

AA10CR6 AS (2010) CR 6

Provisional edition

2010 ORDINARY SESSION

(First part)

REPORT

Sixth sitting

Wednesday 27 January 2010 at 3 p.m.

In this report:

1. Speeches in English are reported in full.
2. Speeches in other languages are summarised.
3. Speeches in German and Italian are reproduced in full in a separate document.
4. Corrections should be handed in at Room 1059A not later than 24 hours after the report has been circulated.

The contents page for this sitting is given at the end of the verbatim report.

Mr Çavuşoğlu, President of the Assembly, took the Chair at 3.05 p.m.

THE PRESIDENT. – The sitting is open.

1. Changes in the membership of committees

THE PRESIDENT. – Our next business is to consider the changes proposed in the membership of committees. These are set out in document Commissions (2010) 1 Addendum 4.

Are the proposed changes in the membership of the Assembly's committees agreed to?

They are agreed to.

2. Written declaration

THE PRESIDENT. – In accordance with Rule 52 of the Rules of Procedure, a written declaration has been tabled on Holocaust denial which has been signed by 46 members, Document 12138.

Any Representative, Substitute or Observer may add his or her signature to this written declaration in the Table Office, Room 1083.

Any Representative or Substitute may add his or her signature up to the close of the next part-session, after which no further signatures may be added. The declaration shall be issued with the names of all members who have signed it.

3. Organisation of debates

THE PRESIDENT. – This afternoon the business is very full, with debates on four reports.

We will have to interrupt the list of speakers in the first debate on the report on freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece) at about 4 p.m. in order to leave sufficient time for the replies on behalf of the committees and the votes.

We will have to interrupt the list of speakers in the second debate, on respect for media freedom, at about 5.45 p.m.

We will have to interrupt the list of speakers in the last debate, the joint debate on thresholds and other features of electoral systems which have an impact on representativity of national parliaments in Council of Europe member states and on increasing women's representation in politics through the electoral system, at about 7.45 p.m.

Are these arrangements agreed?

They are agreed.

4. Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)

THE PRESIDENT. – The first item of business this afternoon is the debate on the report on freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece), presented by Mr Hunault on behalf of the Committee on Legal Affairs and Human Rights, Document 11860.

There are 23 speakers on the list for the debate, and 14 amendments have been tabled.

I first call Mr Hunault, rapporteur. You have 13 minutes in total, which you may divide between presentation of the report and reply to the debate.

Mr HUNAULT (*France*) said that on 17 March 2006 the Parliamentary Assembly had referred to the Committee on Legal Affairs and Human Rights the question of the freedom of religion and other human rights of non-Muslim minorities in Turkey and of the Muslim minority in Thrace, Greece. He had taken forward that work and had visited each country. Given the focus of the Council of Europe on human rights issues, it was appropriate for the Council to make a contribution to the debate. The issue was particularly important at the

moment: terrorism has led to an increase in Islamophobia, anti-Semitism was continuing and there was evidence of Christians being treated badly. Both countries – Turkey and Greece – had experienced a long history of co-existence of monotheistic religions. The freedom to practise religion needed to be reasserted.

Article 45 of the Treaty of Lausanne of 1923 incorporated the “reciprocity” principle by which the Greek minority in Turkey would be granted the same rights as the Turkish minority in Greece, and vice versa. This principle had often been applied negatively. That was not acceptable. States had to treat all their citizens as their own, rather than basing their decisions on the decision of another country. The report sought a number of reforms, particularly in relation to education and property rights, so that the minorities which were the focus of the report were not treated like foreigners in their own country.

Dialogue enabled cultural diversity to enrich society but such dialogue could be sensitive. A key aim of the report was to address the reciprocity principle introduced by Article 45 so that all citizens would be treated equally in each country.

Turkey and Greece were each seeking a solution to the problem described in the report. High-level diplomacy, such as the visit to Turkey by the Greek Prime Minister in 2008, had been encouraging. The report sought to take that work further. It set out a number of recommendations concerning education, economic development and religious authorities. The recommendations needed to be implemented in order to combat racism, of which there were examples on both sides.

During the visits made in order to prepare the report, it had become clear that there was widespread tolerance of both religions in both countries, especially on the part of the young. However, tensions remained. The Patriarch’s recent strong words were a testament to this. The Council of Europe aimed to contribute to cohesion between countries. A failure to address issues relating to freedom of religion not only undermined relationships between countries but could also cause domestic problems.

THE PRESIDENT. – Thank you, Mr Hunault. Unfortunately, you have only one minute remaining for your contribution to the debate.

I remind members that on Monday the Assembly agreed that speaking time in all debates today be limited to three minutes.

In the debate, I call Mr Rouquet, who will speak on behalf of the Socialist Group.

Mr ROUQUET (*France*) paid tribute to the outstanding work of the rapporteur, and said that the report pulled no punches on what was a difficult subject. Freedom of religion was very important. It was protected by Article 9 of the European Convention on Human Rights; and the religious minorities in Turkey and Greece were further protected by the 1923 Treaty of Lausanne. But the reciprocity principle of the 1923 Treaty of Lausanne had, in some cases, become a means to withhold, rather than uphold, human rights. How could one respect human rights without respecting religious freedoms? It was necessary to ensure that those from minority religions were able to live out their faiths to the full. That was a fundamental aspect of democratic society: the majority had no right to repress the minority.

THE PRESIDENT. – I call Mrs Lundgren to speak on behalf of the Alliance of Liberals and Democrats for Europe.

Mrs LUNDGREN (*Sweden*). – On behalf of the group, I congratulate the rapporteur on the report, even if we need to discuss some of the things that it contains. I should like to stress that we as parliamentarians should defend human rights and freedoms for individuals no matter what their ethnicity, religion, language, sexual orientation and so on. We had a debate this morning on the fact that freedoms are universal, that we should therefore defend diversity and differences within our countries and that, even if we are different as people, that is good. How bad it would be if we were all alike.

We must also defend equal rights no matter who we are. All our countries have their own history, and all our histories have problems within them. We should not hide from that; we should consider it, open up space for all and acknowledge the problems, because that is the way to go forward. And that is what we have to do: we must look forward and try to promote and encourage good examples of tolerance and respect within our countries in the Council of Europe. When we do that, we must safeguard freedoms of speech, while being aware of the fact that – we hear this here sometimes – there are forces trying to make safe havens for hate speech and so on. We should not create those safe havens in the name of religion, and there are ways to deal with that.

Colleagues, be aware that we as parliamentarians should not interfere in religious affairs. We should have a division of power in that respect. We should open up space for differences even there. Some of the amendments ask us to name the head of a church or other organisation. That is not for us to decide; it is for us to make it possible for everyone to find their way forward. Thank you, Mr President.

THE PRESIDENT. – Thank you, Mrs Lundgren. I call Mr Clappison to speak on behalf of the European Democrat Group.

Mr CLAPPISON (*United Kingdom*). – Mr President, on behalf of the group, may I warmly congratulate you on your election? May I also say on a different note and without any reference to Turkey and Greece that today is an appropriate day – Holocaust Memorial Day – for this Assembly to discuss freedom of religion and the human rights of minorities? This report certainly takes forward that course of action.

I congratulate very warmly indeed the rapporteur on this excellent report. We are proud that the rapporteur comes from the European Democrat Group, if I may say so.

In the case of both Greece and Turkey, there is much that is positive about freedom of religion and the freedom of minorities in this report. Clearly, a lot of progress has been made recently. However, that should not prevent us from looking at where there are special areas of concern, which have been very well set out in the draft recommendation. We should adopt that approach with every member of the Assembly, and I agree with Mrs Lundgren. We all have our histories on this point and we can all make improvements and avoid some of the mistakes of history.

I think that I support what Mr Rouquet was saying and what is also very explicit in the report; I am thinking of the fact that human rights, and particularly the right to freedom of religion, belong to the individual, and are not conferred by a treaty between countries, even if that treaty served its purpose in its day. The freedom to exercise religion, and the other associated human rights that we are discussing, belong to the individual. The freedom to exercise religion should not be affected by wider considerations and relations between states; it is something that belongs to the individual and groups of individuals.

On a slightly more controversial note, I have to regret the fact that a recent European Court of Human Rights decision, which seems to ban crucifixes in Italy, has not exactly assisted the cause of freedom of religion. I say that against the background of my own country, where people working in certain public authorities or certain large companies have been prohibited from wearing even tiny crucifixes and where we feel that the freedom to exercise and express one's religion, particularly the Christian religion, is under something of a siege in some quarters.

Finally, I am very pleased that the rapporteur mentioned the case of Mor Gabriel monastery in Turkey. It is part of the Syriac orthodox church, which is a very ancient church – one of the most ancient branches of Christianity. The monastery is also truly ancient. As the report makes clear, the legal situation is very complicated, but it would be good to hear that the monastery was being kept in good order for future generations.

THE PRESIDENT. – Thank you. I call Mr Papadimoulis on behalf of the Group of the Unified European Left.

Mr PAPANIMOULIS (*Greece*) congratulated the rapporteur on an excellent and balanced report, and said that, while religious freedom was a thorny issue, the Group of the Unified European Left was convinced that all minorities should have their rights guaranteed. The report should be carried unanimously and without those amendments which had been submitted for narrow, political reasons.

Greece had recently introduced a policy of positive discrimination in order to attract more representatives from minority faiths, such as Islam, into its civil service. The Greek Government was hopeful that Turkey would introduce similar measures.

The new President of the Parliamentary Assembly had the opportunity to move the debate on democracy and human rights forward, and this report was an important step in that process.

THE PRESIDENT. – Thank you. I call Mr Omtzigt on behalf of the Group of the European People's Party.

Mr OMTZIGT (*Netherlands*). – Before you leave the Chair, Mr President, I should like to join Mr Clappison in congratulating you on becoming President. That shows the extent to which Turkey is a real democracy, having been a member of the Assembly for so many years.

I congratulate the rapporteur on his excellent report. I am a bit worried, colleagues, by what I have heard from colleague Papadimoulis. As Mrs Lundgren said, you should want to protect your own citizens independently of what another country is doing to its own citizens.

Both governments of these countries should have the conviction that it is worth while for minorities, some of whom have been living in one or other of the countries for 200 years and some for 1 600 years, to be treated as equals. We should not need international treaties for that; it is a pity that we need them. It should be the conviction of brothers to live together.

It is a bit of a shame that we are talking about two countries that once had large minorities. Once, the Christian minority in Turkey was somewhat larger, and there were once quite a few more Muslims in Greece. The countries should have already learned that living together gives an advantage. It is a bit of a pity that one of the countries still sends imams, paid for by its own government, to countries such as Germany and the Netherlands. I wonder what other countries would think if other states sent religious dignitaries, paid for by the state, into their own territories.

Great steps have to be made. Having said that, I should add that great steps have been made. I have travelled to south-eastern Turkey and I have seen the Mor Gabriel monastery to which Mr Clappison, Mr Papadimoulis and Mr Hunault referred. It has been beautifully restored, just as the Deyr ul-Zafaran monastery has. They are beautiful examples of the cultural heritage of Turkey, not of the rest of Europe; it is Turkey's cultural heritage.

In the same way, Greece has a lot of Muslim cultural heritage and should be proud of that. We should be proud of our own diversity. However, minorities do not always have the same rights yet. That is why I have proposed a few amendments. In Turkey, for example, the Syriac community, to which the Mor Gabriel monastery belongs, is not protected by the Lausanne treaty and does not have the same rights. There are a number of court cases against similar monasteries.

I ask the Turkish and Greek Governments to continue on the positive path on which they have started. There have been great improvements in the past 20 years in the defence of the rights of their own citizens and in seeing that multiculturalism and living together represent added value. They have proved that because they have done it for the last 1 500 years, more than most of our own countries have managed.

(Mr Fahey, Vice-President of the Assembly, took the Chair in place of Mr Çavuşoğlu.)

THE PRESIDENT. – Thank you. I call Mr Fournier.

Mr FOURNIER (*France*) said that the report gave a clear view of the situation of the two minorities – the Muslim minority in Greece and the non-Muslim minority in Turkey. It was not intended to make an example of Greece and Turkey but rather to show how much could be done across Europe.

It was important to consider how Turkey functioned as a secular republic. Secularism in Turkey was often compared to secularism in France; but this was not an accurate comparison. In France, religion was part of private life; the role of the government was to make sure that religion could be practised freely. In Turkey, the state made provision for religion: most Sunni mosques were state-owned, the imams were employed by the state and the text of sermons had to be submitted to the Ministry. Non-Muslims were free to practise their religion only if they were part of an officially recognised minority. There were

four recognised religions: Armenian Apostolic Christianity, Greek Orthodox Christianity, Judaism and Islam. These religious groups could open schools but non-Muslim head teachers were shadowed by Muslim officials. Ministers of one of the recognised minority religions had to be Turkish citizens. Turkish democracy had resisted fundamentalism, but Turkey should now move forward and allow citizens to practice their religions freely, as should Greece.

THE PRESIDENT. – Thank you, Mr Fournier. The next speaker is Mr Chiti.

Mr CHITI (*Italy*) said that members of religious minorities in Greece and Turkey were citizens and should have the same rights and responsibilities as the majority. That was a duty of all democratic countries and it was right that the Council of Europe should demand that member states gave equal rights to all citizens. It was vital that religion could be practised freely. Freedom was not something that could be qualified. The importance of a secular state had to be recognised. People should not suffer discrimination. Religion should be something that could be publicly expressed but it should not be imposed and no one religion should have dominance. Pluralism was not just something that was part of the past but needed also to be embraced in the present. A pluralistic society would be enriched by the sharing of values. Pluralism must flourish in Greece, Turkey, and elsewhere.

THE PRESIDENT. – The next speaker is Mr Rochebloine.

Mr ROCHEBLOINE (*France*) said that the debate furthered the tradition of the Parliamentary Assembly of the Council of Europe of promoting reconciliation. Freedom of religion had to be regarded as a fundamental right in all Council of Europe member states. The way in which religious freedom was promoted was important. In France, secularism meant that the spheres of religion and politics were separated and this allowed freedom of expression without one religion being given priority over another. In some eastern European countries, the ideology that had previously prevailed had prevented freedom of expression of religious belief. It was important to speak out against discrimination against Christians in Turkey. Religious differences were sometimes referred as a sub-category of cultural differences, but this was not a helpful categorisation. It was right and proper to recognise the autonomy of religion.

THE PRESIDENT. – Thank you, Mr Rochebloine. The next speaker is Mrs Kyriakidou.

Mrs KYRIAKIDOU (*Cyprus*). – Thank you, Mr President. I congratulate Mr Hunault whole heartedly on his balanced yet explicit approach.

The protection of human and minority rights has evolved to such an extent that no civilised country can now overlook international and legally binding instruments such as the Framework Convention for the Protection of National Minorities, the European Charter for Regional or Minority Languages, and European Court of Human Rights case law when dealing with the rights of minorities. It is within that legislative framework and with that point of reference that Council of Europe member states should embark on considering ways in which to improve the social, religious, educational and other human rights of their national minorities. It is of paramount importance for us to bear in mind that national minorities,

while preserving their cultural identities, constitute an inherent part of our own society, and that their integration, as opposed to their segregation, will greatly facilitate domestic peace and stability.

In view of the issues at stake in both countries, one can only endorse the report's recommendations and reassert the need for the Turkish authorities to adopt a more tolerant approach to the Ecumenical Greek Orthodox Patriarchate of Constantinople, free of political connotations, but charged with religious and cultural symbolism for the Greek Orthodox world. Similarly, the Halki seminary should be allowed to function without prejudice.

Turkish nationality should also be revised and modified so as to allow members of minority groups to be able to exercise freely and effectively their educational and religious rights.

Greece has already largely redressed the deficiencies and disparities that existed between majority and minority schools. Schooling of the Muslim minority in Thrace remains a major challenge. One can only applaud the positive steps taken by the Greek authorities in the area of university education and the quota system adopted. EU-funded projects aiming to facilitate integration of the Muslim minority in Thrace should be encouraged and promoted.

Finally, I cannot stress enough the importance of religious pluralism in a democratic society or the fact that diversity should be regarded as a source of enrichment, not as a threat to national unity and coherence.

THE PRESIDENT. – Thank you. I now call Mr Kumcuoğlu.

Mr KUMCUOĞLU (*Turkey*). – Thank you Mr President. Dear colleagues, the report before us indeed draws our attention to issues that are highly important and very sensitive. Although we are not fully satisfied with the report's findings, I acknowledge the fact that Mr Hunault has shouldered an important task and I thank him.

The report addresses the human rights situation of the Turkish Muslim minority in Greece. This is the first of its kind. The Turkish minority in Greece has long complained in vain of violations of its rights and freedoms. I am glad to see that our Assembly has finally addressed this issue. Naturally, we wish that this part had been improved to better reflect the real situation on the ground.

At this stage, I would like to draw your attention to the point raised yesterday by Mr Papandreou, the Greek Prime Minister, when he spoke before this august body. After referring to some rulings by the European Court of Human Rights on the Cyprus issue, Mr Papandreou clearly said: "Turkey must implement its judgments in full". However, in regard to the rulings of the same court in connection with the rights of the Turkish minority in western Thrace, his position changed notably. He said: "there have been complications concerning...The rulings that Greek Courts have made on this issue". I am greatly disturbed by the double standard displayed by His Excellency, the Greek Prime Minister, before this esteemed body yesterday.

Here we are aware of the fact that we are not able to ask the Greek Government to intervene in the business of the national judiciary. However, we have the right to ask it to correct its laws and regulations in line with the convention on human rights. That is what the responsible authorities in Greece refrain from doing. Moreover, I would also like to draw your attention to another unfortunate statement that Mr Papandreou made here yesterday. He said: "In this region and many other parts of Europe, minorities have often been used as a Trojan horse for irredentist aspirations." If this really is Mr Papandreou's perspective on the issue of minorities, I am afraid that we cannot expect much from him or his government in the foreseeable future. Indeed, it is a very risky position to take in dealing with the complexities of the issue.

THE PRESIDENT. – Thank you, Mr Kumcuoğlu. I now call Mrs Keleş.

Mrs KELEŞ (*Turkey*). – Thank you, Mr President. Distinguished members of the Parliamentary Assembly, I would like to thank the rapporteur for writing a comprehensive report that covers important, critical problems. However, while some aspects of the report reflect the reality, other aspects are not covered.

