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COUNCIL OF EUROPE  
CONSEIL DE L'EUROPE



## 26-30 January 2009

### Monday 26

- Election of the President of the Assembly
- Communication from Terry Davis, Secretary General of the Council of Europe, on the state of the Council of Europe
- Access to rights for people with disabilities and their full and active participation in society

### Tuesday 27

- The implementation by Armenia of Assembly Resolutions 1609 (2008) and 1620 (2008)
- The regulation of audiovisual media services
- Co-operation with the International Criminal Court and its universality; statement by the President of the Court Philippe Kirsch
- Investigation of crimes allegedly committed by high officials during the Kuchma rule in Ukraine – the Gongadze case as an emblematic example
- Nomination of candidates and election of judges to the European Court of Human Rights

### Wednesday 28

- Joint debate:
  - the implementation of Resolution 1633 (2008) on the consequences of the war between Georgia and Russia
  - the humanitarian consequences of the war between Georgia and Russia
- Communication from the Committee of Ministers to the Assembly, presented by Spanish Foreign Minister Miguel Ángel Moratinos
- Palliative care: a model for innovative health and social policies
- Current affairs debate: the situation in Gaza

### Thursday 29

- The challenge on procedural grounds of still unratified credentials of the parliamentary delegation of Albania
- Urgent debate: the consequences of the global financial crisis
- Private military and security firms and the erosion of the state monopoly on the use of force
- Attitude to memorials exposed to different historical interpretations in Council of Europe member states

### Friday 30

- Electronic democracy
- Femicides
- Environmentally induced migration and displacement: a 21<sup>st</sup> century challenge

# The 47

The Council of Europe brings together 47 democracies including 22 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, Montenegro, 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 636 members (318 representatives and 318 substitutes) from the national parliaments of the 47 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), Montenegro (2007).

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



**202**

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



**185**

Socialist Group (SOC)



**97**

European Democrat Group (EDG)



**90**

Alliance of Liberals and Democrats for Europe (ALDE)



**30**

Group of the Unified European Left (UEL)

# The Assembly committees

**84 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)

**27 seats**

Rules of Procedure, Immunities and Institutional Affairs



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# Monday 26 January 2009

☞ Morning (11.30 a.m.-1 p.m.)

## ◆ Opening of the first part of the 2009 Ordinary Session

The *doyenne d'âge*, or oldest member of the Assembly present, Baroness Knight of Collingtree (United Kingdom, EDG), presided as provisional President until the election of the President of the Assembly.

### Examination of credentials

The credentials of the members of national delegations to the Assembly – submitted by national parliaments – were ratified by the Assembly, with the exception of the Albanian delegation, whose credentials were challenged on procedural grounds under Rule 7 of the Assembly's Rules of Procedure. The matter was referred without debate to the Assembly's Rules Committee, which shall report to the Assembly on Thursday morning. The members of the Albanian delegation may sit provisionally until the Assembly has reached a decision.

### Election of the President of the Assembly

Lluís Maria de Puig (Spain, SOC) was re-elected President of the Assembly for a term of one year.

### Election of the Vice-Presidents of the Assembly

The Assembly elected nineteen Vice-Presidents in accordance with the system for rotation of Bureau seats. The Vice-Presidents elected are: Davit Harutyunyan (Armenia), Gisela Wurm (Austria), Samad Seyidov (Azerbaijan), Paul Wille (Belgium), Mladen Ivanić (Bosnia and Herzegovina), Younal Loutfi (Bulgaria), Frano Matušić (Croatia), Anna Čurdová (Czech Republic), Michael Astrup Jensen (Denmark), Andres Herkel (Estonia), Jean-Claude Mignon (France), Joachim Hörster (Germany), Gudfinna S. Bjarnadóttir (Iceland), Luigi Vitali (Italy), Danuta Jazłowiecka (Poland), Konstantin Kosachev (Russian Federation), Juan Fernando López Aguilar (Spain), Mevlüt Çavuşoğlu (Turkey) and John Prescott (United Kingdom).

### Appointment of members of committees

The Assembly appointed the members of its eight general committees, the Monitoring Committee and the Committee on Rules of Procedure, Immunities and Institutional Affairs.

