



Provisional edition

Tuesday 28 January 2020, afternoon

Official report of debates

Opening of the sitting No. 4

Debate (continued): The functioning of democratic institutions in Poland

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Dear colleagues, the sitting is now open.

There has been a proposed change in the membership of the committees. They are set out in document Commissions (2020) 01, Addendum 3. Are the proposed changes in the membership of the Assembly's committees agreed to? They are agreed to.

The ballots to elect the judge to the European Court of Human Rights in respect of France and the second round to elect a Vice President for the Russian Federation are open again. Those who have not yet voted may still do so by going to the area behind the President's chair.

The elections close at 5 p.m.

I remind Ms UCA, Ms SUSTAR, Mr CEGONHO and Ms GASIUK-PIHOWICZ, the tellers, that they should meet behind the President's Chair when the votes close. If possible, the results will be announced before the end of the sitting this afternoon. We will continue our work during this time and I apologise for the mispronunciation of the names if there are any but it's not easy for me.

The credentials of the delegations from North Macedonia, Poland, Portugal, San Marino, Sweden and Switzerland were challenged under procedural grounds. Under Rule 7.2, the Assembly refers the credentials to the Committee on Rules of Procedure, Immunities and Institutional Affairs. I have received a letter from the Rules Committee which I shall now read out.

"On 27 January 2020 at the opening of the Parliamentary Assembly session, the still unratified credentials of six parliamentary delegations (North Macedonia, Poland, Portugal, San Marino, Sweden and Switzerland) were challenged on procedural grounds in accordance with Rule 7.1 of the Assembly's Rules of Procedure.

On the ground that the composition of these delegations failed to meet the condition laid down in Rule 6.2.a. of the Rules of Procedure whereby national delegations must include the under-represented sex at least in the same percentage as it is present in their parliaments.

At its meeting on 28 January 2020, the Committee on Rules of Procedure, Immunities and Institutional Affairs examined the objections raised. It notes that the condition laid down in Rule 6.2 of the Assembly's Rules of Procedure according to which national delegations shall include the under-represented sex at least in the

In this report:

1. Speeches in English, French, German and Italian are reported in full in English.
2. Speeches in other languages are summarised from the interpretation and indicated by an asterisk (*).
3. Speeches in German and Italian are available in full on the Assembly's website.
4. The text of the amendments is available at the document centre and on the Assembly's website. Only oral amendments or oral sub-amendments are reproduced in the report of debates.
5. Corrections should be handed in at Room 1081 not later than 24 hours after the report has been published.

same percentage as is present in their parliaments and at a very minimum one member of the under-represented appointed as a representative is not sanctioned by Rule 7.1.b. Because in this room, only a failure to meet the requirements that there must be at least one woman representative in each delegation can form the basis for the challenge to the credentials submitted. This condition, which is most certainly very limited when it comes to the fair representation of women, can legitimately be considered unsatisfactory. Therefore, the Committee on Rules of Procedure should be invited to prepare a report on this issue.

The Committee on Rules of Procedure notes that the composition of all these delegations fulfils the conditions laid down in Rule 7.1.b. as they include at least one member of the under-represented sex as a representative. The Committee therefore concludes that the credentials of the six parliamentary delegations in question should be ratified. The credentials of the delegations from North Macedonia, Poland, Portugal, San Marino, Sweden and Switzerland are ratified accordingly."

The next item on the Agenda is the continuation of the debates on the functioning of democratic institutions in Poland. In a moment I shall call Mr Pieter OMTZIGT and Ms Azadeh ROHJAN GUSTAFSSON co-rapporteurs to reply to this morning's debate. You have seven and a half minutes.

I call Mr Pieter OMTZIGT.

Okay, Ms Azadeh ROHJAN GUSTAFSSON wants to go first.

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): I will be very short. I would just like to say, in response to what some of our colleagues have said during the debate, that me and my co-rapporteur, Mr OMTZIGT, have only been... we don't have an interest in the Polish politics or the internal affairs in the country of Poland.

Our basic, our principles, have been the same principles as the Assembly; it's been about the rule of law, it has been about democracy and it has been about human rights.

Those are the principles that we have followed when we have put this report together. I just want to highlight this as a response to what some of our colleagues have said here today, and I will also say that we have also followed what the Venice Commission has said and what the what the European Court of Human Rights has said. As you know, those bodies are very respected bodies, and there is nothing biased about the reports that they have put forward.

I know that my colleague will elaborate a little bit more.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Mr Pieter OMTZIGT.

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): Thank you very much, and thank you very much for the broad support for our report and for the cooperation in writing it.

Indeed as Ms Maryvonne BLONDIN, but also Mr John HOWELL and Mr Andreas NICK noted, it took a long time. Please bear with us, we've only been rapporteurs for one year and have done our utmost best to present this report here.

Whereas we as an Assembly have been a little bit slow, the Venice commission has not been slow at any rate. Whenever something happened - and colleagues have already referred to it - they've given five very interesting opinions about the basic failings of the reforms of Poland.

And let me state - and I think Ms Thorhildur Sunna ÆVARSDÓTTIR was actually most clear with that point - if judiciary is not impartial, then it cannot protect the citizen against the state. And that's exactly the point we're discussing here today. Lots of violations of human rights come from other bodies, but the State, look at the last century, does not particularly come at the last place as the entity causing problems with human rights. And that's why you lay the groundwork, if you make the judiciary subordinate to the state. And it's not one thing that makes it subordinate.

That's where the word "Frankensteinization", which was challenged, comes from. It's a "Frankensteinization" of putting parts from everywhere to make sure you have no control. So the National Council of the Judiciary is now elected by Parliament where there is a one-party rule which is been elected perfectly democratically, no problem, but the effect is that you have a self-governing body elected by the sitting party.

And the effect of having one person who's the Minister of Justice and at the same time Prosecutor General is that that person, also because of the reform of the law on the common courts, has got nearly universal power on both the laws, on the courts, on the judges, and on the prosecutors. And he can even interfere within a particular case. Now that is something we simply do not want.

Let me also point out a few challenges to our report, which were made by colleagues. Mr. Zsolt CSENGER-ZALÁN said there were factual mistakes, but I did not note any factual mistakes he was mentioning, so if I find it difficult.

Mr Dominik TARCZYŃSKI said many judges were judges on the martial law. Now, martial law ended in Poland in 1983: that's 37 years ago. Let me tell you that quite a few judges have changed and actually the average judge in Poland is quite young. There are very very few people who were judges then and who are judges now. So don't give the wrong arguments. Yes, there is an issue in Poland whether there was a clear-cut after communism. There is an issue there, but it's not an issue for the present day. It's not an issue you can blame on the present judges in Poland.

Then we have Mr. Stefan SCHENNACH who made one slight mistake because the amendment, Mr. Stefan SCHENNACH, which you tabled and which weren't present was actually approved 13 to 9 in the committee. That means that we did not take any position in a committee on whether we should open monitoring right now. We didn't take a position, because we've seen a quick deterioration of the last few weeks with the laws and amendments that have been tabled. But we were not asked in our original report. So we leave it here, but the Committee on this has been pretty clear.

Ms Iwona ARENT, I really like some points you make. I think we should discuss about what's happening in France, and please let's organize a discussion about it here. And when we talk about France we will ask the French MPs to discuss and give a reply on how France is dealing with it. And I was hoping today that some of the Polish MPs would say "Well, we did this reform and you see it in the wrong way". That I would have understood, but if the only answer you give is "that's happening in that country, that's happening in that country, that's happening in other country" without actually replying to any of the arguments we make in our report, then I'm just a little bit disappointed, because I like the debate. I would have loved the debate with your Minister of Justice or with your president or with the staff of your president, because I understand that we're not at the same level as a president. But we're not even allowed to. And the whole thing is that we should have a discussion about what's going on because what's happening in the police courts, also has an influence on all the other 27 EU countries.

And that's also, with due respect to Mr Edward LEIGH, that particular party he was referring to was actually a special chamber which is now under political control. Now if there's one body, one body you do not want to have under political control, then it is the body which decides when there is a dispute on the outcome of the election. That's the one thing you want to make sure you have politicians, left, right, center, retired, but not under party political control. Now I think the decisions they took were right. I think they took honest decisions, but the appearance already is quite bad. Because someone can start complaining about the appearance.

I hope we had a good discussion and our Committee took a number of viewpoints on the amendments. And I think those were good viewpoints, so I think we could follow them as rapporteurs. We were able to think those to support all the positions our committee took.

And just one final word, Mr President. This report is for the citizens of Poland. It's for the citizens of Poland to have a fair and impartial judiciary whoever is in power. And that's why I hope we can start that discussion.

Thank you very much.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Mr Pieter OMTZIGT.

Thank you, Mr Pieter OMTZIGT.

Does the Chairperson of the Committee wish to speak?

Mr Michael Aastrup JENSEN (Denmark, ALDE, Chairperson of the Committee on the Honouring of Obligations and Commitments by member state of the Council of Europe): Thank you so much.

Also, on behalf of the Monitoring Committee, I would like to say a huge thank you to the two co-reporters for their very excellent report and also to the Secretariat.

We all know in this assembly that it has been a difficult and also very sensitive report. I must address that this is also a very important report to decide on. Because the Committee has actually said quite clearly that the situation in Poland is very worrying, and that also it has to be addressed on different issues. Also, that regarding the issue if Poland should be put under the monitoring instrument or not, the Committee actually was in favour of that.

That is not a light task to do. That is actually a big step to do. Especially in light of that Poland is one of the successful countries that adopted capitalism, adopted democracy, after a communist past. But we also see developments in Poland, especially in the last few years. That is something that we need to address. And if our organization does not address these issues in quite clear terms, why are even here?

So, therefore, I actually believe that the Committee were very, very firm. And you will hear in our voting results from the Committee what we decided on. You will also hear that there was a big majority regarding amendments decisions or not. Therefore, I look forward to what the Assembly will vote on.

Thank you so much, chair.

Vote: The functioning of democratic institutions in Poland

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Thank you. The debate is closed.

The monitoring committee has presented a draft resolution to which 46 amendments have been tabled. I remind you that speeches on amendments are limited to 30 seconds and as we have a long list, please, stay within the 30 seconds, dear colleagues.

I understand that the chairperson of the monitoring committee wishes to propose to the Assembly that amendments 42 and 46 to the draft resolution, which were unanimously approved by the committee, should be declared as agreed by the Assembly.

The committee also unanimously agreed to amendments number 40, 45 and 36. But as other amendments tabled may affect them, I must take them separately. Is that so Mr Michael Aastrup JENSEN? Does anyone object?

As there is no objection, I declare that amendments 42 and 46 to the draft resolution have been agreed. I call Mr Dominik TARCZYŃSKI to support amendment number 1.

Mister Dominik TARCZYŃSKI, you have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Thank you, Mister Chairman.

This is the discussion we had during the Committee. For me it's just a technical amendment.

That's why we are supporting it and I'd like to ask you for support. I think there is no discussion about it, because there is no discussion about if this is just a technical... we had this discussion this morning.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone else wish to support this amendment? Does anyone wish to speak against the amendment?

I call Mr Aleksander POCIEJ to speak against the amendment. You have 30 seconds.

Mr Aleksander POCIEJ (Poland, EPP/CD): Yes, thank you.

Very quickly. It's not the technical amendment. This is something very important, because if we add it, according to that, a country can create the new laws according to the socio-cultural particular conditions, that means that we have no common values and everybody can bring anything, even...

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE, Chairperson of the Committee on the Honouring of Obligations and Commitments by member state of the Council of Europe): Yes, against. Sorry, by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Okay, I shall now put the amendment to the vote.

The vote is now open.

The vote is closed.

I call for the results to be displayed.

Amendment number 1 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 2. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Thank you very much, Mr President.

The technical question now. I would like to declare that we support all the amendments apart from the last three. Can I take floor with the last three or do you want me to support every single one?

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

I call on Mr Aleksander POCIEJ.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): We support it because we do not agree with that, that's it.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Okay. Does anyone wish to speak against the amendment?

Mr Aleksander POCIEJ, you have 30 seconds.

Mr Aleksander POCIEJ (Poland, EPP/CD): Yes, thank you, Chair.

We cannot say, because this Amendment is saying that all reforms in Poland are fully in line with the real European norms and standards. We have Venice Commission. We have all authorities. This is absolutely not in line with the standards.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Thank you. What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE, Chairperson of the Committee on the Honouring of Obligations and Commitments by member state of the Council of Europe): Against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the Amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment No 2 is rejected.

I call Mr Dominik TARCZYŃSKI to support Amendment No 3.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Thank you, Mr President.

Number 3 is very important because of one word: "self-governance", which is democracy, so we think it should be there. Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the Amendment?

Mister Aleksander POCIEJ.

Mr Aleksander POCIEJ (Poland, EPP/CD): I'm against. Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Quite clear.

What is the opinion of the Committee on the Amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE, Chairperson of the Committee on the Honouring of Obligations and Commitments by member state of the Council of Europe): Against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the Amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

The Amendment No 3 is rejected.

I call Mr Dominik TARCZYŃSKI to support Amendment No 4.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Number 4 is very important because of the transparency, the word you want to hint at.

I can see that Pieter is happy with the results. The amendment was 160 against just by saying "I'm against". So, thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I have been informed that the Committee wishes to propose an oral sub-amendment, as follows: replace the words "democratisation" with "democratic functioning".

In my opinion, the oral sub-amendment is in order under our rules. However, do 10 or more members object to the oral sub-amendment being debated?

Fewer than 10 members object to the oral sub-amendment being debated.

Therefore, I call one of the rapporteurs to support the oral sub-amendment.

Ms Azadeh ROJHAN GUSTAFSSON (Sweden, SOC): Yes, we think this is a better... we support it. We support "democratic functioning". We say it's better, as it is a better description than "democratisation".

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the oral sub-amendment?

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Yes.

I can't see the difference. So if the rapporteur could explain the difference between "democratisation" and "functioning". Because she didn't do it, so I can't really understand what is the reason to change this word.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the mover of the main amendment?

Okay, I will now...

Sorry, what is the opinion of the Committee?

Mr Michael Aastrup JENSEN (Denmark, ALDE, Chairperson of the Committee on the Honouring of Obligations and Commitments by member state of the Council of Europe): The committee is for the sub-amendment - in favor - by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Okay, thank you.

I will now put the oral sub-amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

The oral sub-amendment is agreed.

Now, we come to the main amendment as amended. Does anyone wish to speak against the amendment as amended?

What is the opinion of the Committee?

Mr Michael Aastrup JENSEN (Denmark, ALDE, Chairperson of the Committee on the Honouring of Obligations and Commitments by member state of the Council of Europe): The Committee are in favour by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Thank you.

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

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 4, as amended, is agreed.

I call Mr Dominik TARCZYŃSKI to support amendment number 5.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): In this case it's about the word "however".

We had this discussion again, so I can't really see the reason we should change it.

It's just one word that doesn't change the meaning

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Pieter OMTZIGT?

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): Well, it changes the meaning 180 degrees. Because by putting in "however" it notices that the second phrase actually says something completely different from the first phrase. And if you don't put it then, you change the meaning of it around. And then you have different opinion on the reforms. So we really like to stay with our original text and are against this amendment.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): We are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 5 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 6.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Okay, this is about meaning as well. So what is the difference - because I can't really see the explanation from the rapporteurs - between "such reforms would amount to bringing the judiciary" instead of "activity of the courts". That's why we think it's about the nature of the courts. Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Pieter OMTZIGT?

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): Well, first of all it says: "add the words" so you get the phrase "such reforms would amount to bring the judiciary activity off the courts". So the sentence would arise, which I don't really understand what it means. And that alone is enough not to agree on it.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee: against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote. The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 6 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 7. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): It says "even worse, under the political control", so what does it mean "even worse"?

That's why we want to delete it. Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Aleksander POCIEJ?

Mr Aleksander POCIEJ (Poland, EPP/CD): I'm against this amendment because this is not about "even worse" but everything which is after the judiciary and that means under the political control of the ruling party. This is what this report is about and so this is a very, very critical and very important phrase.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote. The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 7 is rejected.

I call Mr Dominik TARCZYŃSKI to support Amendment number 8. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): In this case it is about only one sentence which is about to fulfil this part of the report, so everyone agreed the courts are allowed to fulfil democracy, so I can't see the reason why it shouldn't be there.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? I call Mr Aleksander POCIEJ.

Mr Aleksander POCIEJ (Poland, EPP/CD): Yes, once again, this is an extremely important phrase, because that really shows - and this is what we are fighting against - that even if you have the majority there are some rules, constitutional rules, and international rules that should not be destroyed. And the majority doesn't give the possibility to change the rules which are the basic ones. Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment 8 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 9. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Number 9 is very obvious, especially that the democratic state is governed by the rule of law. We all know that it should be the rule of law which is respected. That's why I want to delete it. It's obvious.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? I call Mr Pieter OMTZIGT.

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): Well, in paragraph 2 and 3 we give two tests to which the justice system has to obey. And in paragraph 4 we draw the conclusion it doesn't. And if you take away the conclusion then you make our report empty, so we're against this amendment being adopted.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against it by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 9 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 10. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): It's the same thing, it's so obvious. Look at the last sentence: they should be promptly addressed by the authorities. It's obvious it's authority. So there's so many empty words. That's why I think it should be deleted.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Ms Azadeh ROJHAN GUSTAFSSON.

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): Yes, thank you.

Well it's the same argument as before, that my colleague said, this is the key findings in our report.

It's very important for us to keep this part.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 10 is rejected.

I call Mr Dominik TARCZYŃSKI to support Amendment 11.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): I think this one is very important because we had this discussion today and everyone was, I think we agree, that we are open for dialogue. We are here, we are present, so this sentence is important to just stress that we are here.

It's like: "welcomes Poland's openness to dialogue on justice reforms".

I think it's important to rapporteurs because you must say "we are here, we are open", so this sentence is very important.

That's why, please, support this amendment.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Marek BOROWSKI.

Mr Marek BOROWSKI (Poland, EPP/CD): The words about the openness of the Polish government is, I think, a kind of joke.

Because when the Venice Commission visited lately Poland nobody from the government wanted to meet with this Commission, and the Vice-Minister of Justice sent it to the museum of anti-communist soldiers.

That is the truth.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment 11 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 12.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): It's about implementation.

I'd like to ask you, maybe rapporteurs would know, how many countries did not implement it immediately?

It doesn't mean that in our process, which is in process, it is not going to happen. So I think, to say now, before the end of the reform, that it will not be implemented is just not right.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Ms Azadeh ROJHAN GUSTAFSSON.

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): Thank you very much.

Well it has been four years. I don't think that it's still being considered or I don't think that there is more time needed to be implemented. So of course we are against.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 12 is rejected.

I call Mr Dominik TARCZYŃSKI to support number 13.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): This one is about language: "call upon" or "asks". As we know we are free democratic countries so it's about to keep the culture. So it's about words. Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): Calls upon is a bit stronger in language.

I think the stronger language is warranted here since there is quite a bit going on in Poland.

So I would like to keep the original wording, call upon, and reject the amendment.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 13 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 14. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): The same thing about language.

Revisit or consider. I think consider would be more appropriate.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Pieter OMTZIGT.

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): Revisit is quite a bit, sort of... Once again we try to weaken the language in here.

"Consider" is well, you can do it or you can't do it. And with "revisit" we are saying well, you should really change it.

So I'd like to keep the original word, revisit, and not go along replacing it with consider.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment ?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 14 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 15. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Language again. Mr Pieter OMTZIGT just said that "considers" is a weakening of the language, but he is using it in other parts. So we would like to have "notes" instead of "considers".

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Ms Azadeh ROJHAN GUSTAFSSON.

