

# The Session

**Secretariat of the  
Parliamentary Assembly,  
Communication Unit**

Council of Europe  
Avenue de l'Europe  
F-67075 Strasbourg cedex

Tel. +33 3 88 41 31 93  
Fax +33 3 90 21 41 34  
e-mail: [pace.com@coe.int](mailto:pace.com@coe.int)  
<http://assembly.coe.int>



**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.



Monday 16 April 2007

**FINAL  
VERSION**

## 16 to 20 April 2007

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- Honouring of obligations and commitments by Azerbaijan

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- Urgent debate: Draft Convention on the protection of children against sexual exploitation and sexual abuse

# 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, 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.

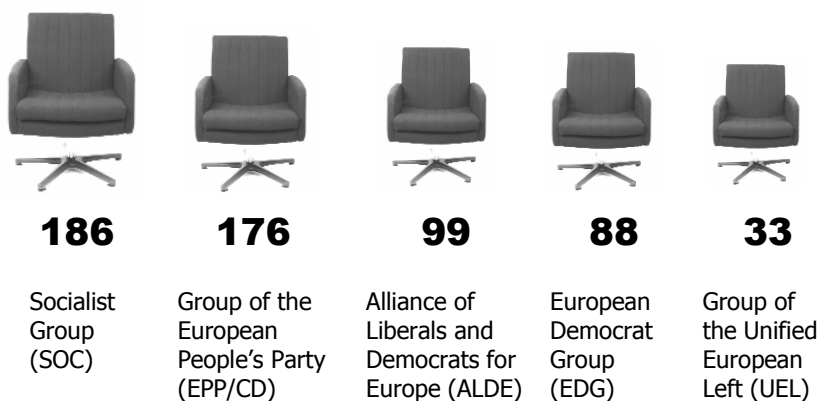
Countries that have joined the Council of Europe since November 1990: Hungary (1990), Poland (1991), Bulgaria (1992), Estonia, Lithuania, Slovenia, Slovak Republic, Czech Republic, Romania (1993), Andorra (1994), Latvia, Albania, Moldova, "the former Yugoslav Republic of Macedonia", Ukraine (1995), the Russian Federation, Croatia (1996), Georgia (1999), Armenia, Azerbaijan (2001), Bosnia and Herzegovina (2002), Serbia and Montenegro (2003), replaced by Serbia (2006), Monaco (2004).

Applications for membership: Belarus (12 March 1993) and Montenegro (6 June 2006).

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



# 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 16 April 2007

☞ Morning (11.30 a.m.-1 p.m.)

## ◆ **Opening of the second part of the 2007 Ordinary Session**

Parliamentary Assembly President René van der Linden opened the second part of the 2007 Ordinary Session and made an opening statement.

The Assembly examined the credentials of any new members notified by national delegations and dealt with any changes in the membership of committees. It also considered four requests for urgent or current affairs debates and then adopted its order of business.

Finally, it adopted the minutes of the meeting of the Standing Committee held in Paris on 16 March 2007.

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

*Rapporteur: José Vera Jardim (Portugal, SOC)*

The progress report covered the discussions held and decisions reached by the Bureau and the Standing Committee since the last part-session.

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# Monday 16 April 2007

☞ Afternoon (3 p.m.-5 p.m.)

## ◆ **Honouring of obligations and commitments by Azerbaijan**

*Doc. 11226*

*Report of the Monitoring Committee*

*Co-rapporteurs: Andres Herkel (Estonia, EPP/CD) and Tony Lloyd (United Kingdom, SOC)*

In this latest assessment, the Monitoring Committee welcomes the efforts made by the country's authorities in a number of areas – not least to improve the rule of law and revise the election code – and President Aliyev's "constructive attitude" towards resolving the Nagorno-Karabakh conflict.

However, it also points out that not a single election has been deemed free and fair since Azerbaijan joined the Council of Europe in 2001, while the general environment for independent media has deteriorated, corruption remains a major problem and prison conditions are still harsh.