### Requests for debates

The Assembly decided to hold a current affairs debate on "the situation in Gaza" and an urgent debate on "the consequences of the global financial crisis".

### Adoption of the agenda

The Assembly adopted its agenda, which will be made available to members at the document counter from Tuesday morning. This version of *The Session* has also been updated to reflect the final agenda.

**Adoption of the minutes of proceedings of the Standing Committee (28 November 2008, Madrid)**

The Assembly adopted the minutes of the meeting of the Standing Committee in Madrid.

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

*Rapporteur: Paul Wille (Belgium, ALDE)*

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

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# Monday 26 January 2009

☞ Afternoon (3 p.m.-5 p.m.)

◆ **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.

◆ **Access to rights for people with disabilities and their full and active participation in society**

*Doc. 11694*

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

*Rapporteur: Bernard Marquet (Monaco, ALDE)*

More than one person in ten suffers from some form of disability, estimated to be nearly 200 million people in Europe alone – and it is a ratio which is increasing as the population ages. Under the European Convention on Human Rights, people with disabilities should have the right to participate in society as fully and actively as everyone else, yet in practice that aspiration is largely “wishful thinking”, according to the Social Affairs Committee.

The Council of Europe’s Disability Action Plan (2006-2015) is an excellent tool, outlining practical ways to overcome the problems faced by disabled people, and member states should treat it as a reference, reporting regularly on how well they are implementing it.

The committee sets out a detailed list of ways governments can give people with disabilities the support they need to make important decisions or claim their rights, live in their families or the community, and receive equal treatment at school or college and in the workplace. Architects, engineers and planners should be expected to make the environment and transport as free of obstacles as possible. Health professionals should be sensitive to the special needs of the disabled, particularly those who are elderly, an area where more research is needed.

Finally, prejudice in society towards people with disabilities – the main obstacle to their full integration, according to the committee – needs to be firmly tackled through legal action against discrimination, and awareness-raising in schools and the public at large.

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

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# Tuesday 27 January 2009

☞ Morning (10 a.m.-1 p.m.)

## ◆ **The implementation by Armenia of Assembly Resolutions 1609 (2008) and 1620 (2008)**

*Doc. 11786*

*Report of the Monitoring Committee*

*Co-rapporteurs: Georges Colombier (France, EPP/CD) and John Prescott (United Kingdom, SOC)*

*Opinion of the Committee on Rules of Procedure, Immunities and Institutional Affairs*

Following the disputed Presidential elections in Armenia in February 2008, many days of political crisis led to clashes on 1 and 2 March between police and protesters which left 10 people dead and hundreds injured. Scores of opposition supporters were detained on what the Assembly described as "seemingly artificial and politically motivated charges".

In its first resolution in April 2008, the Assembly made four main demands, including the setting up of an "independent, transparent and credible" inquiry into the March events and the release of all those who did not personally commit any violent acts or serious offences. In a second resolution in June 2008, the Assembly decided progress was insufficient on these demands, and resolved to consider the possibility of suspending the voting rights of the Armenian PACE delegation in January 2009 if they were not met by then.

In this latest assessment, the Monitoring Committee welcomes the President's creation of a "fact-finding group of experts" to inquire into the March events, and the opposition's decision to take part in it, but says its credibility will depend on how it conducts its work. It also welcomes government efforts to initiate reforms in the media, electoral laws and judges. However on the important question of detained opposition members, the committee sees only limited progress, and regrets the government's failure to use amnesties or pardons.

Notwithstanding positive developments in some areas, the committee concludes it is unacceptable that political prisoners exist in Armenia and calls for suspension of the Armenian delegation's voting rights until the authorities clearly demonstrate the political will to resolve this issue.

Contact in the secretariat: Bas Klein, tel. 4992.

## ◆ **The regulation of audiovisual media services**

*Doc. 11775*

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

*Rapporteur: Andrew McIntosh (United Kingdom, SOC)*

Under existing Council of Europe standards, states have been free to organise broadcasting on their territory, issuing licenses to "broadcasting, television and cinema enterprises" for primarily technical reasons. Yet in a digital and networked world, much of what is now considered broadcasting is increasingly being delivered over the Internet, where the user controls what they watch and when, and geographic boundaries mean little.