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): It's the same thing here. It's about weakening the language, so we want to keep it as it is.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 15 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 16. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Language again, "extensive discretionary". What does it mean? Why do we use this kind of language when we can describe things without changing the meaning? There is no need for using this kind of language.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Pieter OMTZIGT.

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): Well, the original wording is that the Prosecutor General has extensive discretionary powers over the prosecution service. And that's exactly the problem we see, because they can give orders in individual cases. If you would make out he has got powers

of the prosecution service, yes, of course he's got powers over the prosecution service, otherwise he wouldn't be Prosecutor General. So it would take away the whole meaning of the fact that these powers are excessive. That's why we are against taking out these words.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 16 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 17. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): It's about undermining prosecution service. No one is undermining prosecution service, so I think again, it is not a mirror of the reality, so we want to delete it.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Ms Azadeh ROJHAN GUSTAFSSON.

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): Yes, thank you.

Well, what we are seeing is actually the opposite. We are seeing that there is undermining going on when it comes to impartiality and independence of the prosecution service. So this is one of our key findings and it must be kept in the report.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 17 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 18. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Language again. We would like to use the word "notes" instead of "expressing" or any other. I think there's no need for that. Most of these amendments are about language. It doesn't change meaning.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment. Ms Azadeh ROJHAN GUSTAFSSON?

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): Yes, thank you. No, we want to keep the word "concerned" because we are really concerned.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 18 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 19. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Okay, why do we have "counter to European rule of law standards"? What is not a standard in Germany and France. We had this discussion again, because in Poland we have Minister of Justice, then we have National Board of Justice and then we have courts. In Germany, there's no national board of justice, there's a minister appointing the head judges in the courts. So, what kind of standards are we talking about in here? So, delete it, thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Aleksander POCIEJ?

Mr Aleksander POCIEJ (Poland, EPP/CD): Thank you.

It's indeed a very important thing.

If you read the Venice Commission's opinion as well, the opinions from all the constitutionalists in Poland, that counters the principle of separation of powers.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 19 is rejected.

I call Mr Dominik TARCZYŃSKI to support number 20.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): "Balance of power": that was the argument the whole day today so we are trying to use the sentence - which is very clear - about the balance of power because in the original text there is no mention of it in this part. So we think it is more appropriate.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

What is the opinion of the Committee?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 20 is rejected.

I call Mr Dominik TARCZYŃSKI to support number 21.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): It's the same thing. "Concerned", to exchange with a "notes". Language.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Krzysztof ŚMISZEK, please.

Mr Krzysztof ŚMISZEK (Poland, SOC): We would like to keep this sentence in the resolution because this is not about language, this is about the essence of the changes that are introduced recently, in the last five years, in the Prosecutor Office and in the justice system so this is not a matter of language this is an essence of the reforms in Poland. Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 21 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 22.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): I think there was no there was no discussion about number 22. I think we agreed that it should be amended so that's what we had on our Committee this morning. So I don't know why we should discuss it.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Ms Azadeh ROJHAN GUSTAFSSON?

Ms Azadeh ROJHAN GUSTAFSSON (Sweden, SOC, Co-Rapporteur): We are extremely concerned about combination of the function. So this paragraph is very needed to stress that. Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Dominik TARCZYŃSKI (Poland, EC/DA): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 22 is rejected.

Amendment number 42 was previously agreed.

I call Mr Dominik TARCZYŃSKI to support amendment number 24.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Mr President, what about number 42?

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): That was already agreed.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Alright.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Twenty-four, yes.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): It's just repeating. That's why we asked to delete it. It is just repeating the same sentences. So, what is the reason to write the book when it's already been set?

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

Mr Aleksander POCIEJ.

Mr Aleksander POCIEJ (Poland, EPP/CD): Yes, thank you. I strongly believe this is the core of this report and this is a very, very important paragraph or point. Really, the biggest problem that we have, that both the Supreme Court now is under the pressure, and the National Council of the Judiciary cannot be considered as impartial and an independent body. This is once again, that was shown and by all opinions and this is absolutely true.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 24 is rejected.

I call Mr Giuseppe FASSINO to support amendment number 40.

You have 30 seconds.

Mr Giuseppe FASSINO (Italy): Thank you, Chair. The amendment highlights the contrast between the impartiality and independence of the Supreme Court and the partiality of the National Council of the Judiciary. So from this point of view it is an important paragraph because it highlights one of the most significant crisis points in the Polish judicial system.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Dominik TARCZYŃSKI?

Mr Dominik TARCZYŃSKI (Poland, EC/DA): It's just imagination. It doesn't have anything to do with the facts, so I would like to recommend you to read the report and our act.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee voted unanimously in favour.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 40 is agreed.

As amendment number 40 is agreed, amendment number 23 falls.

Amendment number 46 was agreed unanimously.

Amendment number 25. I call Mr Dominik TARCZYŃSKI to support amendment number 25. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): It's language again. It's "Although," which I think is more appropriate. It doesn't change the meaning.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Pieter OMTZIGT.

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): Well, it does change the meaning. The offered argument that the Polish justice reforms are in line with European standards is invalid. And that means we don't think it's valid. Here we try to change it to "although the Polish justice reforms are in line with European standards". That's changing it around 180 degrees. So this is not language. This is changing it completely around, which you're allowed to do, but if you want to do it please tell that you want to change it. We are against this change.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 25 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 26. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): So this is about European standards and this is the third time that this argument is in the report, used again and again. What is the reason? Just to use the paper? You want to delete it.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): Thank you.

Well, this paragraph is about how the abuse of disciplinary proceeding is going on in Poland. It is a key concern of the international community as well as ours, so we have to keep this part because we need to outline that this is a very difficult situation.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Sorry, what is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 26 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 27.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): "Model existing". "Model existing" because it does exist, so it's not about "those" but about what does exist so we cannot say that it does not exist in other member states, so that's why I think it's important. And again, it doesn't change the meaning, it just underlines that these models exist.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 27 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 28.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): "Frankensteinisation"!

What kind of language is this?

This is not a cinema, this is the Council of Europe.

What kind of language is it? It is not a legal language. Come on. Be serious.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Aleksander POCIEJ.

Mr Aleksander POCIEJ (Poland, EPP/CD): Yes, unfortunately, I must say that this is quite adequate language. Because the argument that the government is putting forwards all the time... They are taking one institution from one legal system, which is working in a completely different way, and they are saying OK in Germany it is like this, in France it's like this, in Spain it is the king whose appointing the judges to the Constitutional Court. And this is exactly the best wording, because we have the picture of what's going on in Poland with this wording.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 28 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 29.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): Just to delete it.

Can you read it out loud right now?

How many times can you repeat the same thing in one document?

Its just ridiculous, and it takes the whole page to read it out. Just delete it.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Pieter OMTZIGT?

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): It's an essential part of our text, and if you want to take out a whole paragraph talking about the abuse of disciplinary proceedings which... mind you, 1 200 judges have got disciplinary proceedings running against them, they don't seem to finish. They've got a huge chilling effect on the judges in Poland, that's highly relevant and I think we should keep that in our report.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 29 is rejected.

I call Mr Maurizio BUCCARELLA to support amendment number 43.

You have 30 seconds.

Mr Maurizio BUCCARELLA (Italy, NR): Thank you, Chair.

The amendment makes minor changes to part of the text of paragraph 10, specifying that the reporting of disciplinary proceedings, not only against Polish judges, is not based solely on credible reports but on facts reported by credible reports. In addition, it is also strengthens disciplinary proceedings against magistrates, even if they comply with the rulings of the European Court of Justice of 19 November 2019, or request a prior opinion. We therefore believe, as signatories, that the amendment could strengthen, or rather specify, the scope of paragraph 10.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Ms Azadeh ROJHAN GUSTAFSSON.

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): Thank you.

Yes. We believe that this is already covered in the report. The text that already exists in the report is better so we want to leave it that way.

We are against.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee are against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 43 is rejected.

I call Mr Maurizio BUCCARELLA to support amendment number 45.

You have 30 seconds.

Mr Maurizio BUCCARELLA (Italy, NR): Thank you, Mr President. I think that there is a unanimous opinion about the approval of the amendment which simply corrects the text about the days.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): There are so many amendments. We can also mix them. Sometimes we make mistakes.

The secretariat informs me that we have to vote on this.

What is the opinion of the Committee?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee voted unanimously in favour.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 45 is agreed.

I call me Mr Maurizio BUCCARELLA to support amendment number 44. You have 30 seconds.

Mr Maurizio BUCCARELLA (Italy, NR): Thank you, President.

The amendment seeks to incorporate into the text the concern, already expressed by other members of the Assembly, about the very recent legislative measures of the Polish Chamber of Parliament. The reference is to a measure of 23 January last which, we fear, strengthens political control over the judiciary and we believe that this is unacceptable, as already expressed by various voices, and should be emphasised when this amendment is adopted.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Ms Azadeh ROJHAN GUSTAFSSON?

Ms Azadeh ROJHAN GUSTAFSSON (Co-Rapporteur, Sweden, SOC): This is already covered by our sub-amendment 46, so we think that is enough.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 44 is rejected.

I call for Mr Dominik TARCZYŃSKI to support amendment number 30.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): In this case, this is the sixth time when Poland is called for the rule of law.

I can't really understand and I haven't heard any answer why we keep repeating the same thing.

What is the reason? I can't really understand it.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Ms Kamila GASIUK-PIHOWICZ.

Ms Kamila GASIUK-PIHOWICZ (Poland, EPP/CD): How can we delete "as well as Poland's adherence to the rule of law" if we have at the moment a government which didn't publish the judgements of the constitutional tribunal for years, appointed judges of the constitutional tribunal for the posts already taken and appointed the members of judiciary council against the Polish Constitution and against European rules. We cannot delete this part of the sentence.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 30 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 31.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): When you read the second sentence, it's just the repeating of the first one and the one before. It's ridiculous. What for? I still cannot hear any explanation from the rapporteurs.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Pieter OMTZIGT?

Mr Pieter OMTZIGT (Co-Rapporteur, Netherlands, EPP/CD): When we say that the Polish issues are not only Polish issues and, I think that's self-explanatory after my discourse, that under the European co-operation in the EU, 26/27 other countries automatically take over the court decision, the European arrest warrants, so it's not only an internal Polish issue.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 31 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 32.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): The same, language. It's about the changing of the words — we had this discussion — the same words: "call upon", "ask" instead of "call upon".

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? It's not the case.

What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for results to be displayed.

Amendment number 32 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 33. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): We are talking about the courts and their decisions, so I think the sentence which we proposed "the decisions of their Courts under their jurisdiction" is more appropriate.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

That's not the case.

What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 33 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 34. You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): I can't really understand what European arrest warrants have to do with the whole report. So, Mr Pieter OMTZIGT, I don't really understand it. I know you want them, but what is the reason? Can you explain?

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

Mr Aleksander POCIEJ (Poland, EPP/CD): Yes, unfortunately, as an advocate, as a lawyer, I have to say that, unfortunately, this is happening. So, what is in this paragraph, this is absolutely true. We recently, because of all those changes, judged unconstitutional in our system. We had the problems, it was the one Irish case, very, very difficult for us, and, unfortunately, we are afraid that in the future, following the recent changes, this is going to be even worse.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 34 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 35.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): We are talking about the "interests of justice", so we had this discussion the whole day. Why the "interests of justice" cannot be in this report. I think it's even more important than the first sentence.

Thank you.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Krzysztof ŚMISZEK?

Mr Krzysztof ŚMISZEK (Poland, SOC): The amendment changes the whole philosophy that we are working on here in the Council of Europe.

We are working on individual rights and not on the interest of the justice system. We have to remember this.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee on the amendment?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is against by a large majority.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for results to be displayed.

Amendment number 35 is rejected.

I call Mr Dominik TARCZYŃSKI to support amendment number 36.

You have 30 seconds.

Mr Dominik TARCZYŃSKI (Poland, EC/DA): I think we agreed, for 36 and 37 during the Committee, that it will be implemented. So there's no need for me, I think.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment?

The Committee is obviously in favour.

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee voted unanimously in favour.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 36 is agreed to. Amendment number 37 therefore falls.

I call Mr Stefan SCHENNACH to support amendment number 39.

Mr Stefan SCHENNACH (Austria, SOC): Thank you.

Dear colleagues, until now the voting was in a very clear line, and now this is a very special amendment. As former Chair of the Monitoring Committee, I know exactly about what I am speaking. The whole debate was covered by the worry and I think with a monitoring system, we can help Poland to come back on the right way of the rule of law. Please vote in favour to open the monitoring procedure.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): Does anyone wish to speak against the amendment? Mr Dominik TARCZYŃSKI?

Mr Dominik TARCZYŃSKI (Poland, EC/DA): There is no reason for that.

Basically, if we are talking about the member states, Russia, Turkey and others. What about when you were in charge of the Committee? What about the other reports? What about the monitoring procedures?

So I don't want any hypocrisy. There's no reason for that. These last three amendments are about the monitoring and there's no such a reason to do it. You know that.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): What is the opinion of the Committee?

Mr Michael Aastrup JENSEN (Denmark, ALDE): The Committee is in favour.

Mr Akif Çağatay KILIÇ (Turkey, NR, President of the Assembly): I shall now put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the results to be displayed.

Amendment number 39 is agreed to, amendments 38 and 41 therefore fall.

We will now proceed to vote on the draft resolution contained in document 15025 as amended.

The vote is open.

The vote is closed.

I call for the results to be displayed.

The draft resolution in document 15025, as amended, is adopted.

I remind members that the ballots to elect a judge to the European Court of Human Rights in respect of France and the second round to elect a Vice President for the Russian Federation, are open. Those who have not yet voted may still do so by going to the area behind the President's Chair.

The elections close at 5pm, so that's in 10 minutes.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Dear colleagues, the next item of business this afternoon is the debate on the report titled "Threats to media freedom and journalists' security in Europe". Document number 15021 presented by Lord George FOULKES on behalf of the Committee on Culture, Science, Education and Media. In order to finish by 8:30 p.m. I will interrupt the list of speakers at about 8:05 p.m. to allow time for the reply and debate.

Dear colleagues I would like to call Lord George FOULKES.

Lord George FOULKES is taking his seat and I remind you that you have 13 minutes in total which you may divide between the presentation of the report and reply to the debate.

Debate: Threats to media freedom and journalists' security in Europe

Lord George FOULKES (Rapporteur, United Kingdom, SOC): Madame President,

Thank you very much indeed and apologies for the delay, I had to move from another part of the chamber.

Madame President, it's been a great privilege and the pleasure for me to carry out this report on behalf of the Parliamentary Assembly because media freedom and journalists' safety has regularly come back to the Council of Europe and to the Assembly in particular. And the reason is very clear, the situation in the Council

of Europe region is not improving. In fact, it's worsening. And yet the Council of Europe has done and is doing really impressive work on freedom of expression and freedom of the media, including safety of journalists. The Court of Human Rights has developed complete jurisprudence on the matter. The Committee of Ministers has established several standard-setting instruments which provide clear guidance to member states regarding media freedom and the safety of journalists.

We may add to this other valuable contributions such as the regular reports of the Secretary General, the work of the Venice Commission, the Steering Committee on Media and Information Society, and of course, the work of our own Assembly.

Crucially, in order to scrutinise the situation in member states, the Council of Europe instituted in 2015 the very important platform to promote the protection of journalism and the safety of journalists. However, in spite of all these efforts, the situation in which journalists and the media operate is not only unsatisfactory, it's also worrying. Legal and administrative restrictions and undue political and economic pressure are widespread. The number of journalists who are victims of harassment, physical attacks and violence has increased sharply. Journalists particularly who investigate affairs involving corruption or abuse of power, or merely voice criticism of political leaders and systems, are arbitrarily imprisoned, tortured or even murdered. In the heart of Europe, sadly, journalists are killed for simply doing their job.

Madame President, according to the information provided by our platform, from 2015 to the date I submitted my report, 638 serious press freedom violations had been perpetrated in 39 of our member countries. 109 journalists were in detention, 26 journalists had been killed, including 22 cases where there had been impunity. Colleagues, we can't accept this. We must call on our member states to do more and to do it better, in order to reverse the negative trends and uphold media freedom and the safety of journalists.

I want to highlight some of the key issues I've identified in the report. First, a large number of crimes against journalists are perpetrated in an atmosphere of impunity so national authorities need to carry out independent and prompt investigations into any crimes against journalists, killings, attacks or ill-treatment so that those who are responsible are brought to justice.

Second, member states must fight online harassment of journalists and enhance the protection of investigative journalists and whistle-blowers in particular. They must support the establishment of early warning and rapid response mechanisms, such as hotlines or emergency contact points.

Third, there are too many examples where public authorities misuse legislation, such as laws on defamation, on anti-terrorism, on national security and public order, or hate speech, or blasphemy, diverted from their real purpose and applied to intimidate and to silence journalists with gagging procedures and multiple lawsuits. They also misuse administrative measures, such as registration or accreditation, or mismanage tax schemes to harass journalists or pressurise them. Moreover, cases of police violence against journalists are still too frequent. That's why we have to call on member states to create an enabling and favourable media environment and to review, to this end, their legislation, seeking to prevent any misuse of different laws or provisions which may impact on media freedom.

Fourth, let me stress the sharp rise of aggressive behaviour and violent verbal attacks by political figures and representatives of the authorities against journalists. Unfortunately, this behaviour, sometimes serves as a bad example, and contaminates other parts of society. Our Assembly must condemn such conduct and call on all political leaders to curb any violent verbal attacks against the media and against journalists. But, as political leaders, we must all accept criticism and understand that there is no sound democracy without media freedom. The watchdog whose mission is to scrutinise the acts and declarations of those of us invested with power.

Fifth, another serious problem concerns public service media, which have been under increasing pressure in most member states. Public service media are suffering from funding cuts and new laws or regulations which limit their independence or reduce their remits. This is why we must call on member states to ensure adequate and sustainable funding, editorial independence and institutional autonomy of the public service media. And if I may be permitted, that applies now increasingly for the BBC in my own country, the United Kingdom.

My last note will be on what I described as this vitally important Council of Europe platform to promote the protection journalism and the safety of journalists. This is an excellent tool to scrutinise the situation in the member states, to encourage them to act on reported threats. Moreover, the platform helps to identify trends and look for systemic responses to problems. Therefore, we must call on member states to engage in an unreserved support and effective cooperation with the platform and provide substantive responses to the alerts, looking and ensuring prompt remedial actions and that adopting measures to avoid repetition.

Madame President, some countries, thanks to a constructive dialogue and cooperation with the partners of the platform, have actually taken positive action and initiatives to enhance the protection of journalists and the media. They should be congratulated and these good examples should be acknowledged, efforts should be valued and other member states should be encouraged to follow them. I hope that the platform is playing a positive role in this respect, as a tool which could provide good practice. That is why I propose that our Assembly recommends to the Committee of Ministers to reinforce the role of that platform and to encourage member states to promptly and substantively respond to alerts by taking appropriate remedial action.

Colleagues, I urge you to support the report unanimously, to vote for the draft resolution and the draft recommendation. However, our responsibility doesn't end there. It's much wider than issuing a new resolution, another resolution, and more recommendations. Once we return to our parliaments, once we are back home, we need to advocate, in our own parliaments, the implementation of the measures that we are proposing. I hope that all of us here are committed to doing this. It's national parliaments which must be the guardians of the right of freedom of expression, including media freedom and the safety of journalists, and to ensure full engagement of the state administration at all levels.

Madame President, thank you very much indeed.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you Lord FOULKS, you have four minutes remaining.

And as it is after 5 p.m., the ballots to elect judges to the European Court of Human Rights and to elect the Vice President for the Russian Federation are closed.

The counting of the votes will take place under the supervision of the tellers. I invite Ms UCA, Ms SUSTAR, Mr CEGONHO and Ms Kamila GASIUK-PIHOWICZ, the tellers, to go at once to meet behind the President's Chair.

