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COUNCIL OF EUROPE  
CONSEIL DE L'EUROPE

# The Session

THE INFORMATION GUIDE FOR PLENARY SESSIONS OF PACE

## 27-30 April 2009

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- Honouring of obligations and commitments by Serbia
- Action to combat gender-based human rights violations, including abduction of women and girls
- Women in prison

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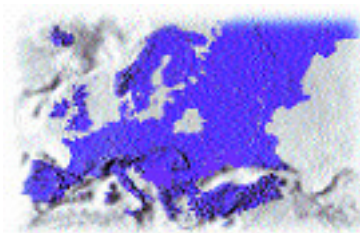
- Joint debate on the consequences of the war between Georgia and Russia:
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# The 47

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



**198**

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



**177**

Socialist Group (SOC)



**93**

European Democrat Group (EDG)



**90**

Alliance of Liberals and Democrats for Europe (ALDE)



**29**

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 27 April 2009

☞ Morning (11.30 a.m.-1 p.m.)

## ◆ **Opening of the second part of the 2009 Ordinary Session**

Parliamentary Assembly President Lluís Maria de Puig opened the second part of the 2009 Ordinary Session and made an opening statement.

The Assembly examined new credentials, elected Christos Pourgourides (Cyprus, EPP/CD) a Vice-President of the Assembly with respect to Cyprus, and approved changes in the membership of committees.

The Assembly also accepted three requests for urgent debates, and adopted its final agenda, as it appears in this document.

Finally, the Assembly adopted the minutes of proceedings of the Standing Committee in Paris (13 March 2009).

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

*Doc. 11865 Parts I and II, and addendum*

*Rapporteur: Joachim Hörster (Germany, EPP/CD)*

The progress report covered the discussions held and decisions reached by the Bureau and the Standing Committee since the last part-session, including reports on the Assembly's observations of the following elections:

- Presidential election in "the former Yugoslav Republic of Macedonia" (22 March/5 April 2009);
- Parliamentary elections in Montenegro (29 March 2009);
- Parliamentary elections in Moldova (5 April 2009)

and its presence at the following referendum:

- Constitutional referendum in Azerbaijan (18 March 2009).

## ◆ **Celebration of the 60th anniversary of the Council of Europe**

The celebration involved a short film featuring extracts from speeches made to the Assembly in the last 60 years, a statement by the President of the Assembly, and a musical interlude from the brass quartet "Zythos", of the Strasbourg conservatoire, who played the European anthem "Ode to joy".

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# Monday 27 April 2009

☞ Afternoon (3 p.m.-5 p.m.)

◆ **Progress report of the Bureau of the Assembly and the Standing Committee (continued)**

◆ **The protection of human rights in emergency situations**

*Doc. 11858*

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

*Rapporteur: Holger Haibach (Germany, EPP/CD)*

Several Council of Europe member states, especially Georgia and Armenia, have recently resorted to declaring a state of emergency, involving serious human rights violations – a matter of concern, according to the Legal Affairs committee. Such declarations are permitted under the European Convention on Human Rights, but only “in time of war or other public emergency threatening the life of the nation”. They should never exceed what is required by the situation, and should always stay within international law. These drastic powers – which involve restricting the rights of individuals – should only ever be used as a last resort, the committee believes.

They should also be carried out with great care. A country’s legislature should have a central role in overseeing any such declaration and judges should be able to rule on its validity. Law-enforcement officials should be trained in human rights law and non-lethal crowd control. Restrictions on demos or marches should be kept to a minimum, while media clamp-downs should be avoided altogether if possible – on the grounds that reporting facts or expressing opinions can never be a “national security threat”.

For the committee, emergency powers should always be limited in time, featuring a “sunset clause”. Finally, Council of Europe bodies should closely scrutinise any declared state of emergency for signs of abuse, and to make sure that human rights are upheld.

Contact in the secretariat: Isild Heurtin, tel. 4100.