The problem of land and immovable properties owned by the Turkish minority is one issue. In 1920, the Turkish minority of western Thrace owned 84% of the land. The proportion is now below 25%. This was the result of extra-beneficial credits to citizens of Greek origin to encourage them to purchase real estate from the Turkish minority, expropriation, land consolidation, non-recognition of Ottoman land titles and possessions, confiscation of the Turkish minority's land and the settlement in western Thrace of Greeks who were brought from the republics of the former Soviet Union until the 1990s.

Expropriations were the greatest cause of the reduced land ownership of the Turkish minority. Ottoman titles are valid in Greece but they are usually not recognised where the minority is concerned. They are sometimes distributed to Greek farmers, and sometimes they are taken away despite the existence of a title under the Ottoman system operating since 1872. What is more, in some cases it is claimed that the title deeds were collected in the 1950s under the pretext of replacing them with Greek titles. But that never happened.

Turkey recently had a very liberal law addressing the minority foundations in the country. This law gives so many rights to minority foundations that similar laws covering minority foundations and rights in Greece and in other countries lag far behind.

In the paragraphs about the Orthodox Patriarchate in Istanbul, the rapporteur notes in parenthesis that it styles itself the Patriarchate "of Constantinople". The secular nature of the Turkish constitution does not allow religious communities to have legal personality, and cities are not named according to the preferences of individuals. This lack of legal personality applies also to those who belong to the Muslim faith. Before the Republic of Turkey was established, the sultans held the highest Muslim religious position of a caliphate. After accepting secularity as one of the four main characteristics of the state, we have refused to retain this title in Turkey.

In the Lausanne agreement, Turkey allowed the Patriarchate to reside in Istanbul, on the conditions that his services should relate only to the religious and spiritual needs of the Greek Orthodox minority in Turkey and that patriarchs should be Turkish citizens. This

does not create any restrictions on the religious rights of the Greek minority in Turkey. Absence of the legal personality of the Patriarchate has nothing to do with the community properties under the aegis of their respective waqfs.

Halki Theological School is another problem. According to the Turkish constitution and relevant legislation, religious instruction at higher, intermediate and elementary levels is under the supervision of the state. This constitutional principle applies to all religious communities in Turkey. Turkish authorities have proposed various formulae to restart various educational activities at the Halki Theological School. The Patriarchate did not welcome the proposal to open the school under the aegis of one of the Turkish universities. There is no interference by the Turkish authorities in the composition of cadres within the Greek Orthodox Patriarchates.

There are other problems affecting the Turkish minority that should be solved. I am sure that other colleagues will deal with them later in the debate.

THE PRESIDENT. – Thank you, Mrs Keleş. The next speaker is Mr Volonte'.

Mr VOLONTE' (*Italy*) said that he congratulated the rapporteur on his report, which represented an important step forward. The progress that had been made so far in this matter was demonstrated by the visit to the Assembly of the Greek Prime Minister and by the welcome that he had received by the President of the Parliamentary Assembly, Mr Çavuşoğlu. The report had a positive view of reciprocity and the role that reciprocity could play in ensuring a genuine recognition of the rights of different groups. Different religions and cultures could come together and, in doing so, could make an important contribution to national life. Greece and Turkey should be helped in exploiting this opportunity to make progress.

THE PRESIDENT. – Thank you. I must now interrupt the list of speakers. The speeches of members on the speakers' list who have been present during the debate but have not been able to speak may be given to the Table Office for publication in the Official Report.

I call Mr Hunault, Rapporteur, to reply. You have one minute remaining.

Mr HUNAUT (*France*) thanked those who had supported the report. With regard to Mrs Keleş's question about Thrace, it was important that the report should be balanced. It aimed to bring people together rather than divide them. Members were urged to bear this in mind when amendments were debated later.

THE PRESIDENT. – Does the chairperson of the committee, Mr Pourgourides, wish to speak?

Mr POURGOURIDES (*Cyprus*). – As a Cypriot, I must maintain absolute neutrality in my political role in this context, so I do not want to make a speech. However, I must tell the Assembly that the entire committee warmly congratulates Mr Hunault on managing to produce a very fair and balanced report on such a difficult subject.

THE PRESIDENT. – It is very rare for a politician not to make a speech. We all join you in thanking Mr Hunault for the very fine job that he has done.

The debate is closed.

The Committee on Legal Affairs and Human Rights has presented a draft resolution to which 14 amendments have been tabled, which will be taken in the order in which they appear in the organisation of debates.

We come to Amendment No. 1, tabled by Mr Boriss Cilevičs, Mr Dick Marty, Mrs Marie-Louise Bemelmans-Videc, Mr József Berényi and Mr Zoltán Szabó, which is, in the draft resolution, paragraph 10, delete the words “, and the expression of which must be consistent with national unity”.

I call Mr Cilevičs to support Amendment No. 1. He is not here. Does anyone else wish to support the amendment?

Mr BERÉNYI (*Slovak Republic*). – The amendment proposes to remove the reference to “national unity”, as its inclusion could be misunderstood. The term is, for instance, different from the concept of territorial unity.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Cebeci.

Mr CEBECI (*Turkey*). – The chairperson of the committee said that the report is very balanced, but, unfortunately, because of certain religious and ethnic alliances within the committee, that is not the case. We therefore request colleagues to follow the inclinations of the rapporteur, as he knows the issues best.

THE PRESIDENT. – What is the opinion of the committee?

Mr POURGOURIDES (*Cyprus*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 1 is rejected.

We come to Amendment No. 2, tabled by Mr Latchezar Toshev, Mr Kirtcho Dimitrov, Mr Andreas Gross, Mrs Dzhema Grozdanova, Mr Zhivko Todorov and Mr Luca Volonte', which is, in the draft resolution, replace paragraph 18.2 with the following sub-paragraph: “take into account that the Muslim Minority in Greece is composed of 50% Turks, 35% Muslim Bulgarians (known also as ‘Pomaks’) and 15% of Muslim Roma People, and guarantee that the Special Teacher Training Academy of Thessaloniki (EPATH) provides high quality education in the languages of all these three groups of the Muslim Minority in Thrace;”.

I call Mr Toshev to support Amendment No. 2. You have 30 seconds.

Mr TOSHEV (*Bulgaria*). – This amendment is about mother-language education and the Muslim minority in western Thrace in Greece. The Muslim minority is not composed only of Turks; there are also Muslim Bulgarians and others. I took some of my information on this from a 1998 Assembly report. I call on colleagues to support the amendment, and to ensure that there is mother-language education for all ethnic groups of the Muslim faith, not only the Turks.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Hunault.

Mr HUNAUT (*France*) said that he challenged the figures presented in the amendment.

THE PRESIDENT. – What is the opinion of the committee?

Mr POURGOURIDES (*Cyprus*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 2 is rejected.

We come to Amendment No. 9. I call Mr Lindblad to support Amendment No. 9. He is not here. Does anyone else wish to speak in support of the amendment? As that is not the case, the amendment is not moved.

We come to Amendment No. 10. I call Mr Lindblad to support Amendment No. 10. He is not here, of course. Does anyone else wish to speak in support of the amendment? As that is not the case, the amendment is not moved.

I call Mr Lindblad to support Amendment No. 11. Does anyone else wish to support the amendment? Not moved.

We now come to Amendment No. 3, tabled by Mr Latchezar Toshev, Mr Kirtcho Dimitrov, Mr Andreas Gross, Mrs Dzhema Grozdanova, Mr Zhivko Todorov and Mr Luca Volonte', which is, in the draft resolution, paragraph 19.2, replace the words "Greek Orthodox Patriarchate of Istanbul" with the following words: "Ecumenical Orthodox Patriarchate in Istanbul" and replace the words "Bulgarian Orthodox Exarchate" with the following words: "Bulgarian Orthodox Community within the structures of the Ecumenical Orthodox Patriarchate".

I call Mr Toshev to support the amendment. You have 30 seconds.

Mr TOSHEV (*Bulgaria*). – This amendment deals with two factual mistakes in the report. Three times, the title of the Ecumenical Patriarchate is written as the Greek Patriarchate, which is far from the reality. I think it is too ambitious for our Assembly to participate in defining the titles and styles within the Orthodox Church, which should be at the discretion of that church alone. Secondly, the Turkish authorities are called to grant legal personality to one institution, which ceased to exist in 1953 – namely, the Bulgarian Exarchate, which was transformed into the Patriarchate of Bulgaria and is now based in Sofia. In Istanbul, we have a Bulgarian Orthodox community under the Ecumenical Patriarchate, as explained in the amendment.

THE PRESIDENT. – Does anyone wish to speak against the amendment?

I call Mr Koç to speak against the amendment.

Mr KOÇ (*Turkey*) said that it was not for the Assembly to rename religious institutions. The Patriarchate had given up its executive powers and, for that reason, the use of the word "ecumenical" was not permitted, but he understood that it was a controversial matter.

THE PRESIDENT. – What is the opinion of the committee on the amendment?

Mr POURGOURIDES (*Cyprus*). – The committee approved the amendment.

THE PRESIDENT. – I shall now put the amendment to the vote.

The vote is open.

Amendment No. 3 is agreed to.

We now come to Amendment No. 4, tabled by Mr Latchezar Toshev, Mr Kirtcho Dimitrov, Mr Andreas Gross, Mrs Dzhema Grozdanova, Mr Zhivko Todorov and Mr Luca Volonte', which is, in the draft resolution, after paragraph 19.2, insert the following sub-paragraph: "grant Turkish citizenship to the person elected as Ecumenical Patriarch, provided he is not a citizen of Turkey;"

I call Mr Toshev to support the amendment. You have 30 seconds.

Mr TOSHEV (*Bulgaria*). – The Ecumenical Patriarchate is an umbrella organisation with many structures. Even the Estonian Church belongs to the Ecumenical Patriarchate spiritually. That is why it is fair to give the right of all the bishops in the church to participate in the election of the Patriarch; when one is elected, Turkish citizenship should be granted to him, as in the example of the Patriarch of Alexandria and All Africa, the monks of Mount Athos and so forth. This is a recommendation; Turkish citizenship should be granted to those elected to be Ecumenical Patriarch, instead of only Turkish citizens being able to participate in this election.

THE PRESIDENT. – Does anyone wish to speak against the amendment?

I call Mr Koç to speak against the amendment.

Mr KOÇ (*Turkey*) said that the Patriarch might stay in Istanbul if the Greek minority only were served. That decision was accepted and minuted officially.

THE PRESIDENT. – What is the opinion of the committee on the amendment?

Mr POURGOURIDES (*Cyprus*). – The committee rejected the amendment.

THE PRESIDENT. – I shall now put the amendment to the vote.

The vote is open.

Amendment No. 4 is rejected.

We now come to Amendment No. 5, tabled by Mr Latchezar Toshev, Mr Kirtcho Dimitrov, Mr Andreas Gross, Mrs Dzhema Grozdanova, Mr Zhivko Todorov, Mr Luca Volonte', which is, in the draft resolution, paragraph 19.3, replace the words "Greek Orthodox theological college" with the following words: "High theological school to the Ecumenical Patriarchate".

I call Mr Toshev to support the amendment. You have 30 seconds.

Mr TOSHEV (*Bulgaria*). – This amendment refers to the name of the theological school on the island of Halki. This appears in the report as the Greek Theological School, but it is

correct to say that this theological school belongs to the Ecumenical Patriarchate – actually, this is not Greek. Neither is it the case that only Greeks were educated there over the centuries. The recommendation to re-open this school is a valuable one, which I support, but the names should be correct, as explained in the amendment.

THE PRESIDENT. – Does anyone wish to speak against the amendment?

I call Mr Koç to speak against the amendment.

Mr KOÇ (*Turkey*). – According to Turkish legislation, religious instruction at the higher, intermediate and elementary levels are possible only under the supervision of the state. The restriction applies not only to the Greek Orthodox community, but to the whole religious community in Turkey.

THE PRESIDENT. – What is the opinion of the committee on the amendment?

Mr POURGOURIDES (*Cyprus*). – The committee rejected the amendment.

THE PRESIDENT. – I shall now put the amendment to the vote.

The vote is open.

Amendment No. 5 is rejected.

We now come to Amendment No. 6, tabled by Mr Latchezar Toshev, Mr Kirtcho Dimitrov, Mr Andreas Gross, Mrs Dzhema Grozdanova, Mr Zhivko Todorov and Mr Luca Volonte', which is, in the draft resolution, paragraph 19.4, replace the words "Greek Orthodox Patriarchate of Istanbul" with the following words: "Ecumenical Orthodox Patriarchate in Istanbul".

I call Mr Toshev to support the amendment. You have 30 seconds.

Mr TOSHEV (*Bulgaria*). – We have already accepted with Amendment No. 3 that the name of this high spiritual personality and the proper title is the Ecumenical Patriarchate. Here again, I suggest that we change the words, as explained in the amendment. Ecumenical means that the Patriarchate is not a national-based organisation; this is an internationally based organisation, which is why the correct wording is as I have explained – it was given 1 000 years ago so there is no need to amend the title and style.

THE PRESIDENT. – Does anyone wish to speak against the amendment?

I call Mr Koç to speak against the amendment.

Mr KOÇ (*Turkey*) said that, as he had already explained, the Assembly was not there to rename religious bodies. The amendment was not in line with the 1923 Treaty of Lausanne. The word was not even accepted by everyone in the Greek Orthodox Church.

THE PRESIDENT. – What is the opinion of the committee on the amendment?

Mr POURGOURIDES (*Cyprus*). – As with Amendment No. 3, the committee approved the amendment.

THE PRESIDENT. – I shall now put the amendment to the vote.

The vote is open.

Amendment No. 6 is agreed to.

We now come to Amendment No. 8, tabled by Mr Ivan Savvidi, Mr Dmitry Vyatkin, Mrs Yuliya Novikova, Mr Miloš Aligrudić, Mrs Zaruhi Postanjyan, Mr Sergey Markov and Mr Leonid Slutsky, which is, in the draft resolution, paragraph 19.5, after the words “resolve the question of the registration of places of worship”, insert the following words: “, namely the Saint Sofia Cathedral in Istanbul and the Monastery of Panagia Sumela in Trabzon,”.

I call Mr Savvidi to support Amendment No. 8.

Mr SAVVIDI (*Russian Federation*) said that nobody could stop a person worshipping or praying. Panagia Sumela had been a place of worship for centuries. He called for the amendment to be supported.

THE PRESIDENT. – Does anyone wish to speak against the amendment?

I call Mrs Türköne to speak against the amendment.

Mrs TÜRKÖNE (*Turkey*). – The Aya Sofya, which the amendment refers to, was originally built as a church and it was then converted to a mosque during the Ottoman era. Later, in 1927, this place of worship was converted into a museum. We need to be aware that it was a cathedral 600 years ago. If we are not careful, we will have to look into the status of churches in Spain, for example, and I wonder whether we are ready to convert them back into mosques. I call on my colleagues to oppose this amendment.

THE PRESIDENT. – What is the opinion of the committee on the amendment?

Mr POURGOURIDES (*Cyprus*). – The committee rejected the amendment.

THE PRESIDENT. – I shall now put the amendment to the vote.

The vote is open.

Amendment No. 8 is rejected.

We now come to Amendment No. 12, tabled by Mr Pieter Omtzigt, Mr Jean-Charles Gardetto, Mr Göran Lindblad, Mr Luca Volonte' and Mr Frans Weekers, which is, in the draft resolution, at the end of paragraph 19.6, add the following words:

“The Assembly expresses equal concern about the current status of the unlawful appropriation of significant amounts of land historically and legally belonging to a multitude of other ancient Syriac monasteries, churches and proprietors in Southeast Turkey;”.

I call Mr Omtzigt to support Amendment No. 12. You have 30 seconds.

Mr OMTZIGT (*Netherlands*). – A number of speakers have been concerned about the Mor Gabriel monastery. There have been expropriations, and they have been mentioned by Mr Hunault, Mrs Lundgren and Mr Clappison. Unfortunately, the Mor Gabriel monastery is not

the only one that has had court cases taken out against it by ministries or public authorities of the Turkish state. There are almost 10 such cases. We should point out that that is not acceptable. These are ancient lands and buildings that belong to the community, which has sometimes been using them 2 000 years, and that is why we should add the other monasteries to the list.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Türköne.

Mrs TÜRKÖNE (*Turkey*). – I feel obliged to say again that the basis of this report is to discuss minority issues related to Turkey and Greece. Let me remind you once again that Syriac minorities are not included in the provisions of the Lausanne Treaty. That is why we should oppose this amendment. I should also like to say that legal proceedings in respect of the property claims of the Syriac community are still ongoing.

THE PRESIDENT. – What is the opinion of the committee?

Mr POURGOURIDES (*Cyprus*). – The committee approved the amendment.

THE PRESIDENT. – I call Mr Omtzigt on a point of order.

Mr OMTZIGT (*Netherlands*). – I should like to point out that the title of the report is “Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)”. That does not include the Treaty of Lausanne; it includes all non-Muslim minorities.

THE PRESIDENT. – That is a point of debate; it is not a point of order.

The vote is open.

Amendment No. 12 is adopted.

We come now to Amendment No. 13, tabled by Mr Pieter Omtzigt, Mr Jean-Charles Gardetto, Mr Göran Lindblad, Mr Luca Volonte' and Mr Frans Weekers, which is, in the draft resolution, after paragraph 19.6, insert the following sub-paragraph: “recognise, promote and protect the Syriac people as a minority, which is indigenous to Southeast Turkey, in conformity with the Lausanne Treaty and related international conventions which guarantee their fundamental human rights and dignity; this shall include, but shall not be limited to, officially developing their education and carrying out religious services in their Aramaic native language;”.

I call on Mr Omtzigt to support Amendment No. 13. You have 30 seconds.

Mr OMTZIGT (*Netherlands*). – Mr President, the Syriac minority does not have the same rights under the Treaty of Lausanne. It does not have the right for schools to use its own language – Aramaic, which is somewhat peculiar because that language was spoken by Jesus Christ himself – so no one is even allowed to teach it officially, according to Turkey. We call on Turkey to extend the same rights as those that they give to Greece Orthodox, Ecumenical Patriarch, the Jews and the Armenians to the Syriac Church, so that it can conduct services in its own liturgical language.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Cebeci.

Mr CEBECI (*Turkey*). – Dear colleagues, these people are called a religious minority, but they are real people – they have daily lives – and no one can tell me that someone wanted to teach this language to their children but the state prevented them from doing so. However, you want the state to offer official education to less than a few thousand people out of 73 million people. You have to be reasonable, friends. Thank you.