If possible, the results of the election will be announced before the end of this afternoon's sitting. So we will now continue our debate.

And in the debate, I call first Mr Alexandros TRIANTAFYLIDIS.

Mr Alexandros TRIANTAFYLIDIS (Greece, UEL): Thank you.

Dear Chair, dear colleagues,

Please allow me to start by emphasizing that, to me, as a parliamentarian on behalf of UEL, but mainly as a journalist, this is a highly sensitive topic. I believe we shall all agree that the free and secured press is an essential component of any smoothly operating democracy and the constitution of human rights in national and international law. Press freedom in Europe is more fragile now than at any other time since the end of the cold war.

Being a journalist today requires great courage indeed. Journalists increasingly face obstruction, hostility and violence as they investigate and report on behalf of the public. The number of physical attacks and violence against journalists has sharply increased. Dozens of journalists are in jail in Europe for their reporting. Streets are not the only battle fields.

In many European countries, defamation or libel is still part of the criminal code, which is something not in line with international standards. There are many cases where public authorities do not respect the rights of journalists to protect their sources, nor do they facilitate the media professionals' work in specific contexts.

In my view, before any further discussion, the immediate release of all journalists imprisoned should be a prerequisite for all member states. My proposal is clear: the motto of 2020 of the Council of Europe must be "no journalists in prison for his or her opinion, for his or her report".

Secondly, we have to protect the complete independence of media from political or economic pressures, threats, or unethical proposals aiming to ensure the silence of journalists. Thirdly, the legislative firm work should be much stricter. However, instead of merely posing penalties, it is very important to take measures that encourage member states.

The Council of Europe platform which is proposed is an excellent tool for scrutinizing the situation in member states. The European legal civilization must be respected in every member state of the Council of Europe. In this regard, I propose that the Council of Europe should establish three awards for journalists who, through their reporting, expose what is going wrong in their countries. For example, corruption, smuggling, drugs or trafficking. Europe must regain its deepest cultural self.

Thank you for your attention.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you.

The next speaker Ms Nicole DURANTON.

Ms Nicole DURANTON (France, EPP/CD): Thank you, Madam President.

Ladies and gentlemen,

I welcome the very comprehensive and balanced report by our colleague Lord George FOULKES on this very sensitive subject. In recent years, physical attacks on journalists have increased in Europe in states that are members of our Organisation. Indeed, 10 journalists have been killed since 2017. The 2019 annual report of the Council of Europe Platform to Enhance the Protection of Journalists notes a worrying increase in the number of alerts concerning serious threats to the lives of journalists. These have doubled every year since 2015. It is high time to react and to recall the absolute necessity for all Council of Europe member states to respect Article 10 of our Convention.

The platform set up by the Council of Europe enables journalists to report attacks against them. This is an effective tool for identifying risks and providing support to the journalists concerned. The Committee of Ministers must therefore take ownership of this tool, discuss the alerts issued and encourage the states concerned to take the necessary measures. In this respect, I welcome the fact that the report highlights the good cooperation with France, which has set up an interministerial working group to coordinate responses to alerts.

Governments must also take responsibility and commit themselves to protecting our journalists. This is all the more necessary because in some States there is a growing animosity of the authorities towards the press. This is the case in Turkey, for example, where the leader of a nationalist party did not hesitate to pay to insert in certain newspapers a list of journalists who, according to him, had tarnished the image of his party. This is a deliberate endangerment of these people who are at risk of retaliation by certain sympathizers. In addition, journalists who denounce Turkish military actions are accused of terrorism and the Istanbul Prosecutor General's Office has made it clear that those who criticise Turkey's military operations will be prosecuted. Today, 157 journalists are detained in Turkey and it is by far the most condemned state by the European Court of Human Rights for infringing freedom of expression.

In addition, the Russian Federation had adopted a law in 2019 to punish flagrant non-compliance by the State and public authorities with fines and imprisonment. The implementation of this law is under the control of an administrative authority which has the power to block access to Internet pages whose content is deemed offensive.

Such violence and intimidation are not acceptable. The press remains essential for the future of our democracies in a context where misinformation is spreading rapidly on the Internet. If we want to maintain a relationship of trust between citizens and political leaders, we need a free, independent and pluralistic press. It is in all our interest.

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): *Merci.* The next speaker, Mr Stefan SCHENNACH.

Mr Stefan SCHENNACH (Austria, SOC): Thank you, Madam President.

On behalf of the Group of Socialists, Greens and Democrats I would like to congratulate Lord George FOULKES very warmly and thank him for his work. I am allowed to follow him now as general rapporteur for press freedom, his shoe size, however, is very large.

It is the year 2020: who would have thought that we would have to publish a report on how dangerous the lives of journalists are nowadays, that journalists are killed, that journalists are imprisoned, that investigative journalism is a risky job, that whistleblowers are also a risky job; and therefore it was good that the office decided that there is now a general rapporteur for whistleblowers. I think this is a very important step.

I think that when we come back to Lord FOULKES' report, there are a few things that are quite clear: the intimidation of journalists, the continuation of trials posthumously, the often-quest via Interpol to reject unwelcome journalists from abroad. What we also see, however, is that public service broadcasting and public television, which must actually precede this with correct reporting, is being attacked again and again and needs justification, that journalists are foreign agents, that journalists, when they report critically, have a close relationship with terrorism, for example; all this must be rejected.

And the police in our Member States must also be given explicit training in what it means to support and protect journalists, because that is no longer the case. However, Lord FOULKES also names some states where things look far worse. For example, he mentions Azerbaijan, he mentions Hungary, but also Turkey - the country with the highest number of journalists in prison, and he also mentions Russia. And I am glad that these frank words were found.

And please, ladies and gentlemen, even if you are not from any of the countries criticised, support this admonitory report. Last but not least, I would like to recall the murder of Daphne Caruana in Malta, the murder of a young journalist and his fiancée in Slovakia and a very young, courageous journalist in Bulgaria.

You should also take all this into account when making your vote.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): *Danke.* Next speaker, Mr Petri HONKONEN.

Mr Petri HONKONEN (Finland, ALDE): Thank you, Madam President.

On behalf of the Alliance of Liberals and Democrats for Europe group, let me start by congratulating our esteemed colleague, Lord George FOULKES, for this excellent and timely report. Journalism is an indispensable fourth pillar in Montesquieu's separation of powers. It plays an essential role in democratic societies as it questions decision-making, reveals wrongdoings and presents us with sometimes also inconvenient facts. A free and functioning media is the only way to counter populism and the misleading of our peoples.

In today's world, we are constantly subjected to huge quantities of information. This information disorder is hard to handle for anyone, but we still have a responsibility to tackle it. The point of departure should be to start as early as possible. Therefore, it's essential that media literacy and source criticism are strengthened already at an early age of our lives.

Journalists are only humans and they make mistakes, as we all do in our own professions. When that happens, it should be dealt with quickly, openly and honestly. Even in free and transparent conditions, journalists make themselves a disservice if they do not focus on journalistic quality and substantial fact checks. Failure to do so will only increase the public's distrust and division.

Another dividing aspect in today's news environment is disinformation. Studies show that targeted disinformation campaigns have led to people making uninformed decisions and it has even affected the results of election campaigns and referendums. As a result, journalists have an important responsibility, and also possibility, to counter all forms of disinformation and dissect all current issues profoundly and accurately.

Let me finish by highlighting the role of public service media. With reference to previous reports, one of the best proof of an open society is that it has publicly funded public service media with total editorial independence. Such a role should be further strengthened, as Lord George FOULKES already said, as public service media unfortunately often is the first outlet to lose its independence when a society is in upheaval.

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you.

Next I call Mr John HOWELL.

Mr John HOWELL (United Kingdom, EC/DA): Thank you very much Madam President.

I'd like to start off as indeed other speakers have by congratulating the rapporteur Lord George FOULKES on an excellent report and for the comprehensive way in which this issue has been tackled.

I think of particular interest to me was the way in which he set out in individual countries what is happening and how that has come through in terms of what has happened to individual journalists. The particular thing that struck me was the situation in Malta, because I think that is a very very serious situation indeed. I hope that we will see that resolved as a political impact of that decision continues forward.

You know, having read this report and as a former journalist I'm very glad that I changed professions. But I'm not sure that becoming a politician is any help to that and maybe a report on the safety of politicians is called for. I think that this report highlights very carefully and very fully the reasons stated for the problem of handling this. That is because of the importance of the freedom of expression and of the importance of this in a free and independent and pluralistic media. I think there is an issue over terrorism that needs to be addressed, and it needs to be addressed sensitively in order to make sure that it isn't used as an excuse to take the situation to an extreme.

But I would just raise one point on this. I fully accept everything that is said in relation to the influence of political activities on journalists. But it also slightly goes over the border into individual situations with for example criminals and extremists. For example work with criminal gangs and illegal activities. The activities of those groups against journalists are already illegal. We need to stress that and to make sure that action is taken against them. But I think that every journalist would assess the risks before going into that himself and be able to make it judgment as to where the real difficulty lies in terms of taking forward that particular investigation and where the real risks lie to that particular journalist.

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you.

The rapporteur will reply at the end of the debate. But does Lord George FOULKES wish to respond at this stage?

No.

So we conclude with the speakers list.

The next, Mr Pieter OMTZIGT.

Mr Pieter OMTZIGT is not present, so I call next Mr Roberto RAMPI.

Mr Roberto RAMPI (Italy, SOC): Madam President, ladies and gentlemen.

The report by my colleague Lord George FOULKES is very timely. We absolutely support it. The threats to journalists and freedom of the press are numerous and diverse. There are some very serious reports in this report, as some of my fellow members said earlier, it is almost unthinkable that in 2020 there will be journalists who have been killed, who have lost their lives, who are in jail.

But there are unfortunately also many threats and many risks for journalists, even much more insidious, much less obvious. In my country, too, many journalists are suffering, for example, from what we have dealt with in other cases and which we call the hate speech. If you try to make a report about migrants and tell about the living conditions of those people in an objective way, simply by taking a camera on one of those ships, for days and days afterwards you will receive threats on the net, you will receive hate messages and maybe even some bullets at home. This has happened. Which means that the person who not only hates you but also knows your personal address.

In my country, but also in many others, press freedoms are threatened when, for example, radios such as Radical Radio are not supported. We talked about it in a resolution of this Assembly and we defended it. I assure you that your support has been fundamental to prevent the previous Italian Government from stopping the funds to a historic public service radio station even though it was born out of a non-state initiative. But in the face of a public service, the Italian one, which increasingly, as the data shows, does not tell the facts in an objective way. Certain presences on television show that there is no such objectivity.

Well, I think we should be very worried about that. Why? Because we must always remember that this place was born exactly for this purpose. Democracy is not just about voting. Voting is the minimum element of democracy. Democracy is about preparing for the vote. And one of the pillars of democracy is freedom of information. If you prevent journalists from doing their job, and you can prevent it in many ways: eliminating them, putting them in prison or preventing them from doing so by threats, by curtailing their freedoms, by preventing them from making a living. If this opportunity for journalists to act is lost, even in a country where there is ostensibly a free vote, that vote is no longer free, because people no longer have the knowledge to deliberate. This was a famous quote by a great president of the Republic of Italy, and I believe it is the basis of this wonderful report by my colleague Lord George FOULKES.

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you.

I call Lord Don TOUHIG.

Lord Don TOUHIG (United Kingdom, SOC): Madam President,

To live in a society where there is no questions asked and none are tolerated, is not to live in a democracy or know the blessings of freedom. The American Richard Feynman summed it up well when he said "I would rather have questions that can't be answered, than answers that cannot be questioned".

Freedom of the press ensures that we can question. That our society is free, that people are informed. And we must always fight to defend a free press, recognizing its vital part in all democracy. Threats to media freedom and safety of journalists lead, not only to uninformed citizens and oppression. Such threats create instability and undermine the proper functioning of a democratic society.

But hear a word of caution from someone who spent 27 years working in newspapers and publishing. Damage is done to the very fabric of our society when standards of Journalism are poor, when facts are skated over and simple straight reporting of news is mixed together with comment bias and prejudiced opinion. Standards may fall due to fear and intimidation, as outlined in this report. But there has also been a trend of falling standards of journalism beyond this.

As a former editor, how many times have I recited the universal editors' prayer "God save me from the work of sloppy, lazy journalists"? Colleagues, the one guiding principle of all journalists should be summed up in one word: truth. The objective is the pursuit of truth. This report points us in the direction of building networks to maintain dialogue and share expertise in order to improve media freedom across Europe. However, I believe our ambition should be even greater. It should be to ensure that the highest standards are seen and maintained across our continent.

We must always strive for the highest standards of journalism, news reporting, thoroughly researched and properly executed. With high journalistic standards come the shortest defence and protection of democracy in a free society. I congratulate my friend Lord George FOULKES on this report. This report makes an important contribution to defending our free press, and a free press means a free Europe.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you.

I call Mr Dimitri HOUBRON.

Mr Dimitri HOUBRON (France, ALDE): Thank you, Madam President.

First of all, I would like to pay tribute to the rapporteur's valuable work, which reminds us, finally, that a few thousand kilometres from here, our journalists risk their lives to inform our fellow citizens.

We are all aware of the risks inherent in being a journalist, both when attacking autocratic states or particularly dangerous small groups. It was important, I think, in your report to list and illustrate the facts that journalists were able to learn from 2017 to 2019. What has attracted my attention, in particular, is the ploy of some States to amend their criminal legislation by making it more flexible, more vague, less precise, and thus facilitate infringements of fundamental freedoms, particularly freedom of the press.

In the final analysis, this is not only an infringement of freedom of the press but also an infringement of the principle of legality in Article 7 of our Convention, as the *Del Río Prada v. Spain* case-law pointed out, conditions are required: predictability, accessibility and quality, i.e. clarity of legal concepts.

So how, today, can a journalist be easily labelled a terrorist or a troublemaker? Simply by lightening the legal definitions of these terms, by getting rid of their guardrails. Concretely, today, a press article against a government policy could lead to this journalist being classified as a "terrorist".

My question is therefore quite simple, Mr Rapporteur: do you share this fear? Do you share this fear that the relaxation of the laws of the various States, with more and more exceptions, more and more repressive laws, will make the rights of the defence much more difficult and trivialize the courts of exception?

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): *Merci.*

The next speaker, Mr Theodoros ROUSOPOULOS.

Mr Theodoros ROUSOPOULOS (Greece, EPP/CD)*: Μετάφραση στα Αγγλικά

Thank you very much, Madam Speaker.

Ladies and gentlemen, the problem is an old one and one has to look at it historically before it can be understood in its entirety today.

About half a century ago, French director François Truffaut made an excellent film entitled "Fahrenheit 451". Fahrenheit 451 is the degree to which paper burns. So it presented a dystopian society, sometime in the future, where guards of an authoritarian regime invaded the homes of people who wanted to express their opinion freely and burn their books.

Frederick William of Prussia had found the solution. He had said that only two newspapers would be published in his home country: one would publish his own decrees and the other would publish the books that he would recommend to his subjects to read.

Much earlier, Sophocles's Antigone had said that no one likes him, who brings bad news. From there we derive the phrase "don't kill the messenger", which has reached our days.

There is of course much later that Latin saying, "rex non potest peccare", that is, "the King can do no wrong".

And here we come to Lord George FOULKES' report. If the king, that is, the political power in a state, can make a mistake. And it shows us very clearly, with a great deal of in-depth research that yes, mistakes can still be made today which are at the expense of democracy, human dignity and freedom of expression.

Edmund Berk in the 18th century introduced the term of journalism as a fourth power. In Britain in the mid-17th century modern parliamentary democracy was invented, and modern journalism was also invented. And this kind of journalism went through a lot of suffering. Journalists were imprisoned and were constantly mocked.

My career began with journalism which I served for twenty years and then started my career into politics. There are member states of the Council of Europe that have emerged as negative champions in this report by Lord Foulkes. I will briefly mention only my neighboring country Turkey, not for other reasons you might speculate on, but because it holds detained the largest number of journalists, as the report states. In fact, in 1996 I was honored for my work as a journalist by the Turkish Journalists' Union. So I am sorry that this neighbor and friend country has reached this point. I am, of course, also sorry for the other countries mentioned in Lord George FOULKES' report.

Lord George FOULKES in his report corrects an old mistake made by Lord Mansfield, when he banned the courts from having jurors judge the journalists because he wanted the power to denounce the journalists and convict them. So I congratulate him on his work and say that we will certainly vote on his report.

Thank you very much.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you.

I call next Ms Sevinj FATALIYEVA.

Ms Sevinj FATALIYEVA (Azerbaijan, EC/DA): Ladies and gentlemen let me first start by thanking the rapporteur Lord George FOULKES for initiating this kind of discussion.

Nowadays the role of media is tremendous, but what is free media? I think it is a resource that not only criticises mistakes and prevents allegiances but also nurtures the development of ideas, the development of society.

Throughout its history mankind has achieved the fastest progress precisely when there was a free discussion, when ideas were checked and disputed. Let me remind you the words of Nelson Mandela who said "the media is a mirror in which we can see ourselves as others perceive us, with all our flaws and shortcomings in the like". Such criticism should contribute to our development. So how it draws attention to those of our actions and inactions wanted, do not correspond to what people expect from us. That's why we shouldn't underestimate the role of media freedom.

My country, Azerbaijan, is rapidly carrying out reforms in different areas. Social, economical, judicial, management and other spheres. The purpose is to provide future development of the country, of society. For this purpose the president of the country always calls on media representatives as well as all the citizens to actively participate in social control processes in order to provide transparency in all these spheres.

Ladies and gentlemen, modern journalism is closely connected with social networks, social media, and every citizen becomes an information carrier. It brings to the growth of the number of bloggers. But of course blogging is not professional journalism but nevertheless the activities of bloggers play an important role in forming social opinions and influencing the people's minds. Here we shouldn't forget about the fact that if the state provides freedom of media, freedom of expression, media representatives whether they're professional journalists or just bloggers should be objective in their positions avoiding provocation. It doesn't matter which profession a person belongs to whether it is a journalist, a blogger, a redactor or anyone else. The law is equal for everyone. Everyone must act in accordance with laws and rules. It's unacceptable when certain criminals are using the journalist profession as a protection and as an attempt to manipulate.

I consider this report as a good reminder for all member states, for all of us, that everyone has its own obligations. States must create an atmosphere where they can provide freedom of media, freedom of expression. And journalists, on the other side, must realise their responsibilities and shouldn't forget that they have to be objective and have to follow the rules and laws which are equal for everyone.

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you.

I call next Mr Carlos Alberto GONÇALVES.

Mr Carlos Alberto GONÇALVES (Portugal, EPP/CD): Madam President,

Dear colleagues,

Freedom of expression is a fundamental pillar of democracy, but unfortunately the ever-growing populism on our continent is calling into question the freedom of the media and the safety of journalists, who must be able to exercise their profession in an environment free from any risk of violence and be able to defend the right to freedom of expression.

Threats to journalists continue to increase and the various reports and studies published by various international organisations, unfortunately, bear witness to this. There are even studies which suggest that freedom of expression in Europe is at its lowest level since the turn of the century.

Ladies and gentlemen, press pluralism is under threat and our democratic models are also under threat. So there has to be a start, there has to be a general awareness. The member states of the Council of Europe and our Parliamentary Assembly need a boost.

For that to happen, action must be taken. And this report is, in my opinion, very important. It takes stock of the situation, I would sometimes say a sad state of affairs, but it also proposes a course of action, a line of action to respond effectively to this problem, which tarnishes the image of our continent, which tarnishes the image of our countries and which has serious consequences for our societies and our democracies.

