

The Session

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Communication Unit**

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Final version
Monday 24th January 2005

24 to 28 January 2005

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**The order of business as shown here
may change on the first day of the session**

The 46

The Council of Europe brings together 46 democracies including 21 central and eastern European countries. Today, the Organisation has almost completed its enlargement but continues to increase its monitoring to ensure that all its members respect the obligations and commitments they entered into when they joined.



Member states: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, the Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Turkey, Ukraine and the United Kingdom.

The Parliamentary Assembly

The Parliamentary Assembly brings together 630 members (315 representatives and 315 substitutes) from the national parliaments of the 46 member states of the Council of Europe.

Countries that have joined the Council of Europe since November 1990: Hungary (1990), Poland (1991), Bulgaria (1992), Estonia, Lithuania, Slovenia, Slovak Republic, Czech Republic, Romania (1993), Latvia, Albania, Moldova, "the former Yugoslav Republic of Macedonia", Ukraine (1995), the Russian Federation, Croatia (1996), Georgia (1999), Armenia, Azerbaijan (2001), Bosnia and Herzegovina (2002), Serbia and Montenegro (2003) and Monaco (2004).

Applications for membership: Belarus (12 March 1993). The Special Guest status of the Belarus parliament was suspended on 13 January 1997.

The parliaments of Canada (1997), Israel (1957) and Mexico (1999) hold observer status with the Assembly.

The political groups



207

Socialist Group (SOC)



170

Group of the European People's Party (EPP/CD)



96

Liberal, Democratic and Reformers' Group (LDR)



77

European Democratic Group (EDG)



34

Group of the Unified European Left (UEL)

The Assembly committees

83 seats

Political Affairs
Legal Affairs and Human Rights
Economic Affairs and Development
Social, Health and Family Affairs
Migration, Refugees and Population
Culture, Science and Education
Environment, Agriculture and Local and Regional Affairs

Honouring of obligations and commitments by member states of the Council of Europe (Monitoring)

51 seats

Equal Opportunities for Women and Men
Rules of Procedure and Immunities



Monday 24 January 2005

☞ Afternoon (3 p.m.-7.30 p.m.)

♦ Opening of the first part of the 2005 Ordinary Session

The *doyen d'âge*, or oldest member of the Assembly present – on this occasion Gustavo Selva (Italy, EDG) – presides as provisional President until the election of the President of the Assembly has been announced. No debate may take place while the provisional President is in the Chair, unless concerned with the examination of credentials or the election of the President, and no speeches may be made, though this does not prevent him or her from addressing the Assembly for five minutes at the most.

Examination of credentials

One week before the opening of each Ordinary Session in January, national parliaments have to submit to the Assembly the credentials of the members of their delegations for examination with a view to their ratification. They may be challenged by any member of the Assembly present in the chamber on either substantial grounds, with respect to a national delegation as a whole, or on procedural grounds, with respect to individual members.

If the credentials of a delegation as a whole are challenged on substantial grounds – such as a serious violation of the basic principles of the Council of Europe mentioned in Article 3 of the Statute and in the Preamble, or by persistent failure to honour obligations and commitments (Rule 8 of the Rules of Procedure) – the challenge must be made by at least ten members of the Assembly belonging to at least five national delegations, or by a report of the Monitoring Committee. The credentials are then referred without debate to the appropriate committee for report and to the Committee on Rules of Procedure and Immunities for opinion. The Assembly decides the issue during the same part-session on the basis of the report and opinion.

Credentials challenged on procedural grounds – such as the lack of fair representation of political parties or groups in a national delegation (Rule 7 of the Rules of Procedure), or on the ground of gender-balance – shall be referred without debate to the Committee on Rules of Procedure and Immunities.

In both cases, members whose credentials have been challenged may sit provisionally with the same rights as other representatives or substitutes until the Assembly has reached a decision. However, they may not vote in any proceedings relating to the examination of credentials which concern them.

Election of the President of the Assembly

This occurs at the beginning of each Ordinary Session. The President so elected remains in office until the opening of the next Ordinary Session. In cases where only one candidature is proposed, the candidate is declared elected without a ballot. As soon as the President has been elected, the provisional President leaves the Chair.

Election of the Vice-Presidents of the Assembly

Candidates for the posts of Vice-President of the Assembly – of which there are currently twenty – are proposed by each national delegation in accordance with the system for geographical rotation of Bureau seats agreed by the Assembly (Rule 12.2). Under the system, the national delegations entitled to propose a Vice-President for this election are Croatia, the Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Italy, Luxembourg, Malta, Moldova, Monaco, Poland, Russia, San Marino, Spain, Turkey and the United Kingdom. The candidates proposed by the national delegations shall be declared elected without a ballot. However, if there is a request for a vote by at least twenty Representatives or Substitutes in respect of one or several candidates – made in the chamber at the moment when the candidatures are presented – they shall be elected by secret ballot (Rule 14.4).

Appointment of members of committees

At the beginning of each Ordinary Session, the Assembly appoints the members of its nine general committees and the Monitoring Committee. The composition of the nine general committees is decided on the basis of candidatures proposed by national delegations to the President, who will submit them to the Assembly for ratification in accordance with Rule 43.6 of the Rules of Procedure. If proposals for appointments to committee are disputed, the Assembly will decide on them by secret ballot. In the case of the Monitoring Committee, candidatures are submitted by the political groups to the Bureau, which then nominates the members of that committee and forwards its nominations to the Assembly for ratification. If there are objections, the matter is referred back to the Bureau, which may submit revised nominations to the Assembly.

Requests for debate under urgent procedure

At time of going to press, two requests had been made for debates under urgent procedure, one on “the prospects for peace in the Middle East” and one on “Europe and the Tsunami disaster”. At its meeting on 10 January, the Bureau decided to include both items on the draft order of business, subject to further modifications at its meeting on the first day of the session. The Assembly is called upon to ratify these decisions.

