

RESOLUTION ⁽¹⁾**on challenges for the future of democracy, including the question of free and independent media in Eastern Partnership and EU countries**

(2012/C 153/03)

THE EURONEST PARLIAMENTARY ASSEMBLY,

- having regard to the Charter of Fundamental Rights of the European Union, proclaimed in Strasbourg on 12 December 2007,
 - having regard to the Treaty on European Union,
 - having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms,
 - having regard to the Constituent Act of the EURONEST Parliamentary Assembly of 3 May 2011,
 - having regard to the Conclusions of the Eastern Partnership Summits of 7 May 2009 in Prague and of 29-30 September 2011 in Warsaw;
 - having regard to the European Parliament's resolution of 22 October 2009 on democracy building in the EU's external relations,
 - having regard to the European Charter on Freedom of the Press of 25 May 2009,
 - having regard to the European Parliament's resolutions on the eastern dimension of the European Neighbourhood Policy, as well as on the Republic of Armenia, the Republic of Azerbaijan, the Republic of Belarus, Georgia, the Republic of Moldova and Ukraine,
 - having regard to the Joint Communication by the High Representative of the EU for Foreign Affairs and Security Policy and the European Commission on 'A new response to a changing Neighbourhood' of 25 May 2011,
 - having regard to the opinions of the Venice Commission of the Council of Europe adopted in 2010 and 2011 and related to constitutional issues, electoral code, freedoms of conscience and religion, political parties, human rights standards, non-governmental organisations, political unions of citizens, law on assembly and manifestations and independence of judiciary in Eastern Partnership countries,
 - having regard to the regular reports to the OSCE Permanent Council by the OSCE Representative on Freedom of the Media,
 - having regard to the Declaration of the Committee of Ministers of the Council of Europe on measures to promote the respect of Article 10 of the European Convention on Human Rights (adopted on 13 January 2010);
 - having regard to its Rules of Procedures,
- A. whereas democracy is a universal value and a form of government in which citizens enjoy equal rights to participate in political life and equal access to legislative processes;
- B. whereas the Joint Declaration of the Eastern Partnership Summit held in Warsaw on 29-30 September 2011, states that 'the Eastern Partnership is based on a community of values and principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law' and that 'all countries participating in the Eastern Partnership are committed to these values through the relevant international instruments';

⁽¹⁾ Adopted in Baku, Azerbaijan on 3 April 2012

- C. whereas Article 2 of the Treaty on European Union refers to democracy as a founding value of the Union and identifies it as common to EU Member States; whereas these Member States share a form of governance based on representative democracy;
- D. whereas Article 49 of the Treaty on the European Union refers to the right of any European State, which respects the EU democratic values and is committed to promoting them, to apply to become a member of the Union;
- E. whereas democratic systems may vary in form and shape, reflecting different histories, cultures and circumstances, but popular sovereignty, equality and freedom, the separation of powers and the independence of the judiciary, transparency and accountability in public affairs are universally identified amongst the basic features of democracy; whereas respect for human rights and the rule of law are essential to the establishment of democratic systems enabling citizens to protect their rights and enjoy fundamental freedoms;
- F. whereas democracy shall ensure equality before the law and elimination of all forms of discrimination; whereas it requires that men and women may participate on equal terms to political life and that all citizens, including the ones belonging to minorities or vulnerable groups enjoy the same rights;
- G. whereas a scarcity of accountability of political class and of its capacity to reach compromises, a protracted instability, along with limited economic growth and development may result in pervasive popular frustration and an anti-democratic populism may gain strength;
- H. whereas representative democracy is founded on the principle of elected individuals representing the will of the people and requires the periodic organisation of competitive, free and fair elections; whereas representative elections require an active participation of voters and a high voter turnout;
- I. whereas independent executive, legislative and judicial institutions with separate powers form the basis of democratic systems and governance; whereas, according to democratic principles, governments and parliaments at international, national or sub-national levels are accountable for the conduct of public policies and administration and give transparency to their decisions before citizens;
- J. whereas strong parliamentary institutions are at the heart of all democratic systems of governance; whereas the European Parliament is providing a welcome assistance in offering capacity support to Eastern European partner parliaments;
- K. whereas in a democracy, the diversity of political parties with capacity to represent citizens ensures that there are different choices in terms of policies, political ideas and programmes as well as in terms of candidates for executive and legislative institution offices; whereas political parties offer and provide citizens with the capacity to discuss the aspirations and demands of society openly and transparently and to turn them into policy proposals and alternatives;
- L. whereas freedom of opinion and expression, freedom of assembly, the right to establish independent political parties, non-governmental organizations and associations are essential elements of democracy; whereas it is fundamental to guarantee that citizens are allowed to exercise their rights in these areas without being exposed to threats of lawsuits or imprisonment;
- M. whereas freedom and pluralism of the media and press are essential so that citizens make opinions and judgments benefiting from a variety of information sources; whereas democratic political life requires the free access of citizens to information, through communication channels ranging from press publishing to electronic vectors including the internet and social media, without censorship, as well as ensure reliable and safe environment for investigative journalism;
- N. whereas establishing or adjusting media legislative frameworks in such a way as to prevent the formation of monopolies and promote media pluralism is a recurrent challenge to all states; whereas such frameworks should lay down adequate regulations applying to the internet, electronic communication technologies and social networks, which provide new opportunities for increasing political knowledge and the participation of citizens in political life and for raising their interest in civic engagement;