We must therefore encourage all Council of Europe member states, including my country, Portugal. They need to take real action to improve the safety of journalists. I would therefore like to congratulate Lord FOULKES on drawing up this report, a report that I consider courageous and which I invite you to support. We in the Council of Europe must continue our efforts to defend freedom and the media. These days, press pluralism is finding it hard to resist this new digital age, certain power logics and economic interests. As the report states, the current environment is not favourable to journalists and freedom of expression.

The role of this House is to ensure respect for human rights and the development of democracy. This report, Lord FOULKES, is a good example, a very good example.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Merci.

I call Ms Christiana EROTOKRITOU.

Ms Christiana EROTOKRITOU (Cyprus, SOC): Madam President, dear colleagues,

I would like to congratulate Lord George FOULKES for his comprehensive work, highlighting threats to journalists and media freedom in general. We all agree that at the heart of true democracy lies an independent and pluralistic media. Freedom of speech is one of the most fundamental values of humankind. Journalists' right to work under safe conditions without harassment, intimidation or violence has long been acknowledged by international and regional organisations, namely the UN, the EU, the Council of Europe, the OSCE, and is a core principle of the European Convention on Human Rights. That is why it is so alarming that member states of the Council of Europe are found to be leaders on a worldwide scale of the stifling of the press, an alarming component of an autocratic, undemocratic state.

As stipulated in the draft resolution, the country with the highest number of imprisoned journalists in Europe and ranking second after China on a worldwide scale is Turkey. Opposition newspapers and news sites in Turkey have been persecuted and shut down. Hundreds of Turkish journalists are in exile, hundreds are in prisons for years awaiting trial, no one knows how many have self-censored for fear for their and their families' lives. Turkey, unfortunately, leads the world in imprisoned journalists and continues to arrest anyone who voices opposition to the government. Those who are not bullied into submission have found themselves being owned by pro-government organisations. Just to give an example, in March 2018, Turkey's largest media group, Doğan media company, which includes the Hürriyet newspaper as well as CNN Türk, have passed over to the pro-government Demirören Holding.

In March 2019, Amnesty International characterised Turkey as the world's largest prison for journalists. Nazlı Ilıcak a 75-year-old lady journalist was imprisoned on a life sentence on the accusation of terrorism, was later released only to be arrested again in November 2019. Pinar Gayip is on trial being accused of being a member of a terrorist organisation for writing about the brutal way police broke up a weekly video of a group of women protesting and demanding accountability for the disappearance of their family members.

Journalists of Cumhuriyet newspaper, despite winning their appeal against a conviction for terrorism, however, went on to hear that their sentence was upheld. The above are just a handful of the hundreds, if not thousands, of examples that occur in Turkey, which constitute a grave violation, in any sense, of the rule of law, of freedom of expression, of any basic human right.

Dear colleagues, the Council of Europe has repeatedly noted that protecting the safety of journalists is imperative. It is an obligation that every state must uphold without pretexts or excuses. If the state fails to uphold this basic and fundamental principle, it must be held accountable for denying this profound human right.

Dear colleagues, I fully agree with this resolution before us today. The question however still remains: what happens if a state continuously fails to meet its obligations?

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you.

I call next Ms Nicole TRISSE.

Ms Nicole TRISSE (France, ALDE): Thank you, Madam President.

Often rightly referred to as the "fourth estate", the media and journalists play an essential role in informing citizens in our modern democracies. Free, independent and pluralistic media are a necessary condition for the State.

Unfortunately, as our colleague Lord FOULKES — whom I thank — has reported, never before has the freedom of the press and the independence and integrity of journalists been so threatened on our continent.

Between April 2015 and the end of November 2019, the Council of Europe Platform to Enhance the Protection and Safety of Journalists recorded no less than 26 murders, 109 questionable detentions and 638 serious violations against press freedom in the 47 member states. Added to this, of course, are more insidious challenges to the independence of the media, through capital concentrations, intimidating procedures and even the misuse of laws intended to apply to very specific situations such as terrorism.

To illustrate these phenomena, we all have emblematic cases in mind, such as the murder of Mrs GALIZIA in Malta, the murder of the journalist KUCIAK in the Slovak Republic, but also the closure of 150 media outlets in Turkey in the months following the failed coup d'état in 2016, and the adoption of the Russian law on false information and lack of respect for the state, the authorities and society.

However — and this, I believe, is the strength and fundamental significance of Lord FOULKES' report — no member state of the Council of Europe is beyond reproach in this area.

Believe me, as a French Member of Parliament, I particularly regret that the "yellow jackets" demonstrations in 2018 and 2019 led to insults and serious physical threats against journalists covering the events. Nor am I proud of the behaviour towards the press of an eminent opposition politician in my country — I am going to quote Mr Jean-Luc Mélenchon — in line with his attitude towards the police and the judiciary.

All these examples, and even more so, all the serious violations exhaustively identified by our Rapporteur, must be of concern to us here in Strasbourg and in our respective parliaments. Lord FOULKES proposes ways of improving the functioning of the Council of Europe platform, to enhance the protection and safety of journalists and we can only agree with him. I, for my part, shall vote in favour of the draft resolution and draft recommendation defended by the Committee on Culture, Science and Education.

However, I believe that we must also believe in the commitment of our societies to the principles of transparency and information. Fortunately, the murders of Mrs GALIZIA and Mr KUCIAK led, through the indignation they caused, to important political changes in Malta and Slovakia, while the investigations were finally successful. This should, in my view, encourage all those who would be tempted to act against media freedom and the safety of journalists to think twice about this in the future.

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): *Merci.*

I call next Mr Momodou Malcolm JALLOW.

Mr Momodou Malcolm JALLOW (Sweden, UEL): Thank you very much Madam President.

This debate is about freedom of expression and what this Assembly must do to promote the protection of journalists and guarantee the safety of journalists against the backdrop of increased repression of journalists and media houses, not only in Europe but around the world.

Over the last decade we have seen an increase both in gravity and number in the manifestations of repressive measures against journalists and media houses sometimes being called enemies of the people. This is done by members of parliament, this is done by people in high offices. Why is it that when the winds of opinion polls are going our own way we are very happy and we love the media more than we love our own mothers. But the moment they start to investigate if one of us has money in the Cayman Islands or we have, you know, turned up in the Panama Papers, then they are the enemies of the state. We have a responsibility to maintain, to make sure that there is freedom of media in every democracy. That is our role as elected individuals.

Madam president, we have seen an unprecedented increase in threats, harassment, repressive policies and administrative restrictions. We have seen journalists imprisoned, physically attacked and in some cases killed simply in their pursuit for truth.

Madam President, as members of parliament we owe it to ourselves to welcome diversity of thought and free media because freedom of expression is an essential condition for any free and democratic society. It is the bedrock of any democratic dispensation.

The media, Madam President, is the ground on which we stand and it keeps us in balance, it keeps us stable and it gives us a sense of direction.

I share the rapporteurs concern Madam President. It is unacceptable that in the Europe of human rights, journalists are physically attacked, arbitrarily imprisoned and even murdered with impunity. We must effectively create the necessary conditions to guarantee the safety of all journalists and create an environment conducive to the freedom of the media and prevent the use of arbitrary laws to undermine the freedom of media.

Madam President, without free media there is no democracy. This is why I fully support the recommendation in the draft resolution. The Council of Europe is a platform to be used to promote the protection of journalists and the safety of journalism.

Finally, without freedom of expression there is no democracy.

Thank you so much.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you. I call Ms Thorhildur Sunna ÆVARSDÓTTIR.

Ms Thorhildur Sunna ÆVARSDÓTTIR (Iceland, SOC): Thank you, Madame Chair,

Let me begin by thanking the rapporteur for his excellent report. I believe it is a great contribution to the already vast work of this Assembly when it comes to the protection of freedom of expression. And to name just a few that have gone through my Committee during my previous chairmanship of the Legal Affairs Committee, I would of course mention the report on Daphne CARUANA GALIZIA's murder, but also our report on the protection of whistle-blowers all over Europe. Because let's not forget that they are vital, to the work of journalists but also in the public interest and to the right of the people to know.

Because, we must not forget, freedom of expression has so many manifestations that are so important for our democracies. This is why in circulating this important right from all aspects is so important. And I would like to agree with Ms Nicole TRISSE and say that no country is really innocent when it comes to threatening journalists or restricting the way that they work. I think the temptation is usually quite high once you're in power and a journalist points out, indeed, if you are in the Panama papers, like three of our ministers in Iceland were, and if you've had dubious financial dealings right before the financial crisis in Iceland in 2008.

This is something that happened before the last election. We had a media outlet in Iceland who was slapped with an injunction, two weeks before the general election in Iceland, because it was covering the financial aspects and the financial dealings of our then prime minister, our current financial minister. This injunction lasted a whole year before the court quashed it and said that this injunction was actually liable to have had an impact on the result of the election, because people did not get the right to know about the dubious financial dealings of our current financial minister.

So, it is just a small example, that even in the country of Iceland, which many of my colleagues, I feel, often like to dismiss as a country that never has any problems when it comes to corruption, or inequality, or whatever the case may be. Sometimes I feel like we might be some the fairyland where equality fairies dance around and everybody's very happy. But I tell you that this is not the case. Everywhere, in every democracy in the Council of Europe, we must be vigilant to protect these very important freedoms.

Now, the status of course and many other countries is worse. That doesn't mean that we shouldn't do better and I think all of us need to come together and really strive towards excellence when it comes to protecting the freedom of expression and in particular, of course, protecting our journalists and protecting our whistle-blowers. Because, without them, indeed, we have no democracy.

Thank you.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you. I call Ms Naira ZOHRABYAN.

Ms Naira ZOHRABYAN (Armenia, EC/DA): Dear colleagues, as a former journalist, I am particularly sensitive to any discussion about media freedom and the safety of journalists. Article 10 of the European Convention on Human Rights clearly states that States have an immediate obligation to create a secure legal environment for the normal activities of journalists and media professionals.

However, the profession of journalist remains one of the most risky in Europe and in the world in general. Journalists continue to be killed, harassed and imprisoned for their work. Imprisonment of journalists because of false criminal cases, torture and murder, have become a worrying trend in Europe.

According to the Council of Europe's Platform for the Protection of Journalism and Safety of Journalists, 26 journalists have been killed in the last three years. And 109 journalists are still in jail right now.

The rapporteur mentions Turkey and Azerbaijan, which are in the vanguard of the pressure on freedom of expression and journalists. Fake criminal cases, which no one is surprised about anymore. Turkey can be considered a Guinness record holder for the number of imprisoned journalists, and the country continues to imprison journalists for years on false criminal charges, blocking hundreds of media outlets.

Ladies and gentlemen, I think it is very important that Lord FOULKES also addressed the issue of hate speech, violence and hostility spread via social networks. Believe me, hate speech is a serious challenge to democracy in Europe and it is also a serious problem in my country, Armenia. Hate speech has created a very dangerous division in society and that division continues to grow. Social networks have become a war front, where all possible weapons of hatred, enmity and mass destruction are now being used. We have to stop this. We have to stop this as soon as possible.

I am chairperson of the Standing Committee on Human Rights and Public Affairs of the Parliament of Armenia and, recently, a working group was set up in our committee to prepare a legislative initiative, in order to limit hate speech by law. But this initiative will not have a negative impact on freedom of expression. To tell you the truth, I don't know myself if we're going to make it. If we are successful, I will share that experience with this Assembly.

One thing is clear, no country has the right to talk about democracy and at the same time have a society divided by hatred and hostility.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): *Merci.*

I call Mr Tommy SHEPPARD.

Mr Tommy SHEPPARD (United Kingdom, NR): Thank you, Madam President.

May I begin by congratulating and commending my friend and colleague Lord George FOULKES for a superlative report and say how much I agree with its recommendations. In particular, I agree with the central tenet running through this report, which is that a free press is an essential pillar for the functioning of a proper democratic system.

I think there are three main roles that our free press has to play. The first is the provision of unbiased, impartial information, so that citizens can make informed choices and decisions. Without that, their Democratic rights are compromised. The second is the role of scrutiny, both of government and of private corporations. Shining a light into the darker recesses where people who control our lives inhabit and make sure that they are subject to public accountability. The third component is to provide a platform for critical discourse and for a plurality of opinions that can be exercised and that can reach other people.

Now, I sometimes feel when we discuss this in our communities that there is a sense of European exceptionalism to this debate. We tend to think that attacks on the press are something that happens in totalitarian regimes and faraway places. But, as this report makes clear, this is a very real problem right here, right now, in the European family.

I think we need to support this report and redouble our recommendations with member states to try and take action, to guard against the manifest problems that have been documented in this report. I want to say something about public service broadcasting, because Lord George FOULKES mentioned the role of the BBC. Let me tell you, in the UK, and in my country, in Scotland in particular, the BBC has many critics. There are people who complain that it does not adequately reflect their political opinions or aspirations. But the

difference is this. The BBC operates within a statutory framework. It has a legal obligation to represent the diversity of opinion and people that it serves. Therefore, if someone does not feel that is happening, they have redress, they have accountability.

If we end the public service obligation, if we privatise broadcasters like this, then we will remove the ability of people to seek that redress. I also wanted to ask Mr Bruno FUCHS if he would comment on the concept of ownership of the media. Because most of our media, of course, is in private commercial hands. Whilst that may be acceptable, it would be wrong if some wealthy people use that power in order to prosecute their own opinions or their own economic or political interests. So we need regulation to guard against that.

Finally, Madam President, may I say that probably all of us in this room have, at one time or another, been on the receiving end of a free media. And we have had ourselves in the press in a way that has made us feel uneasy, perhaps embarrassed. I have to say to you that we should have thicker skins than that, because that embarrassment is a very small price to pay for a free media in a free democracy.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Thank you. I call Mr Claude CARIGNAN.

Mr Claude CARIGNAN (Canada): Thank you, Madam President.

Fellow parliamentarians,

I am pleased to say a few words today about freedom of the press.

Here, as elsewhere in the world, the work of journalists is essential for a strong and healthy democracy.

Drifting occurs continuously. Unfortunately, sometimes the press is muzzled or even manipulated and misused. Worse still, journalists are intimidated, harassed or even murdered. Journalists and the media are one of the bulwarks of modern democracies; they are an essential counter-power that promotes transparency and accountability of leaders. We must therefore do everything we can to protect the work of journalists, including protecting the source of information. The Right to Information is an essential corollary to Freedom of Expression. Without these sources, the investigative work of these journalists is futile.

In Canada, we have had situations where police organizations have spied on journalists in various ways to trace their sources. As you will understand, when these cases came to light in 2016, there was a commotion. Yet freedom of the press in Canada is a value protected in our Constitution, in our Charter of Rights and Freedoms, which is why I initiated and passed through the Canadian Parliament Bill s231 to strengthen the protection of journalistic sources. In 2017, this bill received the unanimous support of the Parliament of Canada and is now in force.

As parliamentarians we are the voice of the people, as parliamentarians we are the acting arm of the people. We have the ultimate responsibility to be accountable to the public. Elections are certainly powerful tests of accountability, but we also have this responsibility on a daily basis, and in this sense journalistic work is a unique and indispensable safeguard.

We have a duty to protect and promote a strong and free press. States must bear in mind that freedom of expression is not limited to the obligation not to restrict the expression of citizens.

They must also foster freedom of expression, promote the right to information and protect the space in which journalists work. These measures include a prompt response to threats against journalists, proper investigation of crimes against journalists, but also measures to protect confidential sources from undue pressure or threats.

Thank you for your attention.

Ms Inese LĪBIŅA-EGNERE (Latvia, EPP/CD, President of the Assembly): Merci. I call Ms Tatevik HAYRAPETYAN.

Ms Tatevik HAYRAPETYAN (Armenia, EPP/CD): Dear chairperson, ladies and gentlemen,

First of all, let me thank the rapporteur for the great job on the detailed report.

Actually, "Journalism can never be silent: this is its greatest virtue and its greatest fault. It must speak, and speak immediately, while the echoes of wonder, the claims of triumphs and the signs of horror are still in the air." These words belong to Henry Anatole Grunwald who was an American journalist and diplomats. Yes, journalism is about speaking of the truth. However, unfortunately, nowadays, in many countries even in Council of Europe space, journalists who dare to speak the truth have to face life threats, get arrested, harassed, and the horrible case of Daphne Galizia is a vivid example of that, and this report perfectly reflects that reality.

I would like to mention that Freedom House, which releases an annual report ranking countries based on Freedom on the Net, has ranked recently Armenia in the eighth place, and the report says that, in Armenia, positive changes unleashed by the 2018 Velvet Revolution continued with reformist prime minister Nikol Pashinyan presiding over a reduction in restrictions on content and violations of users' rights. In particular, violence against online journalists declined and the digital news media enjoyed greater freedom from economic and political pressures.

I think the example of Armenia's current PM, Nikol Pashinyan, when the outspoken criticising journalist and opposition politician became the leader of revolution and the head of the country obviously shows how important the reality-changing journalism can be. However, we face serious problems with journalism in our neighbouring countries, particularly in Azerbaijan and Turkey, where the situation with the media is a topic of serious concern, which is also mentioned in the following report.

In Azerbaijan, the cases of Khadija Ismayilova, Afgan Mukhtarli, Mehman Huseynov obviously show how a ruling family reacts to criticising journalists and how dangerous it is to bring up questions and conduct investigations showing the corrupted reality of Azerbaijan.

Of course, we can't be silent and in the infrared towards these cases. From one side, we deal with the human rights issue, from the other side with freedom of speech. I hope, as PACE members, we should do the most possible to be the guarantors of media freedom. We should be watchdogs towards member countries and take respective measures to prevent persecution against journalists.

So either we speak up today and do our best to put a stop to the trend against media freedom or we will have to face the repetition of such terrible cases in the future. We have already chosen the first path and we need to be committed to this.

Thank you.

Mr Oleksandr MERZHYNSKYI (Ukraine, SOC, President of the Assembly): I call Mr Rafael HUSEYNOV.

Mr Rafael HUSEYNOV (Azerbaijan, ALDE): Thank you Chair.

Dear colleagues, all societies without exception require the press and journalists.

Distinctions in the requirements for the press and the journalists like it or not have led to the emergence of different press and journalism. Today, along with high-quality press and journalism, which serve the freedom of speech and truth, there exists also controlled press and journalism, which serve specific interests thus presenting the truth not as it is but just the way they want. It is well known that even the largest and most influential media and journalists can influence large global companies with unlimited financial resources and connections. In my opinion, this factor should be considered as one of the first threats to the press and journalism. At least theoretically, it seems possible to deal with the threats posed by individual media and journalists, and solve them in any way.

Nevertheless, in Europe and the world it is complicated to succeed with powerful multinational companies that have a direct and significant impact on the regulation of economy and politics. And most frequently, great powers and big politicians stand behind them. The famous aphorism of the great Russian writer Fyodor Dostoevsky is usually quoted in the first half: "Beauty will save the world." However, the idea of Dostoevsky says: "Beauty will save the world, but money will destroy it." This is almost the same situation. Press and journalism is a beauty whose mission is to save the world from many ills. Nonetheless, in our eyes, money can turn this beauty into a humble servant.

Nevertheless, there is another important source of threat to the press and journalism in Europe and around the world, which, I think, is now possible both to combat and succeed something. This is a social network, a type of information exchange, mass media and journalism generated by new era. Social networks are such a free space that each or a group of people, regardless of their level of professionalism and knowledge, can act

as a separate television channel, news agency, website, journalist, reporter. While talented people have many chances to prove themselves in such extreme freedom of expression, it is equally easy to track various adventures and provocations.

Therefore, control mechanisms that prevent this vast space and energy from becoming a nightmare or a serious threat should work. The distinction between freedom and uncontrollability in a social network and the strict control over this can protect both the press and journalism from many threats.

Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Mr José CEPEDA.

Mr José CEPEDA (Spain, SOC)*: Thank you very much, Mister President.

