



Parliamentary Assembly  
Assemblée parlementaire

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Standing Committee  
*Commission permanente*

**AS/Per (2010) PV 01**  
24 April 2010

## Standing Committee

### Minutes<sup>1</sup>

of the meeting held  
in Paris  
on 12 March 2010

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<sup>1</sup> Approved by the Assembly on 26 April 2010.

## 1. OPENING OF THE MEETING

**Mr Çavuşoğlu, President of the Assembly**, opened the meeting at 9.10 am. He thanked the chair of the French parliamentary delegation for his invitation to hold the Standing Committee meeting in Paris. He also thanked the National Assembly for its hospitality.

**Mr Mignon**, chair of the French parliamentary delegation, welcomed the members of the Standing Committee to the National Assembly and re-affirmed the delegation's active involvement in the work of the Parliamentary Assembly.

## 2. EXAMINATION OF NEW CREDENTIALS

Doc. 12180

The Standing Committee **ratified** the credentials of a new substitute in respect of the German parliamentary delegation, as set out in Doc. 12180.

## 3. MODIFICATIONS IN THE COMPOSITION OF COMMITTEES

Commissions (2010) 3  
and addendum

The Standing Committee **ratified** the modifications in the composition of Assembly committees in respect of the German, Italian and United Kingdom delegations, and in the composition of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) in respect of the EDG group, as set out in the documents Commissions (2010) 3 and addendum.

## 4. REQUEST FOR A CURRENT AFFAIRS DEBATE OR DEBATE UNDER URGENT PROCEDURE

**The President** announced that no requests for a current affairs debate or debate under urgent procedure had been submitted within the time-limit. Item 7 of the agenda was therefore no longer relevant.

**Mr Lipiński** referred to the situation of the Polish minority in Belarus. He would like the Assembly to hold a debate on this issue and announced that he intended to present a request to this end.

## 5. AGENDA

AS/Per (2010) OJ 1 rev

**The President** said that Mr Agramunt, rapporteur of the Monitoring Committee, had asked to bring forward the discussion of his report, scheduled under item 15 of the agenda. He proposed that this item be discussed after item 8.

The revised draft agenda, as amended, was **adopted**.

## 6. REFERENCES TO COMMITTEE AND TRANSMISSIONS FOR INFORMATION

AS/Per (2010) 01

**The President** referred to document AS/Per (2010) 01 containing the proposals for references to committee and transmissions for information which the Bureau had considered at its meeting on 11 March.

The Standing Committee **approved** the references to committee and transmissions for information as set out in the appendix to Appendix II hereto.

## 7. OBSERVATION OF ELECTIONS

**Observation of the presidential election in Ukraine (7 February 2010)**

Doc. 12178

*Rapporteur of the ad hoc Committee of the Bureau:  
Mr Mátyás Eörsi (Hungary, ALDE)*

**Mr Eörsi** introduced the ad hoc committee's report on the observation of the presidential election in Ukraine, which had been approved by the Bureau the previous day. For the first time, the conduct of the electoral process, including both the actual ballot and the campaign preceding it, had been fully consistent with the relevant standards, and the Ukrainian authorities should be congratulated on this. Where the results were concerned, the difference between the numbers of votes cast for the two candidates might seem small. But a difference of three percentage points represented nearly one million votes. The candidates did of course have their own political perception of the results, but it was important to ensure a smooth transition process with the participation of the defeated candidate. The Parliamentary Assembly must be ready to demonstrate its great interest in Ukraine by providing assistance. Ukraine was faced with a whole series of political and economic challenges, including the fight against corruption and against the influence of oligarchs in the country's political life, economy and media. It was unacceptable that the Verkhovna Rada had once again amended the electoral legislation just before the second round of the election. That had served merely to increase the climate of suspicion between the two candidates and fuel speculation. Legislative and constitutional stability was essential for the future. The ad hoc committee therefore requested the Ukrainian authorities to amend the electoral legislation in the light of the Venice Commission's recommendations.

**Ms Hurskainen**, member of the ad hoc committee, stressed the great importance of election monitoring in the process of guiding a country towards consolidation of its democracy. Ukraine was the perfect example of a country where democracy had gradually achieved stability. Measurable progress had been made over the last few years up to these elections, which had been free and fair.

**Mr Vrettos** felt that this election reflected the freely expressed will of the Ukrainian people. Ukraine must keep up its efforts and take fully on board the findings of the international election observation mission. These results were important in the wider context of the country's political and economic environment, as a means of giving fresh impetus to co-operation between Ukraine and the European Union, particularly in the energy field.

**Mr Kosachev** welcomed President Yanukovich's official visit to Moscow. Russia was not just Ukraine's neighbour, but its friend. Ukraine remained a divided country. The election results showed the great political disparity of the country's regions. Working for the country's unity was the greatest challenge facing Yanukovich. The Parliamentary Assembly must assist in this.

**Mr Eörsi**, responding to the comments made, agreed that the Ukrainian leadership faced major challenges, one of which was to consolidate the country's unity. Several decisions on issues likely to increase internal divisions had been postponed. The Ukrainians needed time for thought. But when these decisions were taken, for example on membership of NATO, they would have to be respected, whatever they were.

The Standing Committee **took note** of the report (Doc. 12178).

## 8. HONOURING OF OBLIGATIONS AND COMMITMENTS BY MEMBER STATES

### Term of office of co-rapporteurs of the Monitoring Committee

Doc. 12143  
Amendments

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

*Mr Pedro Agramunt Font de Mora (Spain, EPP/CD)*

*Rapporteur of the Committee on Rules of Procedure, Immunities and Institutional Affairs:  
(for opinion): Mr Ertuğrul Kumcuoğlu (Turkey, EDG)*

Doc. 12167

**Mr Agramunt** introduced the report on "the term of office of co-rapporteurs of the Monitoring Committee", which had been approved unanimously by the Monitoring Committee. The committee proposed modifying Resolution 1115 (1997), governing the procedure applicable to it, and limiting the term of office of its rapporteurs, appointing rapporteurs in charge of post-monitoring dialogue, and codifying the criteria for the appointment of its rapporteurs. The aim was to make the monitoring procedure more effective by regularly renewing the rapporteurs, which would enable a fresh look to be taken at the situation in the countries concerned, and by developing a harmonised approach to the countries involved in a monitoring or post-monitoring procedure.

**Mr Kumcuoğlu** presented the opinion of the Committee on Rules of Procedure, Immunities and Institutional Affairs. It fully supported the Monitoring Committee's approach focused on an improved monitoring procedure and the smooth functioning of the committee. But it proposed five amendments to the draft resolution in order to clarify the wording of the proposed modifications.

**Mr Wilshire** said that he supported the report in principle, but doubted whether it would be possible actually to implement the proposed modifications in detail.

**Mr Kox** was fully in favour of the proposals made by the Monitoring Committee and the amendments proposed by the Committee on Rules of Procedure, which effectively clarified them.

