

## *Nyt fra E u r o p a r å d e t*

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### **European Court of Human Rights: Urgent need to implement reforms to secure future of European Court**

Strasbourg, 25.1.2007 - The European Court of Human Rights' new President has today called for an important package of reforms to be implemented urgently.

Speaking at the Court's annual press conference in Strasbourg this afternoon, President Jean-Paul **Costa** (French) expressed his concern that the long-awaited Protocol 14 to the European Convention on Human Rights is still not in place at the beginning of 2007, as had been hoped.

The Protocol is principally designed to help the Court deal more quickly with its ever-growing list of pending cases (now some 90,000 cases), in particular, by simplifying procedures for dealing both with cases which have no chance of success (at least 90% of all cases) and well-founded repetitive cases. The Protocol must be ratified by all 46 European States which have ratified the European Convention on Human Rights. 45 States have ratified; Russia has so far failed to do so.

"The Court is universally known and respected but its future depends on its effectiveness," Mr Costa told journalists. "If the Court becomes ineffective, it will lose its credibility. The Court needs the support of courts and national authorities and, if Protocol 14 does not enter into force soon, the future of the Court and Convention system will be in jeopardy.

"According to a provisional assessment, without any increase in resources, the application of Protocol 14 will enable the Court to increase its productivity by at least 25%. Although it cannot suffice by itself, the Protocol is therefore indispensable. Everything starts with Protocol 14. The Group of Wise Persons, appointed to make proposals to ensure the long-term effectiveness of the Court, have already submitted their report, but it presupposes that Protocol 14 is already in place.

"If nothing is done about the influx of inadmissible and repetitive cases to the Court, our great European institution will be asphyxiated. Protocol 14 must enter into force and as quickly as possible."

Mr Costa also told journalists that the number of judgments delivered by the Court in 2006 had risen by 40% (from 1105 in 2005 to 1560 in 2006).

The Court has also issued its [annual table of violations by country for 2006](#) at today's press conference.

### **Protokol nr. 14 fortsat på den russiske Dumas dagsorden**

Strasbourg, 25.1.2007 - Formanden for den russiske Europarådsdelegation, Konstantin Kosachev, redegjorde i dag under en debat i Europarådets parlamentariske forsamling for, hvorfor Dumaen ikke ratificerede Protokol nr. 14 til Den Europæiske Menneskerettighedskonvention ved afstemningen den 20. december. Han oplyste, at der hverken var det fornødne flertal for eller imod ved afstemningen. Protokollen blev således ikke forkastet og er derfor fortsat på Dumaens dagsorden.

Medlemmerne af Europarådsdelegationen stemte for, og præsident Putins repræsentant anbefalede ratifikation. Der var imidlertid mange medlemmer, der enten stemte imod eller undlod at stemme, fordi de er

af den opfattelse, at domstolen i en række sager mod Rusland ikke kun har taget juridiske men også politiske argumenter i brug ved domsafsigelsen. Konstantin Kosachev oplyste, at Europarådsdelegationen vil forsøge at få en ny afstemning i Dumaen om Protokol nr. 14's ratifikation inden valget til december.

Under debatten i Europarådets parlamentariske forsamling tilbød formanden for det juridiske udvalg, Dick Marty, at udvalget kan mødes med Dumaens medlemmer senere på året for at afklare de misforståelser, der tilsyneladende fik flertallet af Duma-medlemmer til at undlade at stemme for Prokollens ratifikation.

## **René van der Linden unanimously re-elected PACE President/ Election of PACE Vice-Presidents**

Strasbourg, 22.01.2007 – [René van der Linden](#) (Netherlands, EPP/CD) was today unanimously re-elected President of the Parliamentary Assembly of the Strasbourg-based Council of Europe (PACE) for a third mandate of one year.

Among PACE highlights and priorities in 2007, Mr van der Linden announced the organisation of a first annual debate on the state of human rights and democracy in Europe in April, which should provide a point of reference for debates in national parliaments including on issues such as racism and xenophobia and combating violence in everyday life.

René van der Linden pledged to continue his successful efforts in the last two years in the following areas of priority: the promotion of intercultural and inter-religious dialogue, strengthened co-operation with the European Parliament, a forward-looking approach to the developing partnership with Russia as well as assistance for the process of democratisation in Belarus.

In his [opening speech](#), Mr van der Linden also quoted the executive director of Human Rights Watch as saying “since the US can't provide credible leadership on human rights, European countries must pick up the slack”, referring to PACE's ongoing work on alleged secret detention centres involving Council of Europe member states.