The committee says there is "an urgent need" for dialogue between the ruling majority and the opposition to improve the political climate in the country and lists a series of steps the authorities should now take for Azerbaijan to meet its Council of Europe commitments. These range from a possible constitutional revision to strengthen the role of parliament through to more and better defence lawyers, an end to torture and ill-treatment by law enforcement agents or in the army, and efforts to "maintain the momentum" of last year's negotiations over Nagorno-Karabakh. On political prisoners, it urges better functioning of the Task Force set up to look into this question.

The committee resolves to pursue the monitoring procedure, and calls for the 2008 presidential elections to be "the first in the history of the country" to comply with international standards.

Contact in the secretariat: Caroline Ravaud, tel. 2327.

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# Tuesday 17 April 2007

☞ Morning (10 a.m.-1 p.m.)

## ◆ **Accession of the Republic of Montenegro to the Council of Europe**

*Doc. 11204 and addendum*

*Report of the Political Affairs Committee*

*Rapporteur: Jean-Charles Gardetto (Monaco, EPP/CD)*

*Doc. 11205*

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

*Rapporteur: Erik Jurgens (Netherlands, SOC)*

*Doc. 11207*

*Opinion of the Monitoring Committee*

*Rapporteur: Serhiy Holovaty (Ukraine, ALDE)*

Montenegro applied to join the Council of Europe on 6 June 2006, three days after its parliament declared it independent, and made clear from the outset that it wished to honour all existing Council of Europe conventions or agreements arising from its successor status.

In its opinion, the Political Affairs Committee welcomes the progress Montenegro has already made in many fields and the political will expressed by its authorities to pursue reforms, but says this commitment must now be translated into practice. Montenegro should adopt, within a year, a new Constitution which incorporates the seven minimum principles its leaders have already agreed to, including a total ban on the death penalty, the independence of the judiciary and measures to protect minority rights. The committee also sets deadlines for Montenegro to sign and ratify a long list of Council of Europe conventions, to bring it into line with Council of Europe standards in many fields, and lays out a further series of legal, financial and practical steps it should take once it becomes a member.

Having agreed to these commitments – and the Assembly's monitoring procedure to help it honour them – Montenegro is able and willing to fulfil the basic obligations of membership, the committee believes, and should swiftly be invited to become the Council of Europe's 47th member state.

### **Statement by Ranko Krivokapić, Speaker of the Parliament of Montenegro**

Contact in the secretariat: Eliza Pieter, tel. 3137.

## ◆ **Address by Viktor Yanukovich, Prime Minister of Ukraine**

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

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## Tuesday 17 April 2007

☞ Afternoon (3 p.m.-7.30 p.m.)

◆ **Communication from the Committee of Ministers to the Parliamentary Assembly presented by Fiorenzo Stolfi, Minister for Foreign Affairs of San Marino, Chairperson of the Committee of Ministers**

Following his presentation, the Foreign Minister will answer parliamentarians' questions.

◆ **Code of good practice for political parties**

*Doc. 11210*

*Report of the Political Affairs Committee*

*Rapporteur: Luc van den Brande (Belgium, EPP/CD)*

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

*Rapporteur: Gülsün Bilgehan (Turkey, SOC)*

Political parties constitute a permanent feature of modern democracies and represent a crucial linking mechanism between citizens and the state. Their legitimacy and credibility therefore constitute a necessary precondition for the effectiveness of the democratic process.

Yet in many Council of Europe member states, political parties face a crisis of legitimacy, sometimes being regarded as corrupt, undemocratic in their internal procedures or only serving the interests of small groups. This decline in confidence in political parties results in distrust in the democratic system as a whole and indifference towards political institutions.

To remedy this situation, the Political Affairs Committee proposes the preparation of a "code of good practice for political parties", based on the experience of parties in Council of Europe member states, which would cover the election process, equality between men and women candidates, party and campaign financing, accountability, conduct in opposition, handling the media and the involvement of young people in the political process.

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

**The award ceremony for the 2007 Council of Europe Museum Prize will take place at 8 p.m. in the Palais Rohan in Strasbourg city centre. The President of the Assembly will present the award to this year's winner, the International Museum of the Reformation in Geneva.**

## ◆ **Candidates for the European Court of Human Rights**

*Doc. 11208*

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

*Rapporteur: Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD)*

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

*Rapporteur: José Bendes Bota (Portugal, EPP/CD)*

Under the European Convention on Human Rights, candidates for the post of judge at the Court must be "of high moral character and must either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence". However, in order to achieve a fairer gender-balance in the Court's composition, the Assembly, which elects the judges, has also decided that each list of three candidates submitted by a Contracting Party must contain at least one member of the under-represented sex.