The first thing that I would like to do is to thank this very detailed work by Lord George FOULKES. This time he is addressing the important subject of the work of journalists, and, as he has done already in his excellent report, I want to make an appeal on behalf of journalism. Because everything is changing, and when we talk about journalism, we are talking about very committed and determined professionals who have a quest to search for the truth and find themselves confronted with a mass of disinformation. And we find ourselves swept up in an avalanche of information often by anonymous authors. And, in that climate, then I believe that journalism is something that is well worth safeguarding and preserving. Not only using the platform, but, as our rapporteur has said, seeking to go further in our legislative work in our home countries.

Now, it may well be that a number of members in this chamber feel a little bit uncomfortable because their countries are mentioned in this report. My own country, Spain, is mentioned. But Lord George FOULKES has made the point, in the examples he has given in the respect of Spain, that there are a handful of individuals who are pushing for Catalan independence, but are prepared to use violence. And when you see them in Barcelona, when you see them attacking journalists who are trying to do their best to allow information to circulate freely, and it may well be that some of those feel that some of the information makes them uncomfortable.

That's precisely why we should be protecting our journalists. Of course you've got a situation whereby you have to change algorithms and your social structures. We have seen the situation in Cambridge Analytica, for example, when you have engineers and not journalists who create these echo chambers in a bid to hack our democracies. Now, I teach at the Carlos III University in Madrid, and I also say to my students that Kapuscinski said that there is no point being cynical in the 21st century. Rather we have to work as politicians to avoid cynicism and defend freedom on behalf of those engaged in the profession of journalism.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Ms Susana SUMELZO.

Ms Susana SUMELZO (Spain, SOC)*: Good afternoon.

We, as citizens, are entitled to truthful information. That is why the report we are debating this afternoon is so very important. That right to information is a guarantee for democracy. It is information that guarantees plurality, as well as democratic coexistence. If we do not have a right to information, without free, independent and pluralistic media, there can be no such thing as a real democracy.

We in Spain are fully committed to the freedom of the press, as well as the fight against disinformation. For that to be the case, we have to make sure that any measure that curtail free access to information are struck down. We have to have a strategy to fight against disinformation and fake news, which is ever more prevalent. We are seeing the spread of fake news in a dangerous fashion, which undermines journalism as well as the confidence of ordinary people in their press. Taken together, they constitute a threat to democracy.

Journalism, of course, must be scrupulously based on freedom of expression and information. The mass media have to be on board. They have to improve the working conditions for journalists as well as their wages. We, in the Council of Europe, have to make an effort in that direction. We have to support public broadcasters so they can act as a wall against fake news.

In Spain, in Aragon, we have a public channel, Aragon Television, which has a broadcast which is there to try and dispel any of the false stories doing the rounds. It is the journalists that are on the front-line trying to fight against fake news. We have a special section which is designed to counter all of the fake news out there directed against women and feminism generally. That is why we need a Europe-wide strategy against fake news.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Mr Martin HEBNER.

Mr Martin HEBNER (Germany, EC/DA): The attack on free journalism, ladies and gentlemen, we all agree that it is an attack on freedom of expression and, therefore, an attack on democracy, no doubt about that. The attacks are often less physical these days, instead, such attacks are often much more subtle.

Journalists follow the given spectrum of opinion, because opinions are persecuted. Exactly as it is also shown in the report, under point six, we have heard about legislations being enacted to clamp down on them. For example, in Germany; individuals like Steinhöfel, Stürzenberger or Rehberger are covered with expensive lawsuits. The reason for this are inappropriate reports. And the increasing erosion of the freedom of opinion also exists in our case, indeed in Western Europe, even in Germany.

Critical reports on, for example, crime and migration, EU centralism and the loss of democracy are more and more so subject of attacks. A clear difference of opinion, and I have also seen this in this discussion here, will definitely exist on the question of the treatment of public broadcasting corporations, because here it must be stated quite clearly that these have successively become, shall we say, propaganda channels in the case of the dissemination of opinion, of governments or very left-wing views. Journalists will be dismissed if they do not move within this corridor of opinion or meet people who do not represent this corridor of opinion.

And we also have initiatives, that we can already see now, which are related for instance to the question of climate change. Questions are being asked whether it is a man-made caused disaster. There have been critical assessments made with regard to this so called human tragedy. Let's remember what happened to Galileo, who at some point had to renounce the idea that the earth revolves around the sun. In France, we have the case of Mr Renouard, who was sentenced to two months in prison for saying, "immigration in Europe represents an invasion". Now when I hear things like that, ladies and gentlemen, I would like to ask you just where is freedom of expression, where is the democracy? In this case, the issue is clearly one of action.

Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Mr Jacques LE NAY.

Mr Jacques LE NAY (France, ALDE): Mr Speaker,

Ladies and gentlemen,

Populism is unfortunately back in Europe. The attacks on journalists illustrate the mistrust of democracy. The report before us today shows that no state is spared.

At the beginning of the month in France, we were commemorating the fifth anniversary of the attack that decimated part of the *Charlie Hebdo* newspaper team. Journalists in Greece are regularly targeted by far-right activists. In other states, it is the public authorities who attack journalists. Indeed, some governments tend to want to silence the press when it denounces their misdeeds. If we want to protect the press, we must ensure that every Member State of our Organization has an independent judiciary. To this end, GRECO's recommendations must be followed up in order to combat corruption among judges. Furthermore, the recommendations of the Venice Commission must be implemented in order to cut the institutional cord between the judiciary and the executive.

Today, Russian parliamentarians are once again sitting in our Assembly and I welcome that. But it is now time to show that this return is not in vain and that the Russian Federation wishes to strengthen the rule of law on its territory. It starts with improving the lot of journalists.

Furthermore, we often denounce arbitrary arrests and other pressures exerted by state authorities on journalists and forget about the pressures exerted within civil society.

In response, the Council of Europe has set up a digital platform for journalists to report attacks on them. This tool thus makes it possible to monitor the situation in the different member states of our organisation. Above all, it allows measures to be taken to prevent a deterioration of the situation or to protect journalists in danger.

I therefore support the draft recommendation before us, which calls on the Committee of Ministers to encourage member states to react to alerts issued on their territory.

Ladies and gentlemen, as parliamentarians, it is also up to us to work within our national parliaments to guarantee journalists the necessary safety. Indeed, legislative provisions can strengthen the protection of sources, the independence of journalists and pluralism. No democracy is immune. We must therefore remain vigilant.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Ms Annicka ENGBLOM.

Ms Annicka ENGBLOM (Sweden, EPP/CD): I would like to start by tuning into the tribute choir addressed to Lord FOULKES for this excellent and very important report.

Not so long ago, our press identification cards served as a mean of protection for the journalists. Journalists were considered neutral, and as such, protected by their mere profession. But over the last years, however, things have taken a less predictable turn as a perfect storm of technological progress, extremism, organised crime and political regress has exponentially increased the number of journalists exposed to danger.

The seriousness of the situation requires a decisive corporate mind shift. News organisations must set competition and commercial rivalries aside around the common goal of media safety. This means having the willingness and the courage to share real-time actionable safety intelligence as well as mistakes and best practices. It is the only way of identifying each other's blind spots, which is also highly applicable for the collaboration between our member states, governments, police forces and also intelligence services, so excellently highlighted in this report we're debating.

Mr President, looking ahead a bit, one of the aspects that I lifted as a report was discussed for the first time in the Committee and which is now included in the report, was a special attention that needs to be paid to the safety media freedom of the freelancing journalists - and they are increasing in numbers - as they are, in general, not included under the protection and insurance systems to the same extent as employed journalists. For instance, within public service.

Another thing that I put up was the intelligent service. Now, I'm fully aware that not all intelligence services among our member states are willing to work together but those who can, and those I meant, this is immensely important.

I would also like to put attention to the International News Safety Institute, abbreviated INSI, of which, for instance, the BBC or Swedish public service are members. They, for each year, give out a report called Killing the Messenger, an annual report of journalist casualties. And the number from 2018-2019 rose from 66 to 73. One of the things noted is that the journalists were killed in other places, such as in Europe, and not only in conflict and war zones.

So never has the need to stand together on this issue been greater than today. Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Ms Shpresa HADRI.

Ms Shpresa HADRI (North Macedonia, SOC): Dear Colleagues,

I am glad that the report notes the good progress made in the media environment in the Republic of North Macedonia since 2018.

Amendments to the Law on Audio and Audiovisual Media Services that were adopted in December 2018 and entered into force in January 2019 improved the independence, transparency, efficiency and accountability of the audio and audiovisual media services.

The content and substance of the proposed amendments integrated the recommendations of the journalists and media organisations, and further incorporated the key recommendations of the Council of Europe and OSCE, on reducing political influence over the media and public service and the media regulator.

The amendments included provisions designed to strengthen the diversity of representation in various media regulatory bodies, and to ensure that the interests of different ethnic groups are taken into consideration. The law regulates the work and financing of the Agency for Audio and Audiovisual Media Services, the Council of the Agency for Audio and Audiovisual Media Services, the measures in case of violations of regulations, special prohibitions, the obligations of broadcasters, the ban on government advertising, as well as a number of other issues that ensure the independence and professionalism of public broadcasting service National Radio Television.

It should also be underlined that the largest number of reported cases of physical and verbal threats against journalists have been cleared and closed, and that misdemeanour charges have been filed against the perpetrators.

In brief, the climate towards journalists has improved. There has been a decrease in pressure on journalists with an improved political climate. The audiovisual media supervision has also improved. There was better election coverage by the public broadcaster, and there is a discontinuation of government paid commercials for private TV stations. There are also improvements in Macedonian journalist's labour rights and decrease of hate speech and ethical violations in the media.

Political pluralism in the media and the prevention of hate speech in the media are now regulated by introducing the possibility for the Council of the Agency for Audio and Audiovisual Media Services, impartially and independently, to impose appropriate measures on anyone committing violations of legal provisions.

We abolished the possibility of the government being the dominant advertiser in the media, thereby eliminating the possibility of influencing the editorial policy of the private media.

The media play a key role in providing information that enables citizens to form their own views on social issues and actively engage in democratic processes. The Republic of North Macedonia is committed to promoting and supporting research journalism and increasing professionalism in journalism, as well as providing a stable and reliable system of financing the public broadcasting service as a main information system for providing accurate, timely and reliable information for citizens.

Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Mr Raivo TAMM.

I call Mr Ahmet Ünal ÇEVİKÖZ.

Mr Ahmet Ünal ÇEVİKÖZ (Turkey, SOC): Thank you, Mr President.

Honorable members of the Assembly,

The month of January is a month of mourning for all the democratic forces in Turkey who believe in the right to freedom of expression, as well as free, independent and pluralistic media. It is a month of mourning because 3 journalists in Turkey have been killed in January.

On January 24, 1993, Uğur Mumcu, a prominent investigative Journalist of the Newspaper Cumhuriyet, was murdered by a terrorist attack in Ankara.

On January 8, 1996, another journalist of the Newspaper Evrensel, was murdered in Istanbul, Metin Göktepe.

On January 19, 2007, Hrant Dink, another prominent writer and journalist of newspaper Agos was murdered in Istanbul.

Therefore, the fact that we are discussing the report on "Threats to media freedom and journalists" in our January session has a very important meaning for the public opinion in Turkey, and I would like to express my sincere appreciation to the rapporteur for the excellent report he has prepared for our consideration. The report refers to all the abuses of freedom of expression and rights of journalists in various member countries and all the recommendations in this report are very pertinent.

This report also comes at a time when we observe an increasing number of intimidation, harassment, and attacks against the safety and security of journalists. There are various forms of such intimidation. For example, labeling journalists as "terrorists" is one such method. In Turkey, such a method is frequently used. When there is talk about "detained journalists" in Turkey, the usual response you hear from the authorities is based on arguments that those people are not in prison because of their activities of journalism, but that they are charged with other criminal offenses.

It is therefore very appropriate that the report calls for ending the abuse of penal code and anti-terrorism laws to silence journalists.

In 2019, 33 journalists and media workers were sentenced to 63 years and 11 months of imprisonment in Turkey as part of their journalistic activities or for political reasons.

It is very important that the governments should act in full respect of the Council of Europe standards concerning the right to freedom of expression and here comes the necessity of reassuring the safety of journalists. We parliamentarians have a major responsibility in this context. The principles enshrined in the European Convention on Human Rights are our fundamental reference, and I have to underline that many court decisions fail to comply with the recommendations of the Venice Commission or with the decisions of the European Court on Human Rights.

I support the report as it is and I hope it will become a basic reference to correct all the wrongdoings in each and every member mentioned in it in due course.

Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Ms Martine WONNER.

Ms Martine WONNER (France, ALDE): Thank you, Mr. President,

"In the face of the rising tide of stupidity, it is necessary to say no sometimes. However, and as long as one knows the mechanism of information, it is easy to ensure the authenticity of a news item. This is what a free journalist must give his full attention to."

These are the words of Albert Camus, who we are commemorating this year on the 60th anniversary of his death. They are taken from a manifesto on journalism that he wrote in 1939, in a context where the European continent was experiencing changes, which proved, as we know, to have some tragic consequences.

Ladies and gentlemen, like Albert Camus, who, as early as 1939, advocated freedom of the press as a bulwark against the development of false news, we must, more than anywhere else, on our continent, where democracy was born, defend the freedom of the press. Our responsibility is to ensure that journalists will always be able to carry out their mission.

The report by our colleague Lord George FOULKES is striking: it mentions, on our continent, with regard to journalists, assassinations, physical and verbal attacks, assaults from non-state players, or threats by the authorities and misuse of legislation to hinder the work of journalists and the media. In the face of this, our Assembly must provide strong, but above all symbolic, responses: our unity, however different the cultures we represent or whatever our democratic practices, is fundamental.

Finally, I would like to welcome the initiative taken by the Council of Europe in creating "The Platform" in April 2015, whose main role is to issue alerts when media freedom is violated and the safety of journalists is threatened. I join my colleague in wishing for the strengthening of this mechanism, which enshrines what our Assembly is all about: mutual protection and collective vigilance for our societies to preserve our fundamental and individual freedoms, first and foremost, freedom of expression.

Ladies and gentlemen, you will have understood that, as a new decade opens, I am firmly convinced that voting on this resolution in this Assembly would not only be a reminder of our attachment to fundamental freedoms. Above all, it would trace the path that our continent has always followed, and always will: freedom.

Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Ms Sahiba GAFAROVA.

Ms Sahiba GAFAROVA (Azerbaijan, EC/DA): Thank you very much, Mr President.

Ladies and gentlemen, today we discuss a very important report. It is well known that the freedom of the media is one of the essential instruments of democracy. In other words, freedom of media also means freedom of speech.

In the report, in some of the speeches, my country was mentioned several times and that's why I'd like to give some other information about it. And by the way our colleagues from Armenia speaking about the situation with media in Azerbaijan I would like to remind them that Armenia was also mentioned in the report and situation with the media in Armenia is not so perfect how it was presented here.

Dear colleagues, Azerbaijan is a country with rich media traditions providing opportunities for media freedom. The democratic reforms implemented in Azerbaijan have contributed to strengthening the freedom of speech, increasing the power and prestige of the media. Freedom of media in Azerbaijan is guaranteed by a solid legal framework and these rights secure it in the country's Constitution. Various laws have been passed on media freedom, pluralism and information provision. The main purpose of the media policy of the state is the formation and development of a strong independent and objective media. The numerous decrees signed by the president of Azerbaijan - particularly the concept of state support to the development of mass media - and the Republic of Azerbaijan contribute to these goals. As a result of the favourable environment created today, hundreds of publication agencies are registered in the country with more than 4500 mass media outlets. Today, the mass media have a larger role in information about attitudes and interests in political preferences.

Dear colleagues, it is difficult to imagine the 21st century without the internet. Today, throughout the world, the internet is one of the most powerful tools. Getting information is probably the biggest advantage offered by the internet. In Azerbaijan, internet resources have been rapidly developing during the last decade. All state institutions have websites. There is not a problem using the Internet and currently more than 80 per cent of the country's population are internet users and the number of social network users in our country exceeds three million. The number of sites registered with .az domain exceeded 20.000, there are about 300 news and analytical websites and everybody can start a media activity by purchasing a domain. There is no limited place by governmental structures on receiving official information. Press departments of all the ministries and other state bodies are responsible for providing the community with official information.

All these reforms that Azerbaijan is committed to are its own democracy development goal, as well as the steps are being taken to promote the information of free independent and strong media. Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I have to announce the results of the elections held in the Assembly.

Election of a judge to the European Court of Human Rights in respect of France

Results:

Members voting: 252

Spoiled or blank ballots: 13

Votes cast: 239

Votes for absolute majority: 120

The votes were cast as follows:

Ms Carole Champalaune: 90

Mr Tristan Gervais de Lafond: 19

Mr Mattias Guyomar: 130

Mr Guyomar, having obtained an absolute majority of votes cast is elected judge of the European Court of Human Rights for a term of office of 9 years which shall commands as from 22 of June 2020.

And now election of a Vice President of the Assembly in respect of the Russian Federation

Results of the second round:

Number of representatives in the assembly: 321

Half the number of representatives: 161

Members voting: 252

Spoiled or blank ballots: 3

Votes cast: 249

Absolute majority of votes cast 125

Mr Piotr TOLSTOY: 132 in favor, 117 against

Mr Piotr TOLSTOY, having obtained an absolute majority of the votes cast with more than half the number of representatives haven't voted is elected vice president of the assembly in respect of the Russian Federation.

And now I call Mr George LOUCAIDES.

Mr George LOUCAIDES (Cyprus, UEL): Thank you Mr Chairperson.

Dear colleagues, I would also like to congratulate the reporter Lord George FOULKES for his report on an admittedly timely topic, as violent incidents and attacks on journalists are constantly on the rise. The most striking example is the matter of the Maltese journalist Daphne Caruana Galizia in 2017, who was leading the investigation on corruption charges in Malta and had made revelations in relation to the Panama Papers.

Another common example is the alarming developments in the case of Julian Assange. Instead of bringing to Justice those whom Assange has exposed as being responsible for the tortures in Guantanamo, Assange himself is being tried as is also the freedom of the press and journalistic rights. The likelihood of his extradition to the United States raises even greater concerns about the violation of his human rights as the UN Special Rapporteur on Torture pointed out during his intervention in a side event yesterday here at the PACE.

Of particular concern is also the situation in Turkey. Together with other countries mentioned in the report, Turkey is leading the way in restricting the freedom of press and in violation of journalistic rights within the wider context of the countries, mass violations, violations of PACE founding values and principles.

Turkish Cypriot newspaper Afrika, which is published in the Turkish occupied part of Cyprus, has also been a victim of president Erdogan who prompted far-right extremists to attack the newspaper premises when the newspaper drew a parallel of the Turkish invasion Afrin, Syria, with the invasion of Turkey in Cyprus.

Allow me to add one more parameter to the discussion. A portion of the media intrinsically linked to powerful establishments are keeping the right to freedom of expression of working journalists themselves precisely because of their dependence on political and economic interests.

Dear colleagues, freedom, pluralism and the independence of the media are indispensable. They are critical components of the right to freedom of expression bearing in mind that mass media play an essential role in the democratic process contributing towards informing citizens and promoting transparency and accountability. That's why we strongly support increased cooperation of states within the platform of the Council of Europe, promoting the protection of journalists as well as the amendment of the existing national legal framework and the adoption of new legislation to create an environment favourable to the representatives of the media.

Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Mr Koloman BRENNER.

Mr Koloman BRENNER (Hungary, NR): Thank you, Mr President, for the floor.

Firstly, I would like to congratulate my friend Lord FOULKES on this excellent report, and it is also a great honour for me personally, as a member of the Committee on Culture, Science and the Media, to be able to accompany this report from the very beginning.