“We must take courage and inspiration from these words and promote our common values in the wider world,” he said. In this context, he also stressed that he expected 2007 to see fresh momentum behind the campaign for world-wide abolition of the death penalty, starting with the organisation's observer states, Japan and the United States, and neighbours Belarus and Kazakhstan.

With regard to the EU Fundamental Rights Agency, the President once again stressed the necessity to avoid unnecessary duplication of the Council of Europe's work. He underlined that the very same states that caused most difficulties with the organisation's 2007 budget were, at the same time, “agreeing to the creation of an Agency that risks duplicating Council of Europe activities, at a spiralling cost of tens of millions of euros per year”.

The Parliamentary Assembly also elected its Vice-Presidents:

Miloš ALIGRUDIĆ (EPP/CD) Serbia, Edita ANGYALOVÁ Slovakia (SOC), Aleksander BIBERAJ (EPP/CD) Albania, Joan FARRÉ SANTURÉ (ALDE) Andorra, Per-Kristian FOSS (EPP/CD) Norway, Serhiy HOLOVATY (ALDE) Ukraine, Joachim HÖRSTER (EPP/CD) Germany, Erik JURGENS (SOC) Netherlands, Karol KARSKI (EDG) Poland, Konstantin KOSACHEV (EDG) Russian Federation, Darja LAVTIŽAR-BEBLER (ALDE) Slovenia, Göran LINDBLAD (EPP/CD) Sweden, Tony LLOYD (SOC) United Kingdom, Murat MERCAN (EPP/CD) Turkey, Cezar Florin PREDA (EPP/CD) Romania, Andrea RIGONI (EPP/CD) Italie, Oliver SAMBEVSKI (EPP/CD) "the former Yugoslav Republic of Macedonia", Walter SCHMIED (ALDE) Switzerland, Bernard SCHREINER (EPP/CD) France, José VERA JARDIM (SOC) Portugal.

## **PACE calls on member states not to use energy supply as an instrument of political pressure**

Strasbourg, 23.01.2007 – The Council of Europe Parliamentary Assembly (PACE) has called on the Organisation’s 46 member states “not to use energy supply as an instrument of political pressure” and appealed for a stable and reliable energy system in Europe based on mutual commitments, long-term agreements and transparent competitive rules.

Such a partnership between Russia and other European countries depending on Russian energy imports would be “strategically beneficial for all concerned”, the Assembly said.

In a resolution, it expressed concern at Gazprom’s heavy monopoly of Russia’s gas market, and called on all member states to open up their gas transportation systems to both domestic and foreign competition.

The Assembly regretted the significant reduction in Russia’s gas supply to Ukraine in January 2006, which “as a result of a unilateral decision” had threatened the stability of the economic situation in Ukraine.

The parliamentarians also called for ratification of the Energy Charter Treaty and for completion of its Protocol on Transit, improved energy efficiency and the use of renewable energy.

## **PACE calls for parliamentary investigations into the unresolved murders of journalists and announces a specific monitoring mechanism**

Strasbourg, 25 January 2007 – While underlining the importance of Article 10 of the European Convention on Human Rights for the protection of media freedom throughout Europe, the Council of Europe Parliamentary Assembly (PACE) today called for additional measures for effectively protecting the lives and freedom of expression of journalists.

Following the proposals by the rapporteur (Andrew McIntosh, United Kingdom, SOC), the Assembly called on all parliaments concerned “to conduct parliamentary investigations into the unresolved murders of journalists as well as attacks and death threats against them, in order to shed light on individual cases and develop as a matter of urgency effective policies for the greater safety of journalists”.

The Assembly called on the Russian Parliament to closely monitor the progress of the criminal investigation into the murder of Anna Politkovskaya and to hold the authorities accountable for any failure to investigate or prosecute. It also asked the Turkish Parliament to abolish Article 301 of the penal code on the “denigration of Turkishness”. As regards the murder of Ukrainian journalist Georgiy Gongadze, the Assembly expressed concern at the lack of progress in the investigation.

The Assembly resolved “to establish a specific monitoring mechanism for identifying and analysing attacks on the lives and freedom of expression of journalists in Europe as well as the progress made by national law enforcement authorities and national parliaments in their investigations of these attacks”. To that end, it invited Reporters without Borders, the International Press Institute, the International Federation of Journalists and other organisations to report such attacks to the Assembly.