Indeed, under the current wording of its Rules, the Assembly has no choice but to reject single-sex lists if that sex is over-represented in the Court. Yet, according to the Legal Affairs Committee, automatic rejection of such a list may, in exceptional circumstances, reduce the Assembly's ability to choose between three candidates who satisfy all the other selection criteria.

The committee therefore proposes that the Assembly should amend its procedure to allow it to consider single-sex lists in exceptional circumstances.

Contact in the secretariat: Andrew Drzemczewski, tel. 2326.

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# Wednesday 18 April 2007

☞ Morning (10 a.m.-1 p.m.)

## **Special debate on the state of human rights and democracy in Europe:**

### ◆ **State of human rights in Europe**

*Doc. 11202*

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

*Rapporteur: Christos Pourgourides (Cyprus, EPP/CD)*

*Opinion of the Social, Health and Family Affairs Committee*

*Rapporteur Marcel Glesener (Luxembourg, EPP/CD)*

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

*Rapporteur: Ed van Thijn (Netherlands, SOC)*

Protecting human rights and promoting democracy lie at the heart of the mission of the Council of Europe, and it is ideally placed – with the Human Rights Court and a constellation of other trusted monitoring mechanisms – to make a sound overall assessment of Europe's record in both areas. This is the aim of a special, all-day debate on these twin themes.

In this contribution to a joint report prepared for the debate, the Legal Affairs Committee focuses on the first theme, human rights, pointing out that while much has been achieved, there is still a gap between standards on paper and the reality on the ground: serious violations continue to take place on the continent – including extra-judicial killings, forced disappearances and torture – and violators still go unpunished. Meanwhile, some parts of Europe – such as Belarus – remain “black holes” where the Organisation's human rights mechanisms do not fully apply.

It is time for the Council of Europe's member governments to “end hypocrisy and turn words into deeds”, the committee declares, by applying zero tolerance to human rights violations. They must face up to their responsibility to defend human rights, it adds, warning that continued “decision-making by consensus” could lead to paralysis. Above all, they should strengthen the Council of Europe itself, if it is to be credible as “Europe's human rights watchdog”, focus its work on priorities, and give it the means to continue doing its job.

#### **Statements by:**

- **Louise Arbour, United Nations High Commissioner for Human Rights**
- **Thomas Hammarberg, Council of Europe Commissioner for Human Rights**
- **Jean-Paul Costa, President of the European Court of Human Rights**
- **Irene Khan, Secretary General of Amnesty International**
- **Kenneth Roth, Executive Director of Human Rights Watch**

Contact in the secretariat: Catherine Maffucci-Hugel, tel. 4165.



## ◆ **State of democracy in Europe**

*Doc. 11203*

*Report of the Political Affairs Committee*

*Rapporteur: Andreas Gross (Switzerland, SOC)*

*Opinion of the Committee on Economic Affairs and Development*

*Rapporteur: Liudmila Pirozhnikova (Russia, EDG)*

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

*Rapporteur: Maria Manuela de Melo (Portugal, SOC)*

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

*Rapporteur: Leo Platvoet (Netherlands, UEL)*

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

*Rapporteur: Anna Čurdová (Czech Republic, SOC)*

*Opinion of the Committee on Rules of Procedure and Immunities*

*Rapporteur: Jonas Čekuolis (Lithuania, ALDE)*

In its contribution to this joint report, the Political Affairs Committee tackles the second main theme of the Assembly's special all-day debate: the state of democracy in Europe.

States must pledge to abide by democratic principles in order to get into the Council of Europe club, the committee points out, but once members they are able to draw on a vast *acquis* of law and practice – which has played an essential role in supporting the democratic transformations of the mid-seventies and early nineties.

And yet, despite undoubted progress, the committee expresses concern at a growing number of deficits in European democracy such as declining voter turnout as a symptom of disillusion with politics, dysfunctioning institutions, and parliaments of questionable representativeness. In some countries, even basic principles of democracy – such as the separation of powers, transparency and accountability – are perceived as lacking.