Let me tell you why this report is particularly important in the 21st century, when we find ourselves in a period of new information dissemination and, especially, with the advent of the new Internet-based media: the problem of access to the right information has become a particularly sensitive issue for all of humanity.

It was with great regret that I had to note that my home country, Hungary, was also mentioned in this report, and let me say that, unfortunately, what has been said is absolutely true.

I would also like to use a few examples to show how excellently this report shows the most important threats to media freedom and to the safety of journalists, and -- if I may say so -- the case study supports Hungary.

Firstly, a major threat is the economic and administrative pressure on the media. This report shows that almost 80% of all media in Hungary is in the hand of one individual, of a foundation, which is led by the powerful Fidesz Party of Prime Minister Orban. And let me say, I was still a young man when the communist system collapsed, but created the same situation prior to its collapse, when all the local newspapers published a picture of the prime minister and the same article -- in an EU member state in the 21st century.

And last but not least, a new development, where I participated as opposition vice-chairman of the committee for the nomination of new members of the Hungarian Media Council, when again exclusively candidates of the Fidesz party are elected to the Media Council for nine years. We called an international press conference together with all other colleagues from the other opposition parties. I, as a representative of the largest opposition party, the centre-right conservative Jobbik Party, was allowed to take the chair, and we said that this was a clear violation of fundamental democratic rights.

Finally, I would like to recommend this excellent report to everyone, and also to the media platform. All of us in this room should ensure that this information can be made public in all member states.

Many thanks for your attention!

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Ms Gwen BONIFACE.

Ms Gwen BONIFACE (Canada): Mister Chair,

Dear colleagues,

Thank you for the opportunity to join in this very important discussion. I would like to begin by acknowledging the very important work of the Council of Europe and its partner organizations on the topic of freedom of the media and protection of journalists. This is crucial work, for all democratic countries.

On behalf of Canadians, I wish to express my condolences to the families of Daphne Caruana Galizia, Ján Kuciak and his fiancée Martina Kušnírová, and Jamal Khashoggi. May continued efforts to improve the protection, freedom, and respect of journalists mean that their lives, and the lives of other journalists, have not been lost in vain.

The Committee to Protect Journalists recently reported that the number of journalists murdered in 2019 was the lowest since 2002 – attributable to a decrease in wars and lower numbers of retaliatory killings. This, of course, can be seen as encouraging news. But it must not, however, lead to complacency. Rather, it provides encouragement to stay the course. Indeed, while murders have generally decreased since 2013, other developments related press freedom remain major cause for concern: imprisonment, threats, harassment, has been mentioned so eloquently by previous speakers.

Independent media as a component of healthy democracies is increasingly being challenged by leaders that frame free press as an opponent. Moreover, at a time when hostility towards their profession has increased, independent media outlets are struggling with challenging business environments. Free media is fending off threats from all sides and remains in a precarious position.

This is not the Council of Europe's first attempt at tackling such an important issue. The safety of journalists was addressed just under 4 years ago in recommendations by the Committee of Ministers to member states. The fact that we are already revisiting this issue, however, is not a source of discouragement. Ultimately, sustained attention to the topic is proof of the constant need to address freedom of expression and journalists' rights and we must build upon previous recommendations to strengthen protection of journalists. It is essentially that which lets all states get to an important point in information: the pursuit of truth.

I wish to close with a comment on the issue of impunity. The treatment of independent media by government is an indicator of the direction in which a state is headed with respect to its citizens. Acts such as the intimidation of journalists, censoring of websites, or public discrediting of independent media are often purposeful, systematic and calculated.

Yet, the respect of independent media can also be judged by the steps that states fail to take. The lack of impartial investigations following crimes against journalists and absence of justice leads to self-censorship and the disappearance of critical reporting. We must acknowledge, colleagues, that such omissions by states can be equally harmful.

Thank you.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): Is Mr Betian KITEV here?

Then is Mr Edmon MARUKYAN here?

Please.

Mr Edmon MARUKYAN (Armenia, ALDE): It doesn't work.

Thank you, Mr Chairman, dear colleagues,

First of all, I'd like to thank the rapporteurs of this report.

One of the most significant achievements of the Council of Europe is the development and adoption of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Article 10 of the Convention, which guarantees human right to freedom of expression and opinion as well as disseminating information and ideas without any restriction is the foundation of freedom of speech, freedom of the press. In other words, the cornerstone of our democracies. If on paper in many Council of Europe member states we have the establishment of these human rights, in institutions and in laws, then in reality the situation is completely different. As it is mentioned in the report on this topic, dozens of journalists are physically attacked, arbitrarily imprisoned and even murdered. Those responsible for these crimes remain mostly unpunished. The report very widely noted cases of violation of freedom of protection of the press in many member states: Malta, Turkey, Albania, Bulgaria, Montenegro, Ukraine, Azerbaijan and so on.

So as a representative of Armenia, I can say that in our region the situation with ensuring freedom of the press and media is not straightforward. On the one hand, we have Armenia and Georgia, which occupy leading positions among the countries of the former USSR in accordance with many reports, such as Press Freedom Index from international organisations' reports from Reporters Without Borders. On the other hand, Azerbaijan occupies the last position among the countries of the post-Soviet space regarding the press of the freedom. So my colleague from Azerbaijan mentioned Armenia in the rapporteur's information, so I just want to inform that the guy who was reported now is an MP, now is in the parliament, so the information is outdated. We know about various cases of the elimination of freedom of the press and fundamental human rights in freedom of expression of the thought in neighbouring Azerbaijan: intimidation of journalists, violence, difficult working conditions for the press and media, life-threatening, serious political pressure. etc. All these problems are very well noted in the report on the issue.

We are confident that the discussions around this issue should be expanded and sped up. More serious development of mechanisms for protecting journalists and the press is needed on the basis of the institutions of the Council of Europe. We need the joint action of the Parliamentary Assembly, Committee of Ministers and the Secretary General, which will ensure freedom of press, not only on paper, but in practice in all Council of Europe spaces in 47 countries.

Thank you so much.

Mr Oleksandr MEREZHKO (Ukraine, SOC, President of the Assembly): I call Ms Klotilda BUSHKA.

Ms Klotilda BUSHKA (Albania, SOC): Thank you Mr Speaker,

Dear colleagues,

Allow me to congratulate the rapporteur for the work done and for the full panorama based on facts that he presented. I strongly believe that the promotion and the protection of journalists and their safety is not only essential for the functioning of democracy, but it becomes a must and should be reinforced in many parts of Europe and of the world where propaganda, populism and lack of constructive opposition create spaces for abuse of powers, arbitration and disrespect for human rights.

While I fully agree with the draft resolution and its recommendations, happily noting that in Albania, there are no cases of journalists in detention and no cases of impunity for murder of journalists, I would like to draw your attention on financial problems that journalists face in many countries. The job insecurity has been analysed by the rapporteur in the explanatory report.

I want to stop at the Balkan reality. Many journalists in the Balkan countries are not insured with social and health insurance contributions. Or, in many cases, their employment declaration is registered with very low-level wages, instead of real ones that in reality are much higher. This is due to abuses by the employers and lack of capacities of public bodies to discover these cases in the absence of denunciations.

It is pitiful when thinking that the journalists are those who investigate, discover and publish cases of public interest and cannot be able to protect their economic rights. But regrettably speaking, journalists hardly raised their voice on this issue due to fear of losing their job. I am concerned that the most risky group in this situation are the young journalists. I read lately a study that some courageous young journalist in Albania did, with the support of European funding, and it results that, approximately, more than 40 per cent of them are working illegally. Hence, my dear colleagues, we as parliamentarians, should take measures under the monitoring mechanisms to address these concerns in our countries. As for me, economic insecurity causes the same harm to the democracy, to the freedom of media and its independence, as it does the lack of safety for the journalists.

One more issue I'd like to point out, and maybe it might be debated in our future meetings here, is that this organisation, the Parliamentary Assembly should take a stand on putting standards for balancing the guarantees of freedom of expression and media freedom with right for dignity and personal life. Because, as we all know, media freedom means truth and truth nurtures democracy. That's why we should encourage professionals in the journalism sector to be more active in society.

Thank you for your attention.

Mr Oleksandr MERESHKO (Ukraine, SOC, President of the Assembly): Is Mr Paolo GRIMOLDI here? Is Mr Ľuboš BLAHA here?

Please. The floor is yours.

No?

Is Mr Eerik-Niiles KROSS here?

No?

Is Mr Stefan ZRINZO AZZOPARDI here?

The floor is yours, please.

Mr Stefan ZRINZO AZZOPARDI (Malta, SOC): Chair, colleagues,

As an assembly, we must continue to strive in favour of media freedom by means of an ongoing debate leading to positive action both by means of legislative and administrative action.

The positive spirit of collaboration and the determination in favour of change will ensure that the right steps are taken.

The Venice Commission in a recent report about Malta's constitutional arrangements stated:

"There is a positive obligation of any member state of the council of Europe to protect journalists. For a positive obligation to arise, regard must be had to the fair balance that has to be struck between the general interest of the community and the interests of the individual. The scope of the obligation will vary, having regard to the diversity of the situations in Contracting States.

The obligation must not be interpreted in such a way as to impose an impossible or disproportionate burden on the authorities."

Malta shall continue to engage in all necessary debate as well as embark on a program of action to ensure that freedom of speech is protected and journalists are provided with the necessary protection. This is a means to strengthen our democracy and ensure more scrutiny of public administration.

Malta has taken action and is taking further action following the assassination of Daphne Caruana Galizia.

Three persons are accused with the perpetration of the assassination. These arrests followed extensive investigations which had the active participation of the FBI and other law enforcement agencies including Europol.

The investigations continued and led to the commencement of proceedings for the compilation of evidence against the alleged mandator of this heinous crime.

Investigations are still ongoing in order to ensure that all the facts are established.

Malta is grateful for the help and assistance the foreign enforcement agencies have provided to further enhance the work carried out by the Malta police force.

Following the resolution of this Assembly, the Maltese government has appointed a public inquiry which is investigating any wrongful actions or omission by the institutions of the state that may have facilitated the assassination of Daphne Caruana Galizia.

These proceedings must be terminated within 9 months from their commencement.

Apart from this, the Maltese Parliament in 2018 enacted the Media Law that has given more rights to journalists, has removed penal criminal libel and thus no journalist in Malta may be sent to prison because of his or her important task as a journalist. Yes we are ready to continue with far-reaching discussions with all those interested in this aspect. We are ready to continue to discuss with this institution and all institutions. Government has embarked on a very serious program to ensure the strengthening of governance in our country. This is a project that is being given maximum importance.

This reform that we are looking for will be the result of extensive consultations with various institutions and the civil society. Malta is committed to further change and collaboration.

Thank you.

Mr Oleksandr MERESHKO (Ukraine, SOC, President of the Assembly): Is Mr Manuel VESCOVI here?

I call Ms Rósa Björk BRYNJÓLFSDÓTTIR.

Ah, you're here!

The floor is yours.

Mr Manuel VESCOVI (Italy, EC/DA): Thank you, President.

I would like to take stock of an important issue. We all agree with the fine words in the resolution that journalists must be defended. How we could do other than to defend the category of journalists. Then like all categories, all professions, 95-98% do a good job and then maybe 1-2% who do their job badly. So we on the resolution, in terms of the general content, can say nothing. But I want to go into the substance of a matter that concerns us closely, Mr President.

First I also wanted to reply to my colleague Mr Jacques LE NAY, who said that he is afraid that populism is back. The votes of citizens of other nations must be respected. I respect the French citizens who vote and are free to vote who they want, and he must respect the Italian citizens who decide which parliament they want. There you go. They are citizens. Let's not go and define contemptuously who votes, even if not their category.

I will go into the substance of the resolution and I want to put it on record, because we are not here in this resolution where you write, and in my opinion this is scandalous, that this is one of the countries, that is Italy, my own, where the authorities have displayed great hostility towards journalists, particularly during the period June 2018 to August 2019, under the 5 Star-Lega government. So you make from a general concept something particular to attack what? Two ministers, then we read, that according to you, according to this resolution, I was not surprised. But then why don't you say anything, and I would like to put this on record, when the Repubblica newspaper says "Let's cancel Salvini". That is, a major newspaper like Repubblica makes a very serious statement. I give this to you, Mr President, because I want to put it on the record. Where a newspaper attacks vehemently: "cancel" means eliminate, obliterate. There you go.

Then this Parliament must make a general reflection, not go into the details of individual aspects of journalists. But what's behind it? Let us not have this Assembly make political attacks on states, because otherwise a beautiful and important resolution like this could devolve into political attacks about the period from June 2018 to August 2019. Considering this, I beg you to put it on record, because this is something in our country that is shameful, because certain terms are not used in the newspapers. "Cancel" is not used.

Thank you, Mr. President.

Mr Oleksandr MERZHYNSKYI (Ukraine, SOC, President of the Assembly): I call Ms Rósa Björk BRYNJÓLFSDÓTTIR.

Ms Rósa Björk BRYNJÓLFSDÓTTIR (Iceland, UEL): Dear colleagues.

I want to congratulate Lord George FOULKES on this extremely important report. Threats to media freedom and journalists' security is a direct threat to democracy as is stated so clearly in the report.

Did you all know that 10 journalists have been killed in Council of Europe member states since 2017, with their killing directly linked to their profession? Kim Wall, Daphne Caruana Galizia, Lyra McKee, Nikolai Andrushchenko, Maksim Borodin, Dmitry Popkov, Jan Kuciak and his partner, Saeed Karimian are their names.

But going back further, the names are unfortunately many more, and as the 2019 annual report of the Council of Europe Platform shows, in the last few years the number of alerts about serious threats to journalist's lives have sharply increased, almost doubling on an annual basis since 2015. This increase includes a marked upsurge in insults and verbal abuse, and in the public stigmatisation of the media and journalists, including by elected officials and representatives of the authorities. The annual report of the Platform tells us also that in 2018, there were 26 impunity alerts, including 17 individual cases of murders of journalists. And as if this is not enough, a notable feature of the period between 2017 and 2019 is the increase in threats to journalists, whether general or targeted, by known or unknown perpetrators.

Online harassment in the digital environment, especially via social media, is becoming more pronounced, spreading hateful, violent and hostile messages. Journalists are faced with actual assaults, particularly during demonstrations. Many investigative journalists are under constant threat and police protection.

What is happening around us dear colleagues?

To reverse this frightful and rapid development, we need international institutional pressure, for example from this Assembly and the Council of Europe as a whole, to send out a clear messages so that journalists can write what they want, about whoever they want and are supported to investigate and bring us the truth. Many former journalists have spoken here in this debate and I am one of them. And my heart beats an extra beat to read about those gruesome attacks and assaults and even murders of my former fellow colleagues. But there is hope and we have shown that this Assembly is more than capable of both stopping this terrible development and pushing for effective, independent and prompt investigations into any crimes against journalists. This we have seen in the recommendation of the Committee of Ministers to member states to act in a decisive manner, work with journalists associations and trade unions, revise laws to protect journalists, fight online harassment and enhance the protection of investigation journalists and whistleblowers.

And the Assembly's continuous calls for increased efforts to investigate fully the murder of Daphne Caruana Galizia has shown us that.

Because like the report states so well, it is unacceptable that, in the Europe of human rights, that dozens of journalists are physically attacked, arbitrarily imprisoned and even murdered and to let those responsible for these crimes remain mostly unpunished is almost taking part in the crime.

Dear colleagues.

Mr Oleksandr MERZHYNSKYI (Ukraine, SOC, President of the Assembly): I call Ms Svetlana ZHUROVA.

Ms Svetlana ZHUROVA (Russian Federation, NR)*: I would like to thank Lord FOULKES for his report. To a large extent we agree with much of what he has said. However, with reference to Russia, a lot of what is stated is simply no longer true. I would like to clarify further then, our position on this report.

We believe the criteria for singling out five countries as violating freedom of expression within the Council of Europe territory is something that has been done in a way that is not transparent. In fact, reading this, you might get the false impression that everything was rosy in other countries of the Council of Europe, for instance, Ukraine, where in fact there are mass attacks on journalists every day. And yet, this is completely ignored in the report. There's also a description of Russian legislation in the report that is simply not correct and shows that a tendentious approach to our country has been taken.

For instance, the report refers to our legislation on fake news and talks about vague and ambiguous ideas lying behind that legislation. Let me just clarify what that legislation is about, it's about combating the spread of unreliable information that is of public significance, information that is distributed as though it were true and that, therefore, creates a threat to the life and health of our citizens. It also may involve a threat of mass disruption of public order and public safety. Surely, that is in line with the standards of the Council of Europe legislation intended to do that. And surely it's also in line with the concept of media literacy, which the Council of Europe seeks to promote in order to promote high-quality journalism and prevent information chaos.

Further, it refers to legislation on foreign agents and calls for that to be repealed. We cannot agree to that right now because neither we, nor the rapporteur yet have the well-founded evidence to show how this legislation is actually working as it came into force only very recently.

Nonetheless, recognising that there is public concern about this issue, a few days ago, the president of Russia instructed the prosecutors' office to check whether practice was fully in line with the law and, if necessary, to respond in a way that would protect citizens' rights. As time goes by, and as the legislation continues to be implemented, we are happy to keep you abreast of the developments.

A final point on the platform. If we look at the NGOs involved in this platform, most of them are monitoring the situation only in a very few countries of the Council of Europe and they are doing that not always on the basis of the most reliable social networks, indeed, on the basis of the most unreliable. Naturally, this means that crimes against journalists in some countries are simply not reflected in the platform at all. Whereas, when it comes to other countries, in fact reference is made to violation of the freedom of expression that has never actually taken place.

Therefore, we believe that this is something that is impartial. This report is tendentious. And that really saps the potential of what we are supposed to do here. We are supposed to be adopting balanced decisions and achieving the over-arching goal of the Council of Europe to foster greater unity among its members.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much.

Good evening. There is new Chair. No new rules. Only a small hope that if you hurry a little bit, we can easily end up our speakers' list in time.

The next speaker is Mr Özdemir BEROVA from Cyprus. Please.

Mr Özdemir BEROVA (Cyprus): Thank you, Mr President,

Dear colleagues,

Freedom of expression and media are tremendously important for a strong democracy. We cannot safeguard these freedoms, if safety of journalists is not maintained.

As reflected in the report, on 20 July 2018, Costas CONSTANTINOU, a Greek-Cypriot journalist, who criticised Greek-Cypriot elites benefiting from the separation of the island, received a death threat published by a Greek-Cypriot extremist on a Facebook post that states: "Someone ought to put a bullet through his head to be over with. A Turk in every sense of the word".

In fact, this incident shows the importance of tackling the issue at all possible levels. As rightly put in the report, action needs to be taken at political, legislative, judicial, law enforcement and educational levels.

We cannot protect freedom of expression and media and safeguard journalists without tackling the issue of education. This is not only about human rights education but also about teaching history. I believe, death threats against the Greek-Cypriot journalist is exemplary to this end.

Turkish-Cypriot people are one of the two politically equal partners on the island. Therefore, such a mind-set is contradictory to the fact that the two sides are negotiating to find a comprehensive settlement. We expect that such issues are tackled in an appropriate manner with necessary legal measures and prosecutions.

As regards the issue of the attacks against the Afrika Newspaper in north Cyprus, it shall be noted that the perpetrators have already been prosecuted and received a prison sentence. Turkish Republic of Northern Cyprus is a democratic state with an independent judiciary and respect for rule of law and protection of human rights are core values of our democracy.

Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much.

The next one is Ms Lesia ZABURANNA from Ukraine. Are you around?

She doesn't seem to be here. No, no.

Then we have Mr Alberto RIBOLLA from Italy.

Mr Alberto RIBOLLA (Italy, EC/DA): Thank you, President.