- O. whereas civil society organisations which are distinct and are not linked to state structures, have a prominent role in the functioning of democracy; whereas they are instrumental in building up democratic culture in society by informing citizens, encouraging them to participate in political discussions and holding governments accountable for public policies;
- P. whereas the development of democracy poses a number of challenges in terms of citizens' participation in political life and debates, the openness of policy-making bodies, including parliaments to dialogues with the society, and the freedom of media and their independence from political and economic powers;
- Q. whereas corruption undermines trust in democratic institutions and weakens the accountability, legitimacy and credibility of political leadership; whereas eliminating corruption is a challenge and a necessary condition for democratisation for all societies and requires the enforcement of appropriate laws and ethical, deontological and conduct rules applying to political life;
- R. whereas democratic reforms in Eastern European partners would be highly beneficial to cooperation and dialogue with EU Member States under the Eastern Partnership; whereas in this context, such democratic reforms should address as a priority the rule of law, the independence of the judiciary, the respect for and protection of human rights and fundamental freedoms as well as free and fair elections; whereas these democratic reforms depend highly on the political will and different political intentions of the ruling elite of each partner country;
- S. whereas transparent and accountable public administrations faces new organisational challenges in making decisions and policy-decision processes available to access, debate and discussion for citizens; whereas the latter shall have an opportunity to claim their demands and introduce their proposals, which are to be taken into consideration by public administration;
- T. whereas there are trends towards increasing policy decision-making at international level, given that political responses to global economic, societal and environmental challenges need to be of global nature; whereas, at the same time, international organisations play a crucial role in bringing all partners at the global level to work on common standards considering democratic governance;
- U. whereas educating people and in particular the young to democratic values, as well as creating civil society is crucial to the future of democracy, with a view to avoiding low voter turnouts which undermine the legitimacy of representative institutions and bodies;

Giving priority to the fundamentals of democracy

1. Believes that progress regarding democracy, respect for human rights and the rule of law is of major importance to both EU Member States and Eastern European partners, and to the development of their cooperation, economic integration and political association;
2. Considers that the separation of powers and a proper balance between state institutions are necessary for the stability, independence and effectiveness of democratic institutions, which are the only guarantee to increase citizens' trust towards these institutions;
3. Stresses that democratisation processes should give priority to respect for and protection of human rights and fundamental freedoms, the strengthening of the rule of law, the independence of the judiciary, transparent procurement, separation of politics from business, reliable court procedure and the fairness and transparency of elections;
4. Underlines the need to ensure the freedom of citizens to stand for elected office; stresses the importance of promoting the right of citizens to form political parties, freely declare their membership and participate in electoral campaigns;