THE PRESIDENT. – What is the opinion of the committee?

Mr POURGOURIDES (*Cyprus*). – The committee approved the amendment.

THE PRESIDENT. – The vote is open.

Amendment No. 13 is adopted.

We now come to Amendment No. 7, tabled by Mr Latchezar Toshev, Mr Zhivko Todorov, Mr Márton Braun, Mrs Renate Wohlwend, Mr Luca Volonte' and Mr Dariusz Lipiński, which is, in the draft resolution, after paragraph 19.11, insert the following sub-paragraph: “address seriously the problem of the desecration of the Catholic cemetery in the Edirne-Karaagac quarter, which is a sacred burial place for Polish, Bulgarian, Italian and French Catholics, and restore the destroyed memorials and sepulchers there;”.

I call Mr Toshev to support Amendment No. 7. You have 30 seconds.

Mr TOSHEV (*Bulgaria*). – This amendment relates to the issue of cemeteries and refers to the historic Catholic cemetery near the city of Edirne, in the European part of Turkey, where mostly Polish, Bulgarian, Italian and French Catholics were buried during the 19th century. It was desecrated, and this is a request to the Turkish authorities seriously to consider the situation in respect of that graveyard, and to respect it as sacred territory.

THE PRESIDENT. – I have received notice of an oral sub-amendment to this amendment, which reads, “In Amendment 7, replace ‘restore’ with the words ‘facilitate the restoration of.’”

Do 10 or more members object to the oral sub-amendment being debated? That is not the case.

Who will move the oral sub-amendment? I call Mr Omtzigt. You have 30 seconds.

Mr OMTZIGT (*Netherlands*). – The original amendment asks the Turkish Government to restore the destroyed memorials in the cemetery. It would therefore be up to the Turkish Government to restore them and pay for it. That would be asking a little bit too much. The Turkish Government should facilitate the restoration and perhaps give a contribution, but we are talking about private entities, so the Church or the believers should be involved as well. That is why I suggest the word “facilitate restoration”.

THE PRESIDENT. – Does anyone wish to speak against the oral sub-amendment? I call Mr Cebeci.

Mr CEBECI (*Turkey*). – Yes. What is this? Will I have to go out and ask all the former Ottoman territories to restore the mosques, graveyards and cemeteries? You are referring in a general report to one specific case, but no one knows about it. Moreover, these amendments were tabled at 5 minutes to 2. I am sure that Mr Omtzigt does not know whether it is factually true that that cemetery exists? Thank you.

THE PRESIDENT. – What is the opinion of the committee on the oral sub-amendment?

Mr POURGOURIDES (*Cyprus*). – The committee approved.

THE PRESIDENT. – The vote is open.

The sub-amendment is adopted.

Does anyone wish to speak against the amendment, as amended? I call Mr Cebeci. You have 30 seconds.

Mr CEBECI (*Turkey*). – Let me repeat – the Table Office has given this officially – that this amendment was tabled a few minutes before 2 o'clock. It was adopted in the committee, but it is too specific for a general report. You cannot list all cemeteries one by one. With due respect, if something needs to be restored, we will restore it. The amendment is wrong in principle.

THE PRESIDENT. – Thank you, Mr Cebeci.

What is the opinion of the committee on the amendment, as amended?

Mr POURGOURIDES (*Cyprus*). – The committee approved the amendment.

THE PRESIDENT. – I shall now put the amendment, as amended, to the vote.

The vote is open.

Amendment No. 7, as amended, is agreed to.

We now come to Amendment No. 14, tabled by Mr Pieter Omtzigt, Mr Jean-Charles Gardetto, Mr Göran Lindblad, Mr Luca Volonte' and Mr Frans Weekers, which is, in the draft resolution, after paragraph 19, insert the following paragraph:

“The Assembly asks the Governments of Greece and Turkey to report back on the progress made on each point in paragraphs 16, 18 and 19 of the present resolution by February 2011.”.

I call Mr Omtzigt to support the amendment. You have 30 seconds.

Mr OMTZIGT (*Netherlands*). – Thank you, Mr President. The draft resolution as approved so far contains very valuable recommendations for the Greek and Turkish Governments. It does so for the Greek Government in paragraph 18, for the Turkish in paragraph 19 and for both governments to ratify the Framework Convention for the Protection of National Minorities in paragraph 16. It would be good to allow those governments a year before

asking them to write to the Assembly about what action they have taken as a consequence of the report. The amendment simply asks both governments to send such a letter in about a year's time to say whether they have done something about the report.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Cebeci. You have 30 seconds.

Mr CEBECI (*Turkey*). – The rapporteur did not need to ask for something like this when he has been working on this for more than two and a half years, and knows much more about this country than anyone else from a third nation. This is unnecessary. Thank you.

THE PRESIDENT. – What is the opinion of the committee on the amendment?

Mr POURGOURIDES (*Cyprus*). – The committee unanimously approved the amendment.

THE PRESIDENT. – The vote is open.

Amendment No. 14 is agreed to.

We will now proceed to vote on the whole of the draft resolution contained in Document 11860, as amended.

The vote is open.

The draft resolution in Document 11860, as amended, is adopted, with 102 votes for, 18 against and 4 abstentions.

I thank the rapporteur for a job of work well done. I come from the most westerly city in Europe – Galway in the west of Ireland – and I should like to thank all those who have been involved in the debate. They represent two great peoples in Europe. Ireland is a good example: today we have passed the final phase of the peace process in Northern Ireland. So I hope that my chairmanship of this part of the debate is a good omen for progress being made as a result of today's debate.

Mr Çavuşoğlu, President of the Assembly, took the Chair in place of Mr Fahey.

5. Respect for media freedom

THE PRESIDENT. – The next item of business this afternoon is the debate on the report on respect for media freedom, presented by Mr McIntosh on behalf of the Committee on Culture, Science and Education, Document 12102, and a statement by Mr Haraszti, from the Organization for Security and Co-operation in Europe, who is the representative on freedom of the media.

There are 28 speakers on the list for the debate, and five amendments have been tabled.

I first call Mr McIntosh, rapporteur. You have 13 minutes in total, which you may divide between your presentation of the report and your reply to the debate.

Mr McINTOSH (*United Kingdom*). – I do not suppose that many people start their introduction to a resolution by saying that it is a very modest proposal. But this one is, and I have to explain why. The Council of Europe does not have the power to enforce media

freedom in the member states. Through the European Court of Human Rights, it has only the indirect ability to say that there are violations of media freedom, with particular reference to Article 10 of the European Convention on Human Rights. It does not, however, have a police force or an army to ensure that the judgments of the European Court of Human Rights are obeyed.

On the other side, the Council of Europe does not have the resources or the ability to collect the information necessary for a good view of media freedom in Europe. Fortunately, it does not need to have that ability because there are many excellent organisations that provide that information to us. We are enormously pleased to have with us Mr Haraszti, the rapporteur of the Organization for Security and Co-operation in Europe on freedom of expression. Unfortunately, Mr Haraszti is the victim of an OSCE rule that says that nobody should serve in their post for more than two terms. He is coming to the end of his second three-year term as the rapporteur, and we are going to lose him. We shall miss him and we are going to feel the loss for a long time to come.

The OSCE does have the resources to collect information and it is also supported by many organisations – particularly organisations of journalists such as the Association of European Journalists, the International Press Institute, the International Federation of Journalists and Article 19, which is a very effective pressure group. Many others have contributed to the work behind the report and can contribute to its outcome.

Anything that we say is inevitably based on second-hand information. We cannot get the information at first hand and we cannot enforce it afterwards. What is the point of doing it at all? That is a very real point because this is an Assembly of parliamentarians, and here there are parliamentarians of all shades of opinion, from left to right, in the European political spectrum. We have the opportunity to bring together the best information from all sources and to publicise it through the political world in Europe. That is what this proposal aims to do.

The core of the report, in addition to all the things that I have said already, is in paragraph 12, which says that we should “collate information on a continuing basis” and “analyse this information on a systematic basis, country by country, using the indicators for media freedom set out in Resolution 1636”. I remind the Assembly that that resolution was proposed by Mr Wodarg, who alas is no longer with us, last year. It set out 27 criteria for analysing media freedom – to make it available in electronic form on the website of the Council of Europe and in accompanying hard copy, and to issue electronic and print reports on the information and analysis to the governments and parliaments of member states and to the media, not less frequently than every three months, highlighting the important events in the most recent period for each country and requiring remedy when necessary.

That is the key to what we are proposing. We have the opportunity to shine a searchlight on the information available from the best sources in Europe, to pass that information through the channel of parliamentarians in 47 member states and to make as much fuss as we can. We are here to make as much fuss as we can about the continuing variations.

This is not particularly about history, although the report is full of history. It is about seeking to use the influence that we have here to remedy the violations of media freedom that, unfortunately, are not decreasing in the member states of the Council of Europe. I commend the report to the Assembly.

THE PRESIDENT. – Thank you, Mr McIntosh. You have six minutes and 38 seconds left for your contribution to the debate.

Before we begin the general debate, we will hear from Mr Haraszti, the OSCE Representative on Freedom of the Media. I am pleased to welcome him here. Before assuming his present important and sensitive function in 2004, he worked as a writer, journalist, human rights advocate, university professor and member of the Hungarian Parliament. His present mandate will end in March after six years of intensive and successful work.

Mr Haraszti, thank you for coming here to share with us your analysis of, and your principal concerns about, media freedom in Europe today. I recall that you addressed the Assembly three years ago when we debated threats to the lives and freedom of expression of journalists. Today is International Holocaust Remembrance Day. Media and communications services are universal nowadays, and it seems impossible for even dictatorships to continue to conceal atrocities and crimes against humanity. Information can be spread rapidly through modern technology. However, that is not enough. We must ensure that journalists and the media can disseminate information and ideas without interference by public authorities and regardless of frontiers – as is stated in Article 10 of the Europe Convention on Human Rights – and that no threats hamper their work.

Mr Haraszti, you have the floor.

Mr Haraszti (*OSCE Representative on Freedom of the Media*). – Thank you very much, Mr President and Mr McIntosh. I am grateful for the honour and excitement of being able to address the Assembly and to return to my time in parliament, which was delightful if, at times, somewhat futile. Being a watchdog for an intergovernmental organisation is sometimes no less futile, so in that respect there has been little change. On the other hand, the task is very rewarding when we succeed.

Andrew – if I may call Mr McIntosh that – rather stressed the negative aspects of international organisations. Let me now stress the positive aspects. I believe that enormous responsibility, and indeed enormous power, lies in the Parliamentary Assembly of the Council of Europe, with intergovernmental organisations such as the Council of Europe as a whole – to say nothing of its wonderful court – and with organisations such as mine.

We recognise – sometimes sadly and sometimes joyfully – that improvements in democracy can be achieved only by internal forces. On the other hand, it is a case of *primus inter pares* when it comes to the forces of public opinion in relation to intergovernmental organisations. During the six years of my service, I was able to enjoy that power, and to feel joy when change was achieved. Even when there is no direct proof of the influence of international organisations, they should be encouraged to continue their good work. My successor at the OSCE should also be encouraged to bear in mind that the actions of organisations such as ours do count, even if they do not have the legal power to

strike down, or vote down, oppressive governments and even if they do not have full jurisdiction.

I subscribe whole heartedly to Mr McIntosh's wonderful report. However, I should like to add two or three futuristic warnings about threats – which could be added to an almost endless list – to media freedom, pluralism, freedom of expression and all the related basic human rights that inform other rights such as the right to free and fair elections. Of course, violence is the primary danger. The moment when someone dies as a result of unwanted coverage of such issues as violation of human rights or corruption, a message is conveyed that extends far beyond the person involved. It is a call for self-censorship of the entire journalist corps of the country, especially the quality editors – those who count most in terms of public opinion.

If I am an editor and someone in my country is killed, I will think twice about sending a reporter to cover what is generally described as a sharp issue, and that amounts to self-censorship. Governments must tackle it as a problem relating to democracy, not just a crime of the usual kind. The motive for the killing of a journalist must not be seen simply as one motive among others; such a killing must be dealt with as if it were the killing of a politician. It is clear that a danger is being posed to one of the most important arms of democracy.

I want to raise an issue that is connected with my sadness over leaving my job. There has been no increase in the pluralism of television, which is the most important source of information for most people in the OSCE and Council of Europe area. Over the past 10 years, we have witnessed a cementing of the government monopoly in many new democracies. I am not talking about the famous anomaly that is the duopoly in Italy, which has been much criticised. I am talking about countries where, regardless of whether there is nominal public service broadcasting – regardless of whether the airwaves are partly privatised and contracted out to private television companies or owned by state-owned companies – content, in political terms, is firmly in the hands of government.

That monopoly over content is not diminishing, and it affects the quality of democracy enormously – or, rather, the lack of quality of democracy – and prevents free and fair elections from taking place, even if they are nominally free and fair. In several countries that have pretty fair elections in a pretty multi-party democracy, there are one-party parliaments. You may ask why. The answer lies in the actual, practical monopolisation of television. In such countries, pluralism is exiled into the fragile print press and – this is the good news – the internet, which, as we speak, is becoming a model for all other media. It is the platform on which the television and newspapers of today will be hosted tomorrow.

That brings me to another issue, the freedom of the internet. We are seeing attempts, even in the Council of Europe area, to carve out a national internet detached from the innate freedom of the global media platform, and to re-create somehow the pre-internet era's national control over the media. That is futile, and it is harming freedom of information. In time, the internet-hosted media will find a solution to the unquestionable deterioration of media quality and the mixing up of news and opinion that we find every day on the internet.

Unfortunately, due to the emergence of paid content, there is an emerging self-regulation club on the internet. There is no other way if you want quality coverage and editing and real journalism. It will emerge.

I always call on governments – as I hope that the Council of Europe will do – to have patience. This is an interim period as the internet develops. There are totally new habits. The era of national control over content is finished. Governments are simply not able to impose control. They have less control now than they had over the print media. Just as in the classic media, only fully free journalism can be fully responsible. The internet has not changed that basic rule. I call on all countries to be careful in passing internet legislation.

In closing, I would like to refer again to Andrew McIntosh's report. I believe that self-censorship is the issue. There can be bad regulation that imposes self-censorship by intimidation. However, that will not lead to more responsible journalism. Perhaps I may end on a tweet. The Council of Europe may not be on Twitter, so I do not know if I can say this in 140 characters or fewer, but I will try. You may know who your revolution is against but, without journalism, you will not know what your revolution is for. The legitimate need for quality journalism on the internet should facilitate freedom for real journalism, but we should not try to enforce it.

THE PRESIDENT. – Thank you for your statement, Mr Haraszti. You will have the opportunity to comment again at the end of the debate.

I remind members that on Monday the Assembly agreed that speaking time in all debates today be limited to three minutes.

In the debate I call Mrs Anikashvili, who will speak on behalf of the Alliance of Liberals and Democrats for Europe.

Mrs ANIKASHVILI (*Georgia*) thanked the rapporteur for the report, which she said contained important and useful information, including the number of journalists killed in Europe since 2007, 13 of which had been killed in the Russian Federation. She had her own experience of how the human rights of journalists were violated. The Government of Georgia had used the army to suppress the media on the grounds of national security. Independent media were necessary in order for a democracy to function properly. A government must not use political power to silence the media.

The report contained a list of 17 European countries where there had been murders, violence and serious human rights violations against journalists. The list included the Russian Federation. In 2008 four journalists had died in Georgia as a result of Russian bombing. It was up to the Council of Europe to ensure that it forced member states to respect the rights of journalists.

THE PRESIDENT. – Thank you very much. I call Mr Walter, who will speak on behalf of the European Democrat Group.

Mr WALTER (*United Kingdom*). – Thank you very much, Mr President. As this is the first opportunity I have had, I would like to congratulate you on your election as President. You are an old friend and I look forward to a very successful presidency.

This is an excellent report and I congratulate the rapporteur, Andrew McIntosh. Two years ago, he succeeded me as chairman of the media sub-committee. He has done excellent work in those two years. In my time as chairman of the sub-committee, I very often used to open my remarks when we were listening to people give evidence on why the press was restricted in their countries by saying that a vibrant and critical media were a reflection of a vibrant and free democracy.

Oh that all our political leaders in the world could utter the words that Napoleon Bonaparte is alleged to have said: "I fear the newspapers more than 100 000 bayonets." The Universal Declaration of Human Rights says: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, and impart information and ideas through any media regardless of frontiers".

I want to divide my brief comments into two areas reflecting on that. The first is the impact of technologies, and the second is the contrast in some of our nations' practices. The new technologies produce many ways of delivering information that are slowly being superseded by the increasing pace of modern technological advance. Almost every conventional mode of media information dissemination has a modern counterpart that offers significant potential and advantages to journalists seeking to maintain and enhance their freedom of speech. A simple example of such phenomenums is the change from terrestrial television to satellite television. While terrestrial television is relatively easy to manage and manipulate, satellite television is much more difficult to control. A good example is Al-Jazeera, broadcasting from the Middle East first in Arabic and now in English, from the relatively liberal state of Qatar. It often presents views and contents that are problematic to a number of governments.

We have heard about the internet and its vast potential. It is difficult to control unless you are really determined, and we know many of those examples. We also know many examples across our member states of countries both in the former Soviet Union and even in western Europe which restrict the freedom of their journalists and the freedom of their media.

I started with a quotation and I shall end with one. Adlai Stevenson said: "My definition of a free society is a society where it is safe to be unpopular."

THE PRESIDENT. – Thank you. I call Mr Kox to speak on behalf of the Group of the Unified European Left.

Mr KOX (*Netherlands*). – As the rapporteur stated, without media freedom it is impossible to protect and develop our core values. Therefore, we guarantee media freedom in the United Nations. There is the declaration of human rights and the European Convention on Human Rights, and media freedom is also guaranteed in all our national constitutions. That is the theory, but in practice there are far too many violations and breaches of media freedom. The report is only a modest summary, as the rapporteur said, and many more worrying developments could be added to it. Since 2007, 20 journalists have been killed in Europe and many more have been attacked, threatened and blacklisted. In recent years, all media have frequently come under attack from prosecutors, politicians, criminals and governments.

In the past decade, there has been a worrying decline in the quality of news and other information, and it has become a commodity. News and information are for sale on the news market, obeying the laws of the market instead of adhering to professional standards and ethics. I wonder whether the rapporteur might elaborate on this topic when he comes to reply.