Adoption of the order of business

For each part-session, the Bureau draws up a draft order of business, showing at which sittings the items on the agenda are to be considered, which is then submitted to the Assembly for approval (Rule 25.7 of the Rules of Procedure).¹ A member may submit a motion to alter the draft order of business proposed by the Bureau. Adoption of such a motion requires a majority of the votes cast (Rule 25.8). Once adopted, the order of business may be altered only by a two-thirds majority of the votes cast. The order of business, as adopted, is published and made available to members at the document counter from Tuesday morning.

Adoption of the minutes of the meeting of the Standing Committee (23 November 2004, Warsaw, Poland)

1. The order of business as contained in this document is thus subject to amendment by the Assembly on the first day of the part-session.

♦ **Progress report of the Bureau of the Assembly and the Standing Committee**

Doc. 10369 and addendum, Doc. 10394

Rapporteur: Peter Schieder (Austria, SOC)

The progress report covers the discussions held and decisions reached by the Bureau and the Standing Committee since the last part-session, including reports on the observation of the presidential election in Ukraine (21 November and 26 December 2004), prepared by Doros Christodoulides (Cyprus, UEL) and Tadeusz Iwinski (Poland, SOC), and the election of the President of the Palestinian Authority (9 January 2005), prepared by Lord Kilclooney (United Kingdom, EPP/CD).

Statement by Claude Frey, Chairperson of the Executive Council of the North-South Centre

Contact in the secretariat: Petr Sich, tel. 2127.

♦ **Statement by Alcee L. Hastings, President of the OSCE Parliamentary Assembly**

♦ **Honouring of obligations and commitments by Georgia**

Doc. 10383

Report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

Co-rapporteurs: Mátyás Eörsi (Hungary, LDR) and Evgeni Kirilov (Bulgaria, SOC)

A year on from the "Rose Revolution", it is time to normalise the situation in Georgia, the Monitoring Committee believes, and bring the political process firmly back to the country's institutions. The strong government delivered by that extraordinary transition may be an asset in dealing with the country's problems, but only if it is accompanied by a strong and functioning system of checks and balances – which is not yet the case. The post-revolutionary situation should not become an alibi for hasty decisions and neglect of democratic and human rights standards, the committee warns. The authorities need to have a positive attitude to dialogue, be open to advice and engage in public discussion with critical voices. In the longer term, a successful, open, tolerant and democratic Georgia will be the best asset for resolving the conflicts in South Ossetia and Abkhazia, and restoring the country's territorial integrity. As a sign of understanding and support to the new authorities, the committee proposes to reconsider deadlines for some of the commitments Georgia undertook when it joined the Council of Europe, but says the government must now honour its new promises fully and on time.

Contact in the secretariat: Matjaž Gruden, tel. 2118.

At the end of today's sitting, members are invited to attend meetings for the election of the Bureaux of the Assembly committees – a Chairperson and three Vice-Chairpersons for each committee, normally elected on the basis of designations made by the political groups. The meetings take place in Rooms 7, 8, 9 and 10 at ten-minute intervals, beginning at the end of the session.

Tuesday 25 January 2005

☞ Morning (10 a.m.-12 noon)

♦ **The conflict over the Nagorno-Karabakh region dealt with by the OSCE Minsk Conference**

Doc. 10364

Report of the Political Affairs Committee

Rapporteur: David Atkinson (United Kingdom, EDG)

More than a decade after armed hostilities started, the conflict over the Nagorno-Karabakh region remains unsolved. According to the Political Affairs Committee, considerable parts of the territory of Azerbaijan are still occupied by Armenian forces – occupation of foreign territory being a grave violation of any member state's obligations to the Council of Europe. The military action, and the widespread ethnic hostilities which preceded it, led to "large-scale ethnic expulsion and the creation of mono-ethnic areas which resemble the terrible concept of ethnic cleansing", the committee states. Hundreds of thousands of people are still displaced and live in miserable conditions. Armenia and Azerbaijan should now actively submit constructive proposals to each other via the OSCE's Minsk Group for achieving a settlement or – if that fails – should consider using the UN's International Court of Justice. The committee also calls on Azerbaijan to establish contacts with the political representatives of both communities in the region regarding its future status. In the meantime, the two countries – with assistance from the Council of Europe – should try to foster reconciliation among their peoples, starting with schools, universities and the media.

Contact in the secretariat: Rüdiger Dossow, tel. 2859.

At the end of the morning sitting, a ceremony to commemorate the 60th anniversary of the liberation of Auschwitz will take place in the debating chamber, with interventions by the President of the Assembly, the Chairman of the Yad Vashem Council and former Speaker of the Knesset Szewach Weiss and Auschwitz survivor Jean Samuel. Members are then invited to move to the forecourt of the Palais de l'Europe for the unveiling of a memorial stone, organised by Council of Europe Secretary General Terry Davis, in memory of all those who died in the death camps.

Tuesday 25 January 2005

☞ Afternoon (3 p.m.-7.30 p.m.)

♦ **Address by Viktor Yushchenko, President of Ukraine**

Following his address, President Yushchenko will answer questions from members of the Assembly.

♦ **Protection of human rights in Kosovo**

Doc. 10393

Report of the Committee on Legal Affairs and Human Rights

Rapporteur: Tony Lloyd (United Kingdom, SOC)

Kosovo is part of the territory of Serbia and Montenegro, now a member state of the Council of Europe, but is administered by the international community through UNMIK. Although UNMIK and KFOR have achieved positive results, given the difficult tasks they were set, serious concerns remain as regards the protection of human rights in Kosovo, according to the Legal Affairs Committee. In particular, Kosovo's inhabitants do not benefit from judicial remedies against the international authorities or enjoy the right of individual petition to the European Court of Human Rights. The committee proposes a Human Rights Court for Kosovo which would base its procedure and case-law on those of the Strasbourg Court and would have the power to annul decisions and acts of UNMIK and KFOR and award compensation. Furthermore, there should be study of a possible interim extension of the jurisdiction of the European Court of Human Rights to all Kosovo's inhabitants. UNMIK should also establish the foreseen Special Chamber of the Supreme Court and set up its own internal "human rights advisory panel", whilst strengthening the institution of the Ombudsperson and the judicial system generally. The committee also recommends stronger human rights safeguards for KFOR detentions, including review by the proposed Human Rights Court.