5. Calls on the respective governments to ensure that elections, in particular the forthcoming parliamentary and presidential elections in the Eastern European partners, prove to be fair, transparent and in full compliance with international standards for democratic elections, the Venice Commission of the Council of Europe and OSCE/ODIHR recommendations; stresses the importance of ensuring a fair electoral process in the run-up to election days for all competing sides, including fair access to media; calls for national electoral frameworks and codes to be critically reviewed and modified where needed; in this regard, welcomes the latest changes made to the Electoral Code of Armenia; considers that international election observers have an important role to play in fostering public trust in all election processes and calls the international community to ensure an international observation exercise of the elections to be held in Eastern European partners and provide with objective evaluation of the whole electoral process, publicized equally for all Eastern European partners and based on the same standards;
6. Calls on the Eastern European partners to ensure that forthcoming parliamentary and presidential elections, which are on the way, prove to be free, fair, democratic as conducted according to the OSCE standards;
7. Stresses that the adoption and implementation of legislation against discrimination are critical elements for democratic progress in open, multi-ethnic and multi-cultural societies;
8. Calls for the enforcement, improvement or adoption of codes of conduct for political life, encompassing ethical principles and standards to be applied in national governmental bodies and parliaments; emphasises that the latter should be supported in their efforts to play their proper role in defining national policies, holding governments to account, monitoring and assessing past performances and achieved results; calls for the establishment of a clear separation between the economic and political spheres in decision making so as to avoid conflicts of interest, not least in respect of the financing of political parties; underlines the importance of clear legislative framework and provisions on political party and campaign financing guaranteeing the transparency of regulation, oversight of political party financing and equal opportunities for all political parties;
9. Invites the EU, EU Member States and Eastern European partners to make a firm political commitment for combating corruption in all its forms and to strengthen and effectively implement anti-corruption legislation, since corruption not only hampers long-term economic growth and citizens' trust in political development, but also has negative impact on the social tissue and evolving prospects of society;
10. Calls for strengthening the Joint Programme of the EU and the Council of Europe on enhancing judicial reform in the Eastern European partners; recommends that it be extended to joint training and experience-sharing activities between judges from the EU Member States and Eastern European partners;

Deepening the Eastern Partnership political dialogue and cooperation for democracy building

11. Calls for enhancement of the political dialogue between the EU and Eastern European partners on the issues of building up democracy and implementing democratic reforms; pledges to intensify the role of the EURONEST Parliamentary Assembly in this dialogue with political institutions and other stakeholders, in particular by developing exchanges and discussions between its Members and representatives of governmental bodies, parliamentary and non-parliamentary political parties, civil society, the media and non-governmental organisations;
12. Encourages EU Member States which experienced a transition from authoritarian regimes to democracy to offer advice to Eastern European partners on the basis of the lessons drawn from the successes and difficulties they have met over the past twenty years; recommends that in their transition towards deeper democracy and political association with the EU, partner countries adopt legislative and concrete measures ensuring the access of their citizens to national archives related to the surveillance activities of former authoritarian regimes.
13. Recommends to build solidarity and to strengthen EU support to Eastern European partners in implementing democratic reforms, in particular with regard to reforming the judiciary and court systems, and guaranteeing the independence, impartiality, accountability and professionalism of the judiciary and courts;

14. Calls on the European Commission to provide enhanced financial, technical and expertise support to the national parliaments' administrations of the Eastern European partners within the Comprehensive Institution Building programme in order to strengthen their efficiency, transparency and accountability, which is crucial if the parliaments are to play their proper role in the democratic decision making processes;
15. Recommends to strongly support the existing human rights dialogue the EU has established with Belarus and the other formats of cooperation on human rights with the other Eastern European partners; calls on the EU and partners to provide additional financial and human resources to this cause;
16. Calls for the establishment of the European Endowment for Democracy (EED), aimed at supporting political actors, such as political parties, non-registered non-governmental organisations and trade unions, which strive to bring about democratic change; recommends that the EED be used as an independent, flexible and expert tool in European Eastern partners;
17. Stresses that the future EED should be additional to existing democracy-support instruments, and in particular should neither substitute nor duplicate the activities implemented under the European Instrument for Democracy and Human Rights (EIDHR);
18. Encourages political parties in the EU Member States to develop cooperation programmes with their counterparts in Eastern European partners, and encourages the twinning of other EU democratic actors, such as trade unions, non-governmental organisations, employers', farmers' and women's organisations, religious and cultural dialogue bodies, consumer, youth, journalists' and teachers' organisations, local government bodies and universities, with similar organisations in Eastern European partners;
19. Recommends stepping up efforts to fight corruption by increasing funding for anti-corruption plans and measures, and by enhancing cooperation between EU Member States and Eastern European partners within the Council of Europe Group of States against Corruption (GRECO); encourages Eastern European partners to develop comprehensive multi-annual anti-corruption strategies and action plans with concrete measures and deadlines, and to allocate the necessary budgetary resources for their implementation;
20. Recommends enhancing the dialogue between the EU and Eastern European partners on best practices regarding measures to protect vulnerable people and minorities from discrimination; draws attention of the EU and Eastern European partners that, while establishing national mechanism under UN Convention on the Rights of Persons with Disabilities, sufficient financial and human resources have to be provided for the institution that will be chosen to carry out the mandate;