Such content – internet radio or web television – should not, in the committee’s view, be subject to national authorisations, paving the way for a reduction in overall regulation. Yet more content does not necessarily mean more diverse or better quality content.

The European Convention on Transfrontier Television – a Council of Europe treaty dating from 1989 which aims to promote the retransmission of broadcasts – is currently being revised and updated to make it applicable to modern means of content delivery, and to take account of a recent EU Directive in this field, while remaining true to its original purpose of promoting the free exchange of ideas, and a plurality of information and opinion.

The committee proposes a stronger role for the Convention’s supervisory body, as well as clearer definitions of terms, and allocation of the frequency spectrum to optimise public service broadcasting. Member states will also need to consider new ways to influence content, such as through media self-regulation, search and filtering tools for users, financial support for content of cultural quality, and international co-operation against illegal content.

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

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# Tuesday 27 January 2009

☞ Afternoon (3 p.m.-7.30 p.m.)

## ◆ **Co-operation with the International Criminal Court and its universality**

*Doc. 11722*

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

*Rapporteur: Herta Däubler-Gmelin (Germany, SOC)*

The International Criminal Court (ICC), set up in 2003, is the first ever permanent, independent judicial body looking into the most horrifying crimes known to humankind: genocide, crimes against humanity and war crimes. So far, it has opened investigations into four situations – in the Congo, Uganda, the Central African Republic and Darfur in Sudan – and has issued arrest warrants for twelve individuals.

In this report, the Legal Affairs Committee reiterates its firm commitment to the ICC, hailing its work as vital to the fight against impunity worldwide. Yet the Court's jurisdiction is not yet universal – only 108 states have so far ratified the ICC's founding document, the Rome Statute – creating the potential for these terrible crimes to go unpunished in some parts of the world.

The committee calls on the eight Council of Europe member states which have not yet ratified the Statute (Armenia, Azerbaijan, the Czech Republic, Moldova, Monaco, Russian Federation, Turkey and Ukraine) to do so without further delay. The United States and Israel, as observer states sharing Council values, should do likewise. A further seven member states should ratify the ICC's Agreement on Privileges and Immunities, which enables it to operate independently.

Finally, all Council of Europe countries should give the Court the practical support, resources and co-operation it needs to do its vital work.

### **Statement by Philippe Kirsch, President of the International Criminal Court**

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

## ◆ **Investigation of crimes allegedly committed by high officials during the Kuchma rule in Ukraine – the Gongadze case as an emblematic example**

*Doc. 11686*

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

*Rapporteur: Sabine Leutheusser-Schnarrenberger (Germany, ALDE)*

Although three former Ministry of Interior police officers have been convicted of the murder of outspoken Ukrainian journalist Georgy Gongadze, the Legal Affairs Committee believes little progress has been made in holding to account those who instigated and organised the murder.

The key to this, the committee says, could be the so-called "Melnychenko tapes", secretly recorded by a bodyguard to former President Kuchma, in which Kuchma and three other senior officials allegedly



discuss disposing of Gongadze. Ukrainian prosecutors should now vigorously pursue authentication of the recordings with the participation of foreign experts, so that they can be used as evidence in court. The rapporteur describes her efforts to broker an arrangement between Mr Melnychenko, who had requested international involvement to exclude "foul play", Ukraine's Prosecutor General and the US Department of Justice, which has access to the necessary technical facilities.

The Ukrainian authorities should also investigate the circumstances and responsibility for the release from custody of General Pukach, the immediate superior of the convicted police officers who is still wanted internationally, and the unclear circumstances surrounding the death, attributed to suicide, of the late Interior Minister Yury Kravchenko shortly before he was due to be questioned in the case.

For the rapporteur, identifying the instigators and organisers of the crime, which has symbolic importance in Ukraine, would send a political signal across the Council of Europe area that murdering journalists will never be tolerated.

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

## ◆ **Nomination of candidates and election of judges to the European Court of Human Rights**

*Doc. 11767*

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

*Rapporteur: Christopher Chope (United Kingdom, EDG)*

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

*Rapporteur: Lydie Err (Luxembourg, SOC)*

Under the terms of the European Convention on Human Rights, the Parliamentary Assembly elects the judges of the European Court of Human Rights from a list of three candidates submitted by the State Party in relation to which there is a vacancy. The procedures used to select those candidates are left to the state concerned – though the Convention lays down that judges must hold the qualifications for office and be of "high moral character".

