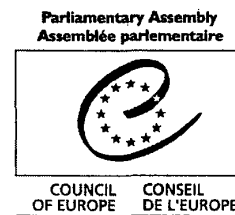


Parliamentary Assembly
Assemblée parlementaire



AS (2005) PV 9
Provisional edition

2005 ORDINARY SESSION

(Second Part)

NINTH SITTING

Monday 25 April 2005 at 3 p.m.

MINUTES OF PROCEEDINGS

Mr René van der Linden, President of the Assembly, took the Chair at 3.05 p.m.

1. RESUMPTION OF THE SESSION

The President declared the second part of the 2005 Ordinary Session resumed.

2. ATTENDANCE REGISTER

The names of the Representatives, Substitutes and Observers who signed the attendance register are given in the Appendix.

3. ADDRESS BY THE PRESIDENT OF THE ASSEMBLY

The President addressed the Assembly. The Assembly observed a minute's silence to commemorate the deaths of Pope John Paul II and Prince Rainier of Monaco.

4. EXAMINATION OF CREDENTIALS

The President presented the Report on the examination of the credentials of new Representatives and Substitutes (Doc.10504).

The credentials contained in Doc. 10504 were ratified.

5. ELECTION OF A VICE-PRESIDENT OF THE ASSEMBLY

The President announced that he had received the nomination of Mr Konstantin Kosachev, on behalf of Russia, for election as a Vice-President of the Assembly.

There being no objection, he was duly elected in accordance with Rule 14.4.

6. CHANGES IN MEMBERSHIP OF COMMITTEES

The Assembly ratified the changes in the membership of Committees as set out in document Commissions (2005) 4 and Addendum.

7. REQUEST FOR URGENT PROCEDURE DEBATES

There had been a request for an urgent debate, in accordance with Rule 50 of the Rules of Procedure, on the constitutional reform process in Armenia.

The President informed the Assembly of the recommendation of the Bureau at its meeting that morning that the request for urgent procedure should be agreed to.

Speakers: MM Colombier, Frunda, Eörsi.

A vote was held on the adoption of urgent procedure.

Speakers (on a point of order): MM Seyidov, Iwiński.

The President informed the Assembly that, because of technical problems, the vote would be taken again.

The adoption of urgent procedure was not agreed to.

There had been a second request for an urgent debate, in accordance with Rule 50 of the Rules of Procedure, on the freedom of the press and the working conditions of journalists in conflict zones.

The President informed the Assembly of the recommendation of the Bureau at its meeting that morning that the request for urgent procedure should be agreed to.

Speakers: MM Hancock, Frunda, Varvitsiotis.

The adoption of urgent procedure was agreed to.

The Assembly agreed that the matter be referred to the Committee on Culture, Science and Education for report and, for oral opinion, to the Political Affairs Committee (*Reference No. 3072*).

8. REQUEST FOR A CURRENT AFFAIRS DEBATE

There had been a request for a current affairs debate, in accordance with Rule 52 of the Rules of Procedure, on the European Constitutional Treaty.

The President informed the Assembly of the recommendation of the Bureau at its meeting that morning that the request for a current affairs debate should be agreed to.

Speakers: MM Dupraz, Einarsson.

The Assembly agreed to the request.

9. ADOPTION OF THE ORDER OF BUSINESS FOR THE SECOND PART OF THE 2005 ORDINARY SESSION

The President, on behalf of the Bureau, proposed the adoption of the draft Order of Business for the part-session, as drawn up by the Bureau on 18 March and that morning.

The draft order of business was agreed to.

The Assembly agreed, on the proposal of the President, that speaking times in debates on Wednesday 27 April be limited to four minutes.

10. MINUTES OF THE STANDING COMMITTEE (18 MARCH 2005, PARIS)

The Assembly took note of the Minutes of the meeting of the Standing Committee in Paris on 18 March 2005.

11. PROGRESS REPORT OF THE BUREAU AND THE STANDING COMMITTEE

The Progress Report of the Bureau of the Assembly and the Standing Committee (Doc. 10515) was presented by Mr Holovaty, Rapporteur.

The debate was opened.

Speakers: MM Margelov, Wielowieyski.

Mr Holovaty, Rapporteur of the Bureau of the Assembly and the Standing Committee, replied to the debate.