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## Tuesday 28 April 2009

☞ Morning (10 a.m.-1 p.m.)

◆ **The situation of human rights defenders in Council of Europe member states**

*Doc. 11841*

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

*Rapporteur: Holger Haibach (Germany, EPP/CD)*

Human rights defenders – be they individuals such as lawyers, journalists and ombudspersons, or groups such as NGOs and other organisations – are doing vital and often inspiring work, yet they can face numerous restrictions in some member states. This can take the form of administrative obstacles, campaigns aimed at discrediting them, or accusations that they are unpatriotic, traitors, “spies” or “extremists”. In the worst cases, they can be threatened with violence, abducted, detained or even assassinated. Those working on “unpopular” issues, or exposing impunity and corruption, are at special risk – especially in the Caucasus region, where the situation of human rights defenders is critical, according to the committee.

Governments and parliaments must do more to support and protect such people – for example, by delivering emergency visas to those at risk in third countries, or setting up assistance programmes – but the Council of Europe should also be at the forefront of the effort. The Human Rights Commissioner, who possesses a reinforced mandate to protect human rights defenders and to intervene in urgent cases, must be fully supported in that task. For its part, the Assembly has recently created an annual Human Rights Prize for civil society, but it should now strengthen its support for human rights defenders by involving them more in its work and by employing parliamentary diplomacy.

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

◆ **Address by Tarja Halonen, President of Finland**

Following her address, Mrs Halonen will answer questions from members of the Assembly.

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## Tuesday 28 April 2009

☞ Afternoon (3 p.m.-7.30 p.m.)

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

*Doc. 11701 and addendum*

*Report of the Monitoring Committee*

*Co-rapporteurs: Charles Goerens (Luxembourg, ALDE) and Andreas Gross (Switzerland, SOC)*

Serbia has been steadily fulfilling the promises it made when it joined the Council of Europe in 2003, according to the Monitoring Committee. The majority of Serbian citizens made a clear choice in favour of European integration at the last election, while the arrest of Radovan Karadžić and other indicted persons demonstrates clear progress in the commitment to co-operate with the Hague Tribunal.

Nonetheless, not all Serbians have benefited from European integration, and a number of reforms are still needed, according to the committee. Priorities should include the strengthening of democratic institutions – including the parliament – and human rights, reform of the judiciary and prosecutor's office, the fight against crime and corruption and the improvement of living standards. Opposition parties, for their part, could be more constructive in helping to achieve these goals.

The committee understands the frustration of the Serbian people regarding the situation in Kosovo, and welcomes the fact that, so far, the Serbian authorities have defended their position by peaceful and diplomatic means. It hopes this will continue, and urges the authorities to co-operate with the UN in Kosovo to preserve the rights of all its inhabitants.

The committee proposes to continue monitoring Serbia's progress.

Contact in the secretariat: Artemy Karpenko, tel. 5209.

### ◆ **Action to combat gender-based human rights violations, including abduction of women and girls**

*Doc. 11784*

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

*Rapporteur: Antigoni Papadopoulos (Cyprus, ALDE)*

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

*Rapporteur: Michael Hancock (United Kingdom, ALDE)*

Large numbers of women and girls in Europe, mostly from immigrant communities, are at risk of being forcibly married, circumcised or enslaved in the name of tradition, custom or religion, according to the Equal Opportunities Committee. Often they are forced by their families to return to their countries of origin and, in some cases, abducted and illegally confined for that purpose.

No cultural or religious relativism can justify these acts, which are a serious violation of human rights and should be strongly condemned, according to the committee. Member states have a responsibility – and an obligation under the European Convention on Human Rights – to do everything in their power to combat such practices and protect the victims.

But this can be difficult, especial for people with dual nationality, owing to the rules of international private law, making it hard for consular officials to help or repatriate victims. Member

states should develop, at national level, policies to protect victims, prevent these violations and punish the perpetrators and, at international level, co-operation with the authorities in the countries of origin in order to strengthen women's rights.

