

Nyt fra E u r o p a r å d e t

Opdatering decembr og kalender 2005
Pressemeddelelse DK 15/04, 22. december 2004

Council of Europe promotes the right to reply for online media

Strasbourg, 17.12.2004 – The Council of Europe’s Committee of Ministers has adopted a Recommendation on the right to reply in the new media environment.

The Recommendation urges member states to extend the right to reply – which until now applied to the written press, radio and television – to online communication services providing information edited in a journalistic manner.

The right to reply is a particularly appropriate remedy in the online environment, as contested information can be instantly corrected and replies from those concerned can easily be attached.

The Recommendation specifically states that if contested information remains available to the public, and if a right to reply has been granted, a link should be established between the two items in order to draw users’ attention to the fact that the information has triggered a response.

The drafting of the Recommendation by the Steering Committee on the Mass Media was the subject of a widespread public consultation process, which took place via the Council of Europe website. A large number of observations were duly taken into account.

The full text of the Recommendation can be found at the following address:

[http://www.coe.int/T/E/Com/press/News/2004/rec\(2004\)16.asp](http://www.coe.int/T/E/Com/press/News/2004/rec(2004)16.asp)

Adoption of the Council of Europe’s budget for 2005

Strasbourg, 15.12.2004 – The Council of Europe Ministers’ Deputies have today adopted the Organisation’s budget for 2005. The member states’ contribution to the Ordinary Budget will amount to €186 million (as opposed to €180.5 million in 2004).

“The Organisation now has a realistic budget in the current circumstances. Generally speaking, it reflects a desire for zero budgetary growth in real terms,” said Council of Europe Secretary General Terry Davis.

The Secretary General noted that the main thrust of the Organisation’s priorities for 2005 had been fixed by the Committee of Ministers before he took up office. He also pointed out that 2005 would see the Summit of Heads of State and Government in Warsaw on 16 and 17 May, which would determine the strategic objectives of the Council of Europe in the medium term. “The 2005 programme of activities reflected what member states wanted from the Organisation and placed particular emphasis on combating threats to democratic stability, including terrorism, and to reinforcing democratic values through education”, Mr Davis added.

“For the third time, the resources of the European Court of Human Rights will be increased in the framework of the three-year programme to reinforce its finances. The Court’s budget for 2005 will rise to € 41.7 million, representing a growth of 4.8% compared to 2004, and 64% since the creation of the single Court on 1 November 1998,” he concluded.

Statement by the PACE Monitoring Committee on the situation in Ukraine

Strasbourg, 15.12.2004 - The Monitoring Committee of the Council of Europe Parliamentary Assembly (PACE), meeting today in Paris, adopted the following statement:

“The Committee regrets the failure of the Ukrainian authorities to respect its calls made in June and September 2004 to conduct the election process with absolute impartiality and respect for Council of Europe standards. Although the first round clearly showed that Mr Yushchenko and Mr Yanukovych were the two winning candidates, both rounds were marred with systematic fraud, massive manipulations, and abuse of power by state officials. This fraud compromised the official results to such an extent that they could not be accepted as the reflection of the free will of the Ukrainian people. Persons responsible for these frauds should be prosecuted without delay according to the relevant criminal and administrative procedures.

The Committee is impressed by the non-violent mass protests of the Ukrainian citizens demonstrating their commitment to democratic values and aspirations for better government which would reinforce the rule of law and human rights in the country and fight wide-spread corruption.

The Committee welcomes the Ukrainian Supreme Court’s decision of 3 December invalidating the results of the second round of the elections and ordering a re-run of the second round. The Supreme Court’s historical judgment, which was based on the Ukrainian Constitution and the European Convention on Human Rights, cleared the way for a peaceful solution to the political crisis and the reconstitution of the rule of law in the country, as well as respect for the judiciary.

The Committee also notes with satisfaction that several Ukrainian nation-wide TV channels decided to stop their practice of biased news coverage, refused further guidance by the temnyky and declared their will to show impartiality during the upcoming election campaign.

Welcoming the halt of political turmoil by the adoption of a compromise reform package on 8 December 2004, the Committee, however, is disappointed that the constitutional amendments were included into the political bargaining and served not the purpose of a well-considered overhaul of the system of governance but as a tool for reaching an agreement between political forces. The Committee regrets that the previous PACE resolutions were thus neglected.

The Committee also expresses concern that the adopted constitutional amendments include the provisions criticised earlier by the Venice Commission – and notably an imperative mandate of the people’s deputies and the extension of the power of the public prosecutor’s office restoring a Soviet-type Prokuratura, which conflict with the principles of democracy and the rule of law. It is also concerned that the new constitutional changes were adopted without consulting the Constitutional Court. Those provisions of the amended Constitution of Ukraine which do not conform with European standards, particularly the extended power of the prosecutor’s office and the imperative mandate of the people’s deputies, should be brought into line with Ukraine’s obligations and commitments to the Council of Europe.

The Committee also regrets that the law adapting the election rules for the repeat run-off, adopted on 8 December, did not grant the domestic non-partisan organisations a right to observe the elections on an equal footing with international observers and candidates’ representatives as was recommended by the Committee.