The debate was closed.

The Assembly approved the Progress Report of the Bureau and the Standing Committee (Doc. 10515).

12. THE RIGHTS OF CHILDREN IN INSTITUTIONS: FOLLOW-UP TO RECOMMENDATION 1601 (2003) OF THE PARLIAMENTARY ASSEMBLY (DOC. 10452)

The Report of the Social, Health and Family Affairs Committee on the rights of children in institutions: follow-up to Recommendation 1601 (2003) of the Parliamentary Assembly (Doc. 10452) was presented by Mr Hancock, Rapporteur.

The debate was opened.

Speakers: Mrs Bargholtz, Mrs Smirnova, Mrs Rupprecht, Mrs Cliveti, MM Schneider, van Winsen, Mirzazada.

Mr Hancock, Rapporteur of the Social, Health and Family Affairs Committee and Mr Glesener, Chairperson of the Committee, replied to the debate.

The debate was closed.

The Assembly considered the draft recommendation contained in Doc. 10452.

The President announced that the amendments to the draft recommendation would be considered in numbered order.

An amendment (No. 1) was proposed by Mrs Rupprecht, in the draft recommendation, paragraph 3, replace the first sentence with the following sentences:

"It points out that maximum priority must be given to ensuring that progress is made in improving the quality of education and care transmitted in institutions and of closing pedagogically unsuitable, insanitary and dilapidated institutions. When children are placed in families, it must be ensured that this constitutes the better alternative to placement in an institution. Placement in living groups and Children's Villages must also be taken into consideration as further possibilities. The top priority when making this choice must be the best interests of the child."

Speaker: Mr Hancock.

The amendment was agreed to.

Another amendment (No. 2) was proposed by Mrs Rupprecht, in the draft recommendation, replace paragraph 8.iv with the following text:

"ask the member states to create institutions responsible for supervising and providing advice to institutions (homes, living groups, residential communities, Children's Villages etc.) as well as foster and adoptive parents in order to protect the rights of the children concerned. These institutions should develop binding guidelines, with the participation of all parties concerned (including the children), aimed at monitoring the extent to which assistance is being provided in a targeted manner;"

The amendment was agreed to.

The Assembly agreed the draft recommendation contained in Doc. 10452, as amended, (*Recommendation 1698 (2005)*).

13. DATE, TIME AND ORDERS OF THE DAY OF THE NEXT SITTING

The next sitting was fixed for Tuesday 26 April at 10 a.m. with the following orders of the day:

1. Lawfulness of detentions by the United States in Guantánamo Bay (Doc. 10497)

- Presentation by Mr Kevin McNamara of the report of the Committee on Legal Affairs and Human Rights. (Doc. 10497)
- Debate and vote on the draft resolution and draft recommendation contained in Doc. 10497 [and amendments].

At 12 noon

2. Address by Mr Svetozar MAROVIC, President of Serbia and Montenegro

- Questions

The sitting was closed at 4.49 p.m.

APPENDIX I

Representatives or Substitutes who signed the Attendance Register in accordance with Rule 11.2 of the Rules of Procedure. The names of Substitutes who replaced absent Representatives are printed in small letters. The names of those who were absent or apologised for absence are followed by an asterisk.

