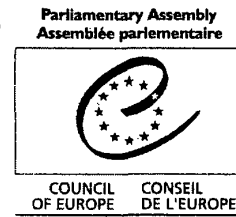


Parliamentary Assembly
Assemblée parlementaire



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2005 ORDINARY SESSION

(Second Part)

TWELFTH SITTING

Wednesday 27 April 2005 at 10 a.m.

MINUTES OF PROCEEDINGS

Mr René van der Linden, President of the Assembly, took the Chair at 10.05 a.m.

1. MINUTES

The Minutes of the tenth sitting were adopted.

2. ATTENDANCE REGISTER

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

3. CHANGES IN MEMBERSHIP OF COMMITTEES

The Assembly ratified the changes in the membership of committees as set out in Doc. Commissions (2005) 4 Addendum 2.

4. ELECTION OF A JUDGE TO THE EUROPEAN COURT OF HUMAN RIGHTS IN RESPECT OF LATVIA

The President announced that the election of a judge to the European Court of Human Rights would be held between 10.00 a.m. and 1.30 p.m. Mr Ertsborn and Mr Kostenko were appointed by lot as tellers.

5. ASSISTANCE TO PATIENTS AT END OF LIFE

The Report of the Social, Health and Family Affairs Committee on assistance to patients at end of life (Doc. 10455) was presented by Mr Marty, Rapporteur.

Mr McNamara made a personal statement.

The opinion of the Committee on Legal Affairs and Human Rights (Doc. 10495) was presented by Mr Holovaty, Chairman of the Committee.

The debate was opened.

Speakers: Mrs Err, MM Lintner, Dees, Baroness Knight, MM Kox, Dreyfus-Schmidt, Rigoni.

6. ELECTION OF A JUDGE TO THE EUROPEAN COURT OF HUMAN RIGHTS IN RESPECT OF LATVIA

The President reminded the Assembly that the ballot for the election of a judge to the European Court of Human Rights would close at 1.30 p.m.

7. ASSISTANCE TO PATIENTS AT END OF LIFE (CONTINUED)

Speakers: MM Jurgens, Davern, Colombier, Grebennikov, Rochebloine, Czinege, Eörsi, Geveaux, Huss, Fedorov, Wodarg, Mrs Vermot-Mangold, Ms Gonzalez Carrillo.

The list of speakers was interrupted.

The text of the remaining speeches could be printed in the Official Report.

8. ELECTION OF A JUDGE TO THE EUROPEAN COURT OF HUMAN RIGHTS IN RESPECT OF LATVIA

The President reminded the Assembly that the ballot for the election of a judge to the European Court of Human Rights would close at 1.30 p.m.

9. ASSISTANCE TO PATIENTS AT END OF LIFE (CONTINUED)

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

The debate was closed.

The Assembly considered the draft resolution contained in Doc. 10455.

The President announced that the amendments to the draft resolution would be considered in the following order: Nos. 1 (*English only*), 51, 29, 52, 2, 10, 11, 53, 30, 27, 54, 31, 32, 55, 33, 3, 34, 56, 57, 4, 12, 35 & 44 (*identical*), 65, 58, 45, 36, 37, 46, 13, 66, 59, 5, 26, 38, 14, 6, 15, 60, 16 to 18, 28, 39, 61, 47, 7, 62, 40 & 48 (*identical*), 20, 19, 21, 67, 63, 8, 22, 9, 68, 41 & 49 & 69 (*identical*), 23, 42 & 50 & 64 (*identical*), 70, 24 (*French only*), 43, 25, 71.

An amendment (No. 1) was proposed by Mr Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, paragraph 1, replace the words "pointed out in" with the word:

"recalls".

Speaker: Mr Holovaty.

The amendment was agreed to.

Another amendment (No. 51) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, Mr Adolfo Fernández Aguilar, in the draft resolution, paragraph 1, third sentence, after the term "inter alia" insert the following words :

"that it is essential to protect human life and".

