

Nyt fra E u r o p a r å d e t

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PACE President warns against undermining the judicial independence of the European Court of Human Rights

Strasbourg, 09.09.2005 - The President of the Parliamentary Assembly of the Council of Europe (PACE), René van der Linden, today expressed his concern at recent statements by the UK Home Secretary, Charles Clarke.

Mr Clarke, speaking of the possibility of the European Court of Human Rights finding UK anti-terrorism legislation to be in violation of the European Convention on Human Rights, had appeared to suggest that such a judgment could lead to a reconsideration of whether or not the UK should remain party to the Convention, since it would contradict the 'consensus' on how rights should be defended.

“The European Convention on Human Rights is the heart and foundation of the Council of Europe's human rights protection system,” said Mr van der Linden. “Its effectiveness depends upon its Court, the first international judicial mechanism for human rights protection in the world and a crowning achievement of civilised values. I find it very alarming that a politician may be making statements that could have the effect of undermining the judicial independence of that Court, by stating in advance that an undesired judgment might have negative political consequences.”

Mr van der Linden also replied to those who felt that the Convention was no longer relevant to the current circumstances of the fight against terrorism. “The Convention was drafted in the immediate aftermath of the bloodiest, most destructive war the world has ever seen. It is not a luxury for times of peace, but a necessity to prevent tyranny and conflict.”

Terry Davis: “Both Turkey and Europe must honour their word”

Strasbourg, 26.09.2005 - Following a conference on the fate of Turkish Armenians at the end of the Ottoman Empire, which was held at Bilgi University in Istanbul this weekend, Terry Davis, Secretary General of the Council of Europe, made the following statement:

“I want to congratulate the organisers of the conference on their courage and determination. Those believing in a modern, democratic and tolerant Turkey refused to be intimidated and silenced by extreme nationalists on the streets of Istanbul.

I reiterate my strong support for the position taken by Prime Minister Recep Tayyip Erdogan, who has supported freedom of expression in Turkey. I hope that such an attitude will also prevail with regard to the shameful prosecution of one of the most renowned Turkish writers, Orhan Pamuk, who was recently indicted for speaking openly on the Armenian issue.

I appreciate the sensitivity of this question for the Turkish authorities and the public opinion, but, however painful, such issues must be resolved through dialogue and truth, not repression and propaganda. As a member of the Council of Europe, Turkey is obliged to respect the European Convention on Human Rights, and I am confident that the Turkish authorities will not waver in their democratic and human rights reforms at this critical junction in relations between Turkey and Europe. I also hope that leaders in other European capitals will rise to the occasion, remember their commitments and honour their word to Turkey”, concluded the Secretary General.

The Youth Ministers of Council of Europe member states adopt a final declaration on the prevention of everyday violence

Strasbourg, 26.09.2005 – The Youth Ministers of Council of Europe member states, meeting in Budapest on 23 and 24 September, adopted a final declaration setting out several measures to curb and prevent all forms of violence, of which young people may be either the victims or the perpetrators. The participants pointed out how important it was that young people should help to devise and implement prevention strategies.

The Ministers attending the conference, which was chaired by Kinga Göncz, the Hungarian Minister of Youth, the Family, Social Affairs and Equal Opportunities, stressed the need to promote education for intercultural dialogue to counter racist violence, to include equal opportunities for women and men in youth programmes to prevent gender-based violence, and to establish good practices to reduce violence in mass media products (and on the Internet).

They endorsed the proposal to organise a European campaign on diversity, human rights and participation in 2006-2007, in keeping with the spirit of the 1995 “All different – All equal” youth campaign and encouraged member states to sign and ratify the Council of Europe Convention on Trafficking in Human Beings.

A resolution on the Council of Europe’s youth sector priorities for 2006-2008 was also adopted at the end of the conference. The main thrusts of the resolution are human rights education and intercultural dialogue, youth participation and democratic citizenship, social cohesion and the inclusion of young people, and youth policy development.

Terry Davis “A strengthened United Nations for a multilateralism which works”

New York, 16.09.2005 – “Together we can make multilateralism work! Terry Davis, Secretary General of the Council of Europe, said on Friday 16 September in his speech to the High Level Meeting of the General Assembly of the United Nations.

“In today’s interdependent world, armed conflicts, global pandemics, and natural disasters compounded by so many other threats and challenges such as international terrorism, organised crime, and climate change can only be addressed if we join forces and set aside national or regional interests, he continued”.

The Secretary General recalled that the United Nations and the Council of Europe, both born out of war, share the same goals, ideals, values and principles.

“One of the gravest threats to human rights today is terrorism which strikes indiscriminately across our planet, aiming to destroy our way of life and to undermine freedom, democracy and the rule of law. It is unjustifiable under any circumstances and in any culture. We must therefore resolutely defend those values on which both the United Nations and the Council of Europe were founded but we must also make sure that measures taken by Governments do not curtail them.”

“As a regional organisation, the Council of Europe supports and complements the work done at the global level by the United Nations. It attaches great importance to the International Criminal Court, takes lead in the abolition of the death penalty and welcomes the decision to set up a Human Rights Council. The Council of Europe also stands ready to participate in the proposed Peace building Commission and to take an active part in the on-going work between the United Nations and the regional and other intergovernmental organisations” concluded Mr Davis.