The committee makes a series of proposals for improving democratic functioning on the continent, including stronger Council of Europe monitoring, enlarging the right to vote, greater representation for women, more "direct democracy", a free, pluralist media and enhanced civic education.

### **Statements by:**

- **Terry Davis, Secretary General of the Council of Europe**
- **Halvdan Skard, President of the Congress of Local and Regional Authorities of the Council of Europe**
- **Ugo Mifsud Bonnici, Vice-President of the European Commission for Democracy through Law (Venice Commission)**

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

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# Wednesday 18 April 2007

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

## **Special debate on the state of human rights and democracy in Europe:**

### **♦ Monitoring of states' performance: progress of the Assembly's monitoring procedure**

*Doc. 11214*

*Report of the Monitoring Committee*

*Rapporteur: Eduard Lintner (Germany, EPP/CD)*

In its annual report, which also forms part of the Assembly's special all-day debate, the Monitoring Committee draws some conclusions from its work with the ten member states currently under monitoring (Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Moldova, Monaco, Russia, Serbia and Ukraine) and the three states involved in a post-monitoring dialogue (Bulgaria, "the former Yugoslav Republic of Macedonia" and Turkey). It also touches on its investigations into applications to begin monitoring of two states (Italy and the United Kingdom).

Progress has been made everywhere, the committee reports, but there have also been setbacks, due to changing circumstances or political stalemates. In some countries, elections are still not free and fair, parliamentary politics is not working too well, or constitutional reform is still needed. Control of the media, weak civil society and poor prison conditions are issues too, while judicial reform continues to be more of a challenge than foreseen. All the monitored states need to improve the application of their existing laws.

However, aware that its work is sometimes misconstrued by the 13 countries undergoing monitoring as "unfair finger-pointing", the committee also recalls its decision last year to institute a three-year cycle for periodically assessing the other 33. Drawing on data from all of the Council's monitoring mechanisms, it makes a series of recommendations to the second group of eleven states due for assessment this year (Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta and the Netherlands).

#### **Statements by:**

- **Jean-Michel Belorgey, General Rapporteur and former President of the European Committee of Social Rights**
- **Mauro Palma, President of the European Committee for the Prevention of Torture**
- **Eva Smith Asmussen, President of the European Commission against Racism and Intolerance**
- **Alan Phillips, President of the Advisory Committee of the Framework Convention for the Protection of National Minorities**

Contact in the secretariat: Caroline Ravaud, tel. 2327.

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## Thursday 19 April 2007

☞ Morning (10 a.m.-1 p.m.)

♦ **Urgent debate: the functioning of democratic institutions in Ukraine**

*Report of the Monitoring Committee*

The Monitoring Committee is due to approve a draft report at its meeting from 8.30-10 a.m. on Tuesday 17 April.

Contact in the secretariat: Ivi-Triin Odrats, tel. 2979.

♦ **Current affairs debate: Sudan and Darfur – Europe's responsibility**

Dick Marty (Switzerland, ALDE) has been designated by the Bureau as the first speaker in this debate.

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# Thursday 19 April 2007

☞ Afternoon (3 p.m.-6.30 p.m.)

◆ **Urgent debate: situation in the Middle East**

*Report of the Political Affairs Committee*

The Political Affairs Committee is due to approve a draft report at its meeting from 8.30-10 a.m. on Tuesday 17 April.

Contact in the secretariat: Eliza Pieter, tel. 3137.

◆ **Fair trial issues in criminal cases concerning espionage or divulging state secrets**

*Doc. 11031*

*Report of the Committee Legal Affairs and Human Rights*

*Rapporteur: Christos Pourgourides (Cyprus, EPP/CD)*

According to the Legal Affairs Committee, legislation on state secrecy in many Council of Europe member states is currently rather vague or otherwise overly broad, and can be construed in such a way as to cover a wide range of legitimate activities carried out by journalists, scientists, lawyers or other human rights defenders.

Such laws should always follow certain basic principles, the committee proposes: information already in the public domain should never be considered a state secret, and nor should information shared as part of international scientific co-operation, or revealed by "whistleblowers" who expose corruption or human rights violations. Official secrets legislation should always be clear and public, and any alleged breaches should be investigated and prosecuted speedily, transparently and fairly.

