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Discussion of the communication on the activities of the Committee of Ministers

Parliamentary questions

1. Question from Mrs Acketoft,

Considering that in joining the Council of Europe as early as 1949, Turkey undertook to protect and develop human rights and fundamental freedoms. Notwithstanding this, on 28 January 2008, Professor Atilla Yayla, of the faculty of political sciences at Ankara's Gazi University and head of the Association for Liberal Thinking, was sentenced to one year and three months in jail for "insulting the nation's founder", Mustafa Kemal Atatürk;

Considering that Professor Yayla was charged for having said that the era of one-party rule under Atatürk, from 1925 to 1945, was not as progressive as the official ideology would have Turks believe. He said it was "regressive in some respects." He also criticised the statues and pictures of Atatürk, saying "Europeans would be baffled to see the portraits of just one man on the walls." Yayla rejected the charges against him, insisting that he was not insulting Atatürk but questioning his legacy;

Considering that Mr Yayla's conviction arises from the fact that Turkey has not done enough to protect the freedom of expression and that several prominent Turkish journalists and writers have been tried under a law that bars insulting "Turkishness" and state institutions;

Considering that the freedom of thought and expression is a cornerstone to a democratic society, and one of the fundamentals on which the Council of Europe is founded,

To ask the Chairperson of the Committee of Ministers does the Chairperson of the Committee of Ministers agree that the ruling made by the Turkish court infringed Article 19 of the Universal Declaration of Human Rights and Article 10 of the European Convention on Human Rights and how does the Chairperson of the Committee of Ministers propose to act in order to certify that Articles 19 and 10 are followed by the member states of the Council of Europe.

2. Question from Mr Pozzo di Borgo,

Considering that on 22 January last, the Chairperson of the Committee of Ministers stated to the Assembly that the Council of Europe wished in future to play a part in drawing up the European Union's European Neighbourhood Policy;

Considering that the Council of Europe already focuses special attention on a number of countries covered by this policy, such as Belarus and the countries of the Maghreb and the Mashreq, in particular through regular exchanges on the human rights situation in the countries concerned;

Considering that the Council of Europe's expertise and legitimacy on these matters are acknowledged by its dialogue partners and could prove to be extremely useful for the European Union in its deliberations; that the report on the implementation of the neighbourhood policy in 2007, presented by the European Commission on 2 April last, reflects the latter's growing concern about the situation of public freedoms in the countries concerned; and that enhanced complementarity with the Council of Europe would be fully in keeping with the Juncker report,

To ask the Chairperson of the Committee of Ministers whether the Committee of Ministers has made initial contacts with the European Commission to put this partnership into practice and, if so, what the anticipated arrangements for this partnership are.

3. Question from Mr Gross,

Considering that, especially in the eastern and central part of Europe, you observe a growing disillusion with the existing democracy and democracies,

To ask the Chairperson of the Committee of Ministers how he explains this disillusion and what he would like to suggest in order to try to overcome it in a common future effort by the Assembly and the Committee of Ministers.

4. Question from Mrs Pashayeva,

Considering that elections of the Armenian president were held in the occupied territories of Azerbaijan, namely in the Daghlig Garabagh Lachin and Kalbajarh districts;

Considering that after the sharp reaction of the international organisations and the public to the regime of extraordinary situation that had been declared very soon after elections in order to draw away the attention of the international organisations and the population, the government of Armenia resorted to provocative steps that are very dangerous for the whole region. On 4 March, the armed forces of Armenia, breaking the ceasefire, attacked Azerbaijan armed forces and civilians from military positions that were built on the occupied territories of Azerbaijan. Although the attack of the armed forces of Armenia was prevented by Azerbaijan armed forces, tension continues to this day;

Considering that a few days ago, the General Assembly of the UN discussed and adopted the resolution on "The situation of the occupied territories of Azerbaijan". The territorial integrity of Azerbaijan is once again affirmed with this document and Armenia is summoned to liberate Azerbaijan occupied territories;

Considering that it was noted during the discussions in the Armenian Parliament that the official policy of Erevan would only agree to a solution to the Daghlig Garabagh conflict if it would allow the possibility of the Daghlig Garabagh district joining Armenia,

To ask the Chairperson of the Committee of Ministers whether he, as the Chairperson of the Committee of Ministers, and the Committee of Ministers itself are anxious about the steps taken by Armenia, which are not helpful to solve the Daghlig Garabagh conflict but, which on the contrary, intensify the situation even more; what actions does he plan to take in order to prevent the situation from worsening.

5. Question from Mr Mignon,

Drawing the Committee of Ministers' attention to the seriousness of the situation in Tibet and to the need for a halt to the violence and human rights violations,

To ask the Chairperson of the Committee of Ministers whether he intends to initiate joint discussions among the foreign ministers of the Council of Europe member states:

– on the different ways of promoting dialogue between the Chinese authorities and the Dalai Lama;

– on the attendance by heads of state and government at the opening ceremony of the Beijing Olympic Games;

– on a joint statement reminding China of the human rights commitments it agreed to when it was awarded the games.