PACE reports on crimes of communism and nazism postponed

[13/09/05] After a discussion of the draft report on "The need for international condemnation of the crimes of communism" (Göran Lindblad, Sweden, EPP/CD) in Paris today, the Political Affairs Committee of the Council of Europe Parliamentary Assembly (PACE) decided to postpone the adoption of the draft recommendation and resolution to a future meeting. The President of the Committee will therefore ask the PACE Bureau to withdraw this item from the draft order of business for the October session (Strasbourg, 3-7 October). Considering that the report on "The condemnation of the admiration and justification of nazism" (Mikhail Margelov, Russia, EDG) should be debated at the same time as the report presented by Mr Lindblad, the Political Affairs Committee decided to postpone the adoption of the draft resolution of Mr Margelov's report.

PACE's Committee on Legal Affairs: Statement on the recent human rights violations in Belarus

Strasbourg, 16.09.2005 – The Committee on Legal Affairs and Human Rights of the Council of Europe Parliamentary Assembly (PACE), meeting in Paris this morning, adopted the following declaration:

“The Committee condemns the systematic and worsening campaign of intimidation and persecution of independent journalists and civil society activists in the Republic of Belarus.

The Committee denounces the recent crackdown on the Union of Belarusian Poles and Polish-language media outlets. Nikolai Statkevich, Pavel Severinets and Andrey Klimov were recently sentenced for organising demonstrations, following politically-motivated trials. In August, two activists of Georgia's Kmara youth organisation were detained in Minsk, held incommunicado without being charged and denied access to a lawyer or a consular official for five days. Amnesty International recognised them, as well as three activists of the Belarusian youth organisation Zubr who were arrested after staging protests against the detention of the Kmara activists, as prisoners of conscience.

Such actions of the Belarusian authorities are incompatible with freedom of expression and the right of peaceful assembly, which Belarus undertook to respect under the International Covenant on Civil and Political Rights of the United Nations and the OSCE Helsinki Final Act.

Whilst welcoming the early release of scientist Yuri Bandazhevski, who was sentenced to eight years of imprisonment in June 2001 after he criticised the government's handling of the consequences of the Chernobyl disaster, the Committee calls on the authorities to release immediately all other persons in custody who were prosecuted for their political activity or criticism of the government.

The Committee is disturbed by the criminal proceedings for libel of the President of Belarus against the authors of animated Internet cartoons posted on the web-site of the Belarusian Third Way Youth Association. It urges the Belarusian authorities to refrain from using criminal libel and defamation laws to stifle freedom of expression. The Committee also calls for the immediate release of Valery Levaneusky who was sentenced in September 2004 to two years of imprisonment for publicly insulting President Lukashenka in a satirical leaflet.

Finally, the Committee calls on all independent journalists and civil society activists in the Republic of Belarus to ignore the campaign of intimidation and continue their struggle for democracy and respect for human rights.”

A Group of Wise Persons to secure the long-term effectiveness of the European Court of Human Rights

Strasbourg, 14.09.2005 – The Council of Europe Committee of Ministers just agreed on the names of the Group of Wise Persons to draw up a comprehensive strategy to secure the long-term effectiveness of the European Convention on Human Rights and its control mechanism.

The Group of Wise Persons will comprise :

- Prof. Rona AYBAY, Turkey
- Mrs Fernanda CONTRI, Italy
- Mr Marc FISCHBACH, Luxembourg
- Prof. Dr Jutta LIMBACH, Germany
- Mr Gil Carlos RODRIGUEZ IGLESIAS, Spain
- Prof. Emmanuel ROUCOUNAS, Greece
- Mr Jacob SÖDERMAN, Finland
- Dr Hanna SUCHOCKA, Poland
- Mr Pierre TRUCHE, France
- Lord WOOLF of BARNES, United Kingdom
- Mr Veniamin Fedorovich YAKOVLEV, Russia;

The Group of Wise Persons was set up by the Third Council of Europe Summit in Warsaw in May this year. Its implementation and the beginning of its work are considered as the main priority given to the Committee of Ministers by the Heads of State and Government.

The first meeting of the Group of Wise Persons will take place in Strasbourg by mid-October 2005. It will submit an interim report on its work to the 116th Session of the Committee of Ministers (May 2006).

Den Europæiske Menneskerettighedsdomstol: Domme i sager mod de nordiske lande

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| 13.9.2005 | Lehtinen v. Finland (no. 34147/96): Violation of Article 6 § 1 (right to a fair hearing within a reasonable time). |
| 27.9.2005 | Petri Sallinen and Others v. Finland (no. 50882/99): Violation of Article 8 (right to respect for home and correspondence). |

Møder i oktober 2005

(hvor intet andet er nævnt, holdes mødet i Strasbourg)

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| 3.-7. | Session: Den Parlamentariske Forsamling |
| 11. | Seminar: Den Europæiske Menneskerettighedskonventions Protokol nr. 12 |
| 11.-13. | Ministerkomiteen |
| 15.-22. | Prix Europa (Berlin) |
| 18.-19. | Konference: Palliative care (Beograd) |
| 19. | Ministerkomiteen |
| 20.-21.
at | Konference i samarbejde med OSCE: Implementation of policies and programmes for Roma local level (Warszawa) |
| 24.-25. | Konference: Cybercrime (Madrid) |
| 27.-28. | Slutkonference: 50-året for Den Europæiske Kulturkonvention (Faro, Portugal) |

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