To ensure those criteria are met – which in turn help to maintain the efficiency and authority of the Court – the Assembly has made clear it expects national selection procedures to meet certain standards: they should be fair, transparent and as consistent as possible across countries. Yet, despite a marked improvement in some countries, there is still significant variance in meeting these standards, the Legal Affairs and Human Rights Committee believes, raising the risk of *ad hoc* or politicised nominations.

The committee strongly urges those governments which have not yet done so to set up appropriate national selection procedures, including public and open calls for candidatures and a mechanism to ensure that all the candidates they put forward possess an active knowledge of one of the Council of Europe's official languages and a passive knowledge of the other – the languages in which the Court's judgments are drafted.

The committee proposes that lists based on national selection procedures which fail to meet these criteria should be rejected by the Assembly.

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

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## Wednesday 28 January 2009

☞ Morning (10 a.m.-1 p.m.)

### ◆ **Joint debate on the consequences of the war between Georgia and Russia**

#### **The implementation of Resolution 1633 (2008) on the consequences of the war between Georgia and Russia**

*Report of the Monitoring Committee*

*Co-rapporteurs: Luc van den Brande (Belgium, EPP/CD) and Mátyás Eörsi (Hungary, ALDE)*

*Opinion of the Political Affairs Committee*

*Rapporteur: Andreas Gross (Switzerland, SOC)*

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

This report is due to be approved by the Monitoring Committee during a meeting on Monday 26 January.

#### **The humanitarian consequences of the war between Georgia and Russia**

*Doc. 11789*

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

*Rapporteur: Corien W.A. Jonker (Netherlands, EPP/CD)*

The humanitarian consequences of the August war between Georgia and Russia must be one of the Assembly's most immediate priorities, according to the Migration Committee.

In the former so-called "buffer zone", where the situation remains tense, persons continue to be killed by sniper fire, mines, unexploded ordnance and booby traps. Displaced people who have returned to their homes, whether in the Gali district or in the "buffer zone", are facing insecurity and the hardships of winter. People in South Ossetia face similar conditions, with little or no access to international humanitarian aid or human rights monitoring.

The Georgian government has shown a strong commitment to tackling the humanitarian crisis, the committee points out, and Russia has shown a generous response to the needs of refugees and returnees from South Ossetia. But both sides have to do more: ensure security, prosecute human rights violations, give all humanitarian groups unimpeded access to conflict areas, exchange information on mines, release prisoners of war or hostages and solve the issue of missing persons.

Russia and the *de facto* authorities in South Ossetia and Abkhazia must allow EU monitors to have access to the territories under their control. A new mandate for the the United Nations Observer Mission in Georgia (UNOMIG) is urgently required and a new role for the OSCE should be negotiated. International monitoring is essential to ensure the safety of everyone in the region and to stop lawlessness and looting. Georgia has a responsibility to ensure that the US\$ 4.5 billion in aid pledged is used effectively and transparently for recent IDPs and also the 222,000 old IDPs remaining from previous conflicts. The Council of Europe Commissioner for Human Rights, Thomas Hammarberg, is also due to take part in this debate.

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

◆ **Communication from the Committee of Ministers to the Parliamentary Assembly presented by Miguel Ángel Moratinos, Minister for Foreign Affairs and Co-operation of Spain, Chairperson of the Committee of Ministers**

Following his presentation, Mr Moratinos will answer questions from members of the Assembly.

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## Wednesday 28 January 2009

Afternoon (3 p.m.-8 p.m.)

◆ **Joint debate on the consequences of the war between Georgia and Russia (continued)**

◆ **Palliative care: a model for innovative health and social policies**

*Doc. 11758*

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

*Rapporteur: Wolfgang Wodarg (Germany, SOC)*

Modern medicine is highly sophisticated and costly, producing new techniques and medicines at ever shorter intervals, and raising patients' expectations of being cured. Yet sometimes it seems as if the goal of curing a particular, defined illness – perhaps with massive side-effects – is given greater weight than the overall wellbeing of the patient, according to the rapporteur. Such an approach sometimes fails to meet the basic needs of those with chronic, ongoing or rare diseases, or those who express the desire not to receive curative treatment.

