

# The Session

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**The Session** is the information bulletin for plenary sessions of the Council of Europe Parliamentary Assembly (PACE). It is published four times a year in the two official languages of the Organisation and is also available on the Assembly's website.



Wednesday 18 January 2006

**The final order of  
business will be  
decided by the  
Assembly at the  
opening of the  
session**

## 23 to 27 January 2006

### Monday 23

- Election of the President and Vice-Presidents of the Assembly
- Opening statement by the President of the Parliamentary Assembly
- Statement by Parliamentary Assembly Secretary General Bruno Haller
- Communication from Council of Europe Secretary General Terry Davis on the state of the Council of Europe
- The parliamentary dimension of the United Nations and statement by UN General Assembly President Jan Eliasson

### Tuesday 24

- Current affairs debate: alleged secret detentions in Council of Europe member states
- Europe's contribution to improving water management
- Address by Bulgarian Prime Minister Serguei Stanishev
- The implementation of Resolution 1415 (2005) on the honouring of obligations and commitments by Georgia
- The integration of immigrant women in Europe

### Wednesday 25

- Human rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns
- Address by Romanian President Traian Băsescu
- Statement by the President of the Mexican Senate Enrique Jackson Ramírez
- The need for international condemnation of the crimes of totalitarian communist regimes
- Combating the resurrection of Nazi ideology

### Thursday 26

- Urgent debate: the situation in Belarus on the eve of the presidential election
- Communication from the Committee of Ministers to the Assembly presented by Romanian Foreign Minister Mihai-Razvan Ungureanu
- The policy of return for failed asylum seekers in the Netherlands and statement by Dutch Integration and Immigration Minister Rita Verdonk
- The concept of "nation"

### Friday 27

- The relocation of economic activities abroad and European economic development
- The implications for Europe of the economic resurgence of China
- Opinion on the draft protocol on the avoidance of statelessness in relation to state succession

# 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**



**206**

Socialist Group (SOC)



**182**

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



**99**

Alliance of Liberals and Democrats for Europe (ALDE)



**78**

European Democrat Group (EDG)



**32**

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  
Equal Opportunities for Women and Men  
Honouring of obligations and commitments by member states of the Council of Europe (Monitoring)

**51** seats

Rules of Procedure and Immunities



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# Monday 23 January 2006

☞ Afternoon (3 p.m.-7 p.m.)

## ◆ Opening of the first part of the 2006 Ordinary Session

The *doyen d'âge*, or oldest member of the Assembly present, Miguel Barceló Pérez (Spain, EPP/CD), 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 the *doyen d'âge* 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 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 France, Georgia, Germany, Greece, Hungary, Italy, Moldova, Monaco, Netherlands, Norway, Portugal, Romania, Russian Federation, San Marino, Slovenia, Spain, “the former Yugoslav Republic of Macedonia”, Turkey, Ukraine 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 its meeting on 9 January, the Bureau decided – subject to further modifications at its meeting on the morning of the session – to propose to the Assembly the holding of an urgent debate on “The situation in Belarus on the eve of the Presidential election” and a current affairs debate on “Alleged secret detentions in Council of Europe member states”. It also declined requests for urgent debates on “Freedom of the media in Russia” and “Riots in European cities: lessons and Council of Europe response”, but proposed that both subjects be referred to the relevant committee for report. The Assembly is called upon to ratify these decisions and to decide on a further request for an urgent debate on “The peril of using energy supply as an instrument of political pressure”.

## **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).<sup>1</sup> 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 (25 November 2005, Bucharest, Romania)**

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1. The draft order of business as contained in this document has been updated to reflect modifications to be proposed to the Bureau at its meeting at 8.30 a.m. on Monday 23 January. However the final order of business will be decided by the Assembly at the opening of the session.

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

*Doc.*

*Rapporteur: Bernard Schreiner (France, EPP/CD)*

The progress report covers the discussions held and decisions reached by the Bureau and the Standing Committee since the October part-session. Addenda on the observations of the referendum on constitutional reforms in Armenia (27 November 2005), prepared by Tomáš Jirsa (Czech Republic, EDG), and of the presidential election in Kazakhstan (4 December 2005), prepared by Tadeusz Iwiński (Poland, SOC), will be presented as part of the progress report.