Summaries tend to leave things out; that is natural. However, some might exploit that as an opportunity to say, "We are not mentioned; we've done nothing wrong." Let us consider recent events in Moldova. The report rightly mentions what went wrong under the former government, but although we now have a new government, breaches of media freedom are continuing. Perhaps the rapporteur would elaborate on that as well.

I want to mention two issues of great concern to my group, the UEL: there is a lot of violence against journalists and the media in Russia at present; and, in Italy, there are worrying attempts by the government and the prime minister to gain control over the media. The UEL appeals to the government and authorities in Russia to step up their efforts to protect journalists, to respect free media and to bring those who abuse journalists and media freedom to justice. Up until now, the record of the government and prosecutors in Russia is not good enough, and we urge our Russian colleagues in the Assembly to help to restore media freedom in their country, because that is the best way to protect their democracy. In Italy, we urge the government to turn away from the wrong ambition of concentrating ever more media under the control of the government and its prime minister. Mr Frattini said here yesterday that there was nothing wrong in Italy because the country has so many newspapers, but he forgot to mention that most of the broadcasting stations are now under the control of the government.

Finally, let me offer some good news. The Netherlands is also mentioned in the report. A journalist there was facing the threat of prosecution in a case involving the secret service. Today's newspaper reports that the prosecution has had to withdraw from that case. Therefore, that journalist at least is again free to do her work, and I congratulate her on that.

(Mr Kosachev, Vice-President of the Assembly, took the Chair in place of Mr Çavuşoğlu)

THE PRESIDENT. – Thank you. Our next speaker is Mr Herkel on behalf of the Group of the European People's Party.

Mr HERKEL (*Estonia*). – On behalf of the EPP, I thank Mr McIntosh for his fine and important report and also Mr Haraszi for his great work and his speech today.

The situation that the rapporteur described is alarming. As has been mentioned, 20 journalists have been killed in member states recently, 13 of them in the Russian Federation. There are other problems, too, including other kinds of physical assault, defamation cases employed against those supporting freedom of expression, self-censorship, and the imprisonment of journalists. I would like to mention especially that two young bloggers were imprisoned in Azerbaijan recently. This is a new phenomenon: the same old bad practices are being directed against new media.

I thank the rapporteur for the explanatory memorandum which provides us with concise information about the most serious violations in several member states. Many cases are mentioned in the report, some of which deserve a report on their own. Unfortunately, however, we are not able to do so.

I have a proposal for the future. I would like there to be some concise appendixes or registers containing information on murdered journalists and on the results of any investigations into their deaths – if there are any results. Perhaps there could be similar information about imprisoned journalists. These are very important issues. We should know about what is going on, but so should our national parliaments and governments, and our people. As we have excellent co-operation with other international organisations and non-governmental organisations, it should be possible to achieve that.

THE PRESIDENT. – Thank you. I call Mr MacShane to speak on behalf of the Socialist Group.

Mr MacSHANE (*United Kingdom*). – I speak also as a former president of the National Union of Journalists in Britain and Ireland, and I congratulate my noble friend Mr McIntosh on his excellent report. We are lucky because we can directly address elements of this report to you, Mr Kosachev, and to your predecessor, our newly elected President of the Parliamentary Assembly, whom we are all pleased to see active in post. Sadly, two countries frequently mentioned are Russia and Turkey. We need to know not simply the names of the journalists involved in the cases mentioned, but what actions have been taken in the Duma by Council of Europe delegates from Russia to raise their cases. Should the Council of Europe be presenting outside the Chamber not a commemoration of a historical assault on liberty, but contemporary photographs of murdered and imprisoned journalists? How can we explain to our Turkish friends from both main parties that Article 301, which makes it a crime to attack the Turkish nation in the media, is a fundamental assault on freedom of expression? When will those two great parties of Turkey agree to change that part of the penal code? When will Orhan Pamuk, the Nobel prize winner, be able to live absolutely freely and openly in Turkey, and walk and go to restaurants and have a drink – or go for a smoke, or whatever he wants to do – in Istanbul, instead of being so frightened because of death threats that he has to spend much of his time outside Turkey?

We should also pay attention to other threats to freedom of expression. In my country, libel laws are being used by rich oligarchs from Ukraine and Arab countries, as well as by pharmaceutical companies, to shut down journalistic investigations. We should also look at self-censorship, as our distinguished previous speaker mentioned. We should look, too, at the degrading dumbing-down of the quality of our journalism, which results in rubbish papers such as *Metro* in London, or *Strass* – whatever that is – here in Strasbourg. They are to good journalism what a McDonald's sandwich is to a plate of steak and chips: an ugly, unpleasant, tasteless confection and not the real thing.

By all means, let us support Google in its fight with the Chinese, but Google is also stealing journalistic work by taking articles that should be paid for and putting them freely on the internet. If we want good-quality journalism, we have to pay for good-quality journalists.

Google, and a great deal of Internet activity, is actually driving out the possibility of giving adequate remuneration to journalists. Without independent journalists, we will not have a free media.

Those are some of the points that I would like to put to the Assembly. I congratulate the rapporteur again on this excellent report. Let us put the Council of Europe and our own parliamentary delegates at the forefront of the fight to uphold freedom of expression in the 21st century.

THE PRESIDENT. – Thank you, Mr McShane.

The rapporteur will reply at the end of the debate. He does not wish to reply at this stage.

I call Mrs Ukkola.

Mrs UKKOLA (*Finland*). – Mr President, I would first like to thank Mr McIntosh for an excellent report. Even though we all know that there are numerous countries that could not care less about the values of our Organisation, the findings of the report are nevertheless shocking – that journalist colleagues are being murdered, persecuted, assaulted and harassed in so many member states.

Because I am a journalist, I am horrified that violence against journalists, along with impunity for the perpetrators, has increased in recent years. Since 2007, at least 20 journalists have been murdered in member states alone. Of those incidents, 13 took place in Russia. In Russia alone, over the past two years, there have been 24 category A violations – namely, murders and physical violence against journalists. Turkey and Georgia are the next most serious and have seen seven similar incidents.

The situation of journalists and the violation of media freedom in Russia is shocking. During the Yeltsin era, it was still possible to dream of freedom of the media and political rights. When the new regime came to power, however, the situation became steadily worse. It has been estimated that 300 journalists and human rights defenders have been murdered during the past 15 years. The European Union has been very concerned about the human rights situation in Russia.

Democracy and freedom of the media are the core values of the Council of Europe. How is it possible that these values can be violated in so many member states? Mr President, why do we allow this? Why are we not demanding that all member states respect and adhere to the basic principles of the Council of Europe? Without freedom of speech and freedom of the media, no other freedoms or rights can exist.

The leaders of European states should also be criticised for failing to address the human rights situation in Europe. We in Finland are no better. Only the chairperson of the European Parliament's Sub-Committee of Human Rights, the MEP Heidi Hautala, has openly raised the question of the human rights situation in Russia. Thank you.

THE PRESIDENT. – Thank you, Mrs Ukkola. I call Mr Slutsky.

Mr SLUTSKY (*Russian Federation*) said that it was important to note that opposition parties in Russia had been discussing press freedom and had raised the issue in parliament. There had been a debate about the dangers faced by journalists and about the death of Anna Politkovskaya. The rapporteur should not have said that they had been unable to investigate Anna Politkovskaya's death. It would have been possible if the right contacts had been made.

It appeared as though the rapporteur had taken on board the views of some witnesses, but not of others: for instance, a number of deaths of journalists were open to different explanations. It also appeared as though the rapporteur had not spoken to the countries which were being criticised. More study needed to be undertaken and better investigative methods employed.

THE PRESIDENT. – Thank you, Mr Slutsky. I call Ms Kovács.

Ms KOVÁCS (*Serbia*). – Mr President, dear colleagues, ladies and gentlemen, I would first like to congratulate the rapporteur, Mr McIntosh, on this truly excellent report. I stress from the outset that I agree with his main recommendation stating that because media freedom and the safety of journalists are necessary conditions for democracy, we should ensure that journalists can work freely and safely.

On the other hand, unfortunately, there has indeed been a big increase in different forms of violations of media freedom, such as physical assaults, attacks on journalists, murders, misuse of governmental power to influence the media, as well as threats linked to media ownership and the absence of professional ethics. Personally, I am strongly against any government members who use their political influence to silence political media.

As we read in the report, organised crime is threatening the safety of journalists in several Council of Europe member states. The main reason is that critical media play an important role in discovering and shedding light on organised crime, among other things. The public has to be informed by the media about such facts. States should support such media and must not remain ineffective against such threats.

It is evident that the opportunities for information and communication have increased in recent years. This means that we must establish standards of freedom of expression and information both for journalists of all media and for the public. I personally regret that the Internet is not mentioned in the report because it constitutes an important part of our everyday culture and has a great impact on our society. It should be developed and broadened to be more secure for all of us. The dangerous misuse of the Internet and the appearance of threats in it should be punished accordingly.

We must also admit that, in practice, there is a large absence of professional ethics and an increase in the amount of harmful media content. Our biggest task, therefore, is to ensure the protection of the public against dangerous content, while at the same time promoting security for all responsible journalists.

There are still unprotected journalists. The perpetrators of different kinds of violence can reach them easily, despite the willingness to protect them. That is a sad fact and the reason why we politicians must seriously take into account the specific need for safety legislation.

We must guarantee the effective protection of everyone, especially for people doing their jobs.

Our aim should be to let journalists do their job adequately, make them investigate as much as possible and motivate them to be active and useful, while providing them with safety as they allow us to be well informed and to enjoy our basic right to information. Thank you for your attention.

THE PRESIDENT. – Thank you. I call Mrs Zohrabyan.

Mrs ZOHABYAN (*Armenia*) thanked the rapporteur for a timely report on what was a topical issue in public life. She said that the report was interesting, but it would not be possible to agree with all the points made in the report.

The independence of the media was of great importance to a fully functioning democracy, but it appeared that Europe had slipped back in this regard in recent years. The case of Armenia was highlighted in the committee's report. It was true that the media in Armenia had experienced problems, particularly with respect to its independence. However, this was typical of any young democracy and action was being taken to tackle the problems. An earlier resolution by the Council of Europe had praised Armenia for its progress towards engendering a free media. It was hoped that the Council of Europe could now help Armenia complete that challenging process.

It was unfair for Armenia to be quoted, in the committee's report, in the same breath as Azerbaijan, given that media freedom in Azerbaijan had been ranked as the fifth worst in the world.

A free and impartial press should be recognised as a necessary precursor to a free, democratic society. Members had a great deal of work to do with respect to this matter, both within the Council of Europe and within their national parliaments.

THE PRESIDENT. – Thank you. I call Mr Kumcuoğlu.

Mr KUMCUOĞLU (*Turkey*). – Thank you, Mr President.

Dear colleagues, we fully support the work of the Council of Europe on protecting journalists and the media. We deplore the fact that attacks on journalists and the media have recently increased in Europe and condemn the perpetrators of these acts. Freedom of expression and media freedom are protected by the constitution and other relevant legislation in Turkey.

Mr President, I am a deputy from the opposition in my country, and I feel disturbed when our Prime Minister misuses government funds to support one of the medial conglomerates to favour his position in the government, or he asks my people not to read some newspapers that falsely report the difficulties in our country and falsely concentrate on one point.

In compliance with the European Convention on Human Rights a new penal code was introduced in 2005, with a more liberal approach to issues concerning the freedom of expression. On 8 May 2008, an amendment to article 301 of that penal code was put into

force to overcome certain difficulties in its implementation. With this amendment, guarantees of the freedom of expression are further strengthened with a new safeguard, as prosecution under article 301 is now subject to authorisation by the Minister of Justice. However, Mr McIntosh's report continues to assert erroneously that the new article still violates Article 10 of the European Convention on Human Rights.

The European Court of Human Rights is the only authority to issue judgments on what violates the European Convention on Human Rights and what does not, and the court has made no judgment in respect of this article of the penal code. Therefore, we suggest that the words in question be deleted from the text. I feel a little uneasy about the fact that, instead of concentrating on the main problems that we are facing in Turkey, the report concentrates on article 301 of the penal code. Thank you very much.

THE PRESIDENT. – Thank you. The next speaker on the list is Mr Rouquet, but he does not want to speak, so I call Mr Tekelioğlu.

Mr TEKELIOĞLU (*Turkey*). – Thank you, Mr President. I should like to thank the rapporteur for this report, which addresses a major issue regarding the media. Fair, independent and free media are a vital part of democracy. Free media are necessary for the public to get the objective information and objective observations needed to make their own assessments of the world that they live in.

As indicated in the report, journalists come under a lot of pressure while conducting their jobs. I condemn the assassination of journalists who have become victims because they have freely expressed their views of observations.

I would like to remember our journalist, Hrant Dink, who was killed three years ago. The complicated case against the murderers is still going on. As one of the followers of this murder case, I am confident that the people involved will be brought to justice.

When we talk about media freedom, the independence of the media should be a major concern. Media owners who also have other businesses in the private and public sectors may become too dependent on advertisers to support their public businesses or too dependent on politicians to support their public businesses.

As potential power centres, some owners can deviate from plain journalism by manipulating news to form public opinion at the expense of creating a misinformed, confused public. Their dependence may become apparent as pressure on their own journalists.

Many media companies around the world have gone beyond the limit in the political area and are being accused of acting as political parties. When a media company starts acting like a political party, politicians treat them as competition. The unfortunate outcome is limited and biased information for the public, and damage for democracy.

The Council of Europe already has Recommendation No. R(99) 1 from the Committee of Ministers, which recommends guidelines for media independence and freedom. Laws, rules, regulations and regulatory bodies are necessary to provide the infrastructure required

for free media. However, it takes dedicated and responsible journalists to institute and sustain media freedom. Their commitment to their core business, and their determination for truth, reality and fairness will set the acceptable standards of the business.

THE PRESIDENT. – Thank you. Mrs Stump has withdrawn, so I call Mr Vareikis on behalf of Group of the European People's Party.

Mr VAREIKIS (*Lithuania*). – We all probably know the famous sentence, “The truth will make you free.” I am from the so-called former Soviet Union and my generation lived under the Soviet Union. We were very happy to hear from Radio Free Europe and from the Scandinavian media. All our political background is based on education that came from free media. The freedom of the media was probably one of the major instruments that brought us independence and the freedom that we enjoy now. Unfortunately, I looked today at the media freedom map on the Internet. There is a long list of European countries that qualify as partially free or even non-free in respect of the media. We are working with a so-called monitoring procedure; almost all the monitoring countries, except probably the Principality of Monaco, have serious media freedom problems. Look at a country's media, and you will understand how free it is. Even today, with the global media, the Internet and all the possibilities of being free, we see some countries attempting to close the Internet, to close down newspapers and switch off TV stations. Media freedom is important.

All is still not well with the issue of ensuring free media, so the report is timely and well done. I support everything stated in the report. However, I want to comment on something on which the report did not focus; perhaps a future report will. I am thinking about the responsibility of mass media. I am myself participating in the creation of media. I am on Facebook, you can find me on Twitter and in various media projects. I know many people who are creative in such media. However, they are not necessarily always responsible. Someone said today that the quality of journalism is going down. That is true. Now, everybody can write something; the number of writers is growing while the number of readers is shrinking. The chance to express yourself and tell the truth also offers the freedom to lie. There are more and more lies in the media. How do we deal with that? It is a problem, not only in undemocratic countries; media in democratic countries are also full of lies. Mr McIntosh, I have a topic for your next report: how to make the media more responsible.

THE PRESIDENT. – Thank you. The next speaker is Mr Hancock.

Mr HANCOCK (*United Kingdom*). – First, I should like to congratulate Andrew McIntosh on his report and the endeavours that he put into it. That last comment, from Mr Vareikis, needs a response. We have responsible media when people believe and trust them. We have responsible media when journalists put themselves in harm's way and report what they see accurately and effectively and in such a way that people will read, listen to or watch what they have to say.

Many of the most effective journalists have been photographers who have trawled the world in war zones and disaster zones. Their pictures have fulfilled many of the thoughts and ambitions of people who have seen them. They have risen to the issues raised by the actions that are portrayed in photographs. Many television cameramen have been killed in

action while filming for television throughout the world – in Afghanistan, Iraq and Beirut for example. In many cases, journalists do not write but use pictures to tell their stories. You have to give it to these people; they put their lives at risk every day for the rest of us. I do not believe what we have heard about most journalists being worse now than they were in the past. There is a different breed of journalist now because the media are now a more complex machine than they were 30 or 40 years ago. There is a different type of journalist, but that does not diminish their skill at portraying what they have to see.

As a society and as politicians, we might not like what journalists have to say about us from time to time, but we have to accept and admire that these men and women put their lives on the line. One famous writer in Britain said that a desk is a dangerous place from which to watch the world, but many journalists do not have the luxury of sitting behind a desk; they have to go out and search for their stories. They have to put themselves in harm's way and take responsibility for their actions. Sadly, in many cases, that results in their death.

I was very interested in what our Armenian colleague had to say. I read in a National Union of Journalists paper about what happened in Armenia on 19 January. Nikol Pashinian was sentenced to seven years in prison. He is the founder of the *Armenian Times*. The court found him guilty of organising mass riots on 1 March 2008 following the presidential elections. We have to be careful; this man's only job was to be a reporter. He was a leading player in the opposition but just a week ago, he got sentenced to seven years in prison. Our Armenian colleague admitted that there had been some mistakes but made no mention of the fact that the editor of the leading newspaper in Armenia had just been sentenced to seven years in jail. We have to be very careful about what we say about the skill and ability of journalists. We ask them to do a job on our behalf and in many countries it is a high-risk job. That is sad but true and this Organisation should do all it can to protect journalists wherever they work and whatever they are trying to bring to our attention.

THE PRESIDENT. – Thank you. The next speaker is Mr Seyidov.

Mr SEYIDOV (*Azerbaijan*). – The report presented by Mr McIntosh is very important. I remember meetings in Baku when a sub-committee came to Azerbaijan under the leadership of Mr Walter. At the university, we discussed in an absolutely open atmosphere all the problems that we have. Unfortunately, there is a lot of biased and non-objective information about journalism and journalistic activity in my country. We heard a vivid example from my Armenian colleague of their not being able to find a problem in their own country, and looking for problems in another country. That is not acceptable.

