right to social security etc. A proper employment contract had to be introduced, enabling domestic workers to know their rights and the complaint mechanisms and uphold their interests. Multilingual inspection teams, trained in the specific characteristics of domestic work, must be set up, together with affordable and easily accessible complaint mechanisms. The States were invited to act on the proposals in the resolution to give greater dignity to domestic worker status.

Mr O’Reilly welcomed this timely and important report and highlighted abuses of au pair status. Young people who had come to learn a country’s language were often reduced to domestic slavery, many of them girls who were unable to stand up for their rights. This topic should be discussed in-depth.

Ms Wurm agreed with the rapporteur that it was mostly women who found themselves in abusive situations. They were often driven to leave their country of origin, leaving their children and elderly parents behind. Welfare benefits were sometimes cut in their absence, leaving them more vulnerable. The proposals in the resolution for one-stop shops, a minimum wage and social protection were excellent. Issues such as the situation of young au pairs or people providing elderly care should be discussed within the committee.

Mr Corlățean welcomed the report, which perfectly reflected the problems of domestic work. The rapporteur was a senator elected by a diaspora and had gained a first-hand view of the issues over successive terms of office. All central and east European countries which were members of the European Union were aware of this phenomenon and the related costs and risks. The report proposed concrete steps for giving dignity to domestic employees, many of whom today were victims of modern slavery. The call in paragraph 3 of the draft resolution to extend the scope of the revised European Social Charter to afford greater social protection to domestic workers must also be addressed to the Committee of Ministers in a recommendation.

The rapporteur thanked all the committee members who had shared their views. The problems did concern young au pairs but also minors who were subjected to modern slavery. Some people confiscated domestic employees’ identity papers in order to deprive them of their rights. There were new issues that might be dealt with in a new report which could also be addressed to the Committee of Ministers.

The Chairperson, Ms Kyriakides, speaking on the Committee’s behalf, backed the report, which highlighted a difficult problem.

The Standing Committee adopted the draft opinion unanimously [Resolution 2167 (2017)].

b. Human rights of older persons and their comprehensive care

Rapporteur of the Committee on Social Affairs, Health and Sustainable Development:
Lord George Foulkes (United Kingdom, SOC)

The rapporteur stressed that the drafting of the report had been guided by a spirit of compassion but above all the need to strengthen protection of the rights of older persons. The report detailed the legal framework already established in the different international organisations such as the Council of Europe, the World Health Organisation and the United Nations and proposed additional measures. The elderly formed a
vulnerable group suffering from discrimination, ill-treatment, isolation and social exclusion. The draft resolution proposed a set of measures so that they could live in dignity, such as a minimum income and appropriate housing. Adequate training should be provided to health care professionals in geriatrics. The report also proposed introducing a legally binding charter on the rights of older persons, backed by a monitoring mechanism. The two countries visited during the report's preparation—Denmark and Romania—provided concrete examples of the intergenerational integration of older people, and it was necessary to promote the positive image of what older people could contribute to society.

Mr O’Reilly fully backed the report and the proposal to devise a charter and a monitoring mechanism. A system of inspection had to be introduced in specialised establishments as the elderly were not always able to speak about being ill-treated. Furthermore, many of them wished to continue living at home, which could reduce the costs of state care. Finally, the stereotypes that formed a basis for implicit discrimination had to be combated.

The rapporteur said that he was a member of "Age Scotland", an association supporting and campaigning for older people, many of whom wished to stay at home rather than going into a specialised institution. This required better organisation of the home care services. It was true that there was a negative perception of older people, which had to be addressed.

The Chairperson, Ms Kyriakides, welcomed the report, which tackled the question of older persons from the viewpoint of human rights and dignity.

The Standing Committee adopted the draft resolution and draft recommendation unanimously [Resolution 2168 (2017) and Recommendation 2104 (2017)].

17. OTHER BUSINESS

None.

18. NEXT MEETING

The Standing Committee decided to hold its next meeting in Copenhagen on 24 November 2017.