**Statement by Bruno Haller, Secretary General of the Parliamentary Assembly**

◆ **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.

◆ **The parliamentary dimension of the United Nations**

*Doc. 10771*

*Report of the Political Affairs Committee*

*Rapporteur: Tana de Zulueta (Italy, SOC)*

At this crucial time for the UN, with agreement on reform proving difficult, the Political Affairs Committee calls for renewed impetus in the reform process. Any overhaul should aim not only to reflect current geopolitical realities but also to make the whole UN system more transparent and accountable, the committee believes, bringing it closer to the people it serves.

As a first step, there should be progressively greater involvement of parliamentarians – who represent the peoples of the world – in UN activities, including the setting up of a parliamentary committee with consultative functions for one or more committees of the General Assembly. If successful, this could eventually inspire the establishment of a full UN parliamentary assembly, based on national delegations, with consultative functions for the plenary General Assembly.

**Statement by Jan Eliasson, President of the Sixtieth session of the United Nations General Assembly**

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

**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 sitting.**

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# Tuesday 24 January 2006

☞ Morning (10 a.m.-1 p.m.)

◆ **Current affairs debate: alleged secret detentions in Council of Europe member states<sup>1</sup>**

The Assembly will decide on the Bureau's proposal to hold a current affairs debate on this subject when it adopts its order of business on the first day of the session. No draft text is presented for a current affairs debate, and no vote is taken by the Assembly. However, the Committee on Legal Affairs and Human Rights – during its meeting at 8.30 a.m. on Tuesday 24 October – will be invited to make public an information memorandum by Dick Marty (Switzerland, ALDE), who is preparing a report for the Assembly on this subject.

◆ **Europe's contribution to improving water management**

*Doc. 10772*

*Report of the Committee on the Environment, Agriculture and Local and Regional Affairs*

*Rapporteur: Elsa Papadimitriou (Greece, EPP/CD)*

It is unacceptable that 1.2 billion people in the world lack safe access to safe drinking water, and that 2.6 billion lack access to basic sanitation, the Environment Committee reiterates. Although the world has agreed to halve these figures by 2015, as one of the Millennium Development Goals, a third of the way to the deadline for achieving this target, global progress on improving sanitation is slow.

Access to water should now be recognised as a fundamental human right, the committee believes, which would enable ordinary citizens and civil society to hold governments to account if they fail to provide it. Parliaments and governments must keep the momentum up at international level, while the key to tackling this problem remains integrated water management policies which allow regional and local authorities – given the right laws, enough money and appropriate technical back-up – to manage water resources in the best interests of all.

Contact in the secretariat: Marine Trévisan, tel. 3716.

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1. This debate, if approved by the Assembly, was originally scheduled by the Bureau to take place on Thursday 26 January at 3 p.m. However, Assembly President René van der Linden has proposed that it be held instead at 10 a.m. on Tuesday 24 January.

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# Tuesday 24 January 2006

☞ Afternoon (3 p.m.-7.30 p.m.)

◆ **Address by Serguei Stanishev, Prime Minister of Bulgaria**

Following his address, the Prime Minister will answer questions from members of the Assembly.

◆ **Implementation of Resolution 1415 (2005) on the honouring of obligations and commitments by Georgia**

*Doc. 10741*

*Report of the Monitoring Committee*

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

In 2005, the Assembly agreed to reconsider the deadlines for Georgia to fulfil its obligations and commitments to the Council of Europe in order to take account of the extraordinary circumstances of the Rose Revolution. Two years after those events, it is now time for the new authorities to deliver on their promises.

Progress over the last year can be regarded as generally encouraging, the Monitoring Committee believes, but is still only a first step towards fully honouring those promises. It helps that post-revolutionary euphoria has given way to pragmatism and, in general, large-scale and long-term reforms have been set on the right track.