**Mr Agramunt** said that he supported the amendments proposed by the Committee on Rules of Procedure, which improved the draft resolution.

**The President** closed the debate. He pointed out that the Monitoring Committee had not considered the five proposed amendments to the draft resolution.

**Mr Kumcuoğlu** presented amendments 1 to 5 on behalf of the Committee on Rules of Procedure, Immunities and Institutional Affairs, which were **adopted** unanimously.

**The President** put to the vote the draft resolution contained in Doc. 12143 as amended. It was **adopted** unanimously [Resolution 1710 (2010)].

## 9. ENHANCED CO-OPERATION WITH THE COMMITTEE OF MINISTERS

- a. **Rules and procedures for the future elections of the Secretary General of the Council of Europe - Draft joint (Committee of Ministers / Parliamentary Assembly) interpretative statement** Doc. 12170

*Rapporteur of the Committee on Rules of Procedure, Immunities and Institutional Affairs:  
Mr John Greenway (United Kingdom, EDG)*

**Mr Greenway** introduced the report "Rules and procedures for the future elections of the Secretary General of the Council of Europe - Draft joint (Committee of Ministers / Parliamentary Assembly) interpretative statement". Although the election of the Secretary General in 2009 was remembered as a bad experience for the Assembly, it had at least led to some positive developments, such as improved dialogue between the Assembly and the Committee of Ministers. The two bodies had worked in tandem, and this had resulted in the preparation by the Committee of Ministers of a draft joint interpretative statement on rules and procedures for future elections of the Secretary General of the Council of Europe. The Committee of Ministers had taken the view that it was unnecessary to change the actual rules, or indeed the Statute of the Council of Europe, but that they should be supplemented by a document specifying how they were to be implemented. The compromise resulting from this close co-operation between the Assembly and the Committee of Ministers contained some undeniable progress, particularly with regard to the calendar for elections, consultation between the Assembly and the Committee of Ministers at all stages of the process, and consideration of the principle of gender equality. The Assembly naturally retained the possibility of conducting its own hearings of candidates. The Committee on Rules of Procedure had also expressed the view that if the discussions in the Joint Committee on the candidates for the post of Secretary General proved unsatisfactory, provision should be made for consultation between the President of the Assembly and the Chair of the Committee of Ministers. The committee also considered that the Assembly should be able to make a real political choice in the election, and that governments should put forward candidates representing a wide range of political views.

**Mr Pourgourides** complimented the rapporteur on his work, but was unable to support the draft resolution as submitted because the compromise reached was far removed from the role he wanted to see the Assembly play in this procedure. Although the clarification of certain sticking points between the Committee of Ministers and the Assembly was an improvement, the fact remained that the Assembly would be no more able than it had been in the past simply to reject a list of candidates which it deemed unsatisfactory. The Assembly remained dependent on the decision made by the Committee of Ministers. It was quite incredible that future elections to the post of Secretary General would still be based on rules dating back to 1956, a time when the Assembly was considered a purely advisory body. The Assembly should follow the example of the European Parliament, which had managed to increase its powers.

**Mr Mignon** had mixed feelings: tribute should be paid to the rapporteur's outstanding work and due note should be taken of the progress achieved, but he agreed with Mr Pourgourides that the Assembly should have more influence and power in the process for electing the Secretary General. The Assembly's approval of the draft should not be seen by the Committee of Ministers as giving it a blank cheque. If the Assembly's

position was to be heard, both on this question and on all others, parliamentarians needed to exert greater influence on their governments. Doubts should also be voiced regarding the criteria identified by the Committee of Ministers for determining the ability and suitability of candidates for the post of Secretary General. These criteria tended to favour a specific profile, that of former prime minister or minister, which was far from being a guarantee of quality and efficacy for an international organisation. It was essential for the Assembly to be able to choose between candidates on the basis of political criteria. Lastly, it was to be feared that the promotion of gender equality would remain a pious hope because there was nothing which made it mandatory to have female candidates.

**Mr Wilshire** fully supported the report. He did not agree with Mr Pourgourides, and felt that it was counter-productive to hark back continually to the institutional crisis of 2009. Regarding the concern that the Assembly should be able to make a real choice, he too would obviously be very unhappy if the process led to the nomination of a single candidate. It was also necessary not to confuse politics and party politics. The election of the Secretary General was not a party matter. He hoped that the constructive dialogue initiated with the Committee of Ministers would be continued.

**Mr Kox** said that something positive could be found in every situation and that the 2009 elections had at least had the merit of highlighting the need to improve relations between the Assembly and the Committee of Ministers. Relations had indeed improved considerably. However, given that it was not possible to alter the balance of power between the two bodies, the only possible course of action for the time being was to clarify each body's responsibilities in the election process and promote effective consultation of the Assembly by the Committee of Ministers. Mr Greenway had done an excellent job.

**Mr Eörsi** also congratulated Mr Greenway on his conduct of the discussions with the Committee of Ministers. The power struggle between the Committee of Ministers and the Assembly in 2009 had created a delicate situation. Regarding the draft statement adopted by the Committee of Ministers, it was of course necessary to have criteria for identifying the most competent and best qualified candidates, but their political affiliations could not be disregarded, and political alternation at the head of organisations was healthy from a democratic standpoint. Political parties were a touchstone of democracy. He therefore fully supported the idea of encouraging political pluralism in the election of the Secretary General. That was the basis of our democracy.

**Mr Gross** was aware that the rapporteur had exhausted all the possibilities of dialogue with the Committee of Ministers. But the Assembly deserved better, as had been pointed out by Mr Pourgourides, whose position he supported. Parliamentarians could not be asked to leave aside their political affiliations. To offer the Assembly a real choice between different political affiliations was to respect the dignity of parliamentarians. And upholding the dignity of parliamentarians was the Assembly's mission. The reverse attitude led to the trivialisation of political parties. The message to the Committee of Ministers should therefore be clear and unambiguous. The Committee of Ministers and the Assembly each had their own identity; recognising this fact was a question of mutual respect. He would therefore be abstaining in the vote on the draft resolution.

**Mr Volontè** endorsed Mr Mignon's criticism regarding the profile of candidates for the post of Secretary General. Having served as a minister was not necessarily the experience needed to become Secretary General of an international organisation. The election of the Secretary General was a shared responsibility of the Committee of Ministers and the Assembly, but the latter's role in the procedure should be strengthened. The report pointed in the right direction and was a first step towards granting the Assembly increased responsibilities. An awareness of the steps remaining to be taken was necessary if the Assembly was to assert its role and value.