The committee expresses concern that – in the context of the Assembly's own investigation into illegal CIA activities carried out by Dick Marty – the US Administration, as well as German, Swiss and Italian authorities have recently threatened or attempted to prosecute journalists or other "whistleblowers" for alleged breaches of official secrecy.

It also says there are strong indications that fair-trial principles were not respected in a series of high-profile espionage cases against scientists, journalists and lawyers in the Russian Federation. The committee calls on Russia's competent bodies to use all legal means to free three men convicted in these trials – scientists Igor Sutyagin and Valentin Danilov, and former FSB agent Mikhail Trepashkin – without further delay.

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

♦ **Debate on general policy: opinion on the draft memorandum of understanding between the Council of Europe and the European Union**

*Doc. 11237*

*Report of the Political Affairs Committee*

*Rapporteur: Abdülkadir Ateş (Turkey, SOC)*

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

**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 Montenegro's accession to the Council of Europe and the Organisation's 2008 budget.**

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# Friday 20 April 2007

☞ Morning (10 a.m.-12 noon)

◆ **Joint debate**

**The need for a Council of Europe Convention on the suppression of counterfeiting and trafficking in counterfeit goods**

*Doc. 11227*

*Report of the Committee on Economic Affairs and Development*

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

Given the accelerating pace of globalisation, counterfeiting, which accounts for up to 9 per cent of world trade, affects all member states of the Council of Europe, whether as countries of origin, transit or destination for counterfeit goods. Fake spare parts, toys, personal care products, electric appliances, alcoholic beverages or also medicines can endanger consumers' health and safety, seriously damage the European economy and nurture criminal networks.

The Economic Affairs Committee believes the Council of Europe and its member states must now tackle the problem of counterfeiting in a more comprehensive manner, to complement work already being carried out in other bodies, especially as regards counterfeit medicines.

It suggests the preparation, in consultation with the European Union and other stakeholders, of a European convention on the suppression of counterfeiting and trafficking in counterfeit goods, covering civil and criminal law aspects of the problem. It also calls for the organisation of information campaigns on the dangers counterfeiting represents to European public safety and measures to reinforce the protection of intellectual property in Europe.

Contact in the secretariat: Aiste Ramanauskaite, tel. 3117.

## **The quality of medicines in Europe**

*Doc. 11193*

*Report of the Social, Health and Family Affairs Committee*

*Rapporteur: Bernard Marquet (Monaco, ALDE)*

The counterfeiting of medicines has developed into an industry – helped by the internet, and often driven by organised crime – that kills hundreds of thousands of people a year, according to the Social Affairs Committee. The economic damage is worrying enough – with fake drugs affecting 10 per cent of the world medicines market, global losses are estimated at about 500 billion euros a year – but it is the human cost which shocks most: failed treatments and lives cut short.

Stopping this insidious trade is not easy: counterfeiting has tended to be seen as a violation of intellectual property rights rather than a vicious crime against individuals. Rules on the exporting of medicines vary from country to country, and a “legal vacuum” means national regulators are either weak or non-existent.

It now the Council of Europe's duty to draw up an international convention which makes counterfeiting of medicines a crime, according to the committee, with specific penalties, rules on jurisdiction and provision for victims' interests to be taken into account. Among other measures, a comprehensive system for tracing medicines should be put in place, the identity of online pharmacies checked and health professionals trained to spot and deal with fake drugs.

Contact in the secretariat: Agnès Nollinger, tel. 2288.

## **◆ Urgent debate: Draft Convention on the protection of children against sexual exploitation and sexual abuse**

*Doc. 11209 rev.*

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

*Rapporteur: Jean-Charles Gardetto (Monaco, EPP/CD)*

*Opinion of the Social, Health and Family Affairs Committee*

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

## **◆ Closure of the second part of the 2007 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.

Meetings of political group take place on Monday morning and late afternoon as well as Wednesday morning.

## 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 April 2006 and is available in a bilingual version (English/French), with an update of December 2006.