Statement by Marek Antoni Nowicki, Ombudsperson in Kosovo

Contact in the secretariat: David Milner, tel. 5327.

♦ **The circumstances surrounding the arrest and prosecution of leading Yukos executives**

Doc. 10368

Report of the Committee on Legal Affairs and Human Rights

Rapporteur: Sabine Leutheusser-Schnarrenberger (Germany, LDR)

This report makes a legal analysis of the circumstances surrounding the arrests and prosecutions of Mikhail Khodorkovsky, Platon Lebedev and Alexei Pichugin, three former executives of the Russian oil company Yukos. According to the Legal Affairs Committee, these circumstances strongly suggest that the three men were arbitrarily singled out by the Russian authorities, violating the principle of equality before the law. The state's action went beyond the mere pursuit of criminal justice to include such elements as "to weaken an outspoken political opponent, to intimidate other wealthy individuals and to regain control of strategic economic assets", the committee concludes. The cases also reveal shortcomings in Russia's judicial process, such as a lack of access of defence lawyers to their clients, and unjustified restrictions on the publicity of court proceedings. Russia should vigorously pursue reform of its legal system and law enforcement agencies while strengthening the independence of the judiciary. However, in a dissenting opinion annexed to the report, Russian members of the committee say the report is based essentially on the views of the defence team and goes beyond its brief in drawing broad general conclusions from a limited number of facts.

Contact in the secretariat: Günter Schirmer, tel. 2809.

Wednesday 26 January 2005

☞ Morning (10 a.m.-1 p.m.)

♦ **Election of a judge to the European Court of Human Rights with respect to Serbia and Montenegro**

Doc. 10363 and Addendum

Voting takes place from 10 a.m. to 12 noon in the area behind the presidential rostrum.

♦ **Possible urgent debate: prospects for peace in the Middle East**

At its meeting on Tuesday 10 January 2005, the Bureau proposed to hold an urgent debate on "the prospects for peace in the Middle East", to be referred to the Political Affairs Committee for report. The Assembly will decide on this proposal when it adopts its order of business on the first day of the part-session.

♦ **Address by Mikheil Saakashvili, President of Georgia**

Following his address, President Saakashvili will answer questions from members of the Assembly.

♦ **Communication from the Committee of Ministers to the Parliamentary Assembly presented by Jan Truszczyński, Deputy Minister for Foreign Affairs of Poland, representing the Chairmanship of the Committee of Ministers**

Following his presentation, Mr Truszczyński will answer members' questions, which must be tabled at the latest by 10.30 a.m. on Tuesday 25 January.

Wednesday 26 January 2005

Afternoon (3 p.m.-7.30 p.m.)

♦ **The Third Summit**

Doc. 10381 prov.

Report of the Political Affairs Committee

Rapporteur: Konstantin Kosachev (Russia, EDG)

Doc. 10391

Opinion of the Committee on Legal Affairs and Human Rights

Rapporteur: Malcolm Bruce (United Kingdom, LDR)

Opinion of the Committee on Economic Affairs and Development

Rapporteur: Evgeni Kirilov (Bulgaria, SOC)

Doc. 10395

Opinion of the Social, Health and Family Affairs Committee

Rapporteur: Maria Eduarda Azevedo (Portugal, EPP/CD)

Opinion of the Committee on Migration, Refugees and Population

Rapporteur: John Wilkinson (United Kingdom, EDG)

Opinion of the Committee on Culture, Science and Education

Rapporteur: Jacques Legendre (France, EPP/CD)

Opinion of the Committee on Equal Opportunities for Women and Men

Rapporteur: Minodora Cliveti (Romania, SOC)

The Third Council of Europe Summit of Heads of State and Government, which will be held in Warsaw on 16-17 May 2005, is expected to address the challenges which Europe will face in the forthcoming years. It should also position the Council of Europe in the European institutional landscape and provide it with a clear plan of action. Proposals for discussion at the summit put forward by the Political Affairs Committee in its provisional report¹ include stronger monitoring and a reinforced Human Rights Court, redefined relations with the EU, OSCE and UN and new priority areas of standard-setting, among many others. The ultimate goal should be the realisation of a democratic Europe without dividing lines, united around shared values which truly make the Organisation – as the rapporteur recalls – “the conscience of Europe”.

Statement by Michel Barnier, Minister for Foreign Affairs of France

Contact in the secretariat: Agnieszka Nachilo, tel. 2905.

1. A final version of the report – incorporating proposals from the six committees seized for opinion – is due to be adopted by the Political Affairs Committee at its meeting on Saturday 22 January.

♦ **Genetically Modified Organisms (GMOs)**

Doc. 10380

Report of the Committee on the Environment, Agriculture and Local and Regional Affairs
Rapporteur: Wolfgang Wodarg (Germany, SOC)

Opinion of the Committee on Culture, Science and Education

Rapporteur: Blanca Fernández de Capel (Spain, EPP/CD)

The production of GMOs is on the rise worldwide, with transgenic animals and genetically modified micro-organisms soon to enter the market. The Environment Committee believes that although there are potential benefits, many of the risks have not been sufficiently evaluated, and warns against jeopardising new ecological forms of land management by an "overhasty plunge" into widespread commercial cultivation of GMOs. In the absence of reliable information on the medium and long-term environmental effects, the committee proposes that member state governments continue to apply the precautionary principle in assessing the risks while encouraging more sound scientific research and a broader public debate on the question. In the meantime, the possibility for consumers to choose GMO-free foods should be guaranteed in law – through measures such as compulsory labelling, setting up "GMO-free zones", minimum distances between crops and secure fencing for transgenic animals. At the least, Council of Europe countries should bring their safety standards into line with those of the European Union.