Of course we have problems, but at the same time, within a very short period Azerbaijan has done a lot for the media and for freedom in my country. There are more than 3 500 mass-media outlets in Azerbaijan, more than 30 media agencies and 44 electronic mass media outlets. There are also seven countrywide and 14 regional TV channels. Twelve cable stations and 11 radio stations operate in the country. Mr Haraszti mentioned the Internet, which is really important. In the past few years, Internet tariffs in Azerbaijan have gone down and satellite dishes and cable TV are widely used. They increase public access to information throughout the country. At the same time, the government, together with other authorities in Azerbaijan, tries to establish new programmes together with the Council

of Europe, international organisations and the Organization for Security and Co-operation in Europe. As a result of a special presidential decree, Azerbaijan gave €1.2 million to increase the quality of journalism in Azerbaijan. That is really very important.

We have mentioned problems with the media in Azerbaijan but, dear friends, I have to say that in Azerbaijan the media are absolutely free. However, we do not really have independent media. The majority of media representatives belong to political parties. However, we really have a free media in Azerbaijan and we try to do our best for journalism in our country. At the same time, we should take into account the problems with refugees and internally displaced persons in Azerbaijan. That is a really big problem and unfortunately information about that category of people is not so widespread in Europe. Other local problems are widespread but the biggest problem of Nagorno-Karabakh and refugees are not so well known about in Europe. That is an issue.

THE PRESIDENT. – Thank you. the next speaker is Mr Sudarenkov.

MR SUDARENKOV (*Russian Federation*) said that it was unfortunate that the report included inaccuracies and it seemed that five of the previous speakers considered themselves to be experts on Russian journalism. Council of Europe Resolution 1535 on threats to the lives and freedom of expression of journalists had been adopted in 2007. This had been followed by a further debate in 2008 and now there was another debate on the same subject.

Progress had been made in investigating attacks against journalists in the Russian Federation. However, the list of victims in the report included the name of someone who had died as a result of a drugs overdose. Using old and inaccurate information damaged the standing of the report. He questioned whether Mr Haraszti, the OSCE Representative on Freedom of the Media, had asked the Russian Foreign Minister about the journalists mentioned in paragraph 4 of the Report. The Council of Europe had adopted 27 basic principles for protecting journalistic freedom and he hoped that the Government of the Russian Federation would soon begin to draft progress reports demonstrating achievements in this area. Russia had chosen to use an open media market model.

THE PRESIDENT. – Thank you, Mr Sudarenkov. I call Mr Ünal.

Mr ÜNAL (*Turkey*) thanked the rapporteur and commended the work of the Council of Europe in protecting the rights and safety of journalists. Violence against journalists was increasing. An independent judiciary should be able to investigate such cases. Freedom for journalists was guaranteed under the Turkish constitution and Turkey had also signed the European Convention on Human Rights. As a result, Turkey had amended Article 301 of its penal code in 2008 to ensure that freedom of expression was guaranteed. There had been some negative comments about the Turkish Prime Minister earlier in the debate but, contrary to what was stated in the draft recommendation, the European Court of Human Rights had never given judgment against Turkey about Article 301. A free media was very important.

THE PRESIDENT. – Thank you Mr Ünal. The last speaker will be Mr O'Hara.

Mr O'HARA (*United Kingdom*). – I rise to make a modest contribution to the debate on this excellent report.

I would guess that the majority of members present do not have a deep knowledge of the Roman satirist Juvenal, but I would also guess that most of them would recognise his question “*Quis custodiet ipsos custodes?*”, which is translated as “Who will guard the guardians themselves?” They might be less familiar with another of Juvenal’s observations, which is of even more telling relevance to the debate: “*Dat veniam corvis, vexat censura colombas*”, which can be translated as “Censorship pardons the crows but persecutes the doves”. The genius of Juvenal lay in his ability to make observations whose relevance was not confined to the place and time in which they were made.

I congratulate the rapporteur on his excellent report. We need not wonder at its excellence, because Andrew McIntosh has a distinguished record in this field as a former minister and as Chairman of our Sub-Committee on the Media.

As the report states at the outset, media freedom is a necessary condition for democracy. Another condition is the healthy exercise of that freedom. The report identifies three main impediments to those conditions. The first is violence against, and murders of, journalists. Those who have been murdered in the last few years are listed in paragraphs 4 to 7 of the draft recommendation. The names are too numerous to read out in the time available, as we read out the names of those who have fallen on the field of battle, but it can be said that they have themselves fallen on their own field of valour. The report also identifies state interference in the freedom of journalists, inadequate control of their profession by journalists themselves – Mr Vareikis may not have read the whole report, but that is dealt with in the last two pages of the explanatory memorandum – and monopolistic control of media outlets.

In all those matters, the principles and instruments of the Council of Europe are clear. It is the responsibility of all member states individually to examine and correct their own shortcomings, and collectively to monitor and address those shortcomings where they remain uncorrected. They include institutional failure adequately to investigate attacks on, and murders of, journalists, exposure to the accusation of connivance in those attacks and, without doubt, failure to control organisations, be they criminal or political, that have an interest in suppressing investigative journalists. Of course, the criminal and the political are not categorically distinct. Criminals may bribe politicians or may turn to politics in order to protect their criminal interests, while politicians may exploit their power and prerogative to further dishonest purposes.

Then there is the accusation of failure to control irresponsible practice in journalism, including monopolies. The requirements of all these issues are addressed clearly and positively in the report. I again congratulate the rapporteur and give my wholehearted support to the report and its recommendations.

THE PRESIDENT. – Thank you. I must now interrupt the list of speakers. The speeches of members on the speakers’ list who have been present during the debate but have not been able to speak may be given to the Table Office for publication in the Official Report.

I will now invite our guest speaker to comment on the debate.

Mr Haraszti, you have the floor for two minutes.

Mr HARASZTI (*OSCE Representative on Freedom of the Media*). – Thank you; that is a helpful hint.

THE PRESIDENT. – These are our rules.

Mr HARASZTI (*OSCE Representative on Freedom of the Media*). – I thank Lord McIntosh for his nice words about me. I also thank everyone who remembered in positive terms what I have done during the past six years and – in the case of Azerbaijan – anyone who has remembered at all.

I should like to address two issues. The first relates to the esteemed vice-chairman of the international commission in the Duma, Mr Slutsky. As he and the other speaker from Russia said, all my interventions have been answered by the ministry of foreign affairs. However, when it comes to matters involving violence, the answer has essentially been, “The investigation has started.” I believe that finding the right answer should be a high priority at the highest governmental level. In Russia’s case, it should be done at presidential and prime ministerial level. They should recognise the enormous crisis in human rights and in safety for journalists in Russia. There has been a series of murders of journalists because of their coverage. I am not talking about the other issues that Mr Slutsky cited. An enormous number of journalists have been killed, most for covering human rights violations and corruption. The state has to recognise that at the highest level.

Secondly, the means have to be found to deal with this crime. “The investigation has started” means that there are myriad possibilities and motivations for such crime. That is not the right answer. Such crime must be seen as an affront against democracy and freedom of speech. Freedom of journalism and the atmosphere it entails are the basis of everything that we call democracy.

As for the other issues concerning Russia, I have again received old-style answers. When I issued a very detailed report on freedom of speech, violence and the freedom of information during the election to the Duma in 2008, I was given the answer that this was just “western propaganda”. I am an eastern person, so I suppose that I should have been pleased with that answer. I was not.

As for Azerbaijan, the esteemed speaker said that there is a free press but that it is not independent. Many independent people make up a free press. Pluralism does exist but we cannot have total freedom. There are many types of censorship, sometimes exercised by the owners. The next best thing to a totally free and independent press is to have very many press outlets in a country. Unfortunately, they do not have that in Azerbaijan. Of the two most important editors-in-chief on the two most important opposition newspapers, one is in jail for hooliganism and the other is in jail for a combination of slander of the nation, tax evasion, threatening with terrorism and, about a month ago, possession of 0.2 grammes of heroin in his high-security prison cell. I visited him twice in that prison and can testify that it is a very high-security place. Those newspapers are very independent. The newspapers of Eynulla Fatullayev – one in English and one in Azeri – have ceased to exist since he has been in prison.

To wrap it up, the point is that the Azerbaijan Government has firmly to tell its law enforcement agencies to stop framing journalists and provoking them into seemingly non-journalistic crime. That is the way to have truly independent newspapers in that country.

Thank you very much for the honour of being here. I thank Mr McIntosh and his committee for their good work. We were so thankful when you supported the decriminalisation of libel. That was a milestone. I am happy to report that, just this year, Romania, the United Kingdom and Ireland decriminalised it. So your work is bearing fruit.

THE PRESIDENT. – Thank you, Mr Haraszti. You used three or four times your speaking time, but I could not interrupt you because you were criticising my country.

I call Mr McIntosh, rapporteur, to reply. You have six and a half minutes.

Mr McINTOSH (*United Kingdom*). – Thank you, Mr President. I am immensely gratified by the reception of this report, not least because so much of what has been said is in addition to the thinking that is in this modest report. I told you that Miklós Haraszti was good, and he was. He is right to say that one of the problems that is particularly difficult to deal with, and certainly difficult to deal with in a report of this kind, is self-censorship by journalists; in other words, in an atmosphere in which journalists feel afraid to say what they know to be the truth.

His next point was taken up by a number of other people, which was the increasing importance of the Internet. It was deliberate that we did not include that in the report this time but, if I may attempt to influence the Bureau and my committee, I have a motion for a resolution on this subject which will come before the Bureau on Friday morning and I hope that it will be referred to the Committee on Culture, Science and Education for report and I hope that it will ask me to be the rapporteur. It is certainly true that this is increasingly important, in many ways more important than the traditional media. The potential for good and for bad of the Internet is something which deserves the attention of this Assembly.

Mr Kox quite rightly talked about what is left out. There is a 92-page report produced by Mr William Horsley of the Association of European Journalists which is the basis for the explanatory memorandum. We had to cut it down but I can certainly make a copy of the full report available to him and all members. Even so, there is far more material than we can use.

I emphasise that the reports that we will produce as a result of this resolution will be about the most recent events – those that need to be corrected and remedied. They will not be about history. We have been through that, and we now want something that can actually be used.

Mr Herkel made a helpful suggestion, which I took as a recommendation that the sources of information should be recorded. I think that ought to be on the information database. Mr MacShane made a helpful suggestion about the way in which we publicise the results. He suggested that there should be posters, and that is, of course, a possibility. Perhaps he will join me at dawn in Baku or Moscow to flysheet the government buildings. He made a perfectly legitimate point about the inadequacy and injustice of libel laws. That is not the subject of this report, but we should certainly be considering it.

I also wonder whether there might be the possibility of giving those criticised in the report the opportunity to respond. If they were to have that opportunity, it would serve to draw the report to their attention, and if they did not respond, it would become very obvious that they had not responded. It is also in accordance with natural justice that there should be such an opportunity to respond. I think we should publish in any case, while also giving them an opportunity to respond; otherwise, we would lose the immediacy that is the key to our proposals in the report.

The report's reception has been overwhelmingly positive. Of course there are criticisms of individual items, and I accept that there may be errors. Nevertheless, I am grateful to the Assembly members who have spoken for everything that they have said.

THE PRESIDENT. – Thank you. Does the chairperson of the committee wish to speak?

Mrs DE MELO (*Portugal*) thanked the rapporteur and called on members to support the report when the amendments were being considered.

THE PRESIDENT. – The debate is closed.

The Committee on Culture, Science and Education has presented a draft recommendation to which five amendments have been tabled, which will be taken in the order in which they appear in the organisation of debates.

We come to Amendment No. 1, tabled by Mr Andrew McIntosh, on behalf of the Committee on Culture, Science and Education, which is, in the draft recommendation, paragraph 5, replace the second sentence with the following sentence:

“The Assembly is saddened by the murders of Georgi Stoev in Bulgaria on 7 April 2008, Ivo Pukanic and Niko Franjic in Croatia on 23 October 2008, as well as Cihan Hayirsevener in Turkey on 18 December 2009.”

I call Mr McIntosh to support Amendment No. 1 on behalf of the Committee on Culture, Science and Education. You have 30 seconds.

Mr McINTOSH (*United Kingdom*). – This amendment does not change the sense of the text; it simply brings it up to date.

THE PRESIDENT. – Does anyone wish to speak against the amendment? That is not the case.

The committee is obviously in favour.

The vote is open.

Amendment No. 1 is adopted.

I call Mr Kumcuoğlu to support Amendment No. 3. You have 30 seconds.

Mr KUMCUOĞLU (*Turkey*). – I do not wish to move Amendment No. 3.

THE PRESIDENT. – Amendment No. 3 is therefore not moved.

We come to Amendment No. 4, tabled by Mr Giuseppe Galati, Mrs Deborah Bergamini, Mr Luca Volonte', Mr Luigi Vitali and Mr Oreste Tofani, which is, in the draft recommendation, paragraph 11.5, delete the word "Italy,".

I call Mr Galati to support Amendment No. 4. You have 30 seconds.

Mr GALATI (*Italy*) said that the amendment sought to account for a law introduced in Italy in 2000 that guaranteed all parties free access to the media.

THE PRESIDENT. – Does anyone wish to speak against the amendment?

I call Mrs Mogherini Rebesani.

Mrs MOGHERINI REBESANI (*Italy*). – My colleague is absolutely right. We have a perfect law in Italy. The problem is what happens when that law is not in force – before and after the election campaign. We know that election campaigns only last, perhaps, for some months, and in Italy we do not have free access to the media for all political parties and candidates during the rest of the time – outside of election campaigns. The problem is therefore, not the formal law, which is perfect, but the practice of political life and the relations between politics and the media.

THE PRESIDENT. – What is the opinion of the committee?

Mrs DE MELO (*Portugal*) (Translation). – In favour.

THE PRESIDENT. – The vote is open.

Amendment No. 4 is adopted.

We come to Amendment No. 5, tabled by Mrs Deborah Bergamini, Mr Giuseppe Galati, Mr Luca Volonte', Mr Luigi Vitali and Mr Oreste Tofani, which is, in the draft recommendation, paragraph 13, after the words "abuse of power in Italy," insert the following words: "taking into account the very fast development of the Italian audiovisual market from 2004 to the present day,".

I call Mr Galati to support Amendment No. 5. You have 30 seconds.

Mr GALATI (*Italy*) said that the report needed to be re-drafted in line with the amendment.

THE PRESIDENT. – Does anyone wish to speak against the amendment? That is not the case.

What is the opinion of the committee?

Mrs DE MELO (*Portugal*) (Translation). – In favour.

THE PRESIDENT. – The vote is open.

Amendment No. 5 is adopted.

We come to Amendment No. 2, tabled by Mr Andrew McIntosh, on behalf of the Committee on Culture, Science and Education, which is, in the draft recommendation, after paragraph 13, insert the following paragraph:

“The Assembly notes with concern the official warning addressed by the justice ministry of Belarus on 13 January 2010 to the Belarusian Association of Journalists, challenging its internationally recognised work in the interests of journalists, media and media freedom. Recalling its Resolution 1372 (2004) on the persecution of the press in the Republic of Belarus, the Assembly reaffirms that media freedom is an essential condition for democracy and a requirement for membership with the Council of Europe. The Assembly calls on the authorities in Belarus not to abuse arbitral administrative regulations to restrict unduly the rights to freedom of expression and freedom of association under Articles 19 and 22 of the International Covenant on Civil and Political Rights and Articles 10 and 11 of the European Convention on Human Rights. As Belarus is an associate member of the Venice Commission, the Assembly furthermore asks the Venice Commission to analyse the compatibility of such warning by the justice ministry of Belarus with universal human rights standards.”.

I call Mr McIntosh to support Amendment No. 2 on behalf of the Committee on Culture, Science and Education. You have 30 seconds.

Mr McINTOSH (*United Kingdom*). – This is another simple updating. We have more recent information and we include it in the report.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Ayva.

Mr AYVA (*Turkey*) said that the amendment concerned the assassination of a journalist in Turkey. That was a mistake because the perpetrator had now been imprisoned.

Mr McINTOSH (*United Kingdom*). – The amendment is about Belarus, not Turkey.

THE PRESIDENT. – Okay, but in any case we are dealing with Amendment No. 2.

The committee is obviously in favour.

The vote is open.

Amendment No. 2 is adopted.

We will now proceed to vote on the whole of the draft recommendation contained in Dec 12102, as amended.

The vote is open.

The draft recommendation in Document 12102, as amended, is adopted, with 75 votes for, 2 against and 1 abstention.

THE PRESIDENT. – Thank you.

Mr HANCOCK (*United Kingdom*). – The point of order relates to our colleague, the guest speaker. For a guest speaker to come here and criticise countries is one thing, but to suggest that criminal activities taking place in a country is something of which he has widespread knowledge is quite another thing, particularly when it is not true. Saying that people have been prosecuted unfairly and wrongly is, I think, a grave error of judgment on

the part of the Assembly and our guest. To criticise Russia and Azerbaijan in the way our guest speaker did, without supplying any evidence to back up what he said, is unacceptable in a democratic society.

THE PRESIDENT. – Thank you.

I call Mr McShane on a point of order.

Mr MCSHANE (*United Kingdom*). – A point of order must apply to whether or not a speech is in order, not to whether the content is acceptable or unacceptable to any given colleague. In fact, I believe that our guest speaker was far too moderate, restrained and reserved. I know that this is not a point of order either, but I congratulate him on his speech.

THE PRESIDENT. – We shall not resume the debate on these issues. These were not really points of order.

6. Thresholds and other features of electoral systems which have an impact on representativity of national parliaments in Council of Europe member states and increasing women's representation in politics through the electoral system

THE PRESIDENT. – We now come to the joint debate on reports from the Political Affairs Committee and the Committee on Equal Opportunities for Women and Men. The first is on thresholds and other features of electoral systems that have an impact on the representativity of national parliaments in Council of Europe member states, Document 12107, presented by Mr Daems. The second is on increasing women's representation in politics through the electoral system, Document 12097, presented by Mrs Err. This is followed by an oral opinion from Mrs Liliane Maury-Pasquier on behalf of the Political Affairs Committee.

There are 31 speakers on the list for the debate.

I call Mr Daems, the rapporteur, to present the first report. You have 13 minutes in total, which you may divide between presentation of the report and replying to the debate.

Mr DAEMS (*Belgium*). – Thank you, Mr President. Dear colleagues, the report starts with the principle that free and fair elections constitute a necessary precondition for representative democracy and are decisive for ensuring that the will of the people is respected in the shaping of the legislature and the government at all levels.

The choice of electoral system is one of the most important decisions for any democracy because the electoral system has an obvious impact on representativity and a profound effect on the whole political life of the country concerned. Different voting systems give very different results. They determine, to a great extent, a number of administrative issues, including the creation of a government.