## **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 or debates on general policy):

- for debates on the afternoon of Monday 16 April: Monday 16 April at 12 noon;
- for debates on Tuesday 17 April: Monday 16 April at 4 p.m.;
- for all other debates (except urgent debates, unforeseen debates or as otherwise indicated on the order of business): 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 only those Motions which have been tabled by **12 noon on Tuesday of the Part-Sessions** will be 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 Badge 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 welcome Protocol desk at the main entrance of the Palais de l'Europe in order to receive their card. Staff of the Badge Service, 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 Badge 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 11.30 a.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). For the first sitting on Monday at 11.30 a.m., the deadline is 10 a.m. 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 (Jocelyne Gibert, Room 1076, fax during session weeks +33 3 88 41 27 27, fax outside session weeks +33 3 88 41 27 33).

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 one and a half hours before the start of the sitting (i.e. at 10 a.m.). 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 Chairperson 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 then 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.

The names of Assembly members who participate in votes as well as how they voted in each case are published on the Assembly's website.

### **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  
Mateo Sorinas, office 6207, tel. 2115, mateo.sorinas@coe.int

Head of the Office of the Secretary General of the Assembly  
Kjell Torbiörn, office 6196, tel. 2120, kjell.torbiorn@coe.int

Secretary to the Secretary General of the Assembly  
Christine Willkomm, office 6211, tel. 2978, christine.willkomm@coe.int

Director General  
Wojciech Sawicki, office 6217, tel. 3630, wojciech.sawicki@coe.int

Director, Inter-parliamentary and Institutional Relations  
Jane Dinsdale, office 6201, tel. 2328, jane.dinsdale@coe.int

Director, General Services  
Horst Schade, office 6167, tel. 2075, horst.schade@coe.int

## Private Office of the President

Head of the Private Office  
Petr Sich, office 1064, tel. 2127, petr.sich@coe.int

Deputy Head of the Private Office  
Bonnie Theophilova, office 1079, tel. 3092, bonnie.theophilova@coe.int

David Milner, office 1075, tel. 5327, david.milner@coe.int

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 1087, tel. 2075, horst.schade@coe.int

Matthew Hamlyn, office 1067, tel. 4667  
Philippe Hurtevent, office 1073, tel. 3936

Amendments  
Koen Muyllé, office 1083, tel. 4283

Notification of substitutes  
Jocelyne Gibert, office 1074, tel. 3273, jocelyne.gibert@coe.int

## Communication Unit of the Assembly

Head of Unit  
Micaela Catalano, office 6187, tel. 2595, micaela.catalano@coe.int

Francesc Ferrer, office 6189, tel. 3250, francesc.ferrer@coe.int  
Angus Macdonald, office 6166, tel. 3439, angus.macdonald@coe.int  
Paramy Chanthalangsy, tel. 06 62 27 65 23, paramy.chanthalangsy@coe.int

Secretariat  
Catherine Becarmin, office 6170, tel. 3193, catherine.becarmin@coe.int

## Secretaries of political groups

Socialist Group:  
Marlène Albanese, office 5099/5101, tel. 2675, marlene.albanese@coe.int

Group of the European People's Party:  
Denise O'Hara, office 5141/5143, tel. 2676, denise.ohara@coe.int

Alliance of Liberals and Democrats for Europe:  
Peter Kallenberger, office 5081, tel. 2682, peter.kallenberger@coe.int

European Democrat Group:  
Daniela Nord, office 5117, tel. 2677, daniela.nord@coe.int

Group of the Unified European Left:  
Hélène de Assis, office 5158/60, tel. 3684, helena.deassis@coe.int

## Secretary General

Secretary General of the Council of Europe  
Terry Davis, office 3003, tel. 2050, terry.davis@coe.int

Deputy Secretary General of the Council of Europe  
Maud de Boer-Buquicchio, office 3011, tel. 2382,  
maud.deboer-buquicchio@coe.int

Spokesperson and media relations  
Matjaz Gruden, office 3012a, tel. 2118, matjaz.gruden@coe.int

## Directorate of Communication

Director  
Seda Pumpyanskaya, office 0.015B, tel. 3162, seda.pumpyanskaya@coe.int

Audiovisual Service, tel. 3500.

## Protocol

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

## Services

### Internet access

Free Wi-Fi access is available in most areas of the Palais building. Terminals with free broadband access are also available in the lobby of the debating chamber and outside the second 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 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.