Speaker: Mr Gubert.

The amendment was agreed to.

Another amendment (No. 29) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, delete paragraph 2.

Speakers: MM McNamara, Dees.

The amendment was not agreed to.

Another amendment (No. 52) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, paragraph 2.i, replace the terms "that specifically address the issue of euthanasia" with the words:

"which, contrary to Recommendation 1418, allow euthanasia to be practised under certain conditions".

Speakers: MM Gubert, Jurgens.

The amendment was not agreed to.

Another amendment (No. 2) was proposed by Mr Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, paragraph 2.ii, delete the word "even".

Speaker: Mr Holovaty.

The amendment was agreed to.

Another amendment (No. 10) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mrs Arlette Grosskost, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, in the draft resolution, after paragraph 2.ii, insert the following sub-paragraph:

"France recently adopted legislation on limitation and termination of treatment which, while rejecting any legalisation of euthanasia, institutes a right to allow a person to die;".

Speaker: Mr Geveaux.

An oral sub-amendment, to the amendment, was proposed by Mr Marty, to insert the word "active" before the word "euthanasia" in the proposed text of Amendment No. 10.

The President declared that the oral sub-amendment did meet the criteria of Rule 34.6a, but that at least ten members having objected, in accordance with Rule 34.6b, the oral sub-amendment could not be taken into consideration.

Speaker: Mr Marty.

The amendment was agreed to.

Another amendment (No. 11) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mrs Arlette Grosskost, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, paragraph 2.iii, replace the words "are highly sensitive to this issue and in several countries there seems to be a majority in favour of euthanasia, at least in a limited number of very special cases" with the following words:

"apprehend the end of life with great anxiety and fear of decrepitude, and speculate about the existing means to relieve physical pain and to sooth spiritual anguish".

Speaker: Mr Geveaux.

An oral sub-amendment, to the amendment, was proposed by Mr Marty, in the draft resolution, replace the proposed text of Amendment No. 11 with the following words:

"are highly sensitive and apprehend the end of life with great anxiety and fear of decrepitude, and speculate about the existing means to relieve physical pain and to soothe spiritual anguish. In several countries there seems to be a majority in favour of euthanasia, at least in a limited number of very special cases".

The President declared that the oral sub-amendment did meet the criteria of Rule 34.6a; but that at least ten members having objected, in accordance with Rule 34.6b, the oral sub-amendment could not be taken into consideration.

Speaker: MM Glesener, Dreyfus-Schmidt.

The amendment was not agreed to.

Another amendment (No. 53) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, paragraph 2.iii, replace the word "several" with the word :

"certain".

Speaker: Mr Gubert.

The amendment was agreed to.

Another amendment (No. 30) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 2.iii, replace the words "a majority in favour" with the following words:

"numerous partisans of legalisation".

Speaker: Mr McNamara.

The amendment was agreed to.

Another amendment (No. 27) was proposed by Mr Pasquale Nessa, Mr Andrea Rigoni, Mrs Patrizia Paoletti Tangheroni, Mr Enrico Rizzi, Mr Renzo Gubert, Mr Gianpietro Scherini, Mr Giovanni Mauro, in the draft resolution, paragraph 2.iv, replace the words "some serious scientific studies" with the following words:

"numerous surveys".

Speaker: Mr Nessa.

An oral sub-amendment, to the amendment, was proposed by Mr Marty, in amendment No. 27, before the words "numerous surveys", insert the words:

"some serious scientific studies and".

The President declared that the oral sub-amendment did meet the criteria of Rule 34.6a, but that at least ten members having objected, in accordance with Rule 34.6b, the oral sub-amendment could not be taken into consideration.

Speaker: MM Dees, Marty.

The amendment was agreed to.

Another amendment (No. 54) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, paragraph 2.iv, after the words "various forms of euthanasia are" insert the word:

", unfortunately,".