Contact in the secretariat: Alfred Sixto, tel. 2244.

♦ **Opinion on the Draft Council of Europe Convention on action against trafficking in human beings**

Docs. 10389

Report of the Committee on Equal Opportunities for Women and Men
Rapporteur: Ruth-Gaby Vermot-Mangold (Switzerland, SOC)

Opinion of the Committee on Legal Affairs and Human Rights

Rapporteur: Kevin McNamara (United Kingdom, SOC)

Opinion of the Committee on Social, Health and Family Affairs

Opinion of the Committee on Migration, Refugees and Population

Rapporteur: Lydie Err (Luxembourg, SOC)

Since 1997, the Assembly has called for a Council of Europe treaty to fight a new scourge of mankind – trafficking in human beings. Every year thousands of human beings, primarily women and children, fall into the hands of traffickers and end up sexually exploited, enslaved, or having their organs removed. Profits are high and the risks for the traffickers are low, which has made trafficking in human beings almost as lucrative as drugs and arms smuggling. The Committee of Ministers has just submitted a draft Convention on action against trafficking in human beings to the Assembly for opinion. The protection of the human rights of victims was meant to be at the heart of the Convention. Unfortunately, the current draft does not live up to expectations, according to the Equality Committee. It rather gives the impression of reflecting the member states' desire to protect themselves from illegal migration instead of protecting victims of trafficking. In its current form, the Convention thus loses much of its force and ends up as not very convincing. The committee recommends a number of essential amendments to make the provisions of the Convention more binding, accord less importance to the domestic legislation of each state and to Community law in setting out the various concepts, place more emphasis both on the protection of victims and that of witnesses and family members, and strengthen the provisions relating to the rights of victims.

Contact in the secretariat: Tanja Kleinsorge, tel. 2906.

Thursday 27 January 2005

☞ Morning (10 a.m.-1 p.m.)

♦ **Election of a judge to the European Court of Human Rights with respect to Serbia and Montenegro (possible second round)**

Doc. 10363 and Addendum

Voting takes place from 10 a.m. to 12 noon in the area behind the presidential rostrum.

♦ **Relations between Europe and the United States**

Doc. 10353

Report of the Political Affairs Committee

Rapporteur: Claudio Azzolini (Italy, EPP/CD)

Sixty years of positive transatlantic partnership have brought irreplaceable benefits in terms of security and prosperity, according to the Political Affairs Committee, but genuine and long-standing differences of opinion on foreign policy have contributed to a recent deterioration in that relationship. This is bad for the world, says the committee, and there is a pressing need to save the partnership. An isolationist, or isolated, America might be more prone to take unilateral rather than multilateral action, weakening collective security. Active and frank dialogue would help, and recent moves to resolve remaining differences over Iraq are welcome. Priority areas for that dialogue might include how best to encourage democracy and human rights around the world, handling failed states, reform of the UN and peace in the Middle East. In practical terms, the Assembly should engage in a series of dialogues with the US Congress, which in turn could consider applying for observer status with the Assembly. The active Canadian and Mexican observer delegations could also play a constructive role in promoting transatlantic dialogue.

Contact in the secretariat: Barış Perin, tel. 2111.

♦ **Communication from Terry Davis, Secretary General of the Council of Europe, on the state of the Council of Europe**

Following his address, the Secretary General will answer questions from members of the Assembly.

Thursday 27 January 2005

☞ Afternoon (3 p.m.-7 p.m.)

♦ **Possible urgent debate: Europe and the Tsunami disaster**

Report of the Social, Health and Family Affairs Committee

Opinion of the Committee on Economic Affairs and Development

Opinion of the Committee on Migration, Refugees and Population

Opinion of the Committee on Environment, Agriculture and Local and Regional Affairs

At its meeting on Tuesday 10 January 2005, the Bureau proposed to hold an urgent debate on "Europe and the Tsunami disaster", to be referred to the Social Affairs Committee for report and to the Economic Affairs, Migration and Environment Committees for opinion. The Assembly will decide on this proposal when it adopts its order of business on the first day of the part-session.

Statement by Yvette Stevens, Director of the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA)

Contact in the secretariat: Geza Mezei, tel. 2143.

♦ **Establishment of a European remembrance centre for victims of forced population movements and ethnic cleansing**

Doc. 10378

Report of the Committee on Migration, Refugees and Population

Rapporteur: Mats Einarsson (Sweden, UEL)

Opinion of the Committee on Culture, Science and Education

Rapporteur: Lluís Maria de Puig (Spain, SOC)

During the recent history of Europe, millions of people have been forcibly expelled, transferred or exchanged by reason of their ethnicity, as a result of the delimitation of new state borders or to solve the question of ethnic minorities. In the worst cases, this has been because of a deliberate policy of "ethnic cleansing". Sometimes mass deportations have been used as punishment, sometimes people have simply been driven from their homeland by fear. Whatever the reason, and wherever they took place – be it in the aftermath of the second world war, or more recently as a result of conflicts in the Balkans and Caucasus – for their odious character these acts offend the conscience of all the peoples of Europe, the Migration Committee believes. It proposes that the Third Summit consider the establishment of a "European remembrance centre for victims of forced population movements and ethnic cleansing", under the auspices of the Council of Europe. Through impartial historical study and research, as a forum for public discussion and awareness-raising, and by building a network of national and other international initiatives in this field, such a centre could help contribute to reconciliation and – in the words of the rapporteur – help to heal some old wounds in the collective memory of the continent.

Contact in the secretariat: Sonia Sirtori, tel. 2370.