The Assembly should also invite the Committee of Ministers to draft as soon as possible a convention to combat the most serious and widespread forms of violence against women, including forced marriages, as the Assembly has already proposed, and draft a new protocol to the European Convention on Human Rights on gender equality.

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

#### ◆ **Women in prison**

*Doc. 11619 rev.*

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

*Rapporteur: Minodora Cliveti (Romania, SOC)*

*Doc. 11838*

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

*Rapporteur: Gultakin Hajibayli (Azerbaijan, EPP/CD)*

*Doc. 11665*

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

*Rapporteur: Carina Hägg (Sweden, SOC)*

The number of women prisoners in custody in Europe is constantly increasing, according to the Social Affairs Committee. Despite this, however, women are still only a minority of the prison population, with the result that there are very few prisons for women. For this reason, they are often imprisoned in places far from their homes, which makes it very difficult to maintain family ties. Furthermore, because prison regimes have been specially designed for men, in most cases there is a glaring lack of programmes and provisions suited to the female prison population.

Even if it is short, a prison sentence has disastrous effects on women because it seriously disrupts family life. Most women in prison are mothers and usually in sole charge of the children.

In order to improve the conditions of detention of women in prison, the committee calls for the implementation of the revised European Prison Rules and, in addition, it formulates specific recommendations for the member states of the Council of Europe as regards the detention of mothers or pregnant women in prison, the health and educational needs of women prisoners, respect for the dignity of women prisoners and measures to assist them in their social reintegration.

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

**The award ceremony for the 2009 Council of Europe Museum Prize will take place at 8 p.m. in the Palais Rohan in Strasbourg city centre. The President of the Assembly will present the award to this year's winner, the Zeeuws Museum of Middelburg in the Netherlands.**

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# Wednesday 29 April 2009

☞ Morning (10 a.m.-1 p.m.)

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

**Follow-up given by Georgia and Russia to Resolution 1647 (2009)**

*Information report of the Monitoring Committee*

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

This information report is due to be approved by the Monitoring Committee at its meeting on Monday 27 April at 2 p.m. It will serve as a basis for the debate, but will contain no draft text and therefore does not give rise to a vote by the Assembly.

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

**The humanitarian consequences of the war between Georgia and Russia: follow-up given to Resolution 1648 (2009)**

*Doc. 11859*

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

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

The humanitarian consequences of the war between Georgia and Russia remain serious, according to the Migration Committee. Of the 130,000 people originally displaced as a result of the conflict, 26,000 remain in the territory controlled by the Georgian authorities and are unable to return. Of the 33,000 to 38,000 people originally displaced from South Ossetia to North Ossetia, all but 1,200 have returned.

In South Ossetia, the urgent humanitarian needs have been met, but help is still needed to repair homes and infrastructure, and to provide people with a means and income to live. Regrettably, the total destruction of many ethnic Georgian villages can be confirmed. Ethnic Georgians in the region of Akhgori are not currently being forced to leave the area but the human rights situation remains of concern. The situation is the same for the Gali region of Abkhazia.

The Assembly needs to facilitate a dialogue with all parties to the conflict, without which positions will become further entrenched and trust, including with the international community, will suffer further, according to the committee. The administrative borders between South Ossetia and Abkhazia, on the one hand, and Georgia, on the other, should remain open – or there is a risk of a mass exodus of ethnic Georgians still living to the north, prompting a further humanitarian crisis. Priority should be given to ensuring voluntary returns in safety and dignity.

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



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## Wednesday 29 April 2009

Afternoon (3 p.m.-7 p.m.)

◆ **Urgent debate: the election process for the Secretary General of the Council of Europe**

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

The committee should approve this report during its meeting on Monday 27th April at 7 p.m.