**Mr Greenway** replied to the observations made, which went far beyond the immediate question of the process for electing the Secretary General. Seeking to achieve a better balance of power between the Assembly and the Committee of Ministers would involve the Organisation in a long and tiresome process, namely a complete overhaul of the rules governing it, which was not currently on the agenda. He agreed with Mr Mignon about the competence criteria for candidates and about the need to consider gender equality. The declaration adopted by the Committee of Ministers in Madrid in May 2009 strongly encouraged female candidates. The main benefit to have come out of the exercise was clarification of the arrangements for consultation of the Assembly by the Committee of Ministers, with guarantees that had never previously been secured. It was to be hoped, therefore, that the next election to the post of Secretary General would take place under more favourable auspices.

**The President** closed the debate and put to the vote the draft resolution contained in Doc. 12170, which was **adopted**, with four abstentions [Resolution 1711 (2010)].

**b. Draft Council of Europe Convention on counterfeiting of medical products and similar crimes involving threats to public health**

Doc. 12130  
Doc. 12160  
Amendments

*Rapporteur of the Social, Health and Family Affairs Committee:  
Mr Bernard Marquet (Monaco, ALDE)*

**Mr Marquet** introduced the report on the “Draft Council of Europe Convention on counterfeiting of medical products and similar crimes involving threats to public health”. It was the first binding international legal instrument to criminalise the counterfeiting of medical products and to provide a framework for international co-operation on prevention and victim protection. It accordingly enshrined the right of any person to purchase a medicine and use it safely, without any risk of death. Counterfeiting of medicines was a growing phenomenon which generated billions of dollars in profit. It had very serious consequences for public health. The Assembly had already denounced these practices in its 2007 report on the quality of medicines in Europe, in which it had called for a legal instrument of this kind to be drawn up. It had been decided to adopt an approach centring on public health rather than on intellectual property. The French and Russian delegations had been particularly active in the drafting work. The European Union, which was involved in the ongoing negotiations on the Anti-Counterfeiting Trade Agreement (ACTA), had contributed to the discussions. Lastly, he criticised the ambivalent attitude of certain experts in the discussions, acting alternately as governmental representatives and standard-bearers for the laboratories.

**Mr Kosachev** commended the rapporteur on his longstanding involvement in the debate on counterfeiting of medicines. This was an issue of major public interest which would have warranted a debate in plenary. Russia had initiated this draft convention and was following developments very closely, because the country was severely affected by the counterfeiting of medicines. He called for the rapid entry into force of this convention.

**Mr Volontè** also commended the rapporteur. Because it provided for preventive measures, criminalisation of the manufacture and supply of counterfeit products and the principle of international judicial co-operation, the convention would make the distribution of medicines safer. It was an essential safeguard for citizens.

**Mr Mignon** fully supported the report and emphasised the outstanding work done by the European Directorate for the Quality of Medicines and Healthcare, which was unique in Europe.

**Mr Marquet** replied to the various observations. He said that he had no objection to the proposed amendments.

**Ms Maury Pasquier**, Chairperson of the Social, Health and Family Affairs Committee, emphasised the great importance of the draft convention in preventing and combating counterfeit medical products. The report had received the committee's unanimous support.

**The President** closed the debate and said that there were four proposed amendments to the draft opinion. Because these amendments had only just been tabled, they had not been considered by the Social Affairs Committee.

**Mr Kosachev** presented amendment 1, explaining that the draft convention's provisions on the accession of Council of Europe non-member states were too complicated. The accession procedure should be simplified; it was essential for the effectiveness of the future convention that it should be open to accession by as many states as possible.

**Mr Marquet** proposed a sub-amendment on the need to ensure that the structures for implementation of the convention did actually exist in the countries concerned.

The sub-amendment and amendment 1 as sub-amended were **adopted**.

**Mr Kosachev** presented amendments 2, 3 and 4.

**Mr Marquet** thought that amendment 4 was superfluous, as the point raised was already in the draft convention.

Amendments 2, 3 and 4 were **adopted**.

**The President** put to the vote the draft opinion contained in Doc. 12160 as amended, which was **adopted** unanimously [Opinion 276 (2010)].

**c. Draft Protocol amending the Convention on Mutual Administrative Assistance in Tax Matters (CETS No. 127)**

Doc. 12104  
Doc. 12161  
Amendments

*Rapporteur of the Committee on Economic Affairs and Development:  
Mr Pieter Omtzigt (Netherlands, EPP/CD)*

**Mr Omtzigt** introduced the report on the “Draft Protocol amending the Convention on Mutual Administrative Assistance in Tax Matters”. The current context of global recession, with states accumulating deficits, made the tax effort a very topical issue. It was essential to introduce greater transparency and fairness in tax matters and ensure that the tax burden was shared fairly between citizens. The Council of Europe and OECD had decided to update their joint convention in order to strengthen the rules contained in it and bring them into line with the internationally recognised OECD standards on transparency and information exchange in tax matters. This convention had so far been ratified by 14 states, including the USA, France, Italy, the United Kingdom and Ukraine; Canada, Germany and Spain had signed but not yet ratified it. It was crucial for states to accept minimum common standards in this field. States could continue to apply national rules if they were stricter. It was also essential for states to agree to exchange information not just on the current year, but also on previous years. It was also necessary to put an end to the impunity of certain small territories which fell outside the scope of the convention. Lastly, the Assembly should express its dissatisfaction to the Committee of Ministers: there was every likelihood that the Assembly’s opinion would not be taken into consideration, given that the OECD Council had adopted the draft protocol without waiting for the consultation and discussion process to be completed at the Council of Europe.

**Mr Negele** could not subscribe to the draft opinion. The 1988 Council of Europe Convention on Mutual Administrative Assistance in Tax Matters was no longer topical and, in fact, had not met with the hoped-for success among states, only 14 of which had ratified it. He could not see the point of amending this convention by setting standards going beyond those accepted by OECD. He disagreed with several points in the draft opinion and regretted its over-hasty preparation by the Committee on Economic Affairs, which had not taken account of the objections from certain parliamentary delegations. Furthermore, he considered that naming and shaming certain countries, as was done in paragraph 5.1, was humiliating and contrary to normal practice in Assembly debates. Lastly, certain proposals made in the draft opinion were inconsistent with current international standards, as in the case of information exchange, or with Council of Europe standards on protection of personal data.

*Mr Kosachev, Vice-President of the Assembly, replaced Mr Çavuşoğlu in the Chair.*

**Ms Brasseur** endorsed these comments. She supported the proposed amendments because she found it unacceptable to single out four states and make them scapegoats. Luxembourg was not a tax haven. She also found it unacceptable to promote the principle of retroactivity; the credibility of national laws and regulations was at stake. She nevertheless commended the rapporteur for having submitted a concise, well structured and highly instructive report.

**Mr Maissen** felt that the issues raised were highly sensitive because they affected our value system as embodied in the European Convention on Human Rights. There should be no retroactivity. It was necessary to arbitrate between the state’s legitimate interests and citizens’ rights. Citizens must also be responsible vis-à-vis the state; that presupposed public confidence in the state and the absence of constraint. The report should therefore be consistent with these values. From an economic standpoint, Europe being in competition with other financial centres across the world, it was important not to penalise our financial markets with restrictive rules that were not binding on others. Lastly, he refuted the argument that the proposed convention would help to fight terrorism. It was the instruments for combating money laundering which actually contributed to the effectiveness of the fight against terrorism.