♦ Joint debate

Opinion on the Draft Convention on laundering, the financing of terrorism, search, seizure and confiscation of the proceeds from crime

Docs. 10356 rev. and 10392

Report of the Committee on Legal Affairs and Human Rights

Rapporteur: Jaume Bartumeu Cassany (Andorra, SOC)

Opinion of the Committee on Economic Affairs and Development

Terrorists need money, and criminal enterprise can be one way they get hold of it. This draft convention updates an existing Council of Europe treaty while enlarging it to enable states to face this new threat. The Legal Affairs Committee welcomes the draft, but cautions that a delicate balance must be struck: in pursuing the public interest by disrupting such activities, states must be careful not to infringe the rights of individuals. The committee proposes a series of improvements to the wording of some articles which broadly aim to bring the text into line with the European Convention on Human Rights, notably concerning proportionality, the rights of third parties and the right to compensation where interference proves to have been unjustified. Definitions and procedures are proposed which seek to ensure legal certainty and guarantee a fair trial in all its aspects.

Contact in the secretariat: David Milner, tel. 5327.

Opinion on the Draft Convention on the prevention of terrorism

Docs. 10357 and 10396

Report of the Committee on Legal Affairs and Human Rights

Rapporteur: Jaume Bartumeu Cassany (Andorra, SOC)

Opinion of the Political Affairs Committee

This report is due to be approved by the Legal Affairs Committee during its meeting on Monday 24 January at 2 p.m.

Contact in the secretariat: David Milner, tel. 5327.

The Joint Committee, which is the organ of co-ordination between the Committee of Ministers and the Parliamentary Assembly, meets at 7 p.m. or at the end of the sitting in Room 9. Items on the draft agenda include the Third Summit and Council of Europe draft conventions under preparation. The Joint Committee is composed of a representative of each member government and a corresponding number of Assembly members, made up of Bureau members plus one representative from each national delegation not represented on the Bureau.

Friday 28 January 2005

☞ Morning (10 a.m.-1 p.m.)

♦ Joint debate

What solutions to Europe's unemployment?

Doc. 10359

Report of the Committee on Economic Affairs and Development

Rapporteur: Anders G. Högmark (Sweden, EPP/CD)

Opinion of the Committee on Equal Opportunities for Women and Men

Rapporteur: Giuseppe Gaburro (Italy, EPP/CD)

States have an obligation to shape society so that unemployment is kept to a minimum, above all because it is an affront to human dignity – we all need the sense of personal achievement which comes from having a job – but also because every jobless person is a resource unused and a drain on economic development. As the divergent experience in Europe has shown, those countries which adapt more efficiently to globalisation tend to benefit from lower rates of unemployment. Among factors for success in tackling this scourge, the Economic Affairs Committee identifies economic policies based on reward for initiative, flexible labour markets and lower taxes. The ten new EU members are well placed to benefit from the EU's internal market, but some central, eastern and south-east European countries – where massive unemployment persists – will need to tackle corruption and economic crime before foreign investment brings the growth and jobs they need. For all states, prolonging working life is a good idea, while upholding social standards and respecting Europeans' preferred work-life balance.

Contact in the secretariat: Kjell Torbiörn, tel. 2120.

Boosting social cohesion and employment: more and better jobs

Doc. 10265

Report of the Social, Health and Family Affairs Committee

Rapporteur: Irena Belohorská (Slovakia, EDG)

In its report, the Social Affairs Committee enlarges on the sometimes opposing pressures on European governments to, on the one hand, ensure economic competitiveness while, on the other, strengthening the European social model. The right balance, according to the committee, can be achieved through an employment-oriented social policy which increases the adaptability of workers and enterprises, invests in human capital and lifelong learning, improves the quality of jobs in order to reconcile paid work with family life, mobilises under-represented groups and seeks a better balance between men and women in sharing paid and unpaid work. There will be no "one-size-fits-all" employment strategy, but international co-operation on employment can contribute to convergence in policies, to the benefit of all.

Contact in the secretariat: Geza Mezei, tel. 2143.

♦ **Revision of the terms of reference of Assembly committees**

Doc. 10379

Report of the Committee on Rules of Procedure and Immunities

Rapporteur: Anne Brasseur (Luxembourg, LDR)

During 2004, the President of the Assembly asked the secretariat to prepare revised terms of reference for the Assembly's ten committees in order to keep pace with new political and institutional developments, to take account of the latest changes in Assembly procedure and to better reflect the current practice in committees. The changes proposed by the Rules Committee would, among other things, allow committees to establish working relations with outside bodies – such as committees in national parliaments or the European Parliament – in the fields they cover. This is in accordance with the fresh approach recently adopted by the Assembly as regards its external relations. The changes should also guarantee consistency of action across the committees and avoid duplicating work or wasting resources.

Contact in the secretariat: Mario Heinrich, tel. 2097.

♦ **Constitution of the Standing Committee**

♦ **Closure of the first part of the 2005 Ordinary Session**

Practical information

1. Meetings of committees and political groups

The list of meetings held by the committees and the other organs of the Assembly (Bureau, political groups, etc.) appears in the notice paper (*bulletin*) published before each sitting.

Unless a committee decides otherwise, committee meetings are not public.

Monday and Wednesday mornings are reserved for political group meetings.

2. Languages

The official languages of the Assembly are English and French. German, Italian and Russian are working languages. Speeches made in plenary session in any of these five languages are interpreted simultaneously into the other official and working languages. Members may, however, speak in languages other than English, French, German, Italian and Russian, provided that their delegation arranges for interpretation into one of the official or working languages. During sittings this is generally the case for Spanish, Dutch, Portuguese and Greek.

3. Assembly documents

The following documents are available in French and English at the document counter (on the first floor, to the right of the top of the main staircase, near lift No. IV).