Supporting the freedom of expression and the development of free and independent media

21. Stresses that, in all EU Member States and Eastern European partners, independent and free media are essential to democracy and its functioning, as they ensure the involvement of civil society in public affairs and empower citizens;
22. Urges the EU Member States and the Eastern European partners to ensure the fundamental right of citizens to information in accordance with article 11 of the European Charter of Fundamental Rights by monitoring and fully respecting the principle of media independence and pluralism in order to prevent monopolization and unjustified interference in media activities;
23. Deplores the fact that many journalists have been subjected to acts of intimidation and harassment or victim of aggressions and attacks because of their courageous and independent work and calls on the relevant authorities to fully investigate these facts and bring those responsible to justice;
24. Recommends establishing or improving the legislative framework applying to public and private broadcasting, in accordance with OSCE international standards; considers that new or amended regulations should aim at preventing the concentration of media ownership, ensuring the fairness of broadcasting licensing competitions and protecting broadcasting media content from political and commercial pressures, especially during election processes, preventing all competing sides from unfair conditions, exclusion of certain political options and restrictions;

25. Recommends promoting a freely accessible internet, which serves freedom of expression and media pluralism and can be used as a tool for supporting political debates, democratic initiatives and the dissemination of political culture and knowledge;
26. Calls on the EU and Eastern European partners to organise exchange and training programmes in order to professionalise journalists, identify good journalistic practices and promote ethical and professional standards of journalism, and develop investigate journalism; underlines that better knowledge and promotion of the Eastern Partnership by the media would significantly improve the understanding and ownership of EU supported and encouraged democratic reform programmes by the population of Eastern European partners;

Building citizens' confidence in democratic institutions and interest in policy

27. Calls on the EU, EU Member States and Eastern European partners to ensure the transparency of policy-making decisions by providing stakeholders with information and involving them in public open debates and consultations; recommends to foster the interest of citizens in political debates by further opening up parliaments and democratic assemblies for consultations and exchanges with citizens, in particular involving into discussions women and youth representatives;
28. Calls also on the EU, EU Member States and Eastern European partners to promote the democratic role of political parties and movements in assuming an intermediary role between state institutions and citizens, shaping public opinion, pooling interests, and putting forward and allowing competition between different political options;
29. Recommends further encouraging political parties to ensure a balanced representation of men and women in their procedures for the designation of candidates for elections;
30. Underlines that sustainable democratic reforms require a better understanding and ownership of them; therefore calls on the EU Member States and the Eastern European partners to consult with civil society before launching reform programmes so as to ensure the broadest possible public support;

Strengthening civil society

31. Stresses the importance of a strong, active and genuinely independent civil society which is a key player for the development of democracy; in this regard, calls on the EU and Eastern European partners to increase technical and financial assistance to civil society organisations or institutions, and to secure the transparency and efficiency of this assistance; calls, furthermore, for adequate guarantees and protection for human rights defenders;
32. Stresses that the Eastern Partnership Civil Society Forum is a very important tool for promoting the civil society's role in support of democracy; calls for greater involvement of the Civil Society Forum in the implementation of the Eastern Partnership; recommends an increased participation of the Civil Society Forum delegates in meetings between representatives of the EU and Eastern European partners; gives due attention and consideration to the Forum's activities and recommendations as regards people-to-people contacts;
33. Underlines the need to ensure the independence of non-governmental organisations, which contribute to the vitality of public debates and the spread of information within the society; in this regard, insists on state institutions, particularly, national parliaments and governments to promote interaction with civil society through organising parliamentary hearings and public consultations;
34. Notes that strengthening the youth dimension of the Eastern Partnership is an important investment in the future of the EU - European Neighbourhood Policy relations with great potential for years to come, and in the democratisation of those partners and the harmonisation of their legislation with European standards;

35. Stresses the significant role of all initiatives aiming at improving the education and skills of young people in the area of democratic processes and participative civil society development; welcomes therefore efforts of the EU Member States and Eastern European partners in organising Young People's Parliaments; encourages the EU to launch programmes supporting these efforts, such as the creation of young inter-parliamentary friendship groups between the European Youth Parliament and the youth national parliaments of the Eastern European partners;
 36. Calls on the EU to increase the number of exchange programmes for young people, as it is the most efficient way to promote the exchange and sharing of gained experience in the area of participative democracy and civil society development.
 37. Instructs its Co-Presidents to forward this resolution to the President of the European Parliament, the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, the governments and parliaments of the Member States and the Eastern European partners.
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