**Mr Volontè** thought that the draft opinion was a good basis for discussion. The question of fairness in taxation was of direct interest to the public, particularly in a context of growing state budget deficits. He understood the misgivings of his Swiss and Luxembourg colleagues, but there was a financial context in the countries of Europe, against a background of speculation, which could not be ignored. The existing instruments had not been as effective as anticipated. Co-operation between states to combat tax evasion was essential, and this was why the draft protocol to the convention should be supported. It might be thought surprising that the draft opinion, which named four states, failed to mention the small island territories where huge amounts of money were sheltered .

**Ms Kovács** supported the rapporteur and praised his courage. There should have been cause for satisfaction, this convention being the sole example of effective co-operation between the Council of Europe and OECD. Unfortunately, it appeared that this co-operation had not been perfect. It was important to tackle the question of unfair taxation and no longer tolerate the fact that some citizens paid their taxes while others evaded tax by taking advantage of the “grey” areas of taxation.

**Mr Lindblad** thought that it was a question of the rule of law. He fully supported the draft opinion presented by the Committee on Economic Affairs. Even if the states singled out found the exercise unpleasant, they must be clearly mentioned. The drafting of this protocol to the convention showed that economic issues were part of the core business of the Council of Europe, because they were related to the rule of law.

**Mr Kox** fully supported the report. Taxes were necessary. The principle of fairness in taxation should be supported, particularly in a period when societies were in the process of reconstruction and increased public spending was required. The principle was straightforward: everyone must pay the taxes due. International co-operation was needed in this field. Plain talking was needed and the countries which aided tax evasion should be named. In fact, the Netherlands should put its own house in order and continue to grapple resolutely with the tax haven issue.

**Mr Omtzigt** replied to the various comments made. He thought that the implementation of a renewed convention and new OECD standards was a move in the right direction. Clearly, there was no point in having a new convention unless it guaranteed a higher level of protection. The draft opinion had been carefully framed by the Committee on Economic Affairs. The naming of four countries in this draft opinion owed nothing to chance. Furthermore, there was nothing in the draft opinion that was inconsistent either with the European Convention on Human Rights or with the Council of Europe’s data protection standards. He also pointed out that the principle of non-retroactivity of laws applied only in criminal matters, and hence not in the context of the draft protocol where the transmission and use of tax data were concerned, because the law did not have retroactive effect in this instance. As for striking a balance between the rights of the state and the rights of citizens, there would always be critics who claimed that there was an imbalance favouring one side or the other. Even if the draft opinion did not deal with the question of tax havens, facts must be faced: the situation called for increased transparency.

**Mr Wille**, Chairperson of the Committee on Economic Affairs and Development, agreed that the subject was very controversial. The committee had dealt with it as it saw fit and the procedure employed had been fully in line with Assembly rules. The draft protocol to the convention was a key instrument.

**The Chair** closed the debate and said that there were five proposed amendments to the draft opinion. These amendments had not been considered by the Committee on Economic Affairs.

**Mr Hauptert** presented amendment 1, which was **rejected** following a statement by **Mr Omtzigt**, who was against the amendment.

**Mr Hauptert** presented amendment 2 concerning the principle of non-retroactivity in the exchange of tax data. **Mr Omtzigt** said that he was against the amendment, which was **rejected**.

Amendment 3, presented by **Mr Hauptert**, concerning the deletion of paragraph 5.1, which named four countries, and which **Mr Omtzigt** opposed, was also **rejected**.

Amendments 4 and 5, presented by **Mr Hauptert**, were **also rejected**, having been opposed by **Mr Omtzigt**.

**Mr Omtzigt** said that the draft protocol to the convention had already been approved by the OECD Council before the Council of Europe had completed its internal consultation process. He proposed an oral amendment asking the OECD Council and Secretary General to explain the reasons for this decision and inviting the Committee of Ministers of the Council of Europe to involve the Assembly at an earlier stage in future when requesting its opinion on a draft legal instrument. Lastly, the Assembly should be kept informed by the Committee of Ministers of the Council of Europe and the OECD Council about the action taken on its proposals.

The oral amendment **was adopted**.

**The Chair** put to the vote the draft opinion contained in Doc. 12161 as amended, which **was adopted**, with 5 votes against and one abstention [Opinion 277 (2010)].

**Mr Cavuşoğlu**, *President of the Assembly*, resumed the Chair.

## 10. RULES OF PROCEDURE, IMMUNITIES AND INSTITUTIONAL AFFAIRS

### Change in the composition of the Bureau of the Parliamentary Assembly

Doc. 12124

*Rapporteur of the Committee on Rules of Procedure, Immunities and Institutional Affairs:*  
*Mr John Greenway (United Kingdom, EDG)*

**Mr Greenway** introduced the report on “change in the composition of the Bureau of the Parliamentary Assembly”. The national delegations performed a crucial role in promoting the Assembly’s decisions in the member states’ parliaments and vis-à-vis their governments. Having regard to the role of the Chairmanship of the Committee of Ministers in setting the Organisation’s priorities and to the role of the Bureau of the Committee of Ministers, responsible for co-ordinating the action of the successive chairmanships of the Organisation and for contacts with the Assembly, it would be helpful to promote the participation of the chairs of the national delegations of the member states holding the current, the previous and the next two chairmanships of the Committee of Ministers in the Bureau of the Assembly. This measure aimed at increasing parliamentary influence over the chairmanships of the Committee of Ministers and ensuring greater continuity in the Assembly’s work. It was important in the present context of enhancing the Assembly’s dialogue and co-operation with the Committee of Ministers.

**Mr Maissen** expressed his satisfaction with the report. There were indeed sound arguments in favour of the participation in Bureau meetings of the chairs of the delegations holding the chairmanship of the Committee of Ministers. The Vice-Presidents of the Assembly belonging to the smaller delegations, such as Switzerland, were only members of the Bureau for a period of two years once every three, four or even seven years. As well as facilitating participation in discussions and the circulation of information, this measure would enable the delegation concerned to keep a closer watch in the national parliament on the government’s activities related to the chairmanship of the Organisation. That would also encourage exchanges of experience between the delegations of the countries holding the current, previous and next chairmanships of the Committee of Ministers.

**Mr Pourgourides** fully supported the report.

**Mr Rowen**, Vice-Chairperson of the Committee on Rules of Procedure, Immunities and Institutional Affairs, fully supported the report. The proposed measure was not disputed. It should help to strengthen the Assembly’s position.

**The President** put to the vote the draft resolution contained in Doc. 12124, which was **adopted** unanimously [Resolution 1712 (2010)].