AÇIKGÖZ, Ruhi
 ADAM, Ulrich*
 AGRAMUNT, Pedro*
 AGUIAR, Manuela*
 AHLQVIST, Birgitta/Einarsson, Mats
 ALIBEYLI, Gulamhuseyn
 ALITI, Rafis
 ANDRÉ, René*
 ANTTILA, Sirkka-Liisa
 ARIAS, Miguel/ Fernández Aguilar, Adolfo
 ARRIGO, Robert*
 ARZILLI, Giuseppe
 ATEŞ, Abdülkadir
 ATKINSON, David
 AZEVEDO, Maria Eduarda*
 AZZOLINI, Claudio*
 BADRÉ, Denis
 BANAC, Ivo*
 BARGHOLTZ, Helena
 BARTUMEU CASSANY, Jaume*
 BATET, Meritxell
 BEMELMANS-VIDEC, Marie-Louise
 BENEŠ, Miroslav*
 BERCEANU, Radu-Mircea*
 BERDZENISHVILI, Levan*
 BERISHA, Sali*
 BĚRZINŠ, Andris
 BIANCO, Gerardo*
 BILGEHAN, Gülsün
 BINDIG, Rudolf
 BLANKENBORG, Haakon/Ringstad, Jorunn
 BOKERIA, Giorgi*
 BRAUN, Márton*
 BREEN, Patrick*
 BRESTENSKÁ, Beáta*
 BRUCE, Malcolm/Hancock, Michael
 ÇAVUŞOĞLU, Mevlüt
 CEBECİ, Erol Aslan
 ČEKUOLIS, Jonas
 CHAPMAN, Sydney
 CHIKHRADZE, Pikria/Kurdadzé, Irine
 CHRISTMAS-MØLLER, Pia/Nielsen, Jakob-Axel
 CHRISTODOULIDES, Doros*
 CIEMNIAK, Grażyna/Gadzinowski, Piotr
 CILEVIČS, Boriss
 CIRCENE, Ingrīda
 CLIVETI, Minodora
 COLLAVINI, Manlio/Paoletti Tangheroni, Patrizia
 COLOMBIER, Georges
 CORTÉS, Luis Eduardo*
 COSARCIUC, Valeriu
 COŞKUNOĞLU, Osman
 COX, Thomas
 CSÁKY, András
 CUBREACOV, Vlad
 CZINEGE, Imre*
 DAVERN, Noel*
 DEBONO GRECH, Joseph*
 DEDJA, Taulant
 DEES, Dirk*
 DEITTERT, Hubert
 DEVÍNSKY, Ferdinand
 DJUPEDAL, Øystein/Akselsen, Olav
 DONABAUER, Karl
 DROMBERG, Kaarina/Sasi, Kimmo
 DRZEŻLA, Bernard/Smorawiński, Jerzy
 DURRIEU, Josette
 EKER, Mehdi
 ELO, Mikko
 ENGESET, Martin
 EÖRSI, Mátyás
 ERR, Lydie
 ETHERINGTON, Bill*
 EVIN, Claude/Lengagne, Guy
 EXNER, Václav
 EYMER, Anke/Letzgus, Peter
 FARKAS, Iván
 FEDOROV, Valeriy*
 FENECHIU, Relu
 FERNÁNDEZ SORIANO, María Emelina*
 FICO, Robert*
 FILIPIOVÁ, Daniela/Jirsa, Tomáš
 FLYNN, Paul*
 FREIHERR von und zu GUTTENBERG, Karl Theodor*
 FRÍÐLEIFSDÓTTIR, Siv/Jónsson, Birkir Jón
 FRUNDA, György
 GABURRO, Giuseppe*
 GARDETTO, Jean-Charles
 GASÓLIBA, Carles/Txueka, Iñaki
 GEDEI, József*
 GILMORE, Eamon
 GLÁVAN, Stefan
 GLESENER, Marcel
 GOERENS, Charles
 GOLDBERG, Pierre/Grosskost, Arlette
 GORIS, Stef
 GRACHEV, Vladimir*
 GREBENNIKOV, Valery*
 GRIGNON, Francis*
 GROSS, Andreas
 GRZYB, Andrzej/Grzesik, Andrzej
 GÜLÇİÇEK, Ali Rıza
 GUSENBAUER, Alfred/Muttonen, Christine
 HADŽIAHMETOVIĆ, Azra*
 HAGBERG, Michael
 HAJIYEVA, Gultakin
 HENRY, Jean-Pol*
 HERKEL, Andres
 HIMMER, Harald
 HLADIY, Mykhailo
 HÖFER, Gerd*
 HÖGMARK, Anders G./Lindblad, Göran
 HOLOVATY, Serhiy
 HÖRSTER, Joachim
 HURSKAINEN, Sinikka