6. Question from Mr Omtzigt,

Considering that Japan – an observer state – carried out four executions of prisoners in secrecy last week;

Considering that the United States – another observer state – executed over 40 prisoners on death row last year;

Considering that the Parliamentary Assembly of the Council of Europe passed Recommendation 1827 (2008) in which it called on the Committee of Ministers to: "intensify its political dialogue with Japan and the United States, to urge both countries to finally place an immediate moratorium on executions, to abolish the death penalty as soon as possible, and to present to the Assembly by the end of 2008 a detailed account of its contacts with these countries",

To ask the Chairperson of the Committee of Ministers which actions has he taken and what action will he take during his presidency with respect to this recommendation and will he send a letter to the Assembly at the end of his presidency setting out the advances he has gained in abolishing the death penalty in the observer states.

7. Question from Mr Petrenco,

Considering that a group of Romanian citizens who ethnically identify themselves as Moldovans initiated a process of registration of the "Moldovan community in Romania – Native of Republic of Moldova" (MCR-NRM) association in 2007. The goal of the Moldovan community in Romania – Native of Republic of Moldova is to represent and defend the fundamental rights and freedoms of the citizens native to the Republic of Moldova, who may or may not have Romanian citizenship, but who have their permanent or temporary residence on the territory of Romania;

Considering that the registration of the association was prohibited by the decision of the law court in Pascani, Romania (case 4094/866/2007) on the basis of non-existence of the Moldovan nation separate from the Romanian one, as well as the national character of the Romanian state, even though a considerable number of minorities like Hungarians, Bulgarians and Roma exist in Romania. A precedent was recorded when the Roma association "Amare Rromentza" registered its statute in the National Catalogue of NGOs under the No. 1630/A/2000 having the goal of "forming and promoting the young Roma as vanguard of (re)edification of the Roma nation";

Considering that the Romanian authorities' decision can be qualified as having a political character and, at the same time, violates the rights of people who declare themselves belonging to the Moldovan nationality (the right of association, freedom of expression, freedom of conscience and identity),

To ask the Chairperson of the Committee of Ministers to what extent do the actions of Romanian authorities accord with the standards of the Council of Europe.

8. Question from Mr Almássy,

Considering that Slovakia has ratified the European Charter for Regional or Minority Languages, and with its accession to the Council of Europe it was supposed to have accepted the Council of Europe's Recommendation 1201 (1993);

Considering that according to this recommendation, the Slovakian Government should respect the opinion and the request of the Hungarian minorities concerning modification of the educational and higher educational law affecting:

– authorisation of alternative auxiliary school books in minority language schools;

– retaining the ratio of the Hungarian and Slovakian language courses;

– and requalifying the status of the Hungarian language University of Selye Janos in Komarno to a lower college level which will decrease opportunities for Hungarian students,

To ask the Chairperson of the Council of Europe what action will the Committee of Ministers take to ensure that the Government of Slovakia respects the provisions of Recommendation 1201.

9. Question from Mrs Bemelmans-Videc,

Considering that on 5 May 1949 the Treaty of London was signed, formally starting the Council of Europe;

Considering that the Council of Europe is thus the oldest pan-European Institution fostering European integration as the Council of Europe will turn 60 next year;

Considering furthermore that the European Court of Human Rights was set up in 1959 and will celebrate its 50th anniversary next year,

To ask the Chairperson of the Committee of Ministers whether the Committee of Ministers is willing to mark in

an appropriate manner this event, the fact that member states have worked together and that citizens have had the right of access to the Court and will the Committee of Ministers inform the Assembly as soon as possible on the date of the proposed way of proceeding.

10. Question from Mr Iwiński,

Following the publication of the revealing book by Ms Carla del Ponte, former Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia, who says that the leaders of the KLA (Kosovo Liberation Army) – now ruling the independent Kosovo – were actively involved in human organ trafficking,

To ask the Chairperson of the Committee of Ministers will the Council of Europe concern itself with these claims.

11. Question from Mr Pollozhani,

Considering that its Recommendations 1682 (2004) on education for Europe and 1791 (2007) on the state of human rights and democracy in Europe, the Assembly called for normative action for education for democracy and human rights,

To ask the Chairperson of the Committee of Ministers what has the Committee of Ministers done to implement these recommendations.

12. Question from Mr Rigoni,

Considering that Belarus – the only European state that has yet to meet the criteria for Council of Europe membership – is one of the priorities of the Slovak chairmanship;

Considering in particular that your chairmanship has committed itself to support the full use of all assistance and co-operation programmes of the Council of Europe and has welcomed the active co-operation of all parties concerned for their effective implementation,

To ask the Chairperson of the Committee of Ministers what initiatives has the Slovak chairmanship of the Committee of Ministers undertaken to promote Council of Europe values amongst the public in Belarus, in particular as regards the opening of a Council of Europe Information Point in Minsk.