## 11. LEGAL AFFAIRS AND HUMAN RIGHTS

### Minority protection in Europe: best practices and deficiencies in implementation of common standards

Doc. 12109

Amendments

*Rapporteur of the Committee on Legal Affairs and Human Rights:*  
*Mr Boriss Cilevičs (Latvia, SOC)*

*Rapporteur of the Committee on Culture, Science and Education*  
*(for opinion): Mr Florin Serghei Anghel (Romania, EPP/CD)*

Doc. 12167

**Mr Cilevičs** introduced the report on “minority protection in Europe: best practices and deficiencies in implementation of common standards”. The Council of Europe played a crucial pioneering role in the field of minority protection, thanks in particular to the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, which were legally binding instruments. The standards for minority protection were firmly established. But the implementation of those standards lacked rationality, in particular because, under the instruments in question, states could sign up to the standards on an “à la carte” basis. Furthermore, several member states were still not parties to these key instruments. The report set out to analyse the way in which the legal principles contained in them were implemented in the legislation and practice of the member states which had signed them, in order to identify good practices and problems. The protection of minorities was part of human rights and was linked with other obligations of the member states relating to non-discrimination, equality or the preservation of cultural diversity. The report was

not intended to be exhaustive and was not a monitoring report; it contained case studies concerning certain specific countries and referred to relevant reports by other Council of Europe bodies. He identified more specifically certain measures and good practices which should be adopted in order to improve the application of these instruments.

**Ms Stavrositu** presented the opinion of the Committee on Culture, Science and Education in the absence of the rapporteur for opinion, who was unable to attend. The committee fully supported the report to the extent that it put the emphasis on the implementation of existing standards. It intended to propose several amendments: it felt that the cultural dimension of minority protection should be emphasised because minorities contributed to cultural diversity in our societies. She stressed that her own country, Romania, was an example of a particularly successful policy for minorities.

**Mr Vrettos** said that the Greek delegation supported the draft resolution. Greece honoured the minority protection obligations deriving from the 1923 Treaty of Lausanne. The members of minorities in Greece enjoyed the same rights, and were subject to the same obligations, as any other citizen. They participated in all aspects of national and local political life. Further measures had been taken to help the members of the Muslim minority, targeting vulnerable groups in particular. In spite of that, the protection of minorities in Greece was still incomplete. 2.5 million Macedonian Greeks lived in the same part of the territory, were very attached to their culture and spoke Greek in addition to a specific dialect. However, the members of the "Macedonian" minority who asserted their distinctive identity were still Greek citizens.

**Mr Nikoloski** commended the rapporteur on his highly instructive and comprehensive report. He raised two points in particular: the question of the identity of the Macedonian national minority in Greece, and the question of refugees who had fled civil war and the discriminatory treatment to which they were subjected. It was regrettable that the Greek authorities had not recognised the right of minorities to self-identification. The Greek courts had violated the European Convention on Human Rights by refusing to register an association. A further problem was the refusal to restore Greek citizenship to refugees who had fled Greece and to return their property to them. It was essential to promote the rights of minorities, including the right of representation and freedom of assembly. This required everyone to work in unison and build up solidarity enabling them to respond jointly to the challenges.

**Ms Kovács** congratulated the rapporteur. The question of minority protection should be regularly reviewed by the Assembly. One in every eight Europeans belonged to a minority. Minorities contributed to cultural diversity in Europe. She was pleased to note that the report commended Serbia on the many positive developments observed there. Yet there was an urgent need to step up the protection of minorities in Europe because the actual situation was far from ideal.

**Mr Popescu** fully supported the rapporteur's proposals. He noted that the last elections in Ukraine had represented a step forward in the promotion of minority rights, the new government having stated its determination to settle the problems in that area. Progress had been made in the field of education, particularly with the decision by the Constitutional Court to invalidate the law making it compulsory to use the Ukrainian language in schools.

**Mr Cilevičs** responded to the observations made. Europe was changing and he found it hard to see what would prevent countries, such as Greece, from ratifying the Framework Convention for the Protection of National Minorities, given that their legislation and practice already went beyond the requirements of the convention. However, some highly political issues were involved here and it was better to be cautious.

**Mr Pourgourides**, Chairperson of the Committee on Legal Affairs and Human Rights, commended the rapporteur on his excellent report, which had been approved unanimously by the committee. The committee had adopted a very cautious approach. He was particularly critical of the committee members who had not spoken up in committee when they should have but had tabled amendments afterwards. The committee had therefore not considered these amendments, to which he was categorically opposed.

**The President** said that twelve amendments and two sub-amendments had been proposed to the draft resolution.

Amendment 1, presented by **Ms Stavrositu** on behalf of the Committee on Culture, Science and Education, which **Mr Cilevičs** opposed, **was rejected**, **Mr Pourgourides** having indicated that the Committee on Legal Affairs was also against it.

**Ms Stavrositu** presented amendment 2 on behalf of the Committee on Culture, Science and Education. **Mr Cilevičs** said that the Legal Affairs Committee was in favour of it, subject to a sub-amendment. The sub-amendment and amendment 2 as sub-amended **were adopted**.

**Mr Berziņš** presented amendments 8, 9, 10 and 11, which were **rejected**, following statements respectively by **Mr Popescu**, **Mr Pourgourides** and **Mr Cilevičs**, who were against them.

**Ms Stavrositu** presented amendment 3 on behalf of the Committee on Culture, Science and Education. The amendment **was adopted**, **Mr Pourgourides** having indicated that the Legal Affairs Committee was in favour of it.

**Ms Stavrositu** presented amendment 4 on behalf of the Committee on Culture, Science and Education. **Mr Cilevičs** said that the Legal Affairs Committee was in favour of it, subject to a sub-amendment. The sub-amendment and amendment 4 as sub-amended **were adopted**.

Amendment 12 presented by **Mr Berziņš** **was rejected**, having been opposed by **Mr Cilevičs**.

**Ms Stavrositu** presented amendment 5 on behalf of the Committee on Culture, Science and Education. The amendment **was adopted** following a statement by **Mr Pourgourides**.

Amendment 14, presented by **Mr Cilevičs** on behalf of the Legal Affairs Committee, **was rejected**.

**Mr Berziņš** presented amendment 13, which was **rejected** following a statement by **Mr Popescu**, who was against it.

**The President** put to the vote the draft resolution contained in Doc. 12109 as amended. It was **adopted** unanimously [Resolution 1713 (2010)].

**The President** said that three amendments and one sub-amendment had been proposed to the draft recommendation.

**Ms Stavrositu** presented amendment 6 on behalf of the Committee on Culture, Science and Education. **Mr Cilevičs** said that the Legal Affairs Committee was against it and presented an alternative position in amendment 15. Amendment 6 **was rejected**.

Amendment 15, supported by **Mr Cilevičs**, **was adopted**.