Official documents

The main official documents are:

Reports: All items on the agenda are debated on the basis of a report by one of the Assembly's committees (with the exception of current affairs debates, elections, appointments, statements by guest speakers and communications from and questions to the Chairperson of the Committee of Ministers and the Secretary General of the Council of Europe).

Committee reports comprise one or more draft texts for adoption (recommendations, opinions, resolutions) and an explanatory memorandum prepared by the rapporteur. Only draft texts can be amended and adopted by the Assembly.

Amendments: Amendments to draft texts must be tabled in keeping with the relevant rules of procedure, particularly Rule 34 (see section 4 below). They are distributed at the document counter. They must be signed by at least five Representatives or Substitutes, unless they are being submitted on behalf of a committee seized for report or opinion.

Order of business: For each part-session the Bureau prepares a draft order of business listing the sittings at which the agenda items will be examined. **The draft order of business** is made available to members of the Assembly two weeks before the opening of the part-session. The Assembly is required to adopt the draft order of business (Rule 25.7 of the Rules of Procedure). A member may

propose an amendment to the draft order of business drawn up by the Bureau. The adoption of such a motion requires a majority of the votes cast (Rule 25.8). Once adopted, the order of business can be altered only by a two-thirds majority of the votes cast.

Once it has been approved by the Assembly at the first sitting of the part-session, the order of business is published (Rule 25) and made available to the members at the document counter.

Minutes of proceedings: Generally, after each sitting of the Assembly, the **minutes of proceedings** are produced. They list the Assembly's decisions and record speakers' names, the results of votes on texts and amendments, and points of order raised. At the start of the sitting the President submits the minutes of proceedings of earlier sittings to the Assembly for approval. If the minutes of proceedings are objected to, their approval may be postponed to the following sitting, at which the President may put to the Assembly any necessary modification (see Rule 29 of the Rules of Procedure).

Report of debates: A **provisional report of debates** is issued after each sitting. The French version of the provisional report (pink pages) contains the full text of all speeches made in French and a summary in French of speeches made in other languages. The English version (yellow pages) contains the full text of speeches in English and summaries in English of speeches in other languages. Speeches in German or Italian are also reported verbatim in a separate publication (green pages). Speakers may make corrections to the provisional report of debates within 24 hours of publication.

Representatives and Substitutes who were entered on the list of speakers and present in the Chamber but were unable to speak because of lack of time may hand in their typewritten texts for inclusion in the report of debates. They should do so within 24 hours of the end of the debate concerned at the Table Office (Room 1083).

Adopted texts: The texts adopted by the Assembly are also published after each sitting, separately in English (yellow pages) and French (pink pages).

The texts adopted by the Assembly are:

- Recommendations (proposals addressed by the Assembly to the Committee of Ministers, for implementation by that Committee or the governments);
- Opinions (addressed to the Committee of Ministers);
- Resolutions (embodying a decision by the Assembly on a question of substance which it is empowered to put into effect, a point of view for which it alone is responsible, or a question of form, transmission, execution or procedure);

The other official documents (Rule 22 of the Rules of Procedure) are:

- reports, communications, requests for an opinion or further consideration transmitted by the Committee of Ministers;
- questions addressed to the Committee of Ministers;
- communications from the Secretary General of the Council of Europe;
- reports of international organisations;
- written declarations.

Other documents

Before each sitting a **notice paper** is produced, setting out the orders of the day. It also contains other information relevant to the proceedings, including:

- time limits for tabling amendments;
- time limits for lists of speakers;
- procedural notices, for example concerning elections;
- information about meetings of committees and other Assembly bodies;
- information about changes in the membership of committees.

For each part-session the following lists are published:

- List of Representatives
- List of Substitutes
- List of national delegations
- List of the Secretariat officials, giving office locations and contact telephone numbers for the part-session.

A new edition of the Rules of Procedure of the Assembly will be made available in a bilingual version (English/French) before the opening of the 2005 Session.

4. Tabling amendments

Members who wish to table amendments or sub-amendments to the draft texts before the Assembly should submit them to the Table Office (Room 1083). Amendments and sub-amendments must be **signed by at least five Representatives or Substitutes**, unless they have been submitted on behalf of the committee submitting the report or an opinion.

Under the provisions on the organisation of debates (page 88 and ff. of the Rules of Procedure), the **time limits for tabling amendments** are the following (where appropriate the Bureau may decide to change these limits, in particular for urgent debates):

- for debates on the afternoon of Monday 24 January: Monday 24 January at 12 noon;
- for debates on Tuesday 25 January: Monday 24 January at 4 p.m.;
- for all other debates (except urgent debates): 23 and a half hours before the opening of the sitting at which the debate is to begin.

Sub-amendments must be tabled at least two hours before the opening of the sitting at which the debate is to begin.

The procedure for tabling, examining and voting on amendments and sub-amendments is set out in Rule 34 of the Rules of Procedure.

5. Motions for resolutions and recommendations

Motions for resolutions and recommendations must be signed by ten or more Representatives or Substitutes from at least five national delegations (Rule 23.2). The President decides which motions are admissible.

Any motion considered admissible is printed and distributed as soon as possible. The Bureau then decides whether it should be referred to one or more committees, or forwarded to one or more committees for information, or that no further action should be taken. The Bureau's decision must then be ratified by the Assembly or the Standing Committee.

A document may be referred to only one committee for report but to any other committee for opinion (Rule 24.2). The opinion of the latter concerns the report of the former committee. The report concerned must therefore be made available to the committee whose opinion has been sought in good time for it to prepare its opinion. Committee opinions may be presented orally or in writing. An opinion presented in writing must contain a chapter at the beginning entitled "Conclusions of the committee" and an explanatory memorandum by the rapporteur (Rule 49.3 of the Rules of Procedure).

6. Written declarations

Written declarations may be tabled provided that they:

- do not exceed 200 words;
- are on subjects within the competence of the Council of Europe;
- are signed by at least twenty Representatives or Substitutes belonging to four national delegations and two political groups.