The meeting rose at 4.30 pm.
APPENDIX I
Decisions on documents tabled for references to committees

A. REFERENCES TO COMMITTEE

1. Addressing the massive curtailment of democratic rights and freedoms in Israel, especially the “Transparency Law”/“NGO Law”
   Motion for a resolution tabled by Ms Groth and other members of the Assembly
   Doc. 14094
   No further action

2. Illegal elections in the occupied Autonomous Republic of Crimea and in the city of Sebastopol
   Motion for a resolution tabled by Mr Goncharenko and other members of the Assembly
   Doc. 14188
   No further action

3. Protecting and supporting the victims of terrorism
   Motion for a resolution tabled by the Committee on Political Affairs and Democracy
   Doc. 14271
   Reference to the Committee on Political Affairs and Democracy for report

   Motion for a resolution tabled by Mr Schwabe and other members of the Assembly
   Doc. 14275
   Reference to the Committee on Legal Affairs and Human Rights for report

5. The humanitarian situation of refugees in the countries neighbouring Syria
   Motion for a resolution tabled by Mr Di Stefano and other members of the Assembly
   Doc. 14276
   Transmission to the Committee on Migration, Refugees and Displaced persons for information

6. Sergei Magnitsky and beyond – fighting impunity by targeted sanctions
   Motion for a resolution tabled by Lord Anderson and other members of the Assembly
   Doc. 14295
   Transmission to the Committee on Legal Affairs and Human Rights for information

7. A two-State solution in Israel and Palestine
   Motion for a resolution tabled by Mr Kox and other members of the Assembly
   Doc. 14296
   Reference to the Committee on Political Affairs and Democracy for report

8. A commitment to introduce rules to ensure fair referendums in Council of Europe member States
   Motion for a resolution tabled by Lord Foulkes and other members of the Assembly
   Doc. 14299
   Reference to the Committee on Political Affairs and Democracy for report

9. Human rights situation in the occupied regions of Georgia
   Motion for a resolution tabled by Ms Chugoshvili and other members of the Assembly
   Doc. 14301
   Consultation of the Committee on Legal Affairs and Human Rights on possible follow-up
10. Review of regulations for election observations by the Parliamentary Assembly
Motion for a resolution tabled by Mr Hardt and other members of the Assembly
Doc. 14302

No further action

11. The situation in Kosovo*
Bureau Decision

Reference to the Committee on Political Affairs and Democracy for report

*Any reference to Kosovo in this text, whether to the territory, institutions or population, shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.
APPENDIX II

List of participants

President of the Parliamentary Assembly / Président de l’Assemblée parlementaire
Mr Pedro AGRAMUNT Spain

Chairpersons of Political Groups / Président(e)s des groupes politiques
Mr Axel FISCHER Group of the European People’s Party (EPP/CD) / Groupe du Parti populaire européen (PPE/DC)
Mr Michele NICOLETTI Socialist Group (SOC) / Groupe socialiste (SOC)
Ms Ingebjørg GODSKESEN European Conservatives Group (EC) / Groupe des conservateurs européens (CE)
Mr Tiny KOX Group of the Unified European Left (UEL) / Groupe pour la gauche unitaire européenne (GUE)

Vice-Presidents of the Assembly / Vice-président(e)s de l’Assemblée
Sir Roger GALE United Kingdom
M. Réné ROUQUET France
Ms Ingjerd SCHOU Norway
Ms Hermine NAGHDALYAN Armenia
Mr Zsolt NÉMETH Hungary
Ms Adele GAMBARO Italy
Mr Axel E. FISCHER Germany
Mr George LOUCAIDES Cyprus
Mme Ana Catarina MENDES Portugal
Ms Aleksandra DJUROVIĆ Serbia
Mr Georgii LOGVYNSKYI Ukraine
Mr Róbert MADEJ Slovak Republic
Mr Titus CORLĂŢEAN Romania

Chairpersons of National Delegations / Président(e)s de délégations nationales
Ms Valentina LESKAJ Albania
Ms Hermine NAGHDALYAN Armenia
Ms Gisela WURM Austria
Mr Samad SEYIDOV Azerbaijan
Mr Hendrik DAEMS Belgium
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Ms Dana VÁHALOVÁ Czech Republic
Ms Maria GUZENINA Finland
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Mr Axel FISCHER Germany
Ms Ioanetta KAVVADIA Greece
Mr Zsolt NÉMETH Hungary
Mr Joseph O’REILLY Ireland
Mr Michele NICOLETTI Italy
Mr Algirdas BUTKEVIČIUS Lithuania
Ms Anne BRASSEUR Luxembourg
Mr Nico SCHRIJVER Netherlands
Ms Ingjerd SCHOU Norway