However, major challenges remain, in particular continuing to build strong democratic institutions, fight corruption and reform the judiciary and local self-government. With a weak opposition and media, there are not enough checks and balances on the strong system of government. Also, despite commendable efforts by President Saakashvili, there is a worrying lack of progress in the negotiations over Abkhazia and South Ossetia, essential to any normalisation of the situation in Georgia. The committee proposes that monitoring be pursued until there is evidence of substantial progress.

Contact in the secretariat: Bonnie Theophilova, tel. 2327.

## ◆ **The integration of immigrant women in Europe**

*Doc. 10758*

*Report of the Committee on Equal Opportunities for Women and Men*

*Rapporteur: Gülsün Bilgehan (Turkey, SOC)*

Women – yesterday's "invisible figures of immigration" – make up nearly half of all immigrants today and add to social cohesion in the European countries where they live. Yet they can face two-fold discrimination on the grounds of their gender and their origin, including within immigrant communities themselves. In this report, the Equality Committee suggests ways these valuable women can be encouraged to join the labour market, learn the language and play a full part in the economic, social and political life of their adopted countries.

They should be granted an autonomous legal status independent of their spouse – guaranteeing them, for example, the right to hold their own passport and residence permit – while the application of any foreign legislation, such as legal judgments on marriage, divorce or child custody delivered in non-Council of Europe member states, should be checked to see if they adhere to the principles of equality which are part of the fundamental human rights promoted by the Council. Men need to be involved in this process too, the committee believes – fathers, spouses and brothers must be encouraged to apply gender equality in their own communities.

Contact in the secretariat: Sylvie Affholder, tel. 3551.



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# Wednesday 25 January 2006

☞ Morning (10 a.m.-1 p.m.)

◆ **Human rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns**

*Doc. 10774 Rev.*

*Report of the Committee on Legal Affairs and Human Rights*

*Rapporteur: Rudolf Bindig (Germany, SOC)*

Serious human rights violations continue to occur on a massive scale in a climate of impunity in the Chechen Republic and in some cases in neighbouring regions, according to the Legal Affairs Committee. While understanding Russia's difficulties in combating terrorism, the committee calls for greater respect of human rights by the security forces and encourages the Public Prosecutor's Office to intensify efforts to bring perpetrators of violations to justice – particularly concerning crimes involving human rights defenders, lawyers, prosecutors, judges and law enforcement officials, as well as applicants to the European Court of Human Rights. In addition, it pleads for strong and independent human rights NGOs to be free to work in the region.

The committee also believes the Committee of Ministers – the executive body of the Council of Europe – has failed to address these ongoing serious human rights violations in a regular, serious and intensive manner. Europe's governments must now confront their responsibility to tackle one of the most serious human rights issues in any of the Council of Europe's member states. Otherwise, the committee warns, the lack of effective reaction by the Council's executive body could seriously threaten the credibility of the whole Organisation.

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

◆ **Address by Traian Băsescu, President of Romania**

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

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## Wednesday 25 January 2006

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

◆ **Statement by Enrique Jackson Ramírez, President of the Senate of Mexico**

Following his address, Mr Jackson Ramírez will answer questions from members of the Assembly.

◆ **The need for international condemnation of the crimes of totalitarian communist regimes**

*Doc. 10765*

*Report of the Political Affairs Committee*

*Rapporteur: Göran Lindblad (Sweden, EPP/CD)*

The totalitarian communist regimes which ruled in central and eastern Europe in the last century, and which are still in power in several countries in the world, have been, without exception, characterised by the massive violation of human rights, according to the Political Affairs Committee. These crimes – which included assassinations and executions, death in concentration camps, starvation, deportations, torture, slave labour and other forms of mass physical terror – were justified in the name of class struggle and the dictatorship of the proletariat. The peoples of the former USSR far outnumbered other peoples in terms of numbers of victims.