They are neither referred to a committee nor debated in the Assembly (Rule 53 of the Rules of Procedure).

Any representative or Substitute may add his signature to such a declaration, in which case the declaration will be distributed again two weeks after the end of the part-session, with the names of all the members who signed it.

A written declaration which has not received any new signatures before the opening of the following part-session is closed to further signature.

7. Opinions of the Assembly (to the Committee of Ministers)

According to the Statute of the Council of Europe, or to other texts of a statutory character, the Committee of Ministers seeks the Assembly's opinion on such matters as the accession of new member states, draft conventions or the Council of Europe's budget. These requests for opinions are debated in the Assembly, following which the Assembly votes on the opinion to be transmitted to the Committee of Ministers (Rule 57).

8. Changes in the membership of national delegations or committees

Members of the Assembly are appointed for the whole Ordinary Session. Following parliamentary elections, the national parliament concerned or other competent authority shall make appointments to the Assembly within six months of the elections (Rule 10.2 and 3).

Should any seat on a national delegation fall vacant in the course of a session as a result of death or resignation, the president of the national parliament concerned, or the Minister for Foreign Affairs, presents the credentials of the member who is to fill the vacant seat to the President of the Parliamentary Assembly, who submits them to the Assembly or the Standing Committee for ratification at the first sitting or meeting following their receipt (Rule 6.4).

The chairperson of a national delegation informs the President of the Assembly of any proposed change(s) in committee membership concerning that delegation's members. The President of the Assembly submits the proposed change(s) to the Assembly, the Standing Committee or, failing that, the Bureau for ratification (Rule 43.6).

9. Requests for debates under urgent procedure or current affairs debates

At the request of the Committee of Ministers, of the committee concerned, or of twenty or more Representatives or Substitutes, a debate may be held on an item which has not been placed on the Assembly's agenda. Requests for debates under urgent procedure must be addressed to the President of the Assembly. The President submits them to the Bureau, which makes a proposal to the Assembly. The adoption of urgent procedure requires a two-thirds majority of the votes cast (Rule 50).

At least twenty members, or one political group or national delegation may request a current affairs debate (Rule 52) on a subject which is not on the Assembly's agenda. The request must be made to the President of the Assembly at least a week before the start of the part-session. The Bureau decides whether or not to grant the request, subject to approval by the Assembly. A current affairs debate may not exceed one and a half hours. The debate shall be opened by one of the members who requested it, chosen by the Bureau. The first speaker has ten minutes speaking time, other speakers five. A current affairs debate does not give rise to a vote, though the Bureau of the Assembly may subsequently propose that the subject be referred to the appropriate committee for report.

10. Electronic voting, notification of Substitutes, list of speakers, and quorum

All votes in the Assembly, except elections, take place by electronic voting.

Voting cards

Voting cards issued to all members are simultaneously used for identification and voting.

Distribution of voting cards is ensured by the Protocol Service of the Council of Europe. In principle, this distribution is organised via secretaries of each national delegation. Members who do not have their card (in case a card has been lost or forgotten, or when the Parliamentary Assembly database does not contain the member's photo) should present themselves at the Protocol desk at the main entrance of the Palais de l'Europe in order to receive their card. Protocol staff, before delivering a new card, will invite the member to present his or her identification document. If a third and consecutive card is issued to the same member during the same calendar year for whatever reason, loss or otherwise, the national delegation will be required to pay the cost (6 euros per card).

Voting cards as distributed by the Protocol Service do not give an automatic right to vote. In order to enjoy such a right, the member's card has to be validated. This operation will be carried out by the Assembly Secretariat.

Notification of Substitutes

In principle all Representatives at the opening of the first sitting (on Monday, at 3.00 p.m.) have their cards validated, but not Substitutes unless the Secretariat of the Assembly is properly informed about substitutions. Therefore secretaries of national delegations have the duty to inform the Secretariat of the Assembly about all cases of substitution. If this is not done, Substitutes attending the sitting do not have speaking and voting rights.

Notice of substitutions has to be given before the opening of the sitting concerned (if possible by the previous day and at the latest before 8.30 a.m. for a morning sitting and before 1.00 p.m. for

an afternoon sitting). This notification, including the names of Substitutes, the names of Representatives to be substituted and the length of substitution, must be given in writing for each sitting to the Secretariat of the Assembly (Mrs Jocelyne Gibert, Room 1076, fax during session weeks 27-27, fax outside session weeks 37-95).

If the Substitute is replacing the Representative for one or more consecutive sittings, the substitution for each sitting must be notified. Substitutions are never carried automatically over to the following sitting.

When the correct notification has been given, Substitutes will have their voting cards validated. At the same time, cards of Representatives who are to be replaced by Substitutes will become invalid, preventing them from speaking in the debate and voting, including in elections.

Register of attendance

Members shall continue to sign the register of attendance before entering the Chamber for a sitting (Rules 11.2 and 39.1). A duly designated Substitute will find his or her name in the register next to the name of the Representative for whom he or she is substituting. If, in the register of attendance, no name is found next to the Representative's name, it means that no substitution was notified for the Representative for that particular sitting and therefore the Representative is authorised to speak in the debate and vote.

All members of the Assembly – Representatives and Substitutes as well as Observers – have access to the Chamber at any time of the sitting, regardless of their speaking and voting rights. Therefore, all Members, even those who are not authorised to speak in the debate or vote, are invited to sign the register of attendance if they attend the sitting.

Speakers' register

Members who wish to speak in a debate must enter their names on the list of speakers. They may do this by post in advance of the part-session, or in person during the part-session at the Table Office (Room 1083). The list is closed one hour before the scheduled end of the previous sitting, except in the case of the first sitting of a part-session when the deadline is two hours before the start of the sitting. It should be noted that in any one part-session members may enter their names on the list for a maximum of **five debates** but may take the floor **not more than three times** (this limit does not apply to members appointed as political group spokespersons or as rapporteurs). A substitute whose name has not been notified to the secretariat before a sitting cannot participate in the debate.