HUSEYNOV, Ali/Mirzazada, Aydin
 IANNUZZI, Raffaele*
 İLAŞCU, Ilie
 İNCEKARA, Halide
 IVANOV, Sergei
 IWIŃSKI, Tadeusz
 JACYNA-ONYSZKIEWICZ, Zbigniew
 JÄGER, Renate*
 JAHİĆ, Elmir*
 JAŘAB, Josef
 JASKIERNIA, Jerzy
 JÁUREGUI, Ramón
 JUDD, Frank
 JUNG, Armand*
 JURGENS, Erik/van Thijn, Ed
 KAIKKONEN, Antti
 KALANOVIĆ, Verica
 KALEZIĆ, Ivan
 KARAPETYAN, Karen*
 KARPOV, Oleksandr
 KATSELI, Eleonora
 KAZAKOV, Alexandre Ivanovich*
 KIRILOV, Evgeni
 KLYMPUSH, Orest*
 KNIGHT OF COLLINGTREE, Jill
 KOCHARYAN, Shavarsh*
 KOÇI, Petro*
 KOŞACHEV, Konstantin
 KOSTENKO, Yuriy*
 KOVALEV, Nikolay/Pirozhnikova, Liudmila
 KOVALEV, Yuri/Umakhanov, Ilyas
 KRSTEVSKI, Zoran
 KUCHEIDA, Jean-Pierre*
 KUCLER-DOLINAR, Mojca
 KVAKKESTAD, André
 LACHNIT, Petr/Kuřvart, Miloř
 LALOY, Marie-José*
 LAMBERT, Geert*
 LANDRAIN, Édouard*
 LAVTIŹAR-BEBLER, Darja
 LEGENDRE, Jacques*
 LEPPER, Andrzej
 LEUTHEUSSER-SCHNARRENBERGER, Sabine*
 van der LINDEN, René
 LINTNER, Eduard
 LLOYD, Tony*
 LOBKOWICZ, Jaroslav
 LOUTFI, Younal*
 LUCYGA, Christine*
 MALGIERI, Gennaro*
 MANZELLA, Andrea*
 MARGELOV, Mikhail
 MARQUET, Bernard/ Spiliotis-Saquet, Christophe
 MARTINS, Alberto*
 MARTY, Dick/Dupraz, John
 MASI, Tito
 MASSERET, Jean-Pierre/Dreyfus-Schmidt, Michel
 MATUŐIĆ, Frano/Letica, Slaven
 McCAFFERTY, Chris*
 McNAMARA, Kevin*
 MEDEIROS FERREIRA, José*
 MEIMARAKIS, Evangelos*
 MELANDRI, Giovanna*
 MELČÁK, Miloř
 MELNIKOV, Ivan*
 MERCAN, Murat
 MESSERSCHMIDT, Morten*
 MIĆUNOVIĆ, Dragoljub*
 MIGNON, Jean-Claude
 MIHKELSON, Marko
 MIKUTIENĖ, Dangutė/Bucevičius, Saulius
 MILIĆEVIĆ, Ljiljana
 MILOJEVIĆ, Goran*
 MILOTINOVA, Milena
 MIMICA, Neven
 MOKRY, Vladimir*
 MONFILS, Philippe*
 MORTENSEN, Kim*
 MULAS, Giuseppe*
 NACHBAR, Philippe*
 NAKASHIDZĖ, Nino
 NARO, Giuseppe*
 NAROCHNITSKAYA, Natalia*
 NAZARÉ PEREIRA, António/Campos Ferreira, Luis
 NEGELE, Gebhard
 NÉMETH, Zsolt*
 NIKOLIĆ, Tomislav*
 NIKOLOPOULOS, Nikolaos*
 OCCHETTO, Achille/Crema, Giovanni
 O'HARA, Edward*
 OHLSSON, Carina
 ÖHMAN, Conny*
 OLIYNYK, Boris
 ØSTERGAARD, Morten/Lund, Rune
 ÖZAL, Ibrahim
 PADILLA, Julio
 PALECKIS, Algirdas*
 PANGALOS, Theodoros*
 PAPADIMITRIOU, Elsa*
 PAVLOV, Ivan
 PEKHTIN, Vladimir/ Smirnova, Svetlana
 PETROVA-MITEVSKA, Eleonora
 PÉTURSDÓTTIR, Sólveig
 PINTAT ROSSELL, Clara/Daban Alsina, Jordi
 PODGÓRSKI, Bogdan
 POL, Marek
 POSTOICO, Maria*
 POTRATA, Majda
 POURGOURIDES, Christos/Pericleous
 Papadopoulos, Antigoni
 PREDA, Cezar Florin
 PRIJMIREANU, Dumitru
 PROVERA, Fiorello*
 PUCHE, Gabino
 de PUIG, Lluís Maria
 PULLICINO ORLANDO, Jeffrey
 PUPOVAC, Milorad/Dorić, Miljenko
 PYSARENKO, Anatoliy*
 QUESADA, Adoración/Blanco, Jaime
 RAGUŐ, Martin*
 RAKHANSKY, Anatoliy
 RANIERI, Umberto*