While recalling that a number of attacks on journalists may have happened in Europe without drawing public attention, the Assembly paid tribute “to all journalists and media that further democracy and the rule of law” by their work.

## Vedtagelser under vinter-sessionen i Den Parlamentariske Forsamling (Strasbourg, 22.-26. januar)

22/01/2007		Recommendation 1777 Sexual assaults linked to "date-rape drugs"
22/01/2007		Recommendation 1778 Child victims: stamping out all forms of violence, exploitation and abuse
23/01/2007		Resolution 1530 Child victims: stamping out all forms of violence, exploitation and abuse
23/01/2007		Recommendation 1779 Peril of using energy supply as an instrument of political pressure
23/01/2007		Resolution 1532 Honouring of obligations and commitments by Armenia
23/01/2007		Resolution 1531 Peril of using energy supply as an instrument of political pressure
24/01/2007		Recommendation 1781 Agriculture and illegal employment in Europe
24/01/2007		Recommendation 1782 The situation of migrant workers in temporary employment agencies (TEAs)
24/01/2007		Resolution 1534 The situation of migrant workers in temporary employment agencies (TEAs)
24/01/2007		Recommendation 1780 Current situation in Kosovo
24/01/2007		Resolution 1533 Current situation in Kosovo
25/01/2007		Recommendation 1783 Threats to the lives and freedom of expression of journalists
25/01/2007		Resolution 1535 Threats to the lives and freedom of expression of journalists
25/01/2007		Resolution 1537 A future for HIV/AIDS children and AIDS orphans
25/01/2007		Resolution 1538 Honouring of obligations and commitments by Albania
25/01/2007		Recommendation 1785 The spread of the HIV/AIDS epidemic to women and girls in Europe
25/01/2007		Resolution 1536 HIV/AIDS in Europe
25/01/2007		Recommendation 1784 HIV/AIDS in Europe
26/01/2007		Recommendation 1786 Towards responsible food consumption

26/01/2007



Recommendation 1787

The precautionary principle and responsible risk management

Som noget nyt kan man nu på hjemmesiden [assembly.coe.int](http://assembly.coe.int) under "Voting results" se afstemningsresultaterne og hvordan de enkelte medlemmer har stemt.

## 'Continual confrontation' is frustrating reform hopes in Ukraine, say Monitoring co-rapporteurs

[25/01/2007] Continual confrontation in Ukraine is frustrating hopes for a political consensus in making strategic decisions or stepping up the badly-needed reform process, PACE's monitoring co-rapporteurs have warned. In an information note made public today, Hanne Severinsen (Denmark, ALDE) and Renate Wohlwend (Liechtenstein, EPP/CD) regretted the "incessant tug-of-war" between President Yushchenko and Prime Minister Yanukovich, and said the "promises of the Maidan" had not been met. They called on Ukraine to resolve its constitutional crisis in order to move ahead with serious reform. [Information note](#)

## Domme i nordiske sager ved Den Europæiske Menneskerettighedsdomstol

- 9.1.2007 Uoti v. Finland (no. 61222/00): Violation of Article 6 § 1 (right to a fair trial within a reasonable time);
- 9.1.2007 Niva v. Finland (no. 37730/02): Friendly settlement (Article 6 § 1);
- 23.1.2007 Lilja v. Sweden (no. 36689/02): Violation of Article 6 § 1 (length of criminal proceedings and tax proceedings).

## Klage om Muhammed-tegningerne afvist

Den Europæiske Menneskerettighedsdomstol afviste den 11. december en klage fra en marokkansk statsborger bosiddende i Marokko vedrørende Jyllands-Postens Muhammed-tegninger (Decision as to the admissibility of application no. 5853/06). I to andre sager om Muhammed-tegningerne har klagerne ikke fulgt op på deres klager, hvorved sagerne er bortfaldet. Domstolen har derved ikke længere verserende sager om Muhammed-tegningerne.

## Møder i februar

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

- 7. Ministerkomitéen
- 12. Observation af lokalvalg i Albanien
- 13. 2+2 møde med EU (Bruxelles)
- 13.-14. Ministerkomitéen
- 21.-22. Ministerkomitéen
- 22.-23. ECRI-seminar med nationale organisationer om "positive action".

**"Nyt fra Europarådet" sendes til nyhedsmedierne i de nordiske lande 11 gange om året.**

**Nærmere oplysninger om tidligere og kommende møder kan fås ved henvendelse til:**

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