Palliative care has traditionally been associated with the treatment of terminal illness – but its holistic principles and comprehensive approach to treating all aspects of a person could also benefit the seriously or chronically ill in other contexts, the Social Affairs Committee argues, providing an innovative complement to the existing healthcare model. The psychological, spiritual and emotional support to be found in palliative care can – for some individual patients – be more beneficial than purely medical care in the strictest sense, it points out.

The committee calls for a wide-ranging discussion on the priorities of healthcare, in which ethics must play a part, and for an extension of the principles and methods used in palliative care to other areas of medicine.

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

◆ **Current affairs debate: the situation in Gaza**

Göran Lindblad (Sweden, EPP/CD) will be the opening speaker in this debate. A current affairs debate is not based on a report and does not give rise to a vote.

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## Thursday 29 January 2009

☞ Morning (10 a.m.-1 p.m.)

◆ **The challenge on procedural grounds of still unratified credentials of the parliamentary delegation of Albania**

*Report of the Committee on Rules of Procedure, Immunities and Institutional Affairs*

The still unratified credentials of the Albanian parliamentary delegation were challenged on procedural grounds, under Rule 7 of the Assembly's Rules of Procedure, on the opening day of the session. The matter was referred without debate to the Assembly's Rules Committee, which prepared its report as soon as possible. The members of the Albanian delegation may sit provisionally until the Assembly has reached a decision.

◆ **Urgent debate: the consequences of the global financial crisis**

*Report of the Committee on Economic Affairs and Development*

The Committee on Economic Affairs and Development is due to approve this report during its meeting at 8.30 a.m. on Tuesday 27 January.

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## Thursday 29 January 2009

☞ Afternoon (3 p.m.-6.30 p.m.)

◆ **Urgent debate: the consequences of the global financial crisis (continued)**

◆ **Private military and security firms and the erosion of the state monopoly on the use of force**

*Doc. 11787*

*Report of the Political Affairs Committee*

*Rapporteur: Wolfgang Wodarg (Germany, SOC)*

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

*Rapporteur: Kimmo Sasi (Finland, EPP/CD)*

According to recent research, there are currently more than a million employees working as soldiers or security officers for over a thousand private military or security companies in over a hundred countries around the world. In 2006, the turnover of this new branch of the service industry was estimated at about 200 billion US dollars.

Yet these firms – which offer their services to international organisations (such as the UN), private businesses and humanitarian agencies as well as states – undermine the traditional position of a state as the only actor allowed to legitimately and lawfully use force, both on their own territory and abroad. Unlike the state, which seeks to promote the public interest, such firms have every interest in the outbreak or maintenance of conflicts to maximise their profits. Because they lack democratic control, transparency and accountability, there is an increased risk of human rights violations. There are even questions over how they may influence political choices and policy orientations, or the way conflicts are handled.

Such firms meet a need and cannot be banned, the Political Affairs Committee points out, but they should be subject to strong regulation – which would ensure that in practice they meet the same standards as states. The Committee of Ministers should draw up a convention laying down minimum standards for such companies.

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

◆ **Attitude to memorials exposed to different historical interpretations in Council of Europe member states**

*Doc. 11746*

*Report of the Political Affairs Committee*

*Rapporteur: Mátyás Eörsi (Hungary, ALDE)*

The totalitarian regimes and wars of 20th century in Europe have left behind a number of graves and memorials which have acquired divergent historical and political connotations after the collapse of these regimes. The dispute over the "bronze soldier" memorial in Tallinn, Estonia – viewed by many Russians as a tribute to those who died fighting the Nazis in the Second World War, and by many Estonians as a symbol of Soviet occupation – is one clear example, triggering this report. Others cited by the rapporteur include attitudes to Franco memorials in Spain, the symbolism of Hitler's "Eagle's Nest" retreat in Germany, and numerous Soviet statues left in countries of central and eastern Europe.

Disputes relating to divergent interpretations of history can only be resolved with time and through a process specific to each nation, the Political Affairs Committee contends, with the final decision on the fate of such memorials being left to the state in which the monument is located. Council of Europe member states, however, should initiate broad and inclusive discussions on the complexity of the historical background of these monuments and their meaning to different segments of society, in order to try and shape a collective memory.