I would like to thank Lord George FOULKES for the lengthy document which I had the opportunity to examine in detail in Committee. We are probably all in agreement in stating and condemning the hostile line against journalists and the threats to their safety. However, I would like, in my brief speech, to focus on the report, as it refers to my country, Italy, where freedom of information is in no way threatened, contrary to what is stated in the report. In fact, even in this case I am sorry to see that the opportunity was not missed to attack the leader of the main Italian political party, Matteo Salvini's *Lega* (League). According to the report, Matteo Salvini had a particularly hostile stance against the press and journalists.

Among other things, it is mentioned that he asked to remove the police escort of the famous Italian journalist Roberto Saviano. I want to remember that Saviano called Salvini a "lying manipulator", and that Salvini is to Saviano a person who "praises Nazism". These are shameful and very serious statements by a journalist who took part, among other things, in a street demonstration against Matteo Salvini and against the League with 25,000 people. Several fellow journalists, and therefore not only Salvini, wondered whether, given the occasion, Saviano still needed an escort.

I said at the beginning that hostile actions against journalists are to be condemned. Of course, I'll say it again. But the hostile actions of journalists against politicians? This is the shameful front page, it has already been shown by my colleague Mr Manuel VESCOVI, from the newspaper La Repubblica a few days ago, on 15 January. La Repubblica is one of the main Italian newspapers. It reads "Cancel Salvini" on the front page. Who is threatening? Who is hostile? Matteo Salvini or some journalist, fortunately in the minority? I'll leave that to the room. A problem that I leave to the Assembly and to you parliamentarians. It is a reflection, a problem, which certainly concerns Italy, but probably also many of your other states.

Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much. The next one is Ms Maryna BARDINA from Ukraine.

Ms Maryna BARDINA (Ukraine, ALDE): Dear colleagues,

One of the topics raised in the report of Lord George FOULKES is online harassment of journalists. Journalists are targets of online attacks and female journalists face even more danger, being attacked as journalists and as women. Online harassment is identified as one of the biggest issues for female journalists, with threats of violence or harm.

According to the European Institute for Gender Equality, cyber violence is of increasing concern in the European Union with 20% of young women having an experienced sexual violence online and 30% of journalists self-censoring after facing cyber harassment. The Council of Europe recommendation on the protection of journalism and safety of journalists and other media actors, points out that acts of online harassment of women journalists had a grave chilling effect on freedom of expression, including on the ability to access information, on the public watchdog role of journalists and other media actors and on open and public debate, all of which are essential in a democratic society.

Attacks on women journalists constitute a breach of human rights and are attacks on democracy itself. As CEDAW Committee has stated, harmful practices and crimes against women human rights' defenders, politicians, activists or journalists, are also forms of gender-based violence against women. This type of gender-based violence targets women journalists in order to shrink their online space for them. Any online harassment will always have a real effect on the person targeted. The fact that the harassment takes a digital form that happens online doesn't mean that it has no harmful consequences in the real life of each target.

The UN Human Rights Council Resolution on "the promotion, protection, and enjoyment of human rights on the Internet" affirms that the same rights that people have offline must also be protected online, in particular freedom of expression. Online harassment is not taken seriously enough. Necessary follow-up by the authorities is not given. Many national legal systems operate with outdated legislation which frequently lags behind the demands and positive developments of the digital age. Member states must develop and strengthen protective measures for female journalists and ensure proper investigation and judicial protection in cases of violence and harassment on and offline.

Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much. The next one is Mr Gheorghe-Dinu SOCOTAR, Romania.

Mr Gheorghe-Dinu SOCOTAR (Romania, SOC): Thank you Chair,

Dear Colleagues,

First of all, I want to congratulate Lord George FOULKES for his excellent report. The congratulations is well-deserved due to the very complicated, delicate, complex topics of the report. In the explanatory memorandum, it's a long review of offences against journalists. I was really surprised, even shocked, by the large number of cases and also by the variety of the offences and harassment suffered by the journalists. We are speaking here of direct and targeted attacks, attacks resulting in dead or wounded journalists. Physical attacks and verbal abuse, threats by the authorities and misuse of legislation to hinder the work of journalists and the media, police violence and refusal to grant or withdrawal of accreditation, hostile acts by person exercising public authority, excessive or arbitrary anti-terrorist and anti-crime legislation, legal harassment engaging procedures, appeals for violence incurring the liability of political leaders, arrest or kidnapping of exiled journalists and extradition to their country of origin and putting public service media under pressure.

Also, the list of the countries where these offences have happened is very impressive: Denmark, Russia, Malta, the UK, Slovak Republic, Turkey, Albania, Germany, Romania, Bosnia and Herzegovina, Bulgaria, Cyprus, Croatia, Spain, France, Greece, Hungary, Italy, North Macedonia, Montenegro, Poland, the Netherlands, Serbia, Ukraine, Azerbaijan, Austria, Belgium, Romania, Czech Republic, Switzerland, Lithuania, Luxembourg, Cyprus. I count 34 countries of 47 member states. Almost 75%. Almost three quarters. My conclusion: there is no safe place for journalists in Europe. This Assembly, as a sanctuary of freedom, doesn't only have to take note and be concerned about these condemnable acts, but also to react to prevent their repetition. Therefore, I strongly support the proposed measures and the draft resolution and the draft recommendation. Freedom of expression, freedom of media, is a foundation stone of any human rights of any democracy and of any rule of law, the value we stand for.

Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you, Mister Gheorghe-Dinu SOCOTAR.

The next one is Ms Yuliya LOVOCHKINA.

Julia, the floor is yours. Please. She is from Ukraine.

Ms Yuliya LOVOCHKINA (Ukraine, SOC): Thank you, Chair,

Dear colleagues,

The first of all I would like to express my sincere gratitude to the rapporteur Lord George FOULKES, who presented an overview of negative developments that undermine the media ecosystem in the member states of the Council of Europe. As Thomas Jefferson once said, "the only security of all is in a free press".

Journalists are our important friends who helped to build an open-minded society and, as a mirror, tell us about the reality we may fail to notice. And those who censor and suppress media freedom wilfully choose to silence exchange over the years, block the quest for knowledge and encourage the abuse of power.

I totally agree with the rapporteur, who stresses that it is unacceptable that, in the Europe of human rights, dozens of journalists are physically attacked, arbitrarily imprisoned and even murdered. The reasons that are offered by the world-known NGOs and agencies causes grave concerns regarding the restriction of media freedom all over Europe. There is indeed an alarming situation in the media sphere in all post-Soviet states: Turkey, Hungary, even Malta. Being a member of the parliament of Ukraine, I cannot but admit that crimes against journalists and mass media go unpunished in my country as well, thus encouraging the climate of fear and impunity within society.

Unfortunately, there has been a long list of murdered journalists since independence and there is no punishment for perpetrators. Only in 2019, according to the Institute of Mass Information, 243 instances of violations against media professionals were recorded, 172 cases were physical attacks against journalists. One journalist was brutally murdered. Restriction of media freedom at the legislative level is another dangerous and horrifying tendency in Ukraine. Two draft laws on media and discrimination presented by Ukrainian authorities might lead to total control over the media sphere, numerous abuses, censorship, and even, think about it, criminal liability for journalists: up to seven years for fake news. These draft laws have caused the wide wave of protests from media professionals in Ukraine.

To conclude, the media landscape varies from country to country. Threats to the safety of journalists and media freedom also differ from country to country. That makes it difficult to compare. However, in no country, we parliamentarians, should allow for restrictions on media freedom and limitation of human rights.

In this respect, I call upon member states to maintain their solidarity and spare no effort to protect the universal and fundamental right to freedom of speech at national and international levels. I'm convinced that only a joint effort would allow for effective protection of the media ecosystem from threats to journalists' activities.

Thank you for your attention.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thanks.

The next speaker is also from Ukraine.

Mr Oleksii GONCHARENKO. But I do not see him in the hemicycle.

Is he around?

No. No.

Then we move on the list.

I call now Mr Akif Çağatay KILIÇ from Turkey, please.

Mr Akif Çağatay KILIÇ (Turkey, NR): Thank you.

President and dear Colleagues,

The presence of an independent, free and plural media community is a prerequisite for a functioning democratic society. As parliamentarians, it is our duty to go beyond paying lip service and to take efficient steps for further protection of freedom of expression. To this end, there have been recent changes in the Turkish parliament regarding some laws on these issues.

But when we are debating here today, we see that everybody is speaking about the journalists' rights and protection and their freedoms, which is correct, which I said we have to protect. But Lord George FOULKES, when you are talking about Turkey, the balance is shifting towards not being balanced, unfortunately. That's what I have to bring forward.

The main opposition party in Turkey, that members of parliaments here have spoken out against; they have spoken their thoughts and made it plainly clear how they feel about the Turkish situation today regarding some issues. However, we have to look into one thing: the Council of Europe's platform to promote the protection of journalism and safety of journalists. There's an Internet site there. There are names of so-called journalists who are under legal proceedings. However, there are a few hundred and fifty names, and

everybody's saying Turkey has the highest number of journalists in prison or under the legal proceedings, but nobody is talking about what these people have done. Do we distinguish between people who are throwing Molotov cocktails killing people, blowing up banks and perpetrating illegal acts? Just because they're journalists, they have to go free? That is not freedom of speech. That is something that we have to look into as well. We have to look -- if you want to be objective -- then we have to go and look there and look into what these people have done.

And Jamal Khashoggi, does he not deserve to be mentioned here? He was murdered and killed. But it was Turkey and the current government in Turkey that found and pushed to find out who killed him. And hate speech, we're talking about hate speech. What if a person who is hiding behind journalistic credentials is perpetrating hate speech, is putting and trying to get people into the streets and rise up against authorities, and burn and plunder? What are we going to do with these? So being a journalist is not protection against certain legal actions if you are doing wrong things.

And one more thing, the Gülenist movement. It's not a movement, it is a terror organisation and Mr FOULKES you're saying the preacher Gülen -- he is not a preacher -- he is the person who's responsible for the killing of more than 250 people and the bombing of the parliament, on the 15 July, the coup attempt. So please when we're putting words in here, singling out countries, putting certain things in there, then we have to be very correct because then the perceptions go in different ways. And then everybody is speaking about certain things which cannot even be checked -- or are not being checked -- so we have to be right about facts.

Thank you very much.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thanks Mr Akif Çağatay KILI.

The next one is also from Turkey.

Mr Kamil AYDIN.

Mr Kamil AYDIN (Turkey, NR): Thank you dear President and dear colleagues.

I thank the rapporteur for a report that has done a careful job of covering the threats to journalists and media freedom across all member countries.

However, I have to say that it is disappointing that even such a detailed report ignores the assaults on media freedom of Turkish community in Western Thrace. I would like to give a clear account of two relevant incidents that happened in the time frame that the report covers. In February 2017 a car belonging to İlhan Tahsin was set on fire. Mr Tahsin is the owner and the chief editor of the newspaper named Birlik belonging to the Turkish community in Western Thrace. He said that the assailants hurled a Molotov cocktail at his vehicle. In another case the radio channel named Çınar FM that is based in Komotini and is broadcasting in Turkish was attacked again in 2017. The radio station had to temporarily stop broadcasting after its main antenna was damaged by unidentified persons.

Representatives of the Turkish community condemned the attacks and they stated that these attacks aim to silence their voice by targeting their right to speech and media freedom. These incidents, together with other attacks to the Turkish minority in Western Thrace are included in the 2017 hate crime data published by the Office for Democratic Institutions and Human Rights of the OSCE.

Dear colleagues, the presence of serious problems in one country does not justify ignoring what's happening in another. Thus, my intention here is not to play the "whataboutism" card to draw your attention to this issue. Because ensuring no one is left behind is an incumbent duty upon us. I would like to remind you of a relevant provision of the Vienna Declaration on Human Rights. I quote, "the international community must treat human rights globally in a fair and equal manner on the same footing and with the same emphasis". Unquote. It is only in this context that the statement, again I quote, "the promotion and protection of human rights is a legitimate concern of the international community", unquote, gains its true significance.

Honestly for the last two days, dear colleagues, we have been discussing. We have been competing with each other to teach democracy, human rights and the protection of journalists. Of course these are the main pillars of this grand European Assembly, but on the other hand I think the basic duty is to keep the basic pillar of being a human being. On behalf of this Parliament honestly, I would like to send my condolences to Turkey which suffered a lot in the last disaster.

Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you.

Now we move to Italy.

Mr Alvise MANIERO.

Mr Alvise MANIERO (Italy, NR): Thank you, President.

The importance of safeguarding freedom of information and the guard dogs of power, does not need to be described. But in my opinion we must also be aware that these reports we write are not perfect. I agree with the general spirit, but I have to make some notes. So, when we guarantee, as we must, the freedom of journalists, we must also remember that freedom goes hand in hand with responsibility to respect all the other rights that we are here to protect.

And I'll give you an example. Several errors have been corrected in the report we are talking about. I thank the excellent work of the rapporteur. Others stay. When we see newspapers on the front page talking about a woman, a politician, a mayor, calling her "hot potato", "hot potato", which in my language has a specific and degrading reference to female genitals. So, that is not journalism, and in the report I cannot agree with those who decided to denounce as an attack by the government on freedom of information when a politician, Luigi Di Maio, called those journalists "jackals". In my opinion it is an inappropriate term and it is neither a journalist's nor a man's right to call a woman that in a newspaper. Any of us would be ashamed in the face of such a thing. I'm convinced of it.

But beyond that, I was saying that I approve of the general spirit, despite the inevitable imperfections of this report like every report we do. But if we want to support journalists, we must do so everywhere, not just in some states. And perhaps an example of something that we could incorporate that is currently lacking in this report is added by some amendments that I had very much recommended and I am delighted that some members have proposed. These are amendments that talk about Julian Assange. And they make specific reference to the recommendations of another representative, a United Nations Special Envoy, precisely on torture and inhuman treatment, who specifies how harshly, unfairly and inhumanly this prisoner has been treated and how important it is to prevent his extradition to other countries that may not guarantee his rights. Now I don't want to name these countries, because they don't interest me. What interests me is the guarantee of these rights and their defence across all borders.

So I commend and congratulate my colleagues in advance on their courage. I hope that we will approve those amendments, their spirit, because then I too will be happy to approve this report.

Thank you all very much.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly)*: The Russian Federation has the floor.

Mr Andrey EPISHIN.

Mr Andrey EPISHIN (Russian Federation, NR)*: Dear colleagues,

Although the topic at hand is in line with Russian interest, and media freedom and journalist's safety is paid particular attention in the Russian Federation, the content of the draft resolution, in our opinion, is extremely provocative and includes numerous provisions which are not acceptable to us.

The document is a clear example of a selective tendentious approach to certain member states of the Council of Europe. We do not support the conclusions included on the document based on the works of the Council of Europe Platform. We believe this structure is a non-convention institute of the Council of Europe, as member states did not take part in its foundation. In the way it was developed. It does not have a clearly defined mandate. That means it is a technical instrument which aims to serve ensuring the freedom and safety of journalists. It can't work. We should look at the way in which freedom of expression and journalist's safety is monitored in Europe by the OSCE representative on freedom of the media, we shouldn't duplicate the work of this office.

There are many accusations made of Russia in this document, and there is no founding for these. In particular, in point 9.4.3, facts are presented on the journalist Ivan Golunov. The fact is that this case is closed. The journalist is free. No references made, however, in the document of the illegal arrest in Ukraine of the head of RIA Novosti, Kirill Vyshinsky.

We have heard in a press conference about the real situation of journalists in Ukraine and also about the situation in Estonia. In Ukraine and other countries we have seen an increase in negative tendencies. It is said that Russia is a leader in limiting the freedom of expression of the media. It's clear that the body is not functioning properly. Ukraine is the most dangerous country for journalists to work in. They are subject to violence. The murder of journalists takes place there. Over the past five years 19 journalists have ended up in prison.

We can provide many examples of violations of Russian journalists' rights abroad. For example the UK authorities refuse permission for the Russian media outlet Sputnik and RT to take place in a global conference on media freedom in London.

We cannot support this resolution as it includes these provisions on violations of media freedom in the Russian Federation and doesn't take into account the real situation. In the Russian Federation we pay real attention to freedom of expression and the safety of journalists. We want to create good conditions for all journalists working in our territory.

Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly)*: The next speaker also comes from the Russian Federation.

Mr Sergey FABRICHNYY.

Mr Sergey FABRICHNYY (Russian Federation, NR)*: Thank you President.

Colleagues,

We support this issue as an important issue. But we do not support the content of the resolution for the following reason. We don't think that the Platform is a Convention body and we don't think there is sufficient base for the points made in 9.4. The criticisms made of our legislation. There is a reference to self-censorship. Now, if this is true on self-censorship, isn't it important to think before you speak or write? The father of German philosophy Immanuel Kant said in his categorical imperative that a human is someone with a moral conscience. That is what makes us different from other sentient beings. So, isn't that an important point, that moral conscience? If we bear this in mind, isn't self-censorship vital? We need to think first of all. Think about the consequences of your words. So think before you write. Think before you speak.

The criticism of our legislation is misunderstood. What we are trying to do in our legislation is to prevent the spread of misinformation online. Our legislation is in line with the European Convention of Human Rights. In article 10 it is stated that freedom of expression can be limited when it is in the interest of national security, territorial integration or public safety, for the prevention of disorder or crime, for the protection of health or morals and so the text continues. This is the approach which we have taken onboard in the constitution of our country. The European Convention of Human Rights has been implemented in the past and will be implemented in the future. Why, rapporteur, are you trying to deprive us of the right to follow in word and spirit the provisions of our constitution that was adopted the 30 May 1998.

Lord George FOULKES has done a great deal of work. But the approach taken has been selective and is biased. This forum is not working. Maybe Lord George FOULKES did not want to take an unbiased approach. We can see in the way this report was dealt with in the Committee today. We saw the way Kirill Vychinski and Elena Sherisheva were dealt with. Its politicised. We will not support it.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much.

Now, we move back to Turkey and we are then ending the speakers list. But I am actually not necessarily ending the debate.

Lets listen first to Ms Zeynep YILDIZ, from Turkey.

Ms Zeynep YILDIZ (Turkey, NR): Thank you, President.

Dear colleagues,

Some evaluations regarding Turkey in the report have, unfortunately, failed to show moderation. The most striking example of this situation is accusing Turkey of abusing the penal code and anti-terror laws.

First of all, Turkey is a state of law. In our judicial system, the appeal processes function properly. If a defendant is not satisfied with the decision of the first instance court, they may appeal to the higher courts and demand for their rights.

Last summer, the Turkish constitutional court found a violation of freedom of expression, safeguarded by the constitution, in the application of academics which signed a declaration which created a controversy. The court assessed that the right of academics to freely express their views is a part of freedom of expression.

In another case, the court of cassation overturned the convictions of Cumhuriyet newspaper's staff with its decisions in September last year. In the judicial opinion, the court of cassation stated that newspaper articles and news should be regarded to be within the boundaries of obtaining and spreading information, criticism and opinion. Steps taken by the executive and legislative organs of Turkey complement the attitude of the judiciary in this matter. The judicial reform strategy aims at improving freedom of expression and press announced by the ministry of justice and the legislative reform adopted recently by the parliament are examples of ongoing progress on the protection of the right of speech.

Last but not least, I'm disappointed that this report mentions the mastermind of the 15th July failed coup attempt as a preacher, in the explanatory memorandum, paragraph 15. The coup that claimed the lives of more than 250 people, injuring thousands more. To define the mastermind of that coup d'etat just as a preacher, shows that the severity of that coup attempt is far from being understood by heart.

Finally, when you take the harsh circumstances and the trauma of the failed coup attempt, migration influx and instabilities in the region into consideration, you will see why accusing Turkey of abusing its own legislation is unfair.

Thank you very much.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much.