**Ms Stavrositu** presented amendment 7 on behalf of the Committee on Culture, Science and Education. **Mr Cilevičs** said that the Legal Affairs Committee was in favour of it. The sub-amendment and amendment 7 as sub-amended **were adopted**.

**The President** put to the vote the draft recommendation contained in Doc. 12109 as amended. It was **adopted** unanimously [Recommendation 1904 (2010)].

## 12. SOCIAL, HEALTH AND FAMILY AFFAIRS

### Children who witness domestic violence

Doc. 12111  
Amendments

*Rapporteur of the Social, Health and Family Affairs Committee:  
Ms Carine Ohlsson (Sweden, SOC)*

*Rapporteur of the Committee on Equal Opportunities for Women and Men  
(for opinion): Ms Marlene Rupprecht (Germany, SOC)*

Doc. 12155

**Ms Ohlsson** presented the report on “children who witness domestic violence”. It was estimated that one fifth to one quarter of all women in Europe had been subjected to violence at least once during their lives. Children were likely to suffer the consequences of the physical violence or psychological harassment to which their mothers were subjected. They could be exposed directly or indirectly to family violence. This made them victims of psychological suffering and trauma linked to their experience, and they could themselves be exposed to physical abuse. Some 200,000 children in Europe were affected. Each child had a specific profile, but there were some common characteristics. The report advocated various measures to ensure that the situation of these children was addressed more effectively at national level. The question of

children who witnessed domestic violence should also be included in the future Council of Europe convention on violence against women.

**Ms Rupprecht** presented the opinion of the Committee on Equal Opportunities for Women and Men. The committee fully supported the report, but wished to emphasise the gender dimension where the protection of child witnesses of domestic violence was concerned. Domestic violence had a different impact on girls and boys, both in terms of their response to these situations and in terms of the effects on their future lives. Boys were more likely to become aggressors in adulthood, and girls were more likely to become victims. Three-quarters of victims of domestic violence were women. The right of children to receive an upbringing free from violence should be included in national legislation and in the future Council of Europe convention. Measures should be taken in the member states to deal with these situations, particularly in the area of judicial proceedings.

**Mr Volonté** fully supported the excellent report, which was of crucial importance in the context of the Council of Europe Platform on Children's Rights 2009-2011, focusing on integrated national strategies for combating violence against children. The link between violence against children and violence against women was obvious. Children were particularly vulnerable, and the effects which the violence they experienced would have on their future lives were a matter of serious concern.

**Ms Maury Pasquier**, Chairperson of the Social, Health and Family Affairs Committee, stressed the importance of the report, which specified a range of measures which should be taken both at Council of Europe level and in the member states to develop an appropriate response to the issue. She added that the committee had unanimously approved the eight proposed amendments to the draft resolution.

**The President** closed the debate. He said that under Rule 33.10 of the Assembly's Rules of Procedure, amendments which had been unanimously approved by the committee seized for report were declared as adopted without a vote. He noted that there were no objections and declared amendments 1 to 8 **adopted**.

**The President** put to the vote the draft resolution contained in 12111 as amended. It was **adopted** unanimously [Resolution 1714 (2010)].

**The President** said that there were four proposed amendments to the draft recommendation. Amendments 9, 10 and 12 having been approved unanimously by the Social Affairs Committee, they were declared **adopted** without a vote, in accordance with Rule 33.10.

Amendment 11, supported by **Ms Rupprecht**, on behalf of the Committee on Equal Opportunities between Women and Men, **was adopted** after **Ms Maury Pasquier** had indicated that the Social Affairs Committee had been in favour of it.

**The President** put to the vote the draft recommendation contained in Doc. 12111 as amended. It was **adopted** unanimously [Recommendation 1905 (2010)].

### 13. CULTURE, SCIENCE AND EDUCATION

#### Rethinking creative rights for the Internet age

Doc. 12101  
Amendments

*Rapporteur of the Committee on Culture, Science and Education:*

*Mr José Luís Arnaut (Portugal, EPP/CD)*

*Rapporteur of the Committee on Economic Affairs and Development*

*(for opinion): Mr Geert Lambert (Belgium, SOC)*

Doc. 12142

**Ms Marland-Militello** introduced the report entitled "Rethinking creative rights for the Internet age" in place of the rapporteur, who was no longer a member of the Assembly. The development of the digital society and technological upheavals made it necessary to rethink the mechanisms for protecting and implementing creative rights. The use of new technologies had led to competition with the normal exploitation of works and threatened the sustainability of creative activity. The different approach adopted by each country, but also by the European Union, made it necessary to harmonise the rules of Internet governance. It was necessary to develop a model which reconciled the rights of creators, a very complex field, with the rights of operators and users. Authors were entitled to copyright just as Internet users had the right to information. The report suggested several lines of inquiry.

**Ms Wille** presented the opinion of the Committee on Economic Affairs and Development in the absence of the rapporteur for opinion, who was unable to attend. The committee fully supported the report. A balance needed to be found between citizens' freedom to inform and educate themselves and remuneration of creative activity, between individual freedoms and fair remuneration of economic activity. Copyright must be protected so that authors could be paid for the fruits of their work.

**Ms Kovács**, Vice-Chairperson of the Committee on Culture, Science and Education, expressed her satisfaction at the outstanding work accomplished by the committee and its rapporteur. She said that several amendments had been approved unanimously by the committee.

**The President** said that there were twelve proposed amendments to the draft recommendation. Under Rule 33.10 of the Assembly's Rules of Procedure, amendments which had been approved unanimously in the committee seized for report were adopted without a vote. He noted that there were no objections and declared amendments 4, 6, 7, 1, 8, 2, 11, 3 and 12 **adopted**.

Amendment 5, supported by **Ms Marland-Militello**, was adopted, **Ms Kovács** having indicated that the Committee on Culture, Science and Education was in favour of it.

**Ms Marland-Militello** said that she was withdrawing amendments 9 and 10.

**The President** put to the vote the draft recommendation contained in Doc. 12101 as amended. It was **adopted** unanimously [Recommendation 1906 (2010)].

#### 14. EQUAL OPPORTUNITIES FOR WOMEN AND MEN

##### The wage gap between women and men

Doc. 12140  
Amendments

*Rapporteur of the Committee on Equal Opportunities for Women and Men:*

*Mr Paul Wille (Belgium, ALDE)*

*Rapporteur of the Committee on Economic Affairs and Development*

*(for opinion): Mr Albrecht Konečný (Austria, SOC)*

Doc. 12151

**Mr Wille** introduced the report on "the wage gap between women and men". It was unacceptable that the right to equal pay remained so widely and systematically violated. A dynamic process should be set in motion on the issue of women's pay, which was a question of fairness and justice, in order to put an end to the wage gap. The right to equal pay should be written into the legislation of the member states. Fair pay and job classification systems should be promoted, in both the private and the public sector. Tackling pay disparities between women and men meant understanding the reasons for these differences of income: access to education, training and the labour market; undervaluation of women's work; pay and promotion systems biased towards men, and the persistence of stereotypes about each gender's role in society. The causes of wage inequalities should therefore be analysed in detail, with particular attention being focused on the consequences of part-time work and on how these inequalities affected retirement pensions.