There are a variety of types of electoral systems throughout Council of Europe member states and each has both advantages and disadvantages. There is no unique model that can be recommended to all countries as being the best. The choice depends on a number of factors, including the historical background and the political and party systems.

The aim of the report is to create a basis that would enable us to establish a common

understanding of principles that qualify elections as fair and free – and in compliance with democratic standards, irrespective of the type of electoral system – and to ensure the implementation of those principles in all elections throughout the Council of Europe area, thereby establishing the world’s largest free and fair electoral zone.

That is why, in our resolution, we call on the Council of Europe member states to contribute to the establishment of a common understanding of these principles that qualify elections as “fair and free”. That is also why we call on political parties within Council of Europe member states to comply with the principles of the code of good practice in the field of political parties, particularly those referring to intra-party democracy, transparency and accountability. This is also why I invite our colleagues and members of parliamentary delegations to introduce standards for different stages of the electoral process into the work of their national parliaments.

Allow me to end my introduction by thanking my colleagues from the Political Affairs Committee for their contribution and also by thanking and congratulating the Secretariat on an outstanding job. Well done.

THE PRESIDENT. – Thank you. You have 10 more minutes later.

I call Mrs Err, the rapporteur, to present the second report. Once again, you have 13 minutes in total, which you may divide between presentation of the report and replying to the debate.

Mrs ERR (*Luxembourg*) said that women were over-represented in statistics on poverty and violence but were under-represented in parliamentary assemblies. Since the first world conference on women in 1975, the proportion of women members of parliament had increased only from around 8% to around 18%. At that rate, it would take 160 years for gender parity in parliaments to be achieved. That was too slow and, for that reason, it was necessary to look at parliamentary systems. The absence of gender parity was a breach of democratic principles: it implied that parliaments were not representative of the people.

During the course of the investigation, the Venice Commission had provided expert legal support, which was reflected throughout the document.

As a temporary measure, a quota for women’s representation should be set at 40%. That would make it possible to police the number of male and female candidates for political office. But not only were constitutional provisions to promote equality needed, so was the introduction of some forms of positive discrimination. These were needed in order to eradicate the prejudices which remained.

It was not a case of just women being under-represented in politics. All atypical candidates, whether that was based on their race, religion or sexuality, needed to be supported and promoted.

The expertise of the Council of Europe had resulted, in the past, in recommendations for quotas. Quotas might seem in some way unsatisfactory, but it was still important to vote for them: they were necessary, even if they were not well-liked.

(Mr Herkel, Vice-President of the Assembly, took the Chair in place of Mr Kosachev.)

THE PRESIDENT. – Thank you, Mrs Err. You have six minutes remaining in the debate.

I call Mrs Maury-Pasquier, rapporteur for the opinion of the Political Affairs Committee . You have three minutes in total.

Mrs MAURY-PASQUIER (*Switzerland*) said that the under-representation of women in politics was a concern for all of society, not just for women. It was a danger to democracy. If the number of women in politics could be increased, it was likely to result in a virtuous cycle where more and more women would then become politically active.

Quotas were the correct approach to take and it appeared that the Venice Commission had considered them to be legal. But while they were a useful means to achieving greater gender equality, quotas should not be considered as an end in themselves. It was time to change the paradigm of representation of women in politics by reforming ballots and constituencies and by increasing funding to women candidates.

The lack of gender equality in politics was apparent in the Council of Europe itself: few women held the position of either Chair or Vice-Chair.

THE PRESIDENT. – Thank you very much. I call Mr Lecoq to speak on behalf of the Group of the Unified European Left.

Mr LECOQ (*France*) welcomed the report, and said that the Council should be concerned about the rise in abstentions in the elections in some European countries, with turn-out in some cases falling to just 20%.

The lack of gender equality in politics meant that many women in society felt under-represented. Only quotas could help to achieve greater equality in circumstances where the number of women candidates was not increasing naturally. However, it appeared that political parties generally preferred financial solutions as a means of increasing the number of women being elected because they believed them to be more effective.

The route towards equality was undoubtedly an arduous one, but it was time to build on the progress that had already been made.

THE PRESIDENT. – Thank you. I call Ms Kovács on behalf of the Group of the European People's Party.

Ms KOVÁCS (*Serbia*). – Thank you, Mr President. Dear colleagues, ladies and gentlemen and rapporteurs, I should like to start my speech by stressing that different electoral system regulations should allow for the political participation of people belonging to minorities. Thresholds and other measures that could disadvantage minority parties in respect of accessing elected bodies should be changed. That happened in my country; Serbia is a very positive example in this field.

The right of each and every citizen to be represented in the political decision-making process is one of the basic principles of democracy. An elected body should reflect the political composition of the electorate, as well as other important aspects such as gender, ethnicity and age. We must secure equal access to elected bodies for people belonging to under-represented groups such as young people, minorities and women.

Electoral systems are important, but they are not the only factor influencing women's position in politics. Reality as such has an impact on other variables such as the number of parties and party competition. We are of the view that electoral systems should be reformed to be more women-friendly, since changing electoral systems, in particular by adopting gender quotas, can lead to a more gender-balanced political and public decision-making.

What type of list – open, closed or free – is most advantageous to women's representation depends on whether gender quotas exist and are effectively implemented, whether they are means oriented or result oriented and whether they are precise and tuned to the country's situation.

Anyway, what is lacking is the real political will. We are convinced that if that will existed, quotas would not be necessary; they can actually be difficult and humiliating. But in the short term, the gender quotas are a necessary evil. Unfortunately, our society has remained characterised by attitudes, customs and behaviour that disempower women in public life. Our political systems mostly exclude women and discriminate against them. For men, politics is and has always been, on the whole, a largely accessible profession, while for women it still is not. The situation must be changed.

Women face obstacles at several levels: domestic responsibilities, family obligations and prevailing cultural attitudes. In the near future, our group would like to see the whole population convinced that women make as effective legislators as men do.

Our own political parties also need to change their perception of women and become more open to them. Do not forget that "a woman who enters politics alone must change; a thousand women entering politics change politics."

THE PRESIDENT. – Thank you. I call Mrs Keleş on behalf of the Socialist Group.

Mrs KELEŞ (*Turkey*). – Distinguished members of the Parliamentary Assembly, I would like to thank the rapporteur for writing an important report about both democracy and human rights. The issue of equality between women and men started to take an important place in the international agenda during the last quarter of the last century, and there were several international meetings and conventions.

When we talk about equality, we generally mean equal opportunities for women and men. But there is a big difference between the status of women and men in some countries. In such cases, "equal opportunities" are not enough. The big difference should be corrected through positive discrimination. The aim should be to ensure equality in the political arena and in decision-making bodies. The figures in the report show that, worldwide, women still hold fewer than 20% of parliamentary ministerial seats. Furthermore, fewer than 5% of heads of state are women.

Democracy and human rights, together with the rule of law, are very important principles of the Council of Europe, but they cannot be realised if women are not represented equally in parliaments. No one can claim that there is pluralistic and participatory democracy in a country if women, who make up 50% of the population, are not represented in political life in a comparable ratio. The resolution and recommendation of the report point to important

deficiencies in the existing system and to what can be done to solve the problem. Positive discrimination measures – quotas – are a must if we really want a solution. In addition, both the electoral system and the law of political parties should be changed.

It is also true that changing the electoral system is not enough. Young ladies should have equal chances with regard to both education and jobs. Some countries that have very high ratios of women in political posts use positive quotas, not only in politics but in professional life. That is important.

It is true that the attitude, customs and behaviours that still exist in most societies, and disempower women in public life, discriminate against women and condemn them to being role models and stereotypes.

To overcome this situation, young ladies should be informed about politics and about what they should do to get into politics. Most women are not aware of the fact that they can go into politics and be successful. There should be special funds and NGOs to support women candidates because some women who want to be politicians will not be able to realise their aim if they have no financial means for the necessary expenditure.

Women are very successful in technical jobs and very sophisticated professions. There is no reason why women, who can get nearly half the positions in academic life, should not perform in the same way in politics if the necessary regulations are provided.

THE PRESIDENT. – Thank you. I call Mr Zernovski on behalf of the Alliance of Liberals and Democrats for Europe.

Mr ZERNOVSKI (*“The former Yugoslav Republic of Macedonia”*). – First, I congratulate the two rapporteurs on their excellent reports. I fully agree that the lack of equal representation of women and men in political decision-making is a threat to the legitimacy of democracy. In the Alliance of Liberals and Democrats for Europe, to which I belong, there is a clear conviction that the participation of women in political life contributes greatly to the strengthening of democracy and promotes the position of women in society. Once again, the Alliance of Liberals and Democrats for Europe is giving the best example by being the only political group to be chaired by a woman.

As my country is among the first 20 countries in the world to allow women to be represented in politics and to make decisions, I want to present a short review of the measures that have been taken in order to ensure gender equality in our political life.

We have reformed the electoral law following an initiative from the parliamentary women’s lobby, which consists of women members of all the political parties represented in the parliament in which they are the under-represented gender. According to that law, a third of the names on the lists of candidates must be of the under-represented gender. We implemented the law over the two most recent electoral cycles. Of our 120 MPs, 39 are now women, which is an increase on the number before the law was adopted.

The Macedonian Parliamentary Committee on Equal Opportunities for Women and Men is very active in increasing the participation of women in the process of decision-making. It considers that their participation on the state and the local level is not yet satisfactory, and

could be improved. Although the representation of women in the ministries is about 50%, their absence in leading posts is evident. Unfortunately, no woman mayor was elected in the 2009 local elections. Nevertheless, given that 32% of our parliamentarians and 27% of our local councillors are women, my country ranks among the developed democratic societies of Europe.

I want to end my speech in an honest fashion. We must face the truth, and look at ourselves in the mirror. Today, as a member of the Macedonian delegation, I went to congratulate the newly-elected President of the Assembly, Mr Çavuşoğlu. I looked at the pictures of previous Presidents which were displayed behind him, and noted that only one of the 25 was a woman. The same applies to our Secretaries General.

If we want to be true to ourselves and practise what we preach, we must rectify the situation. It is up to our Organisation to do that.

THE PRESIDENT. – Thank you, Mr Zernovski.

Does Mr Daems or Mrs Err wish to reply at this stage? That is not the case. I call Ms Christoffersen.

Ms CHRISTOFFERSEN (*Norway*). – I thank the committee for once again drawing our attention to the under-representation of women in politics. A time at which fewer than 20% of parliamentary seats and ministerial posts worldwide are held by women is no time for silence. Unfortunately, member countries of the Council of Europe – our human rights organisation – also contribute to that negative outcome. The lack of equal participation violates human rights, but it is also a waste of talent and resources. Given the different needs and experiences that exist, the exclusion of women from decision-making means political decisions of lesser quality.

The committee recommends association of gender equality in our constitutions and electoral laws. That has often been debated in Norway, together with a possible system of compensatory seats for the under-represented gender, but so far the result has been negative. The measures are seen as being contradictory to democratic principles, such as the parties' right to appoint candidates and the electorate's right to influence the election of persons, especially in local elections. I will vote in favour of the proposals, although I have seen how effective voluntary gender quotas are in political parties when they are respected and in active use. They have been an important part of the standing rules of the Norwegian Labour Party for many years. The initial 40% quota has now been extended to 50% in commissions at all levels. Our parliamentary group consists of 32 women and 32 men, and there are 10 men and 10 women in the coalition government. With gender quotas in all political parties, the representation of women in parliament would have been better than the present 39.6%.

What about this Parliamentary Assembly? Given that we have delegates from a huge majority of the European political parties, we really could make a difference. If all female politicians in the Assembly start working for gender quotas in their respective parties, it would really mean something. I encourage all our male colleagues in the Chamber to join in: that would certainly speed things up.

Why not start with ourselves? A Council of Europe without gender equality is a contradiction in itself. I hope that at some stage the committee will consider the need for gender quotas in appointments to the Council of Europe as well.

THE PRESIDENT. – Thank you, Ms Christoffersen. I call Mr Aligrudić. He is not here, so the next speaker is Ms Keaveney.

Ms KEAVENEY (*Ireland*). – I want to say something about what could be described as a duo of important reports, but I particularly want to comment on the report on the need to increase female participation in politics.

Coming from Ireland, and having been a member of both Houses of the Oireachtas – the Irish Parliament – over the past 14 years, I fully recognise how vital it is for countries such as mine to be encouraged to improve their very poor gender involvement at a political level, be it local, national or international. Indeed, if the Council of Europe had not threatened to drop any delegation that did not include a female member, I do not think that I would be here to speak. Outside national parliaments there is a role for other agencies, which can lead by example but also drive change.

In Ireland, a report on exactly this topic has been produced in the last few months. It was published in October 2009 by the Joint Committee on Justice, Equality, Defence and Women's Rights, and it revealed that just 13.8% of members of our Lower House were women. Of 166 seats, only 23 were held by women. Some might have thought that with the advent of our first female President, Mary Robinson in 1990, and the subsequent election and re-election of Mary McAleese there would be a rush by females into politics. However, although Ireland was 37th in the world classification of women's representation at that time, by October 2009 it had fallen to 84th. According to the recent Irish report, that is not just a national phenomenon, but is reflected in local and European election profiles.

The antithesis is that Ireland, with 86.2%, has one of the highest male participation levels of any parliament in the world. The obvious question in a country where more than half the population are women is "Why are females not getting into politics?" Are they being stopped, stymied, or discouraged in subtle ways? We should consider those questions, as well as the overt issues of child care, family responsibilities, and other aspects mentioned in the report.

Women do bring a different dimension to any decision-making process. When they are selected and elected, they are usually very active and successful contributors. I do not think we need fight our corner in that regard, or expand on that argument. A question raised in our national report was "Will there come a time when decisions made without significant female involvement lack credibility in a democracy?" Perhaps that concept should be flagged up at every possible level. It might ensure, like our participation here, that our more male-dominated parliaments have to change. Conservative political structures that promote, consciously or unconsciously, the notion that a woman's place is in the home must be addressed, and the media must also play its part in overcoming and reversing stereotypes.

It is funny, in a sad way, that although the Council of Europe has sought balanced representation in its delegations, for many that means that there must be "a female

representative” regardless of how large or small the delegation is. That is linked with the inherent difficulties posed by the multi-seat constituencies with no list system which operate in Ireland.

Our report echoes much of what is in this one. I commend it. I think that the issues should be kept to the fore and, perhaps, debated earlier in the day. I commend all those of both genders who have stayed to debate them this evening.

THE PRESIDENT. – Thank you. The next speaker on the list is Mr Hunault. He is not here. I call Mrs Vučković. She is not here. Mrs Hajibayli is certainly here. You have the floor.

Mrs HAJIBAYLI (*Azerbaijan*). – Distinguished President and dear colleagues, last month, in December, we had municipal elections in Azerbaijan. In those elections, with a success rate of about 28%, we had the best result for women in Azerbaijan’s history. Those results may be nothing compared with the achievements of places such as Norway and other Scandinavian countries, but it is much better than the 8% that we achieved in the previous election. It is a dramatic and positive improvement.

I participated in that campaign and helped women in my constituency. We persuaded the husbands, fathers and brothers to let their wives, daughters and sisters participate in the campaign. Some 35% of the candidates were women, and now 27% of the representatives are women. In the forthcoming parliamentary elections to be held in November, I think that we will achieve good representation for women. Women currently constitute only 11% of members of parliament.

I fully share the report’s philosophy. It says: “The lack of equal representation of women and men in political and public decision-making is a threat to the legitimacy of democracies and a violation of the human right of gender equality”. I absolutely agree with that comment and the rapporteur. The only way to address this situation is by positive discrimination and a quota system in our national parliaments.

We cannot protect all women. However, the best way to protect women is to help them protect themselves. We can do that in two ways – by educating them and by empowering them. Women should become stronger and better educated so that they can protect themselves better.

I remember a textbook from my childhood which showed a happy family. The mother was cooking and the father was reading a newspaper. The grandfather was watching television and the grandmother was spinning wool. The girl was helping the mother to wash dishes and the boy was playing chess. We have to change that mentality starting from kindergarten and primary schools all the way through education. We will change the situation in politics too.

THE PRESIDENT. – Thank you. I call Ms Óskarsdóttir. She is not here. I call Mr Frunda. He is not here either. I call Mrs Zohrabyan.

Mrs ZOHRABYAN (*Armenia*) said that the electoral system had a major impact on equality. It was important to look for a model of best practice. The rapporteur had set a difficult task by asking member states to establish principles that would enable the development of the

best electoral system possible. Nevertheless, the proposals in the report were excellent.

Nagorno-Karabakh was still not recognised by the international community but it had voluntarily taken on many of the commitments that the Council of Europe required from member states. It had held four free and fair elections that had been observed by independent international observers and was due to hold a fifth election in the summer of 2010. It had acceded to a series of resolutions and conventions in order to demonstrate its adherence to the values of the Council of Europe. It deserved the right to self-determination and a day would come when it was recognised as an independent state. She looked forward to the time when the people of Nagorno-Karabakh were given the same rights as everyone else.

THE PRESIDENT. – Thank you. I call Mrs Hajibayli on a point of order.

Mrs HAJIBAYLI (*Azerbaijan*). – Mr President, I cannot understand what we are discussing – the position of women in politics or the position of the occupied Azerbaijani territories. It is too much.

THE PRESIDENT. – I agree with you. Some speakers are quite creative.

I now call Mr Bartoš.

Mr BARTOŠ (*Czech Republic*). – Mr President, dear colleagues, I would like to address the issue of modifying the electoral system in order to increase women's representation in politics. First, I would like to explain why I am not in favour of this idea despite the fact that I like women, even in the field of politics.

We should first define what is the main purpose of politics. I am convinced that the most important aim of politics is to create the conditions for citizens to have the best quality of life. The selection of political representatives should be based on that type of criteria. In other words, responsibility for governance should be given to those who are qualified and competent. Giving women an advantage over men, or the other way round, is against that idea.

Perhaps I may give a comparison and allegory from the field of sports. I play tennis with a professional trainer once a week. I am given the advantage at the beginning of each game so that we can play on an equal basis. Under those conditions, I sometimes even manage to beat him. However, there is an important question arising from this scenario: does that make me the better person to coach trainees? Of course I am not. It is the same in politics. The competence of politicians is measured by their contribution to others. That occurs only when politicians are chosen according to the natural rules.