The new voting gives the Ukrainian authorities another chance to prove that they are capable of holding democratic elections in line with the country’s commitments to the Council of Europe. The Committee, therefore, calls on the Ukrainian authorities to ensure full adherence to the principles of free and fair elections before, and on the day of, the repeat second round on 26 December 2004 in order to ascertain the will of Ukrainian people. It also calls on the newly composed central and other election commissions to implement the recommendations of the OSCE/ODIHR election observation mission concerning the repeat voting, in line with the 8 December law on the application of the Presidential Election Law during repeat voting.

The Committee is alarmed by the findings of Austrian doctors confirming that Mr Yushchenko was poisoned with dioxin 'with clearly suspected third-party involvement'. This allegation should be thoroughly investigated by the Ukrainian law enforcement bodies and the perpetrators must be brought to justice.

The Committee, while welcoming the assistance provided so far by the Council of Europe in the preparation of the elections of 26 December, calls immediately for its greater future involvement in the efforts to help Ukraine meet the organisation's standards."

Statement of Congress President Giovanni Di Stasi on the law amending the election of regional executives in Russia

Strasbourg, 10.12.2004 - The President of the Council of Europe Congress of Local and Regional Authorities today declared that the Congress had taken note of the law passed by the Federal Assembly in early December, making substantial amendments to the procedure for electing regional executives in Russia.

President Giovanni Di Stasi said that the Congress regretted that more consideration had not been given to its proposals during the debate on the draft law. "We in the Congress of the Council of Europe still hope that the law was a provisional measure, linked to the crisis caused by acts of terrorism and the desire to strengthen the country's unity and ability to react in the face of such acts. "

Mr Di Stasi added that the Congress would like this legislation to be reviewed, as soon as possible, once conditions permitted, so as to grant regions greater scope in forming their executive bodies. The Congress also feared that, by making it easier to dissolve regional parliaments, the law would weaken Russia's federal structure.

"Our institution wishes to continue its constructive dialogue with the Russian authorities on developments in federalism in the near future" concluded Mr Di Stasi, at the meeting of the Bureau of the Congress.

European ministers call on the Council of Europe to boost dialogue with neighbouring regions

Wroclaw, 10.12.2004 – European ministers of culture, education, youth and sport have urged the Council of Europe to consider new measures to boost intercultural and inter-religious dialogue with neighbouring regions - in particular the southern shore of the Mediterranean.

The idea is one of a series of proposals contained in the Wroclaw Declaration, which was adopted earlier today at the end of a two-day conference in the Polish city to launch celebrations marking the European Cultural Convention's 50th anniversary.

The declaration sets out priorities for future Council of Europe-led co-operation in the wide range of areas covered by the convention. It calls for a European policy to promote access to cultural freedom and education for young people, and also calls for efforts to promote mobility for artists, other cultural professionals and works of art.

Other key proposals include setting up a European centre of excellence for teacher trainers and launching a major programme of educational and intercultural exchanges for secondary-schools, both within Europe and with neighbouring countries. The declaration also calls on the Council of Europe to underline the role and responsibilities of the media - especially in times of crisis - and to develop work programmes taking account of sustainable development.

The Wroclaw Declaration has been addressed to the Council of Europe's Committee of Ministers and to the governments of the 48 countries covered by the convention for further action(*). It will also be submitted to the Summit of Council of Europe Heads of State and Government, which will take place in Warsaw on 16 and 17 May 2005.

For more information, see <http://www.coe.int/2004-culture> or <http://www.coe.int/culture50>

(*) The European Cultural Convention includes all 48 countries of Europe – i.e. all 46 Council of Europe member states, plus Belarus and the Holy See.

Council of Europe makes 2005 the year of “learning and living democracy”

Strasbourg 10.12.2004 - Learn and live democracy – that's the Council of Europe's message for 800 million European citizens during 2005 – the European Year of Citizenship through Education.

The Year has been prompted by a trend towards apathy amongst Europe's citizens, evidenced by low turn-outs at recent elections and a general low opinion of politicians and politics. It will focus on children, young people and life-long learning, and use both formal and non-formal education as a means of teaching citizenship.

The Council – set up in 1949 with a remit to uphold democratic values – will co-ordinate work in each of its 46 member states.

Afgørelse i nordiske menneskerettighedssager

12. december Grand Chamber Judgment, Pedersen and Baadsgaard v. Denmark (no. 49017/99):
No violation of article 6 (right to a hearing within a reasonable time), and
No violation of Article 10 (freedom of expression).

Seneste nordiske ratifikationer af Europarådskonventioner

Finland: Protocol No. 12 and No. 13 to the Human Rights Convention (ikrafttrædelse henholdsvis 01.04.2005 og 01.03.2005).

Island: Protocol No. 13 to the Human Rights Convention (ikrafttrædelse 01.03.2005).
Convention on Human Rights and Biomedicine (ikrafttrædelse 01.02.2005), og denne konvention
Additional Protocol on the Prohibition of Cloning Human Beings (ikrafttrædelse 01.02.2005),
og Additional Protocol concerning Transplantation of Organs and Tissues of Human Origin.

Kalender 2005

Vigtigste møder i 2005 vedlægges til orientering. Redaktionen ønskes en Glædelig Jul og et Godt Nytår.

**”Nyt fra Europarådet” udgives 11 gange om året af
Europarådets pressekorrespondent i de nordiske lande
Bremerholm 6, DK-1069 København K, Tlf. +45 33 14 15 84, Fax +45 33 15 54 84,
E-mail: arm@sm.dk, Internet: www.coe.int**