As I said, the speakers list has now ended, but we have a little bit of time if you would like to have spontaneous contributions. I will allow them now. The same rule applies: three minutes.

There have been two persons that have already asked if they can speak.

I'm asking the first of them, Ms Selin SAYEK BÖKE from Turkey. Are you here?

Please, you have the floor.

Ms Selin SAYEK BÖKE (Turkey, SOC): Thank you very much.

Extraordinary times actually call for extraordinary measures. Indeed these are times of extraordinary nature for democracy.

If we want to hold on to democracy, we clearly have to hold on to a true freedom of press and a true environment of safety to journalists. I believe this report diligently does so and, hence, the resolution should be supported.

Now, it shows that the issue is not one limited to a single country, not a single member state. It's not attacking countries. It's indeed calling for unified press freedom throughout the community we share. Maybe, in different degrees, it does say that we all have our hands full. Rather than denying that, we should be seeking out ways of improving the situation as this report actually tries to do.

A free media is clearly critical. It's a source of information. It's a source of voice for the unheard in society. It's a means of independent public debate. These are channels we all care to actually access as politicians, therefore we should seek out for the sake of democracy, accountability, transparency and a free media that will actually allow for that. Without a free press, we will have exclusivity. With exclusivity we will have terrible, terrible economic outcome and a loss of democracy.

Media Freedom requires safety of journalists. A very basic social right. Safety when they're working. Now, clearly, every right comes with a responsibility. For the media workers the responsibility is to adhere to ethical conditions. It is to ensure that they don't propagate terrorism. It's to ensure that they actually provide information. Now, this is undeniable. But also for the authorities this responsibility requires that people actually find the legal safety to do their job properly.

Therefore, we have to ensure that this environment is provided in each and every one of our countries. Authoritarian regimes first attack media. Because if media is silenced, it's easier to take the next steps. We all know this by experience. I know it.

So, I believe it is time that we accept that these are extraordinary times and we need press freedom for the sake of our democracy, for the sake of our existence. We must do all we can to turn around the tides that we're observing, where we end the unfair imprisonment of journalists, we ensure opposition voices are heard, we ensure a safe environment for media workers where they are not killed. This report is a step in that direction.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much indeed.

We have also a request from Mr Pieter OMTZIGT, from the Netherlands.

Now you have the opportunity to make a speech if you are here.

I can not see Mr Pieter OMTZIGT.

Is there anyone else who would now want to react or make a short contribution to the debate?

Please introduce yourself.

The three minutes rule applies.

Mr Raivo TAMM (Estonia, EPP/CD): Dear Chairman,

My name is Mr Raivo TAMM, from Estonia.

As Estonia was mentioned here, in the case of its media freedom, I would like to add a little comment.

Estonia is implementing EU sanctions. As the director general of Rossiya Segodnya, the parent company of Sputnik Estonia, is on the list of sanctioned persons, Sputnik Estonia is being affected. Although the Russian Federation claims that Estonia is restricting the content of the local Sputnik branch and obstructing media freedom, that is not true. Estonia has not blocked the journalistic content of Sputnik Estonia. Rossiya Segodnya, TV channel and Sputnik Estonia websites are fully operational and open. Rossiya Segodnya founded Sputnik in 2014 as its international branch.

Dmitry Kiselyov, the director general of Rossiya Segodnya, was added to the list of individuals subject to sanctions because he played a central role in the propaganda of the Russian Federation that supported the attack on Ukraine, the annexation of Crimea and military actions of the Russian Federation in Eastern and Southeast Ukraine.

The actions of the Russian Federation in Ukraine constitute a violation of international law. Estonia supports the territorial integrity of Ukraine and condemns the aggression by the Russian Federation. As Dmitry Kiselyov is subject to financial sanctions, Estonian banks froze the bank accounts and payments of Rossiya Segodnya in November. In December, the financial intelligence unit informed persons employed or contracted by Rossiya Segodnya that knowing performance of work or services to unsanctioned persons was forbidden.

The financial sanctions aimed to not make the sanctioned persons economic resources, located in the EU, available to them. Working for or renting space to such individuals clearly constitutes making economic resources available. The journalistic content of Sputnik was irrelevant in the sanctioning process. The decisive factor was the role that the director general of Rossiya Segodnya, Dmitry Kiselyov, played in Russia's aggression against Ukraine as well as his personal involvement in a financial gain from Rossiya Segodnya activities.

Media freedom is a very important value for Estonia and its high ranking 11th out of 180 countries in the 2019 World Press Freedom index attests to that. Estonia protects freedom of speech and freedom of information, the right to express one's opinion without interference, the right to receive information and the right to disseminate information, thoughts and ideas. This case is not related to media freedom.

Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very, very much.

I'm still allowing you to make contributions, but please try to respect the three minutes time limit.

Introduce yourself, from Armenia.

Mr Hovhannes IGITYAN (Armenia, ALDE): Mr Hovhannes IGITYAN, Armenia.

I didn't apply for speech because, from the beginning, I was in the Committee on Culture, Science, Education and Media and I followed all this job which Lord George FOULKES did. It was huge, you know. We discussed this issue with many, many organisations of journalists. It was a really good job.

This report is not against any country mentioned in this report. It's, I can say, the contrary. It's the support of our Committee on Culture, Science, Education and Media and the support of the Parliamentary Assembly to the countries to solve this very bad issue, which they have some times inside of their countries, with the situation of journalists.

It's not against Turkey, for example, but it's mentioned. Can you imagine? 10,000 journalists were driven out from their jobs because of their position. Because of their job. Some of them are in prison. We are ready to support our Turkish colleagues to solve these problems. I'm sure that our colleagues don't want to have such situation in their countries. Maybe they cannot solve these problems alone with their executive bodies, or some other bodies, who are doing this.

We are here to solve this problem with our common efforts. Armenia is mentioned there. I don't have a problem with this issue. Armenia is mentioned. But, by the way, a person journalist who is mentioned in this report, Sisak Gabrielyan, he is a member of parliament now. We had this revolution in Armenia, two years ago, when all our society stood in protest because of this situation. Because our previous government punished journalists for such things.

Now we have eight or nine journalists, former opposition journalists, in the parliament. It's very important. This report is only for freedom of speech. I can say more. It's not only from for freedom of speech, it's also for freedom after speech. It's very important, because illogical, it's a shame when journalists are in prison only because they write something or they announce something. We have this situation, and it's very bad that we have this situation in the member states of the Council of Europe, so my congratulation to Lord George FOULKES and to the Committee on Culture, Science, Education and Media, who did a lot for this report.

Thank you very much.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very very much.

I indeed do not want to continue the debate for ever, that's very clear. There are certain limitations in terms of our working schedule.

Is there anyone else who would like now to contribute? If not the debate is ended.

I will call now Lord George FOULKES, rapporteur, to reply. You have 4 minutes.

I am very sure that you're very pleased of the remarks you heard.

Lord George FOULKES (Rapporteur, United Kingdom, SOC): Chair,

I have been very impressed by the eloquence of the debate in both the Committee and in the Plenary and the almost unanimous support for the report. I hope journalists who are covering it will note that politicians from every part of Europe and every party have been supporting them in their freedom and in the right to report facts impartially. I hope that they'll cover our debate today.

The criticism that has come to the report I think was dealt with by Mr José CEPEDA who said almost every country is being criticised in this report. Only two are getting upset about it. I might be equally upset that the United Kingdom is being criticised, or Spain or France or whatever are being criticised. But can I say to my friends from Russia that if you think that something on the Platform isn't right then your government should

respond to the Platform. How many times has the Russian government responded to anything on the Platform? Zero. They pay no attention to it whatsoever. Other countries are doing. The Russians criticise Ukraine. Ukraine has actually increased the amount of times that it's responded to the posting on the Platform.

And then the Russians specifically said Mr Golunov is now free, and we welcome that. But the system that got him imprisoned is still there. That's the thing that matters.

And then foreign agents. Classifying journalists as foreign agents. Somehow in Russia they think that that is not going to create any problems for journalists operating. So I hope they will listen to the Council of Europe and to the wide views that have been expressed.

We had a really constructive debate in Committee. We accepted various amendments. We accepted an amendment for Turkey to say that incitement to terrorism, if journalists are involved in that then they should be dealt with. We accepted that amendment. We accepted an amendment from Stefan SCHENNACH about Julian Assange which could well be seen as criticising the United Kingdom government. But I supported it. My UK colleagues supported it because we don't want to see Julian Assange being extradited by the UK government to the United States and facing - theoretically - centuries in prison. So we supported that amendment in Committee.

There was a proper debate in Committee. Can I say to Mr Tommy SHEPPARD in particular, he asked about media ownership, that's going to be dealt with. We didn't deal with it in this report because we've already got a couple of reports in Committee that are dealing with this subject and will be reporting in due course.

So can I also say that I would like to thank the comments that have been made about the report and the contents. It's a very comprehensive report. However, Annicka ENGBLOM was absolutely right when she said that it was a tribute choir. Everyone being very nice to me. I am only the conductor of the choir. The tenors, the bass are behind me. I would like to pay a particular tribute, I don't think it's done often enough, to the staff of the Parliamentary Assembly who service our Committees, who help rapporteurs, help chairs in this. I would like to thank them. Concluding, to thank them very much indeed. We wouldn't have had such a comprehensive, such a powerful report which I hope you will not finish now. I'm a fan of the European Parliament, but the great thing about the Council of Europe Parliamentary Assembly, why we're better, is that we are national parliament representatives here, and we can go back to our national parliaments and ask for these reports to be implemented. That's what I am asking you to do. I'm asking you also to thank the choir behind me that I've been conducting to produce this report.

Thank you very much indeed.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much.

I suppose we all thank the conductor of the choir. Excellent speech and excellent report.

Thanks very much.

Actually, does the Chairperson of the Committee, Mr Olivier BECHT, want to say some words.

Three minutes. It's the same rule for you as well.

Mr Olivier BECHT (France, ALDE): Thank you very much, Mr President.

"I don't agree with what you say, but I will fight to the death for you to have the right to say it". These are not my words, they are the words of a French philosopher, a little over 250 years ago, called Voltaire, who stressed the importance of freedom of expression. There is no freedom of expression if there is no freedom of the press, freedom of journalists and, of course, safety. And there is no freedom at all, if there is no freedom to investigate, to inform but also to blame. This is why it is particularly worrying to see, today, the development of obstacles to press freedom and the safety of journalists in legislation, but also sometimes in practice.

So, of course, when our countries are singled out - and there are a few - in Lord FOULKES' report, it is not pleasing. But I personally think that, rather than being outraged to see our country being singled out, we should have the ambition, on the contrary, to go back to our countries and make things better.

And I think it's not just wise to do that: it's also necessary. That is why our committee is recommending to the House this evening that we adopt very broadly not only the resolution but also the recommendation, with all the points it contains, presented by the rapporteur. Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thank you very much indeed.

The debate is now closed and we move to the amendments. It is the Committee on Culture, Science, Education and Media which has presented the draft resolution, as you have recognised, to which eight amendments have been tabled.

Actually, I understand that the chairperson of the committee which is to propose to the assembly the amendments number 5 and number 2 which were actually unanimously approved by the committee should be declared as agreed by the assembly. Is that so Mr Olivier BECHT?

Vote: Threats to media freedom and journalists' security in Europe

Mr Olivier BECHT (France, ALDE, Chairperson of the Committee on Culture, Science, Education and Media): That's correct.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Good.

Does anyone object for this unanimous decision by the committee?

As I cannot see any objection, I declare that amendments number 5 and number 2 to the draft resolution have been now agreed.

We move now to the other amendments, and we start with Amendment number 8. I call actually Ms Lesia ZABURANNA to support Amendment No 8.

You have 30 seconds.

She is not here. Does anybody else wish to support this amendment?

Okay. Does it imply that then we move to the next amendment as a whole. So nobody is supporting this amendment number 8. We don't have a debate at all and that's that.

Then we go to amendment number 6. If I understand correctly, Mr Andrej HUNKO wishes to withdraw amendment number 6. Does anyone else wish to move it? Actually, I have asked you that one first.

Mr Andrej HUNKO (Germany, UEL): I would briefly explain why I wish to withdraw the motion. That is because Amendment No 5 from the Committee -- it concerns the extradition of Julien Assange -- it was adopted unanimously by the Committee, so the two amendments were similar. And I believe that Amendment No 5 is in a better position in the report. I would therefore like to withdraw Amendment No 6, which is along the same lines.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Okay, Amendment 6 is now withdrawn.

Is there somebody else who would like actually to make this amendment? If not, that's nice. It moves very quickly. That's true. Then Amendment 6 is also withdrawn.

Then we go to Amendment 1, and there is actually a sub-amendment also made for that one. And I first call Mr Kamil AYDIN to support Amendment 1.

You have now 30 seconds.

Please, Mr Kamil AYDIN.

Mr Kamil AYDIN (Turkey, NR): As I said in the committee, you know, in addition to "in the case of hate speech and incitement to violence" it is necessary to insert "acts related to terrorism" and then sub-amendments I think. The president and the rapporteur added a new concept and we agreed on it. That's what I understood from the committee.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Okay, then I will ask actually Lord George FOULKES to support this sub-amendment. And I suppose that actually it is the case now. Or is it Mr Olivier BECHT?

Lord George FOULKES (Rapporteur, United Kingdom, SOC): The sub-amendment really implies that - as I said in my speech earlier - it's incitement to terrorism that we are dealing with, and the mover of the amendment agreed with that. But the question of incitement... the word covers terrorism as well, and he is quite happy with that.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Okay. Is there anyone who want to speak against this sub-amendment? And I understood that Mr Kamil AYDIN is also supporting this one. That's very clear.

What is the opinion of the committee?

Mr Olivier BECHT (France, ALDE, Chairperson of the Committee on Culture, Science, Education and Media): The Commission also unanimously supports the sub-amendment.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Okay. There is an unanimous support from the committee for this one. But we still have to put it on the vote, anyhow. So the vote is open.

The vote is closed. And I call the result.

The sub-amendment is agreed.

Sorry, I am in a similar situation as Mr Hendrik DAEMS when he was heading yesterday the meeting for the first time from here that he had a little bit of hiccups regarding how to go with all the procedures. I have the same. I'm for the first time here, so I try to train myself also, please.

But now we come to the main amendment as amended. Does anyone wish to speak against the amendment as it's amended?

No.

What is the opinion of the committee?

Mr Olivier BECHT (France, ALDE, Chairperson of the Committee on Culture, Science, Education and Media): Favorable.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Okay. *Pas de problème.*

I now shall put the amendment as amended to the vote once again.

We set to vote.

The vote is open.

The vote is closed.

I call the result.

It's there, the amendment as amended, the amendment number 1 as amended is agreed.

Amendments number 5 and amendments number 2, were already agreed, so there is no need to consider those ones.

And now we move to the amendment number 3 and now I call Mr Kamil AYDIN to support amendment number 3. You have the same, 30 seconds like usual in this case.

Mr Kamil AYDIN (Turkey, NR): Yes, thank you, President.

And in compliance with the long-standing cooperation between Turkey and the Council of Europe, adding these phrases would encourage the ongoing reform efforts and legitimate concerns of the country of Turkey, of course.

Thank you.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Does anyone wish to speak against the amendment? Please, Mr Stefan SCHENNACH.

Mr Stefan SCHENNACH (Austria, SOC): It cannot excuse everything, and over the years by the so-called coup d'état. Those who are imprisoned, many times they said there is a connection. In that case I am not in favour of this amendment.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): What is the opinion of the Committee?

Mr Olivier BECHT (France, ALDE, Chairperson of the Committee on Culture, Science, Education and Media): The Committee is against by a large majority.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Now I shall put the amendment to the vote.

The vote is open.

The vote is closed.

I call for the result.

Amendment 3 is rejected.

Now, we move towards Amendment 7. I call Mr POLIAČIK to support Amendment 7. You have 30 seconds.

Mr Martin POLIAČIK (Slovak Republic, ALDE): Although I think that this is a relevant issue that needs to be looked into, due to technical reasons - because all other stuff needs to go through the platform that the Committee works with - I'm going to withdraw the amendment.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): You will withdraw the amendment.

Is there somebody else who would like to support the amendment?

If not, it's withdrawn.

Great. We are moving quickly. Nice!

Amendment number 4. I call Ms Yuliya LOVOCHKINA to support amendment number 4.

Ms Yuliya LOVOCHKINA (Ukraine, SOC): Our honourable rapporteur Lord George FOULKES examined many countries and obviously could not visit them all, so he had to rely on credible sources such as the Platform. This amendment was rejected in Committee with an explanation that there is no evidence of journalists' murder as recorded by the Platform, however, this is an unfortunate mistake. There is a record. Moreover, many murders of journalists took place in previous years as well as the physical attacks and none was properly investigated.

So, please let us help Ukraine and support this amendment which is also fully in line with the Monitoring Committee report.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Thanks. Does anyone wish to speak against the amendment?

Lord George FOULKES (Rapporteur, United Kingdom, SOC): This amendment was defeated in Committee because it was explained that we rely on reports from the Platform which are cross-checked to make absolutely sure that they're right. This wasn't on the Platform. It is something that certainly we can look into in the future but it wasn't something that we could verify and, therefore, we felt obliged to reject that amendment.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): What is the opinion of the Committee?

"The Committee is against by a large majority."

Okay. Now I shall put the amendment to the vote.

The vote is open.

You're very quick this time.

The vote is now closed.

I call for the result.

The amendment is rejected.

Now we move to, actually, the whole draft resolution. There is a simple majority needed. We will now proceed to vote on the draft resolution contained in document 15021 as amended.

Now the vote is open. Now we're voting for the whole resolution.

The vote is closed.

I call for the result.

The resolution is agreed.

Congratulations.

The draft resolution in document 15021 is agreed upon as amended.

Now we have the draft recommendation. A two-thirds majority is required. We are only counting the affirmative and negative votes.

Now we will proceed to vote on the draft recommendation contained in the document mentioned, 15021.

The vote is open for that one. There is a draft recommendation at the end of the resolution, so please vote once again. A two-thirds majority is needed.

The vote is closed.

I call for the result.

Clearly, a two-thirds majority is there.

The draft recommendation in document 15021 as amended is adopted, and the whole resolution with recommendation is now clear.

Before the end of the sitting, two members of the Assembly would like to take the floor on the subject of the votes on the report that we debated this afternoon on the functioning of democratic institutions in Poland.

Mr Aleksandr BASHKIN from Russia.

Mr Aleksandr BASHKIN (Russian Federation, NR)*: *[Interpretation not available]*

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): Also, Ms Rósa Björk BRYNJÓLFSDÓTTIR from Iceland, please.

Sorry.

Ms Rósa Björk BRYNJÓLFSDÓTTIR (Iceland, UEL): Thank you Mr Chair.

I just wanted to let you know that my voting on amendment 38, in the debate on the Polish judiciary today, I just wanted to change my vote and vote otherwise.

I don't know how to do that.

Do I say how I vote here...?

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): The situation is such that the vote cannot be corrected, but you have now placed your comments on the minutes of the record. Now it's on the record.

Ms Rósa Björk BRYNJÓLFSDÓTTIR (Iceland, UEL): Yes. So I didn't vote it right during the voting, but I would like to state that I would stay neutral on amendment number 38.

Mr Kimmo KILJUNEN (Finland, SOC, President of the Assembly): As a matter of fact, I made the same mistake there on the Polish vote. I voted by mistake. But I understood, it doesn't make any sense to correct it now.

Thank you very, very much indeed. We were very good in time.

Have a nice evening. *Bonjour*. The Assembly will hold its next public sitting tomorrow morning at 10 o'clock in the morning with the agenda that was approved on Monday.

Now the sitting is adjourned.

Bonne nuit!

Closing of the sitting No. 4 at 20:15