Just to clarify my attitude, I stress that, although I do not approve of feminism, I am not against women's representation in politics. I am convinced that female politicians contribute to the welfare of citizens as much as male politicians do. That has been proved many times over in history: Elizabeth I of England; Empress Catherine of Russia; Maria Theresa of Austria.

Turning to the 20th century, we must not forget Margaret Thatcher, former Prime Minister of Great Britain, who, together with former US President Ronald Reagan, significantly contributed to the fall of the iron curtain and the development of democracy and the market economy worldwide. I might also offer the current example of Angela Merkel.

This brief historical excursion shows that women can be highly successful in politics. Therefore, we should let them achieve their position based on comparisons with their competitors, rather than offend them by introducing pointless quotas. That is the only way to ensure that our citizens are represented by the best people.

THE PRESIDENT (Translation). – Thank you. I call Baroness Gale.

Baroness GALE (*United Kingdom*). – I welcome this report as another contribution to the continuing debate, the numerous inquiries, and the well-meaning resolutions on how to deal with the problem of the under-representation of women in political life. Although I welcome this report and the debate today, I am getting a little weary after so many years of campaigning for equality for women in political and public life and yet seeing how slow progress is. I hope that today we can move a little nearer to our aims, however, and I congratulate Mrs Err on identifying the problems and offering solutions. I agree with her report's conclusion that there are many factors which lead to the under-representation of women in politics. For example, in the British House of Commons, in the 92 years since women could stand only 292 women have ever been elected. Over the same period, more than 4 500 men were elected.

The British Labour Party has tried to improve the position of women. It selected a number of women by using all-women shortlists for the first time in the 1997 general elections, and as a result a record number of women were elected. The report also mentions twinning. I believe that this can be done only where there are new institutions similar to the National Assembly of Wales. In the first elections in 1999, the Labour party fielded an equal number of women and men as candidates. This was achieved by twinning in the 40 constituencies that would be elected by majority vote, selecting one woman and one man in each of the twinned constituencies. The other 20 seats were elected through proportional representation, and at least one other party used the zipping method which enabled more women to get elected.

In the 2003 elections, the National Assembly for Wales achieved a world record by having 30 men and 30 women elected. I am aware of only one other country – Rwanda – in a similar position; it now has 58% women members in its parliament. That was achieved by using mandatory quotas. Where such positive action has been taken, it has resulted not only in more women in the legislature, but also a more diverse and better representation of the wider public they serve.

Surely in the 21st century we owe such measures to women who wish to serve their country by giving public service in their legislature. We must continue to bring forward measures such as those contained in this report to address the inequalities in political life.

(Mr Mignon, Vice-President of the Assembly, took the Chair in place of Mr Herkel)

THE PRESIDENT (Translation). – Thank you. I call Mrs Marin. She is not here. Therefore, I call Mr Saar.

Mr SAAR (*Estonia*). – First, let me congratulate the rapporteurs on their report, which addresses important issues. On a previous day, we discussed the Ukrainian elections and we were very concerned that the electorate there often faced a choice between money and more money, not a choice between different political ideas. There is often a very strong connection between the amount of money spent and the result on election day. We must draw this issue to the attention of national parliaments and governments. We should put a limit on the amount of money that can be spent on election campaigns.

John Greenway produced a report for the Committee on Rules of Procedure, Immunities and International Affairs that contained a recommendation that there should be a minimum of 30% of each sex in Assembly national delegations. I am very glad that the Assembly is pioneering on this and is setting a good example. The situation in national parliaments might not be particularly good. Therefore, in the case of most countries, that minimum quota might mean that more female delegates are sent here than actually sit in their national parliaments. That shows that it might not be necessary to have such a strong rule.

People should have a choice on this, and it should be easy for people to enter politics if they want to do something positive on specific topics or represent certain sections of their society. If we put in place very high thresholds, if a non-governmental or non-profit organisation for women's rights wants to enter the political arena by forming a party based on their organisation, but it needs to use a zipper when it puts up an election list, how will it manage?

THE PRESIDENT (Translation). – Thank you. I call Mr Stuligrosz.

Mr STULIGROSZ (*Poland*). – It is commonly accepted that we should try to increase the number of women in the elected bodies of member states of the Council of Europe, as there are still too few women in politics. The report provides a thorough analysis of this issue and comes to the right conclusions.

What should we do about the fact that far too few women want to take part in political life, however? How do we deal with the fact that although everyone wants more numerous female representation, there is also some unwillingness among women to be engaged in politics? Women should care more about taking part in the public life of their communities, as happens nowadays in Poland. Elections are democratic, as guaranteed by the constitution. That means also that there is equality in terms of sex representation, as that is down to voter preference. The sex of the candidate is important even though it will not be the main factor. Political parties know that very well, and they place women high on their electoral lists, counting on sex solidarity, which determines many election results. Women are widely accepted in politics and they play an ever-increasing part in that sphere.

In the public sphere, we have been trying for the last few years to increase women's representation in the political life of our democratic country. Temperance, prudence and a healthy view of reality are qualities needed at every political level. If women can adopt these qualities more than men, the case for changing the proportion of the sexes is surely there. I believe that the decision on defining women's representation on electoral lists

should remain in the hands of the parliament of every member state in the Council of Europe.

In a recent election in Poland, a political party called 'The Women's Party' was set up, and this party contained 100% female members. It did not enjoy large social support so it could not be proud of producing a good election result. The conscious decisions of women truly interested in political activity should provide the quickest way to achieve the goals so accurately presented in the report of the Committee on Equal Opportunities.

THE PRESIDENT (Translation). – Thank you, Mr Stuligrosz. I call Mrs Reps.

Mrs REPS (*Estonia*). – First, I would like to congratulate all the rapporteurs. I was planning to concentrate more on the first report, but as the debate has taken a very interesting turn, I will continue where our previous speaker ended. With respect to the first report, however, I will want to make a couple of comments, which will also be relevant to the second report.

I fully agree that the threshold is a sensitive matter, so we need to be very careful here. If we raise it too high, political parties that are just starting out, particularly if they do not have much in the way of financial resources or media coverage, will not pass that threshold. Some countries that have substantial minority populations may also suffer from the same problem.

As to women's participation in politics, the previous speaker gave expression to an understanding that is very common in some countries, which says that women should be very active in the community and that if they are powerful enough there, they will gain access to the political parties. I have noticed that tendency and am well aware of it when we hear, even in some political parties, that we need more women at a high level because someone has to do the job! That is one way of looking at it.

Some speakers have pointed out that there are various reasons why we need more women. Yes, it has been widely observed in many studies that women tend to be more active in matters connected with the family, childcare and the household, as well as in cultural and educational activities. However, I must point out that this does not mean that women are incapable of becoming economists, analysts and so forth. Let us, here in this Chamber, try to get out of that track; let us look at these issues in a more open-minded way.

When it comes to equal opportunities, I believe that our Czech colleague pointed out that if women are strong enough in certain spheres, they will be noticed and then they will be elected to power. He said that that is called equality. However, I would like to remind colleagues here that equal opportunities in some positions might actually mean an unequal starting point. That is why we sometimes need a little push and a little empowerment so that we may start on equal ground. If we do not have anyone to back us up, for example, or if we are not high up on a party list or do not have enough financial support, it might be that however brilliant we are at certain topics, we never get noticed.

Finally, let me say that in our party, it is common to have women in the first 10 or 20 on the party list – every second person is a woman or, some might like to say, every first person is a woman! So far, however, we have been quite strongly against an official quota system.

THE PRESIDENT (Translation). – Thank you, Mrs Reps. I call Mr Rustamyan.

Mr RUSTAMYAN (*Armenia*) said that electoral problems had their root in a failure to respect human rights. There was a need to address the public's perception of the electoral system so that they understood that selling votes was wrong. Enforcement of electoral laws was essential to achieving an effective electoral system. That was a basic tenet. Vote rigging had to be prevented: failure to do so would cause the public to lose confidence in elections. It was a problem from which Armenia had suffered in the past.

The Assembly should establish the principles underpinning an effective electoral system and a sound democracy.

THE PRESIDENT (Translation). – Thank you. I call Mr Simms.

Mr SIMMS (*Observer from Canada*). – Thank you, Mr President. First, on behalf of Canada, I should like to say hello and greetings to all. As an observer, I thank you very much for giving me this opportunity.

As Canada has been a signatory to the Convention on the Elimination of all forms of Discrimination against Women since 1979, it is an honour to speak on this issue in respect of more representation of women in parliaments all over the world. Rather than talk about what I would describe – I do not mean this in a derogatory way – as an over-prescriptive way of dealing with this situation, I would rather talk about the idea of allowing more incentives for young women to get involved in politics, especially those who have never been involved before.

Let me explain what I mean. In Canada, we have a first-past-the-post system. We do not have proportional representation. We do not draw up lists to choose people to sit in parliament. Parliament is directly elected by the people, who vote only for one person in an area. There is no appetite right now in Canada to change that system. Therefore, we have to provide the incentives in our country to get more women involved.

Right now, on average, we have about 22% women in our parliament. That is way below what it should be. The United Nations would claim that the critical mass is 30%. Once you receive 30% representation by women in parliament, you are on to better things. That is a good step. Personally, I do not agree. If we are to talk about critical mass, we need to talk about 50% – end of sentence. If we keep talking about the 30% threshold, we will never get to the point where we achieve true equality. We must aim for 50%. So let me return to the Canadian system.

Right now, we have a few incentives in Canada. There is no appetite to change the system. I would therefore ask all members of this body to look at ways of encouraging women to get involved in politics. My colleague from Estonia mentioned finances earlier, and that is a very good point. In Canada, several years ago, back in 1991, we had what is called the Lortie Commission, which found out from all the evidence that this had more to do with the social fabric than the system of politics itself. So even if we do have a first-past-the-post system, we should strive to get those people involved.

Several provinces now have incentives to encourage young women to get involved by providing them with money. The only way that we can be proactive in getting women involved in politics is at party level. So the party should strive to provide funding and training. There are groups in Canada that provide non-partisan, as well as non-profit, incentives for women through funding and training to allow them to get involved, because it is about developing the confidence of women who have not been involved in the political system but who have great ideas. These are the incentives that we need to help to build this system.

I thank you for this opportunity, and I hope that we will all build towards providing a greater system to allow women to express ideas. Thank you very much.

THE PRESIDENT (Translation). – Thank you, Mr Simms. I call Mrs Bondarenko. She is not here, so I call Mrs Ferić-Vac.

Mrs FERİĆ-VAC (*Croatia*) thanked the Mrs Err for her report on increasing women's representation in politics through the electoral system. It was a serious subject: men and women deserved to have exactly the same rights. The report had offered some important solutions, such as sanctions other than just financial sanctions.

In Croatia, a law had recently been passed to stipulate that the work force of public bodies had to include at least 40% women. Achieving equality in politics depended upon an effective approach being taken by the political parties themselves. Quotas could not be imposed in a top-down fashion: the parties had to decide for themselves how high a female quota would be appropriate.

If women were not involved in politics then it was inevitable that political decisions would be taken to the disadvantage of women. Women's rights should be considered as human rights.

THE PRESIDENT (Translation). – Thank you, Mrs Ferić-Vac. I call Mr Wach.

Mr WACH (*Poland*). – Both reports that we are discussing today deal with problems that concern the improvement of electoral systems in member states to provide better political representation of people in elected bodies, hence strengthening democracy. Of course, there is a question about what better representation means, but I think that we could agree that more balance gender representation is just and better than representation that is strongly dominated by one of the sexes. This problem is the subject of the second report, whose author is Mrs Lydie Err.

The report by Mr Hendrik Daems on the electoral system is more general and addresses several problems concerning electoral systems. Having served as an observer of several elections in many member states, I agree with the content of the draft resolution and its practical summary, which is included in the draft recommendations. For me, the most important paragraphs are those on electoral campaign regulations, especially funding and ensuring freedom of the media and free candidates' access to the media. Equally important is the call for improved voting procedures – in particular, the use of information and communication technology and different forms of voting. The third important element is the emphasis placed on election observation missions, as they are factors that contribute to

building trust and confidence in electoral systems and a healthy democracy. So, as well as congratulating the rapporteur, I should like to express my unambiguous support for the report.

I also agree with the content of, and suggestions made in, the second report by Mrs Err on women's representation. There has been a lot of research into, and discussion of, the problems of women's under-representation in elected political bodies and the range of counter-measures that should be taken. But we must agree that progress in this field has been slow and that many member states should take more decisive steps to improve the situation. One might argue that the precise causes of the great lack in the proportion of women's representation on voting lists and, consequently, in elected bodies are not known, but they could be the result of their limited interest in politics. However, we must notice that women have met various obstacles and discouragement over several decades. We must try to reverse these trends.

I therefore agree that minimum quotas for both genders on electoral lists should be introduced and that the zipper composition of lists of candidates is a good idea. However, the problem that remains is the exact percentage value of the quotas that would be acceptable in each member state. In my country – Poland – the debate on this subject is in its final stage and a quota of 30% is most likely to be included in the draft bill. Thank you.

THE PRESIDENT (Translation)). – Thank you, Mr Wach. I call Mrs Papandreou. She is not here, so I call Mrs Čolo. She is not here either, so I call Mr Aghajanyan.

Mr AGHAJANYAN (*Armenia*) thanked the rapporteur for an excellent report. Achieving an appropriate balance between the number of men and women in power was a difficult objective to meet. But under-representation of women was clearly a waste of talent. In the Armenian elections in 2007, a quota was introduced whereby 15% of the candidates put forward by political parties had to be women. As a result, some progress had been made: the number of women members of parliament rose from 14% to 22%. One of the new vice-presidents of Armenia was also a woman. New laws and measures had to be introduced to increase the number of women in politics. It was time to bring gender issues to the centre of political decision-making.

THE PRESIDENT (Translation). – That concludes the list of speakers. I call Mr Daems, rapporteur for the first report, to reply. You have 10 and a half minutes if you wish to use that time.

Mr DAEMS (*Belgium*) said that in Belgium every other person on the candidate lists had to be a woman. It was important to safeguard the opportunity for the electorate to vote for women candidates, if they wished to do so.

(The speaker continued in English)

However, for example, I have five women and three men in my zone. Perhaps some day I will be very happy to have quotas, which might protect me from being made to leave parliament. To some extent, the arguments can be used in both ways.

There is a contradiction between democracy and what I dare to call partyocracy. Democracy is when the people decide; partyocracy is when the parties decide. Let us be honest: in many cases and in many countries – even in my own – the parties often decide whom the voters may elect. That, to me, is also a core problem. I have tried to put some of these elements into my report. It is obvious that if I put too many of them at the beginning, we would probably have a bigger debate.

What happens in many countries is that the party leader decides who is going to be in parliament; the voter only puts a stamp on the list presented to them. In a future report, I hope that we can develop that element a little more. In this report, there is a contradiction: the party might decide that more women should get into politics, but that party will decide which women do. I feel that the voter should decide.

Let me end by remarking on the different systems. One of our problems is that we hide some of the unfree and unfair elements behind the fact that we are different. The essence of my report, for which I also thank our Political Affairs Committee, is that we should get past using the excuse that because we are different we can keep some unfree and unfair elements in our systems. No – what we try to do is establish some kind of common standard, irrespective of the difference between the systems. But we should try to take out the unfree and unfair elements that exist in all the different systems. That is the essence of the report that we are submitting to this Council.

I should like to end by making a remark to our colleague from Azerbaijan. Yes, I sometimes do the dishes, but I also play chess.

Given that his wife was also a member of parliament, at least in his household there was 50:50 male-female representation.

THE PRESIDENT (Translation). – Thank you, Mr Daems. I call the chair of the committee. You have two minutes.

Mr von SYDOW (*Sweden*). – It is amazing that a subject that is fundamental to political power in a democracy, and transmits between the voters voting and the system of election to parliament and government, should have been discussed without contradictions and conflicts. I congratulate the rapporteur on having achieved that. Personally, I believe that introducing in parallel a discourse on equal opportunities for men and women has eased the very traditional conflicts about this system. However, it is amazing that no amendments have been tabled. That must be a cause of congratulation to the rapporteur and to the committee that led this discussion in Paris in December. I take this opportunity to convey my thanks to Mr Lindblad, my predecessor as Chair of the Political Affairs Committee.

THE PRESIDENT (Translation). – Thank you. I call Mrs Err. You have six minutes – six minutes and 15 seconds, to be precise.

Mrs ERR (*Luxembourg*) agreed with her co-rapporteur. She shared his fears for the future of democracy. If a candidate list contained a certain quota of women, then it was clear that the elector still had the final say on who their representative should be. The elector could still vote for a man or a woman.

A quota system would not determine the result of elections but was simply a method of increasing the representation of women. It would not undermine freedom any more than the current system. It would allow half of humanity to participate in a just and fair system of representation.

The issue of thresholds had been raised during the debate: 30% as a starting point was acceptable but if the threshold was too low, for example 10% to 15%, then it would not achieve the aim of increasing the participation of women in politics. When she was elected 25 years ago, she was the only woman among the 18 members of her party and often felt that her concerns and priorities were not understood by her colleagues. The proportion of women had now improved somewhat. When it came to matters of specific interest to women, the involvement of women in politics created a sense of solidarity which, in turn, allowed them to push their claims forward reasonably and effectively.

Earlier speakers had classed women as a minority, but this was not the case. Women made up over 50% of the population. Quotas for women did not mean that quotas for other groups, such as young people and the unemployed, should be introduced, as previous speakers had suggested.

She congratulated her colleague from “the former Yugoslav Republic of Macedonia” on the election of a female leader of his group, the Alliance of Liberals and Democrats for Europe, and she would like to thank Ms Cristoffersen for her support. She welcomed some of the comments of Mrs Hajibayli but she did not think it was necessary to ask for male approval for women to participate in politics. Instead, men should be educated and women should be empowered. She would like to say to her Czech colleague that of course she loved men but not when they were an overwhelming majority. There had been a suggestion that men were better at managing political issues but looking at current political crises, it was clear that this was not the case. Her Polish colleague had raised concerns about having female only lists, but the lists were for both male and female candidates.

THE PRESIDENT (Translation). – Thank you. Does the Chairperson of the Committee on Equal Opportunities for Women and Men, Mr Mendes Bota, wish to speak?

Mr MENDES BOTA (*Portugal*) thanked the rapporteurs and said that there had been some discussion about whether a quota system should be temporary or permanent but the important thing was to remember that the quota system was for both men and women. It was for both political parties and voters to decide on what the system should be – political parties definitely needed to be involved. They were one of the pillars of democracy and in countries where women’s access to politics had progressed most significantly, political parties had been actively involved. In his own country, independent candidates were able to stand in local elections. Although the number of independent candidates had been low, it was on the increase.