The committee strongly condemns these violations, and calls on Europe's governments – and communist or post-communist political parties which have not yet done so – to do likewise. Victims who are still alive should be offered recognition and understanding of their suffering. Meanwhile, to counter poor public awareness of these terrible events, the Council of Europe should begin collecting and assessing information and legislation about them, organise an international conference and stimulate debate.

For their part, Council of Europe member states which were once ruled by totalitarian communist regimes are urged to revise school books to reflect what happened, establish museums documenting these crimes and introduce a memorial day for the victims of communism.

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

## ◆ **Combating the resurrection of Nazi ideology**

*Doc. 10766*

*Report of the Political Affairs Committee*

*Rapporteur: Mikhail Margelov (Russian Federation, EDG)*

The Political Affairs Committee recalls that Nazism, its policies and actions were irrevocably condemned by the Nuremberg tribunal and that modern Europe has been conceived as a total rejection of all the Nazis stood for. Yet public awareness of the danger of Nazi ideology appears to be weakening, as seen in worrying developments such as daubing of swastikas on graves, the use of Nazi symbols and attempts to deny the holocaust. It points out that Hitler's ideas, however outrageous they look today, found sympathy in many European countries.

The committee calls for urgent co-ordinated action to combat any resurgence in Nazi ideology including a major international conference to develop a common response to Nazi, racist and xenophobic trends in European societies.

Contact in the secretariat: Pavel Chevtchenko, tel. 3835.

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# Thursday 26 January 2006

☞ Morning (10 a.m.-1 p.m.)

◆ **Urgent debate: the situation in Belarus on the eve of the Presidential election**

*Report of the Political Affairs Committee*

*Opinion of the Committee on Legal Affairs and Human Rights*

*Opinion of the Committee on Culture, Science and Education*

At its meeting on 9 January 2006, the Bureau proposed to hold an urgent debate on this subject and to invite the Chairman of the Belarus Chamber of Representatives Vladimir Konoplev and opposition leader Alexander Milinkevich to take part. If this proposal is approved by the Assembly, the Political Affairs Committee should adopt a draft text at its meeting on Tuesday 24 January at 8 a.m. The deadline for tabling amendments would then be Wednesday 25 January at midday.

◆ **Communication from the Committee of Ministers to the Parliamentary Assembly presented by Mihai-Razvan Ungureanu, Minister for Foreign Affairs of Romania and Chairperson of the Committee of Ministers**

Following his presentation, Mr Ungureanu will answer members' questions, which must be tabled at the latest by 3.30 p.m. on Tuesday 24 January.

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# Thursday 26 January 2006

☞ Afternoon (3 p.m.-6.30 p.m.)

◆ **The policy of return for failed asylum seekers in the Netherlands<sup>1</sup>**

*Doc. 10741*

*Report of the Committee on Migration, Refugees and Population*

*Rapporteur: Rosmarie Zapfl-Helbling (Switzerland, EPP/CD)*

In 2004 the Dutch authorities approved a policy for returning approximately 26,000 failed asylum seekers which triggered off a public outcry in the Netherlands. Since then, a number of the persons concerned have been given permits to remain in the Netherlands, and some have returned voluntarily. Others have been returned forcibly and a large number have disappeared.

The 2004 policy "broadly complies with the recommendations on return made by Council of Europe bodies", according to the Migration Committee, but some features – also to be found in the policies of other countries, including Switzerland and the United Kingdom – raise concerns. Failed asylum seekers with strong family or community links with the host country, or who have become well integrated, should get special consideration, the committee believes, and nobody should be sent back to a country where they may face danger or possible human rights violations. Detention should be a last resort, and should be excluded for children, the elderly, and people with disabilities or suffering from trauma or mental illness.

Above all, the possibility to deprive failed asylum seekers of access to housing, social benefits and health care – which the policy permits in some cases when return has proved impossible – is a worrying development which could be seen as a means of exerting pressure on failed asylum seekers. The return policy should be modified to remove this threat.

**Statement by Rita Verdonk, Minister for Integration and Immigration of the Netherlands**

Contact in the secretariat: Mark Neville, tel. 2341.