REIMANN, Maximilian
 REYMANN, Marc
 RIESTER, Walter
 RIGONI, Andrea
 RIVOLTA, Dario*
 RIZZI, Enrico/Nessa, Pasquale
 ROCHEBLOINE, François*
 ROSETA, Pedro*
 ROTH, Michael/Jonas, Klaus Werner
 RUSSELL-JOHNSTON, *
 RUSTAMYAN, Armen
 RUŽIĆ, Branko*
 RYBAK, Volodymyr
 RZYMELKA, Jan
 ŠAMI, Zoran
 SCHIEDER, Peter
 SCHMIED, Walter*
 SCHNEIDER, André
 SCHREINER, Bernard
 SERNA, Juana/Cortajarena, Elvira
 SEVERIN, Adrian
 SEVERINSEN, Hanne
 SEYIDOV, Samad
 SHAKHTAKHTINSKAYA, Naira*
 SHARANDIN, Yuri*
 SIEBERT, Bernd/Hedrich, Klaus-Jürgen
 SKARBØVIK, Elsa
 SKARPHÉDINSSON, Össur*
 SLUTSKY, Leonid
 SMITH, Geraldine*
 SPINDELEGGER, Michael
 STĂNOIU, Rodica Mihaela/Păunescu, Adrian
 STEENBLOCK, Rainer
 STEPANIUC, Victor*
 SUDARENKOV, Valeriy*
 SYMONENKO, Petro*
 SZABÓ, Zoltán*
 SZCZYGLÓ, Aleksander*
 TAYLOR, Teddy/Hooper, Gloria
 TEKELIOĞLU, Mehmet*
 TEPŠI, Qazim
 TEVDORADZE, Elene
 TIMMERMANS, Frans/Platvoet, Leo
 TOROSYAN, Tigran
 TOSHEV, Latchezar
 TRITZ, Marianne*
 URBÁNI, Milan
 VAKILOV, Vagif/Huseynov, Rafael
 VAN DEN BRANDE, Luc
 VAREIKIS, Egidijus
 VARVITSIOTIS, Miltiadis
 VELIKOV, Borislav*
 VERA JARDIM, José*
 VERMOT-MANGOLD, Ruth-Gaby*
 VIS, Rudolf*
 VISSER, Arno/Veenendaal, Jelleke
 VOSGANIAN, Varujan*
 VRETTOS, Konstantinos*
 WIELOWIEYSKI, Andrzej
 WILKINSON, John
 WILLE, Paul
 van WINSEN, Bart
 WODARG, Wolfgang*
 WOHLLEBEN, Verena/Rupprecht, Marlene

WOHLWEND, Renate
 WRAY, James*
 WRIGHT, G.V.*
 WURM, Gisela
 ZACCHERA, Marco*
 ZAPFL-HELBLING, Rosmarie*
 ZAVGAYEV, Akhmar*
 ZHEVAGO, Kostyantyn*
 ZHIRINOVSKY, Vladimir/Fomenko, Alexander
 ZIUGANOV, Guennady*
 ŽIŽIĆ, Zoran*
 de ZULUETA, Tana*
 ŽUŽUL, Miomir*
 ZVARYCH, Roman/Shybko, Vitaliy
 Vacant seat CY/ -

ALSO PRESENT

Representatives and Substitutes not authorized to vote:

BANAC, Ivo
 BURLISON Lord
 DENDIAS, Nikolaos
 FALZON, Joseph
 FAUTRIER, Catherine
 MARQUET, Bernard
 SIZOPOULOS, Marinos

Special Guests

-

Observers

ALCERRECA, Victor
 CELAYA, Lino
 COHEN, Ran
 GONZALEZ CARRILLO, Adriana
 KARA, Ayoub
 LYNCH-STAUNTON, John
 MARGÁIN BERLANGA, Fernando
 SOTO SÁNCHEZ, Antonio

Others

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