As regards war graves and other burial sites, states should respect international agreements, but it would also be good practice to consult any other member state concerned, if foreign soldiers and war victims are to be exhumed.

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

**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. The committee is due to discuss the consequences of the war between Georgia and Russia and the situation in Armenia, as well as reform of the European Court of Human Rights and the Council of Europe's 60<sup>th</sup> anniversary.**

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# Friday 30 January 2009

## ☞ Morning (10 a.m.-1 p.m.)

### ◆ **Electronic democracy**

*Doc. 11783*

*Report of the Political Affairs Committee*

*Rapporteur: Zoltán Szabó (Hungary, SOC)*

*Opinion of the Committee on Rules of Procedure, Immunities and Institutional Affairs*

*Rapporteur: Gerd Höfer (Germany, SOC)*

The advent of computers and digital networks has the potential to change the way democracy works, according to the Political Affairs Committee, and should be regarded both as a challenge and an opportunity. Online voting is now a real possibility, be it in elections or referenda on single issues. The speed and wide spread of internet and mobile networks has given the public the power to monitor the words and actions of their elected officials in ways not possible for previous generations. And unlike traditional media, the new technologies are interactive, enabling feedback, consultation and a genuine dialogue between constituents and politicians.

But there are risks too: not everyone has the equipment to be online, or can afford a connection, potentially giving rise to "e-exclusion" and "e-discrimination". Older or vulnerable people may need training. And there is the possibility of hidden fraud. Therefore, any serious effort to apply e-democracy will need to be carefully framed and closely regulated. More broadly, the committee warns that e-democracy should never be seen as a substitute for representative democracy, only as a complement to it.

It is now up to government to create a political vision of how and where e-democracy could realistically be applied, drawing in NGOs and other partners – and raising public awareness – if it is to become a workable reality. The Council of Europe has a major part to play here, not least through its ground-breaking "Forum for the Future of Democracy", and must continue its work to draw up guidelines, set standards and propose a harmonised regulatory framework.

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

### ◆ **Femicicides**

*Doc. 11781*

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

*Rapporteur: Lydie Err (Luxembourg, SOC)*

Femicide (or "gynocide") is the murder of a woman because she is a woman. The word was first coined by Mexican deputies looking into a series of murders of women in Mexico, a Council of Europe observer state, and was taken up by the Assembly when it investigated this grisly phenomenon in 2005. The Equal Opportunities Committee believes that, after initially botched investigations, the Mexican authorities have now made considerable efforts to bring to justice the perpetrators of these crimes – though it says more could be done to strengthen investigations and raise awareness of the problem.



Elsewhere, femicide can take a more sinister form: in parts of Asia and north Africa, millions of women remain unborn or meet an early death, while even in Europe “foetus selection”, or the abandonment of girls, is practiced in certain immigrant communities which prefer boys.

Femicide as a concept should be firmly placed on the agenda of Council of Europe member states, which should insist – in their relations with third countries – that families treat their daughters better, regarding them as human assets rather than as burdens. National parliaments should pass general laws on equality between women and men, and prevent violence against them. When a woman is killed or suffers violence specifically because of her gender, this could be treated in law as an aggravating circumstance.

Finally, the Committee of Ministers should set up a group of experts to gather data on cases of “femicide” in Europe, as well as their sociological and legal aspects, to stop it happening again.

Contact in the secretariat: Jannick Devaux, tel. 3503.

### ◆ **Environmentally induced migration and displacement: a 21<sup>st</sup> century challenge**

*Doc. 11785*

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

*Rapporteur: Tina Acketoft (Sweden, ALDE)*

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

*Rapporteur: Ivan Nikolaev Ivanov (Bulgaria, EPP/CD)*

For centuries, people have moved away when their environment changed for the worse, but the scale of movement in this century is unprecedented: it is estimated that over 30 million people worldwide, often from the least developed countries, are being displaced by desertification, drought, rising sea-levels and extreme weather – a figure which exceeds those forced to flee armed conflicts and persecution.