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1. This debate was originally scheduled by the Bureau to take place at 10.30 a.m. on Tuesday 24 January. However, Assembly President René van der Linden has proposed that it be held instead at 3 p.m. on Thursday 26 January.

## ◆ **The concept of 'nation'**

*Doc. 10762*

*Report of the Committee on Legal Affairs and Human Rights*

*Rapporteur: György Frunda (Romania, EPP/CD)*

Could the concept of "nation" – rethought and modernised – help to address the question of national minorities and their rights in 21<sup>st</sup> century Europe? Some Council of Europe member states use the term to indicate citizenship – a legal link between state and individual – whereas others use it to describe an ethno-cultural community. The concept of national minorities bridges these two interpretations, the Legal Affairs Committee suggests, since it essentially describes ethno-cultural communities living in modern nation states which are relatively smaller than other such communities.

At any rate, everyone should be free to define themselves as a member of whichever cultural "nation" they wish, irrespective of their citizenship. Kin-states – countries sharing an ethno-cultural link with minorities in a neighbouring country, and who take a legitimate interest in those minorities – can play a positive role, but should always respect their neighbour's legislation and negotiate any assistance in a spirit of friendly relations. All Council of Europe member states should in any case avoid defining themselves in exclusively ethnic terms and should do their utmost to help their minorities, a source of enrichment, to flourish.

Contact in the secretariat: Valerie Clamer, tel. 2106.

**The Joint Committee, which is the organ of co-ordination between the Committee of Ministers and the Parliamentary Assembly, meets at 6.30 p.m. or at the end of the sitting in Room 5. Items on the draft agenda include alleged secret detentions in Council of Europe member states, co-operation between the Council of Europe and the EU and follow-up to the Third Summit. 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.**

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# Friday 27 January 2006

☞ Morning (10 a.m.-1 p.m.)

## ◆ **The relocation of economic activities abroad and European economic development**

*Doc. 10757*

*Report of the Committee on Economic Affairs and Development*

*Rapporteur: Neven Mimica (Croatia, SOC)*

One of the most concrete manifestations of globalisation is when companies transfer part or all of their activities – whether in production or services – to locations abroad that are deemed more favourable, often from the cost point of view. Whether the move is from western to central or eastern Europe or to, say, Asia, the consequences for the region affected can be traumatic. As a result, relocation – often popularly referred to as “outsourcing” or “off-shoring” – has become controversial.

The Economic Affairs Committee believes that the natural tendency for companies to allocate their investments optimally “should be allowed to continue unhindered”, since it will lead over time to increased trade, a rise in prosperity on all sides and a more unified and politically stable Europe. However, countries should “properly assist those affected” and seek to maintain essential aspects of Europe’s hard-fought-for social achievements. But even here, the committee suggests, policies to promote employability have shown themselves to be more efficient than those serving merely to protect employment.

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

## ◆ **The implications for Europe of the economic resurgence of China**

*Doc. 10756*

*Report of the Committee on Economic Affairs and Development*

*Rapporteur: Paul Wille (Belgium, ALDE)*

The economic rise of China – or rather resurgence, considering the country’s might in earlier eras – has profound implications for Europe. If Europe plays its cards right, this development can lead to major benefits for the continent and overall world stability and prosperity, according to the Economic Affairs Committee.

The breath-taking pace of China’s annual growth – 9 per cent or more – has opened up many social and environmental vulnerabilities, including the growing gap between the rising wealthier classes and those left behind, such as in China’s northern and western provinces. Other pitfalls are a fragile financial sector and often bloated and inefficient State-owned industries. Reforms have begun and Europe must support them, the committee believes.

However, China also needs to make progress on human rights, democracy and the rule of law – areas which are of vital importance to lasting economic development. Here, Europe has a major role to play, not least through increased contacts via the Council of Europe and its Parliamentary Assembly.