**Mr Kumcuoğlu**, Vice-Chairperson of the Committee on Economic Affairs and Development, presented the committee's opinion in the absence of the rapporteur, who was unable to attend. The committee fully supported the proposals contained in the report, which addressed a fundamental issue. It was a question of social justice, because the facts showed that, in employment, women were systematically in a disadvantaged position or held insecure jobs likely to lead them into poverty. This called for social and legal protection measures. The amendments proposed by the committee were intended to supplement the draft texts by emphasising the economic aspects of the question.

**Ms Hurskainen** said that the question of equal pay was by no means a top political priority, and for this reason the report was a really crucial contribution. In Finland, women were said to earn on average 20 % less than men. The Council of Europe should promote the European Social Charter more forcefully in order to end pay discrimination.

**Ms Ferić-Vac**, Vice-Chairperson of the Committee on Equal Opportunities for Women and Men, noted that the measures taken both by the European Union and at national level had scarcely had any impact on pay differentials between women and men. Women started their careers on lower pay than men, and the gap merely widened in the course of their careers, for example after maternity or parental leave. This "vertical" discrimination, the "glass ceiling", was compounded by "horizontal" discrimination, "glass walls": the greater

the proportion of women in an occupation, the lower the pay, and the less attractive it was to men. The fight against stereotypes and discrimination must be continued if the wage gap was to be eliminated.

**The President** said that there were four proposed amendments to the draft resolution.

**Ms Ferić-Vac** pointed out that amendments 1 to 3 proposed on behalf of the Committee on Economic Affairs and Development had been approved unanimously by the Committee on Equal Opportunities for Women and Men.

**The President**, noting that there were no objections to the application of Rule 33.10 of the Assembly's Rules of Procedure, declared amendments 1, 2 and 3 **adopted**.

**Mr Kox** presented amendment 7, noting that the Icelandic legislation on representation of women on boards of directors was very progressive. The amendment was **adopted** unanimously.

**The President** put to the vote the draft resolution contained in Doc. 12140 as amended. It was **adopted** unanimously [Resolution 1715 (2010)].

**The President** said that amendments 4 to 6 proposed to the draft recommendation by the Committee on Economic Affairs and Development had been approved unanimously by the Committee on Equal Opportunities for Women and Men. Noting that there were no objections to the application of Rule 33.10 of the Assembly's Rules of Procedure, he declared amendments 4, 5 and 6 **adopted**.

**The President** put to the vote the draft recommendation contained in Doc. 12140. It was **adopted** unanimously [Recommendation 1907 (2010)].

## 16. OTHER BUSINESS

**The President** informed members that the draft agenda of the second part-session of the Assembly (26-30 April 2010), as drawn up by the Bureau at its meeting the previous day, had been distributed to them in accordance with Rule 26.4 of the Assembly's Rules of Procedure.

The Standing Committee **took note** of the draft agenda.

## 17. NEXT MEETING

The Standing Committee **decided** to hold its next meeting in Skopje ("The former Yugoslav Republic of Macedonia"), on 21 May 2010.

The meeting **was closed** at 1.30 pm.

**APPENDIX I****LIST OF PARTICIPANTS****President of the Assembly / Président de l'Assemblée**

Mr Mevlüt ÇAVUŞOĞLU (EDG) Turkey

**Vice-President of the Assembly / Vice-Président(e) de l'Assemblée**

Mr Konstantinos VRETTOS Greece  
 M. Jean-Claude MIGNON France  
 Mrs Sinikka HURSKAINEN Finland  
 Mr Luigi VITALI Italy  
 M. Andris BĒRZINŠ Lettonie  
 Mr Frano MATUŠIĆ Croatia  
 Ms Lilja MÓSESDÓTTIR Iceland  
 Mrs Anna ČURDOVÁ Czech Republic  
 Mr Konstantin KOSACHEV Russian Federation  
 Mr Erol Aslan CEBECİ Turkey  
 Mrs Dzhema GROZDANOVA Bulgaria

**Chairpersons of Political Groups / Président(e)s de Groupes politiques**

Mr Luca VOLONTÈ Group of the European People's Party /  
 Groupe du Parti populaire européen  
 Mr Andreas GROSS Socialist Group /  
 Groupe socialiste  
 Mme Anne BRASSEUR Alliance of Liberals and Democrats for Europe /  
 Alliance des démocrates et des libéraux pour  
 l'Europe  
 Mr David WILSHIRE European Democrat Group /  
 Groupe démocrate européen  
 Mr Tiny KOX Group of the Unified European Left /  
 Groupe pour la gauche unitaire européenne

**Chairpersons of National delegations / Président(e)s de délégations nationales**

Mr Davit HARUTYUNYAN Armenia  
 Mr Samad SEYIDOV Azerbaijan  
 Mr Gebhard NEGELE Liechtenstein  
 Mr Norbert HAUPERT (for Mme Lydie ERR) Luxembourg  
 Mme Ana GUȚU Moldova  
 Ms Karin S. WOLDSETH Norway  
 Mr Dariusz LIPIŃSKI Poland  
 M. Cezar Florin PREDA Roumanie  
 Mrs Darja LAVTIŽAR-BEBLER Slovenia  
 Mr Göran LINDBLAD Sweden  
 M. Theo MAISSEN Suisse  
 Mr Aleksandar NIKOLOSKI "The former Yugoslav Republic of Macedonia"  
 M. Ivan POPESCU Ukraine

**Chairperson of the Political Affairs Committee /  
Président(e) de la Commission des questions politiques**

Mr Björn von SYDOW Sweden

**Chairperson of the Committee on Legal Affairs and Human Rights /  
Président(e) de la Commission des questions juridiques et des droits de l'homme**

Mr Christos POURGOURIDES Cyprus

**Chairperson of the Committee on Economic Affairs and Development /  
Président(e) de la Commission des questions économiques et du développement**

Mr Paul WILLE Belgium

**Chairperson of the Social, Health and Family Affairs Committee /  
Président(e) de la Commission des questions sociales, de la santé et de la famille**

Mme Liliane MAURY PASQUIER Suisse

**Chairperson of the Committee on Migration, Refugees and Population /  
Président(e) de la Commission des migrations, des réfugiés et de la population**

Mr John GREENWAY United Kingdom

**Chairperson of the Committee on Culture, Science and Education /  
Président(e) de la Commission de la culture, de la science et de l'éducation**

Ms Elvira KOVÁCS (for Mr Andrew McINTOSH) United Kingdom

**Chairperson of the Committee on the Environment, Agriculture and Local and Regional Affairs /  
Président(e) de la Commission de l'environnement, de l'agriculture et des questions territoriales**