The Council of Europe had introduced a prize for countries that had done well in promoting equal opportunities. It was important to change social stereotypes. He too, liked women; but he would also like to see women presidents, ministers and politicians.

THE PRESIDENT (Translation). – The debate is closed. It was extremely interesting, and I thank all who participated. We have learned a lot, and it has been a very lively and high-

level debate.

We will now vote on the draft resolutions and recommendations. The Political Affairs Committee has presented a draft resolution to which no amendments have been tabled.

We will now proceed to vote on the draft resolution contained in Document 12107.

The vote is open.

The draft resolution in Document 12107, is adopted, with 41 votes for, 4 against and 1 abstention.

The Political Affairs Committee has presented a draft recommendation to which no amendments have been tabled.

We will now proceed to vote on the whole of the draft recommendation contained in Document 12107.

The vote is open.

The draft recommendation in Document 12107 is adopted, with 43 votes for, 2 against and 0 abstentions.

THE PRESIDENT (continued in translation)

We come now to the second report on increasing the representation of women in politics. The Committee on Equal Opportunities for Women and Men has presented a draft resolution to which no amendments have been tabled.

We will now proceed to vote on the whole of the draft resolution contained in Document 12097.

The vote is open.

The draft resolution in Document 12097 is adopted, with 38 votes for, 4 against and 4 abstentions.

The Committee on Equal Opportunities for Women and Men has presented a draft recommendation to which no amendments have been tabled.

We will now proceed to vote on the whole of the draft recommendation contained in Document 12097. A two-thirds majority is required.

The vote is open.

The draft recommendation in Document 12097 is adopted, with 38 votes for, 5 against and 3 abstentions.

Thank you very much ladies and gentlemen. I think that we can give the rapporteurs and committee chairpersons a round of applause.

7. Date, time and agenda of the next sitting

THE PRESIDENT (Translation). – The Assembly will hold its next public sitting tomorrow morning at 10 a.m. with the agenda which was approved on Monday, 25 January.

The sitting is closed.

(The sitting was closed at 7.50 p.m.)

Contents

1. Changes in membership of committees
2. Written declaration
3. Organisation of debates
4. Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)

Presentation by Mr Hunault of report of Committee on Legal Affairs and Human Rights, Doc. 11860

Speakers:

Mr Roquet (France)

Mrs Lundgren (Sweden)

Mr Clappison (United Kingdom)

Mr Papadimoulis (Greece)

Mr Omtzigt (Netherlands)

Mr Fournier (France)

Mr Chiti (Italy)

Mr Rochebloine (France)

Mrs Kyriakidou (Cyprus)

Mr Kumcuoğlu (Turkey)

Mrs Keleş (Turkey)

Mr Volonte' (Italy)

Replies:

Mr Hunault (France)

Mr Pourgourides (Cyprus)

Amendments Nos. 3, 6, 12, 13, 7 as amended and 14 adopted

Draft resolution, as amended, adopted

5. Respect for media freedom

Presentation by Mr McIntosh of report of the Committee on Culture, Science and Education, Doc.12102

Statement by Mr Haraszti, OSCE Representative on Freedom of the Media

Speakers:

Mrs Anikashvili (Georgia)

Mr Walter (United Kingdom)

Mr Kox (Netherlands)

Mr Herkel (Estonia)

Mr MacShane (United Kingdom)

Mrs Ukkola (Finland)

Mr Slutsky (Russian Federation)

Ms Kovács (Serbia)

Mrs Zohrabyan (Armenia)

Mr Kumcuoğlu (Turkey)

Mr Tekelioğlu (Turkey)

Mr Vareikis (Lithuania)

Mr Hancock (United Kingdom)

Mr Seyidov (Azerbaijan)

Mr Sudarenkov (Russian Federation)

Mr Ünal (Turkey)

Mr O'Hara (United Kingdom)

Replies:

Mr Haraszti (OSCE Representative on Freedom of the Media)

Mr McIntosh (United Kingdom)

Mrs de Melo (Portugal)

Amendments Nos. 1, 4, 5 and 2 adopted

Draft recommendation, as amended, adopted

6. Electoral systems

Presentation by Mr Daems of report of the Political Affairs Committee, Doc. 12107

Presentation by Mrs Err of report of the Committee on Equal Opportunities for Men and Women, Doc. 12097

Presentation by Mrs Maury-Pasquier of oral opinion of Political Affairs Committee

Speakers:

Mr Lecoq (France)

Ms Kovács (Serbia)

Mrs Keleş (Turkey)

Mr Zernovski (The former Yugoslav Republic of Macedonia)

Ms Christoffersen (Norway)

Ms Keaveney (Ireland)

Mrs Hajibayli (Azerbaijan)

Mrs Zohrabyan (Armenia)

Mr Bartoš (Czech Republic)

Baroness Gale (United Kingdom)

Mr Saar (Estonia)

Mr Stuligrosz (Poland)

Mrs Reps (Estonia)

Mr Rustamyan (Armenia)

Mr Simms (Observer from Canada)

Mrs Ferić-Vac (Croatia)

Mr Wach (Poland)

Mr Aghajanyan (Armenia)

Replies:

Mr Daems (Belgium)

Mr von Sydow (Sweden)

Mrs Err (Luxembourg)

Mr Mendes Bota (Portugal)

Draft recommendation in Doc. 12107 adopted

Draft recommendation in Doc. 12097 adopted

7. Date, time and agenda of the next sitting

APPENDIX

Representatives or Substitutes who signed the Attendance Register in accordance with Rule 11.2 of the Rules of Procedure. The names of Substitutes who replaced absent Representatives are printed in small letters. The names of those who were absent or apologised for absence are followed by an asterisk.

AÇIKGÖZ, Ruhi

AGHAJANYAN, Artsruni

AGIUS, Francis*

AGRAMUNT FONT DE MORA, Pedro

ALIGRUDIĆ, Miloš

ANDERSEN, Karin/Bremer, Tor

ANGHEL, Florin Serghei*

ANTONIONE, Roberto/Farina, Renato

ARIAS CAÑETE, Miguel*

ARRIGO, Robert*

ASKO-SELJAVAARA, Sirpa

ASSIS , Francisco/Mendonça, Ana Catarina

AUSTIN, John

AYVA, Lokman

BABAKOV, Alexander*

BADEA, Viorel Riceard*

BADRÉ, Denis/Schneider, André

BAKOYANNIS, Theodora

BARNETT, Doris

BARTOŠ, Walter

BATET LAMAÑA, Meritxell*

BECK, Marieluise*

BEMELMANS-VIDEC, Marie-Louise*

BENDER, Ryszard/Korfanty, Bronisław

BERÉNYI, József

BERGAMINI, Deborah/Galati, Giuseppe

BĒRZINŠ, Andris*

BILOZIR, Oksana*

BLANCO TERÁN, Rosa Delia*

BLUM, Roland/Cousin, Alain

BONDARENKO, Olena*

BRANQUINHO, Agostinho*

BRASSEUR, Anne/Boden, Fernand

BRAUN, Márton*

BREEN, Patrick*

BRICOLO, Federico*

BROEKE, HanTEN*

BUGNON, André/Maury Pasquier, Liliane

CĀLIAN, Petru*

ÇAVUŞOĞLU, Mevlüt

CEBECÍ, Erol Aslan

CESA, Lorenzo*

CHELEMENDIK, Sergej*

CHERNYSHENKO, Igor

CHITI, Vannino

CHOPE, Christopher/Evans, Nigel

CHRISTMAS-MØLLER, Pia*

CHRISTOFFERSEN, Lise

CHUKOLOV, Desislav/Minchev, Krasimir

CIRCENE, Ingrida

COLOMBIER, Georges/Hunault, Michel
CONDE BAJÉN, Agustín*
CORLĂȚEAN, Titus*
COSTELLO, Joseph/Mullen, Ronan
CSAPODY, Miklós/Kelemen, András
ČURDOVÁ, Anna/Skopal, Ladislav
CZINEGE, Imre*
DĄBKOWSKA-CICHOCKA, Lena/Cwierz, Andrzej
DAEMS, Hendrik*
DALGAARD, Per*
DEBONO GRECH, Joseph*
DÍAZ TEJERA, Arcadio
DONABAUER, Karl/Kühnel, Franz Eduard
DORIĆ, Miljenko*
DOZZO, Gianpaolo
DUCARME, Daniel/Lambert, Geert
DUDZIŃSKI, Tomasz
DURRIEU, Josette
EÖRSI, Mátyás
ERR, Lydie
ETHERINGTON, Bill/Macshane, Denis
FAHEY, Frank*
FASSINO, Piero*
FEDOROV, Valeriy
FENECHIU, Relu*
FERIĆ-VAC, Mirjana
FILIPIOVÁ, Daniela/Úlehla, Tomáš
FISCHER, Axel E.*

FLYNN, Pau*I
FRAHM, Pernille*
FRANCESCHINI, Dario/Farina, Gianni
FRITZ, Erich Georg
FRUNDA, György
GABASHVILI, Guiorgui/Kandelaki, Guiorgui
GAJDŮŠKOVÁ, Alena/Jirsa, Tomáš
GARDETTO, Jean-Charles
GATTI, Marco
GAUTIER, Gisèle
GEDEI, József*
GEORGIU, Aristophanes/Kyriakidou, Athina
GIANNAKA, Sophia/Papadimoulis, Dimitrios
GIARETTA, Paolo*
GLOS, Michael*
GORYACHEVA, Svetlana/Burykina, Natalia
GOSOVIC, Neven*
GOUTRY, Luc*
GRAF, Martin*
GRAHAM, Sylvi
GREENWAY, John/Clappison, James
GREFF, Claude
GRIGNON, Francis/Marin, Christine
GROSS, Andreas
GROSSKOST, Arlette
GROZDANOVA, Dzhema
GUȚU, Ana
HADŽIAHMETOVIĆ, Azra*

HAJIBAYLI, Gultakin
HAJIYEV, Sabir
HANCOCK, Michael
HARUTYUNYAN, Davit
HAUGLI, Håkon
HAUPERT, Norbert
HERASYM'YUK, Olha*
HERKEL, Andres
HOLOVATY, Serhiy
HÖRSTER, Joachim
HÜBINGER, Anette
HUNKO, Andrej*
HURSKAINEN, Sinikka
HUSEYNOV, Ali/Mirzazada, Aydin
HUSEYNOV, Rafael
HUSKOWSKI, Stanisław*
IDRIZI, Shpetim*
IMAMOV, Aliosman*
IVANIĆ, Mladen
IVANJI, Željko*
IVANOVSKI, Igor/Zernovski, Andrej
IWIŃSKI, Tadeusz
IZETBEGOVIĆ, Bakir
JACQUAT, Denis/Reiss, Frédéric
JENSEN, Michael Astrup*
JENSEN, Mogens*
JOHANSSON, Morgan
JONKER, Corien W.A.*

JÓNSSON, Birkir Jón*

JOVANOVIĆ, Čedomir/Kovács, Elvira

JUNG, Armand*

KAIKKONEN, Antti*

KALEMBA, Stanisław

KAŻMIERCZAK, Jan

KEAVENEY, Cecilia

KELEŞ, Birgen

KNIGHT OF COLLINGTREE, Jill Baroness*

KOÇ, Haluk

KOLESNIKOV, Borys*

KONEČNÁ, Kateřina

KONEČNÝ, Albrecht

KOSACHEV, Konstantin

KOX, Tiny

KUBOVIČ, Pavol*

KUCHEIDA, Jean-Pierre/Rouquet, René

KUMCUOĞLU, Ertuğrul

KUODYTĖ, Dalia/Vareikis, Egidijus

LAUKKANEN, Markku/Ukkola, Tuulikki

LAVTIŽAR-BEBLER, Darja*

LECOQ, Jean-Paul

LEIBRECHT, Harald*

LINDBLAD, Göran*

LIPIŃSKI, Dariusz

LONCLE, François

LUNDGREN, Kerstin

LUPU, Marian*

MAISSEN, Theo
MALGIERI, Gennaro
MALINS, Humfrey*
MARCENARO, Pietro
MARKOVIĆ, Milica*
MARQUET, Bernard/Lavagna, Sophie
MARTY, Dick
MASSERET, Jean-Pierre/Béteille, Laurent
MATIĆ, Slavko/ olo, Alma
MATUŠIĆ, Frano/Caparin, Karmela
McCAFFERTY, Christine*
McINTOSH, Andrew
MEALE, Alan*
MEHMETI DEVAJA, Ermira/Petreski, Zoran
MEIKAR, Silver/Saar, Indrek
MEINHARDT, Patrick*
MELČÁK, Miloš
MELNIKOV, Ivan*
MELO, Maria Manuela de
MEMECAN, Nursuna
MENDES BOTA, José
MIĆUNOVIĆ, Dragoljub
MIGNON, Jean-Claude
MIKUTIENĖ, Dangutė*
MINASHVILI, Akaki*
MITTERER, Peter*
MOLCHANOV, Andrey*
MONFILS, Philippe*

MORIAU, Patrick *

MOSCOSO DEL PRADO HERNÁNDEZ, Juan*

MÓSESDÓTTIR, Lilja

MOTA AMARAL, João Bosco

MUÑOZ ALONSO, Alejandro

MÜRI, Felix*

NACHBAR, Philippe*

NACHTMANNOVÁ, Oľga

NAGACEVSCHI, Vitalie

NĀSTASE, Adrian*

NEGELE, Gebhard

NÉMETH, Zsolt/Gruber, Attila

NESSA, Pasquale

NEUGEBAUER, Fritz

NIKOLIĆ, Tomislav*

NIKOLOSKI, Aleksandar

O'HARA, Edward

OHLSSON, Carina

OMTZIGT, Pieter

ÓSKARSDÓTTIR, Steinunn Valdís

OSTROVSKY, Alexey*

PAPACHRISTOS, Evangelos/Katrinis, Michail

PAPADIMITRIOU, Elsa

PAPANDREOU, Vassiliki

PARFENOV, Valery*

PASHAYEVA, Ganira/Abbasov, Aydin

PEIRO, Germinal/Fournier, Bernard

PELEGRINI, Peter*

PERNASKA, Lajla*

PETIR, Marijana*

PFLUG, Johannes/Ortel, Holger

PLESKACHEVSKIY, Viktor*

POCHINOK, Alexander*

PODLESOV, Alexander Minovitch

POPESCU, Ivan

POURBAIX-LUNDIN, Marietta de

POURGOURIDES, Christos*

PREDA, Cezar Florin*

PRESCOTT, John*

PRESEČNIK, Jakob*

PUCHE RODRÍGUEZ-ACOSTA, Gabino

PUIG i OLIVE, Lluís Maria de

PUPOVAC, Milorad/Pejčinović-Burić, Marija

PYSARENKO, Valeriy*

QUINTANILLA BARBA, Carmen

REPS, Mailis

RIBA FONT, Maria Pilar

RIGONI, Andrea/Mogherini Rebesani, Federica

ROBU, Nicolae*

ROCHEBLOINE, François

ROSEIRA, Maria de Belém*

ROSSELL TARRADELLAS, Amadeu

ROWEN, Paul

RUGĂTE, Anta*

RUPPRECHT, Marlene*

RUSMALI, Ilir*

RUSSO, Giacinto
RUSTAMYAN, Armen
RUŽIĆ, Branko/Vučković, Nataša
ŠABOVIĆ, Džavid*
SANTINI, Giacomo*
SARO, Giuseppe
SARRAZIN, Manuel*
SASI, Kimmo
SCHUSTER, Marina
SEKULIĆ, Predrag*
SEYIDOV, Samad
SHERSHUN, Mykola
SLUTSKY, Leonid
SOBKO, Sergey/Savvidi, Ivan
SOBOLEV, Serhiy*
ŠOJDROVÁ, Michaela
STIRBLYTĚ, Arūnė*
STOILOV, Yanaki
STOLFI, Fiorenzo
STRÄSSER, Christoph*
STRENZ, Karin*
STULIGROSZ, Michał
STUMP, Doris
SUDARENKOV, Valeriy
SYDOW, Björn von
SYMONENKO, Petro/Marmazov, Yevhen
SZABÓ, Zoltán*
TAKTAKISHVILI, Chiora*

TARGAMADZÉ, Guiorgui/Anikashvili, Magdalena

TEKELİOĞLU, Mehmet

TIMCHENKO, Vyacheslav/Solonin, Yury

TODOROV, Zhivko

TODOROVIĆ, Dragan*

TOMLINSON, John E. Lord

TOSHEV, Latchezar

TSISKARISHVILI, Petré*

TUĐOĐE, Mihai*

TÜRKEĐ, Tuđrul

TÜRKÖNE, Özlem

TYKHONOV, Viktor*

UMAKHANOV, Ilyas*

ÜNAL, Mustafa

URECHEAN, Serafim/Ghiletchi, Valeriu

VALENTINO, Giuseppe/Tofani, Oreste

VANDENBERGHE, Hugo/Tindemans, Elke

VARVITSIOTIS, Miltiadis

VERA JARDIM, José*

VERLIČ, Peter*

VIS, Rudi/Gale, Anita Baroness

VITALI, Luigi

VRETTOS, Konstantinos

VRIES, Klaas De*

WAALKENS, Harm Evert/Franken, Hans

WACH, Piotr

WADEPHUL, Johann*

WALTER, Robert

WERNER, Katrin*

WILLE, Paul

WILSHIRE, David*

WOHLWEND, Renate/Schädler, Leander

WOJTCZAK, Michał

WOLDSETH, Karin S./Vaksdal, Øyvind

WURM, Gisela*

XUCLÀ i COSTA, Jordi

ZHEVAHO, Kostiantyn*

ZINGERIS, Emanuelis*

ZIUGANOV, Guennady*

ZOHRABYAN, Naira

Vacant Seat, Albania*

Vacant Seat, Cyprus*

Vacant Seat, Moldova*

Vacant Seat, Poland/Wikiński, Marek

ALSO PRESENT

Representatives and Substitutes not authorised to vote:

ANNEMANS, Gerolf

CORREIA, Telmo

HAGBERG, Michael

TORRES PUIG, Joan

Special Guests

-

Observers

GOUYAUD Christian

Representative of the Turkish Cypriot Community

ÇAĞLAR, Mehmet (According to Resolution 1376 (2004) of the Parliamentary Assembly)