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

◆ **Opinion on the draft Protocol on the avoidance of statelessness in relation to state succession**

*Doc. 10646, Doc. 10770*

*Report of the Committee on Legal Affairs and Human Rights*

*Rapporteur: Jaume Bartumeu Cassany (Andorra, SOC)*

Everyone has the right to a nationality, but what happens when a state, for example, divides into two new states? Experience has shown that in such circumstances many people risk losing their nationality without acquiring a new one. Fundamental principles have already been laid down in UN and Council of Europe conventions to try and avoid this – notably that the nationals of predecessor states should have an effective remedy against deprivation, withdrawal or refusal to grant nationality – but there are no precise rules on who is obliged to do what. This draft protocol – which the Legal Affairs Committee thinks should be called a “convention” – seeks to fill that gap.

The Legal Affairs Committee welcomes the draft, but calls for a number of improvements. For example, its scope should be widened to include people who were stateless prior to the state succession, the ban on discrimination in deciding nationality should be more explicit, and individuals should perhaps be given a clear-cut “right of option” to choose which nationality they would like, where there is more than one successor state. Finally, the committee regrets that the draft allows states to make reservations on fundamental provisions, making national laws less coherent and reducing the protocol’s effectiveness.

Contact in the secretariat: Valerie Clamer, tel. 2106.

◆ **Constitution of the Standing Committee**

◆ **Closure of the first part of the 2006 Ordinary Session**



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# 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.

The latest edition of the Rules of Procedure of the Assembly was published in 2005 and is available in a bilingual version (English/French), including two updates.

## **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 23 January: Monday 23 January at 12 noon;
- for debates on Tuesday 24 January: Monday 23 January at 4 p.m.;
- for all other debates (except urgent debates and unforeseen 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.

For Motions tabled during a Part-Session, the Bureau has decided that the Friday meeting of the Bureau at the end of that Part-Session will only consider those Motions which have been tabled by **12 noon on Tuesday of the Part-Session**. Motions received after that deadline are examined by the Bureau meeting after the Part-Session.

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 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 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.

### **Questions to invited guest speakers**

For most invited guest speakers, the draft order of business indicates whether there is the possibility for members to ask questions. Where there is that possibility, members are encouraged to register their names with the Table Office as soon as the draft order of business is published and the name of the guest speaker appears. For guest speakers other than the Chairperson of the Committee of Ministers, members are invited to submit the subject of their question. For the Chairperson of the Committee of Ministers, the name of the member wishing to ask a question is only registered on the list if accompanied by the full written text of the question. The names of persons wishing to ask a question are published and listed in chronological order.

For the Chairperson of the Committee of Ministers, a precise deadline is specified in the draft order of business. The written questions for oral answer by the Chairperson are published in a Doc. of the Assembly. For the other guest speakers, there is no formal deadline as such as the questions are "spontaneous". However, members have an interest in registering their names as early as possible as there is usually not enough time to answer all questions.

### **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

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*Secretary to the Secretary General of the Assembly*  
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Director, General Services  
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## Private Office of the President

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Deputy Head of the Private Office  
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Secretariat of the President and of the Head of Private Office  
Janice Ludwig, office 1070, tel. 2094, janice.ludwig@coe.int

## Table Office

(speakers' lists, questions and amendments)

Head of the Table Office  
Horst Schade, office 1.087, tel. 2075, horst.schade@coe.int

Deputy to the Head of the Table Office  
Linda Nylund, office 1.080, tel. 2800, linda.nylund@coe.int

Paul Evans, office 1.067, tel. 4667  
Robert Bertrand, office 1073, tel. 3936

Notification of substitutes  
Jocelyne Gibert, office 1.074, tel. 3273

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## Secretaries of political groups

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European Democrat Group:  
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Group of the Unified European Left:  
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## Secretary General

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## Directorate of Communication and Research

Director  
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Audiovisual Service, tel. 3500.

## Protocol

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

## Services

### Internet access

Terminals with free broadband access are available in the lobby of the debating chamber and outside the 2<sup>nd</sup> floor meeting rooms. The Assembly's website and the Council of Europe portal, including other language portals, can be accessed here.

### 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 cafeteria (ground floor).

### 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 Klébér: 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, call 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.