Mr Aleksei LOTMAN Estonia

**Chairperson of the Committee on Equal Opportunities for Women and Men /  
Président(e) de la Commission sur l'égalité des chances pour les femmes et les hommes**

Ms Mirjana FERİĆ-VAC (for Mr José MENDES BOTA) Portugal

**Chairperson of the Committee on Rules of Procedure, Immunities and Institutional Affairs /  
Président(e) de la Commission du Règlement, des immunités et des affaires institutionnelles**

Mr Paul ROWEN (for Mr Holger HAIBACH) Germany

**Rapporteurs (not member of the Standing Committee / non membres de la Commission permanente)**

Mr Pedro AGRAMUNT	Spain
Mme Maria STAVROSITU (for Mr Florin Serghei ANGHEL)	Romania
Mr Boriss CILEVIČS	Latvia
Mr Mátyás EÖRSI	Hungary
Mr Ertuğrul KUMCUOĞLU	Turkey
Mme Muriel MARLAND-MILITELLO (for Mr José Luís ARNAUT)	France
Mr Bernard MARQUET	Monaco
Mrs Carina OHLSSON	Sweden
Mr Pieter OMTZIGT	Netherlands
Mrs Marlène RUPPRECHT	Germany

**Other member of the Parliamentary Assembly / Autre membre de l'Assemblée parlementaire**

Mrs Elsa PAPANIMITRIOU Greece

**Secretariat of the Parliamentary Assembly / Secrétariat de l'Assemblée parlementaire**

Mr Mateo SORINAS, Secretary General of the Parliamentary Assembly / Secrétaire Général de l'Assemblée parlementaire

Mr Wojciech SAWICKI, Director General / Directeur Général

Mr Alfred SIXTO, Head of the Table Office / Chef du Service de la Séance

Mrs Valérie CLAMER, Secretary of the Standing Committee / Secrétaire de la Commission permanente

Mr Petr SICH, Head of the Private Office of the President of the Parliamentary Assembly / Chef de Cabinet du Président de l'Assemblée parlementaire

**Council of Europe**

Mrs Maud DE BOER-BUQUICCHIO, Deputy Secretary General of the Council of Europe / Secrétaire Générale adjointe du Conseil de l'Europe

Mrs Mireille PAULUS, Secretary to the Committee of Ministers

Mr Matjaz GRUDEN, Deputy Director / Directeur adjoint, Private Office of the Secretary General and Deputy Secretary General / Cabinet du Secrétaire Général et de la Secrétaire Générale adjointe

**APPENDIX II****SYNOPSIS**

The **Standing Committee**, meeting on 12 March 2010 in Paris with first Mr Çavuşoğlu, President of the Assembly, and then Mr Kosachev, Vice-President of the Assembly, in the chair:

- ratified the credentials of one new member of the Assembly submitted by the delegation of Germany;
- ratified the changes in the composition of Assembly committees in respect of the delegations of Germany, Italy and the United Kingdom, and in the composition of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) with regard to the EDG political group;
- ratified the references proposed by the Bureau which are contained in the Appendix hereafter;
- held an exchange of views on the observation of the second round of the presidential election in Ukraine (7 February 2010) and took note of the report of the *ad hoc* Committee of the Bureau;
- adopted, on behalf of the Assembly, the following texts:

<b>Opinion 276 (2010)</b>	<b>Draft Council of Europe Convention on counterfeiting of medical products and similar crimes involving threats to public health</b>
<b>Opinion 277 (2010)</b>	<b>Draft Protocol amending the Convention on Mutual Administrative Assistance in Tax Matters (ETS No. 127)</b>
<b>Recommendation 1904 (2010)</b>	<b>Minority protection in Europe: best practices and deficiencies in implementation of common standards</b>
<b>Recommendation 1905 (2010)</b>	<b>Children who witness domestic violence</b>
<b>Recommendation 1906 (2010)</b>	<b>Rethinking creative rights for the Internet age</b>
<b>Recommendation 1907 (2010)</b>	<b>The wage gap between women and men</b>
<b>Resolution 1710 (2010)</b>	<b>Term of office of co-rapporteurs of the Monitoring Committee</b>
<b>Resolution 1711 (2010)</b>	<b>Rules and procedures for the future elections of the Secretary General of the Council of Europe - Draft joint (Committee of Ministers / Parliamentary Assembly) interpretative statement</b>
<b>Resolution 1712 (2010)</b>	<b>Change in the composition of the Bureau of the Parliamentary Assembly</b>
<b>Resolution 1713 (2010)</b>	<b>Minority protection in Europe: best practices and deficiencies in implementation of common standards</b>
<b>Resolution 1714 (2010)</b>	<b>Children who witness domestic violence</b>
<b>Resolution 1715 (2010)</b>	<b>The wage gap between women and men</b>

- took note of the draft agenda of the second part of the 2010 Ordinary Session (26-30 April 2010);
- decided to hold its next meeting in Skopje ("The former Yugoslav Republic of Macedonia"), on 21 May 2010.

## Appendix

### Decisions on documents tabled for references to committees

#### A. REFERENCES TO COMMITTEES

1. **More women in economic and social decision-making bodies  
Motion for a resolution presented by Mrs Gautier and others  
Doc. 12144**

*Reference to the Committee on Equal Opportunities for Women and Men for report and to the Committee on Economic Affairs and Development for opinion*

2. **Combating poverty  
Motion for a recommendation presented by Mr Volontè and others  
Doc. 12145**

*Reference to the Social, Health and Family Affairs Committee for report and to the Committee on Equal Opportunities for Women and Men for opinion*

3. **Demographic winter and the future of Europe  
Motion for a resolution presented by Mr Volontè and others  
Doc. 12146**

*Reference to the Committee on Migration, Refugees and Population for report*

4. **Follow-up to the reform of the Council of Europe  
Motion for a resolution presented by Mr Mignon and others  
Doc. 12163**

*Reference to the Political Affairs Committee for report and to the Committee on Rules on Procedure, Immunities and Institutional Affairs for opinion*

5. **Families' freedom of choice in education in each member state  
Motion for a resolution presented by Mr Volontè and others  
Doc. 12061**

*Reference to the Committee on Culture, Science and Education for report*

6. **Effective implementation of the European Convention on Human Rights: the Interlaken process  
Decision of the Bureau**

*Reference to the Committee on Legal Affairs and Human Rights for report*

#### B. TRANSMISSION FOR INFORMATION

1. **The socio-economic potential of endogenous resources for the development of weak territories  
Motion for a resolution presented by Mr Galati and others  
Doc. 12147**

*Transmission to the Committee on Economic Affairs and Development for information*

2. **Expediency of using common manuals in European educational networks  
Motion for a resolution presented by Mr R. Huseynov and others  
Doc. 12149**

*Transmission to the Committee on Culture, Science and Education for information*