◆ **Urgent debate: the functioning of democratic institutions in Moldova**

*Report of the Monitoring Committee*

*Co-rapporteurs: Josette Durrieu (France, SOC) and Egidijus Vareikis (Lithuania, EPP/CD)*

The committee should approve this report during its meeting on Tuesday 28th April at 8.30 a.m.

◆ **Address by José Luis Rodríguez Zapatero, President of the Government of Spain**

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

◆ **Urgent debate: the functioning of democratic institutions in Moldova (continued)**

**The Joint Committee, which is the organ of co-ordination between the Committee of Ministers and the Parliamentary Assembly, meets at 7 p.m., or at the end of the sitting, in Room 5 (*huis clos*). Items on the agenda include the Council of Europe 2010 budget, and the consultation of the Assembly by the Committee of Ministers on the candidatures for the post of Secretary General of the Council of Europe.**

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# Thursday 30 April 2009

☞ Morning (10 a.m.-1 p.m.)

◆ **Annual activity report 2008 by the Council of Europe  
Commissioner for Human Rights**

*Doc. 11861*

Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, will present his annual report for 2008 and reply to questions from parliamentarians.

◆ **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.

◆ **Urgent debate: draft Protocol No. 14 *bis* to the European  
Convention for the Protection of Human Rights and  
Fundamental Freedoms**

*Doc. 11864*

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

*Rapporteur: Klaas de Vries (Netherlands, SOC)*

A request under urgent procedure for the Assembly's opinion on the draft protocol – which aims at simplifying the internal procedures of the European Court of Human Rights – was made by the Committee of Ministers. The committee should approve this report during its meeting on Tuesday 28th April at 8.30 a.m.

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# Thursday 30 April 2009

☞ Afternoon (2 p.m.-4 p.m.)

## ◆ **Growing food and fuel**

*Doc. 11790*

*Report of the Committee on the Environment, Agriculture and Local and Regional Affairs  
Rapporteur: Nigel Evans (United Kingdom, EDG)*

*Doc. 11824*

*Opinion of the Committee on Economic Affairs and Development  
Rapporteur: Doris Barnett (Germany, SOC)*

Until only recently agrofuels – such as ethanol made from maize – were regarded in some quarters as a miracle solution to the planet's energy problems, yet they have now become controversial, according to the Environment Committee. Studies have shown they can produce more greenhouse gas emissions than the fossil fuels they are supposed to replace, if all the factors in the production chain are taken into account, and may be harmful to health, as well as pushing up food prices. It is estimated the quantity of cereals needed to fill a lorry's tank with agrofuel could feed one person for a whole year.

Given these doubts, the committee was surprised that the European Commission chose to give its strong backing to agrofuels, despite the alarm bells rung by scientists, and welcomes that it reconsidered its position in July 2008.

Council of Europe governments should learn from both the positive and negative aspects of existing experiences, taking the necessary measures to balance food and fuel production, according to the committee. They should phase out financial incentives for agrofuels and import only those that are produced sustainably, while stepping up research and development into second-generation agrofuels, such as those produced from algae.

Contact in the secretariat: Bogdan Torcatoriu, tel. 3282.

## ◆ **Closure of the second 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 paper entitled "**Organisation of debates**" 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). A separate update was published in April 2009.

## **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 (pages 100-102 of the Rules of Procedure), the **time limits for tabling amendments** are the following (where appropriate the Bureau may decide to change these limits, in particular for urgent debates or debates on general policy):

- for debates on the afternoon of Monday 27 April: Monday 27 April at 12 noon;
- for debates on Tuesday 28 April: Monday 27 April 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. 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. These questions must be tabled at least one week before the opening of the part-session. This 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, these written questions will receive a written reply from the Chairperson of the Committee of Ministers. The replies will be published in the report of the sitting.

Pursuant to Rule 58.2 (as revised recently), 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 put more than one oral or written question to the Chairperson of the Committee of Ministers 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 reply" or "spontaneous question").

Although there is no formal deadline as such for all "spontaneous" questions, 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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## 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.