While refugees from major natural disasters may receive protection under existing international norms, the status of others who move internally because of *gradual* environmental change – for example, when a small island state becomes submerged – is less clear-cut. Even the legal language used to describe the phenomenon varies within the international community, despite efforts to establish a common terminology. In short, no legal framework covers the full scope of environmentally-induced migration, few statistics are collected on it, and no single organisation deals with it.

International co-ordination is needed to bridge these gaps, according to the Migration Committee, perhaps in the form of an international convention which clearly defines environmentally-induced migration for the first time. More cross-disciplinary research is needed to understand the complex links between population movements and climate. But above all, governments must tackle the root cause of this looming problem – co-ordinated and swift action at all levels to deal with dangerous environmental degradation, including climate change.

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

### ◆ **Constitution of the Standing Committee**

### ◆ **Closure of the first part of the 2009 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 groups 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.

**Agenda:** For each part-session the Bureau prepares a draft agenda listing the sittings at which the items will be examined. **The draft agenda** 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 agenda

(Rule 26.4 of the Rules of Procedure). A member may propose an amendment to the draft agenda drawn up by the Bureau. The adoption of such a motion requires a majority of the votes cast (Rule 26.5). Once adopted, the agenda 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 agenda is published (Rule 26) 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 30 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 23 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

Twice a day a "**notice paper**" is produced, setting out the agenda for the sittings of the day. It also contains other useful information relevant to the proceedings and procedure.

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 is published in January 2009 in two parts, the Rules and complementary texts in one part, and the Statute of the Council of Europe in another part. They are available in bilingual versions (English/French).

## **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 100 of the Rules of Procedure and forward), 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 26 January: Monday 26 January at 12 noon;
- for debates on Tuesday 27 January: Monday 26 January at 4 p.m.;
- for all other debates (except urgent debates, unforeseen debates or as otherwise indicated on the agenda): 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 one hour before the scheduled end of the sitting preceding that in which the debate begins.

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 24.2). 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.

For motions tabled during a part-session, the Bureau has decided that only those motions which have been tabled by **12 noon on the Tuesday of a part-session** 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 25.2). 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. If the national parliament cannot make all such appointments in time for the opening of a new Ordinary Session, it may decide, for a period of not more than six months after the election, to be represented in the Assembly by members of the existing delegation (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, of one or more political groups, 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 draft 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 50.4).

An urgent debate is based on a written report and gives rise to a vote, whereas a current affairs debate is not based on a report.

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 draft agenda. The request must be made in writing to the President of the Assembly in time for the last meeting of the Bureau before the opening of the part-session. The possible choice between several requests is made by the Bureau, a decision which needs to be endorsed 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. Although there is no vote on any text, 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.

## **11. 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.

## 12. 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 (Beejul Tanna, Room 1074, 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.

## 13. 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 only 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.

## 14. 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 in the Rules of Procedure.



**Speaking time** is limited to a total of 13 minutes for committee rapporteurs (to present the report and to reply to the debate) and 3 minutes for rapporteurs for opinion, to present the opinion or to reply to the debate. Other speakers on the list normally have a maximum of 5 minutes, although this may be reduced depending on the number of speakers on the list. 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.

## **15. Questions to invited guest speakers**

For most invited guest speakers, the draft agenda 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 agenda is published and the name of the guest speaker appears, unless the draft agenda specifies that there is only one question from each political group. For most 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 written question is registered if accompanied by the full written text of the question. In this context, a deadline is specified in the draft agenda. The written questions to the Chairperson are published as an Assembly document.

In accordance with the practice established at the last part-sessions, the Bureau has agreed that written questions will receive a written reply from the Chairperson of the Committee of Ministers. These replies will be published in the report of the sitting. The Chairperson of the Committee of Ministers has indicated that he is prepared to give an oral reply to spontaneous questions at the end of his address. Rule 58.2 of the Rules of Procedure states, however, that "No Representative or Substitute may table more than one question for oral answer at any one part-session." Members may therefore register on one of the two lists by completing and returning the appropriate form (either "written question for oral reply" or "spontaneous question").

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.

## **16. 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 39.9 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.

## **17. 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.

## **18. 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.

## **19. 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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## Table Office (Speakers' lists, questions and amendments)

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## Secretary General

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## Directorate of Communication

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Audiovisual Service, tel. 3500.

## Protocol

Head of Protocol  
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## 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.