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Mme Ana Catarina MENDES  Portugal
Mr Titus CORLĂŢEAN  Romania
Ms Aleksandra DJUROVIĆ  Serbia
Mr Róbert MADEJ  Slovak Republic
Mr Andrej ŠIRCELJ  Slovenia
Mr Jonas GUNNARSSON  Sweden
Mr Volodymyr ARIEV  Ukraine
Sir Roger GALE  United Kingdom

Chairperson of the Committee on Political Affairs and Democracy /  
Président de la Commission des questions politiques de la démocratie
Mr Hendrik DAEMS  Belgium
(in the absence of the Chairperson /  
en l’absence du Président)

Chairperson of the Committee on Legal Affairs and Human Rights /  
Président de la Commission des questions juridiques et des droits de l'homme
M. Alain DESTEXHE  Belgique

Chairperson of the Committee Social Affairs, Health and Sustainable Development /  
Présidente de la Commission des questions sociales, de la santé et du développement durable
Ms Stella KYRIAKIDES  Chypre

Chairperson of the Committee on Migration, Refugees and Displaced Persons /  
Présidente de la Commission des migrations, des réfugiés et des personnes déplacées
Ms Sahiba GAFAROVA  Azerbaïdjan

Chairperson of the Committee on Culture, Science, Education and Media /  
Président de la Commission de la culture, de la science, de l'éducation et des médias
Mr Volodymyr ARIEV  Ukraine

Chairperson of the Committee on Equality and Non-Discrimination /  
Présidente de la Commission sur l’égalité et la non-discrimination
Ms Elena CENTEMERO  Italie

Chairperson of Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) /  Président de la Commission pour le respect des obligations et engagements des Etats membres du Conseil de l'Europe (Commission de suivi)
M. Cezar Florin PREDA  Roumanie

Chairperson of the Committee on Rules of Procedure, Immunities and Institutional Affairs /  
Présidente de la Commission du règlement, des immunités et des affaires institutionnelles
Mme Liliane MAURY PASQUIER  Suisse

Chairperson of the Committee on the Election of Judges to the European Court of Human Rights /  
Président de la Commission sur l'élection des juges à la Cour européenne des droits de l'homme
Mr Boriss CILEVIČS  Lettonie

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Mr Viorel Riceard BADEA  Roumanie
Lord George FOULKES  Royaume-Uni

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M. Namik DOKLE  Albanie
Invited personalities / Personnalités invitées
Mr Milan ŠTĚCH President of the Czech Senate / Président du Sénat tchèque
Mr Jan HAMÁČEK President of the Czech Chamber of Deputies / Président de la Chambre des Députés tchèque
Mr Lubomír ZAORÁLEK Minister for Minister for Foreign Affairs of the Czech Republic, Chairperson of the Committee of Ministers of the Council of Europe / Ministre des Affaires étrangères de la République tchèque, Président du Comité des Ministres du Conseil de l'Europe
Mr Paolo ALLI President of the NATO Parliamentary Assembly / Président de l'Assemblée parlementaire de l'OTAN
Mr David HOBBS Secretary General of the NATO Parliamentary Assembly / Secrétaire Général de l'Assemblée parlementaire de l'OTAN

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M. Xavier PINON France
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Mr Michael HILGER Germany
Ms Voula SYRIGOS Greece
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Ms Valeria GALARDINI Iceland
Mr Martins OLEKŠS Latvia
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Mr Bas NIEUWENHUIZEN Netherlands
Ms Dorthe BAKKE Norway
Ms Anna TREBACZKIEWICZ Poland
Mr Vladimir FILIPOVIĆ Serbia
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Ms Alja ŠKIBIN Slovenia
Ms Karin McDONALD Sweden
Mr Daniel ZEHNDER Switzerland
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Mr Wojciech SAWICKI Secretary General / Secrétaire Général
Mr Mário MARTINS Director General / Directeur Général
Mr Horst SCHADE Director of General Services / Directeur des services généraux
Mr Mark NEVILLE  Head of the Private Office / Chef du Cabinet
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Mme Kateryna GAYEVSKA  Secretary of the Standing Committee / Secrétaire de la Commission permanente
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Mr Jorge MESTRE  Senior Political Advisor to the President of the Assembly / Conseiller politique principal du Président de l’Assemblée
Lady Elizabeth Anna FOULKES  United Kingdom / Royaume-Uni