The order of speakers on the list for each debate is determined according to criteria set by the Bureau and can be found on pages 92 to 96 of the Rules of Procedure.

Speaking time is limited to a maximum of 8 minutes for committee rapporteurs and 3 minutes for rapporteurs for opinion. Other speakers on the list normally have a maximum of 5 minutes. At the start of each sitting the President announces the speaking arrangements.

Only authorised members – i.e. Representatives or their duly appointed Substitutes – may speak in debates or submit questions for oral reply to the Chairman of the Committee of Ministers or to guest speakers. The list of speakers is verified accordingly.

Electronic voting

While they are sitting in the Chamber, members are invited to keep their voting cards inserted in the voting terminals. However, when they leave, they should take their cards with them.

Voting cards should be inserted correctly into the terminals (the photo side of the member's card is facing the President's table; then the card is pushed down until a "click" is heard). A card correctly inserted is signalled by its number being displayed on a small screen in the voting terminal. Any malfunctioning or error message displayed on the voting terminal screen should be immediately reported to the Secretariat present in the Chamber.

The opening of a vote by the President is confirmed by a small green light on the voting terminal.

After the opening of a vote, members should vote by putting their hands into the small booth of the voting terminal and by pressing one of the three voting buttons (stickers which are on the top of voting terminals are put there only for information in order to indicate the positions of the "for", "abstention" and "against" buttons). The chosen vote is confirmed by a coloured light on the terminal: green ("for"), white ("abstention") or red ("against").

Rule 39.8 indicates that a member cannot modify his or her vote after the voting is closed.

Quorum

The Assembly may deliberate, decide the orders of the day, approve the minutes of proceedings, decide upon procedural motions, and agree to adjourn, whatever the number of Representatives present.

All votes other than votes by roll-call shall be valid whatever the number of members voting, unless, before the voting has begun, the President has been requested to ascertain whether there is a quorum. At least one sixth of the Representatives authorised to vote, belonging to at least five national delegations, must vote in favour of the request. To ascertain whether there is a quorum, the President invites Representatives to mark their presence in the Chamber using the electronic voting system.

The quorum is one third of the number of Representatives of the Assembly authorised to vote (Rule 41.3).

A vote by roll-call shall not be valid unless one third of the Representatives authorised to vote took part. The President may decide to ascertain whether there is a quorum before proceeding to a vote by roll-call.

In the absence of a quorum, the vote shall be postponed until the next sitting or, on a motion from the Chair, until a subsequent sitting.

Majorities required

A majority of two-thirds of the votes cast is required for the adoption of a draft recommendation or a draft opinion to the Committee of Ministers, for the adoption of urgent procedure, for an alteration to the order of business, for the setting up of a committee and for the fixing of the date for the opening or resumption of Ordinary Sessions. For the adoption of a draft resolution and for any other decision, a majority of the votes cast is required, in the case of a tie the question being rejected.

Mobile phones

Members are reminded that mobile phones must be switched off at all times in the Chamber and during committee meetings.

Directory

Secretariat of the Assembly

Secretary General of the Assembly
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Head of the Office of the Secretary General of the Assembly
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Joanne de León, office 1070, tel. 3088, joanne.deleon@coe.int

Table Office

(speakers' lists, questions and amendments)

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Paul Evans, office 1083, tel. 4283
Philippe Hurtevent, office 1083, tel. 4283

Notification of substitutes
Jocelyne Gibert, office 1076, tel. 3273

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Audiovisual Service, tel. 3500.

Protocol

Director of Protocol
Muammer Topaloglu, office 0149, tel. 2137, muammer.topaloglu@coe.int

Services

Badges

Wearing badges is compulsory for admittance to the Chamber. Voting cards are used as ID badges. Contact the Protocol desk in the entrance hall.

Bars and restaurants

Parliamentarians' Bar: 1st floor, opposite the Chamber, open from 8.30 a.m. to the end of the sitting. Restaurant Bleu: ground floor, for official meals (tel. 3704 for reservations). Palais cafeteria: ground floor, open from 8 a.m. to 5 p.m. Palais self-service: ground floor, lunch from 12 a.m. to 2 p.m.

Bank

Société Générale, in the entrance hall, open from 8.15 a.m. to 5.30 p.m., tel. 7060. A cash dispenser is located opposite the philatelic counter off the entrance hall.

Bus

Free shuttle service departing from Allée Spach, outside the Press Centre, to the railway station via downtown (and vice versa). Badges must be shown. Time schedules are available at the reception desk.

Bookshop

Librairie Kléber: In the entrance hall, open from 9.30 a.m. to 12.45 p.m. and from 1.30 p.m. to 5.45 p.m., tel. 3712.

Philatelic agency

Council of Europe stamps and, since 1949, philatelic envelopes commemorating every session of the Parliamentary Assembly, tel. 03 88 35 08 88.

Post office

La Poste: in the entrance hall, open from 9 a.m. to 7 p.m., tel. 3463.

Medical centre

Entrance hall, open from 8.30 a.m. to the end of the sitting, tel. 2442.

Newsagent

Just off the entrance hall, open from 7.30 a.m. to 7.00 p.m., tel. 3549.

City of Strasbourg information desk

The City of Strasbourg is represented at the reception desk in the entrance hall, providing lists of hotels, restaurants and local events, flight/train times etc, tel. 3838. For accommodation or transport, contact Euraccueil on 03 88 52 28 38.

Travel agent

Carlson Wagonlit: Palais, ground floor, near the Restaurant. Open from 9.30 a.m. to 12.30 p.m. and from 1.30 p.m. to 5.00 p.m., tel. 3714.