Speakers: MM Gubert, Jurgens.

The amendment was agreed to.

Another amendment (No. 31) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, after paragraph 2, insert the following paragraph:

"On the other hand, since the right to life and the juridical protection of human dignity, as well as the right to non-discrimination of patients is involved, the reflection will need to bear in mind these principles which the Assembly cannot put aside."

Speaker: Mr McNamara.

The amendment was agreed to.

Another amendment (No. 32) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, after paragraph 2, insert the following paragraph:

"The continual advance of medical science and the increased life expectancy associated with it may make available more adequate care for the terminally ill without imposing on them inappropriate or disproportionate treatments (problem of excessive medical treatment)."

Speaker: Mr McNamara.

The amendment was agreed to.

Another amendment (No. 55) was proposed by Mr Renzo Gubert, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, replace paragraph 3 with the following:

"The Assembly is perfectly aware that this is a very delicate issue insofar as it concerns a fundamental human right, namely the right to life, which must be protected in all countries. The approach to the problem and the solutions we seek must not necessarily be the same for all countries. In any case, allowing euthanasia means breaching the inviolable principle that human rights and dignity must be respected."

Speakers: MM Gubert, Jurgens.

The amendment was agreed to.

The President announced that as a result of amendment No. 55 being agreed to, tabled amendment 33 had fallen.

Another amendment (No. 33) had been tabled by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 3, delete the second sentence.

The amendment was pre-empted by amendment No. 55.

Another amendment (No. 3) was proposed by Mr Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, paragraph 4, after the words "genuine policy of", insert the following words:

"physical, moral and spiritual".

Speaker: Mr Holovaty.

The amendment was agreed to.

Another amendment (No. 34) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 4, replace the words "which does not cause them to want to die" with the following words:

"which avoids that a wish to die arises".

Speaker: Mr McNamara.

The amendment was agreed to.

Another amendment (No. 56) was proposed by Mr Renzo Gubert, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, Mr Andrzej Wielowieyski, in the draft resolution, paragraph 4.i, delete the words: “, while also realising that it may shorten his or her life in certain cases”.

Speakers: MM Gubert, Dreyfus-Schmidt.

The amendment was not agreed to.

Another amendment (No. 57) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, paragraph 4.i, replace the term “may shorten his or her life” with the following words:

“might perhaps have some unintentional impact on the length of his or her life”.

Speaker: Mr Gubert.

The amendment was not agreed to.

Another amendment (No. 4) was proposed by Mr Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, at the end of paragraph 4.i, add the following text:

“if, to relieve dying patients’ suffering, doctors are obliged to use forms of treatment which may have the side-effect of shortening their lives, they must so inform those patients if they are conscious, or a relative if they are not. Doctors are not entitled to cause death deliberately;”.

Speakers: MM Holovaty, Dreyfus-Schmidt.

The amendment was agreed to.

Another amendment (No. 12) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mrs Arlette Grosskost, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, in the draft resolution, paragraph 4.iv, after the words “the development of”, insert the following words :

“legal rules and”.

Speakers: MM Geveaux, Marty.

The amendment was not agreed to.

Another amendment (No. 35) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 4.v, after the word “suicide”, insert the following words:

“and euthanasia”.

Speakers: MM McNamara, Marty.

The amendment was agreed to.

Another amendment (No. 44) in identical terms had been tabled by Mr Karl Donabauer, Mr Joseph Falzon, Mr Jeffrey Pullicino Orlando, Mr Georges Colombier, Ms Elsa Skarbøvik, Mr Latchezar Toshev, Mr Egidijus Vareikis, Mrs Helen D’Amato, Mrs Marie-Louise Bemelmans-Videc, Mr Murat Mercan, Mr Vlad Cubreacov, Mr Luc van den Brande.

Another amendment (No. 65) was proposed by Mr Wolfgang Wodarg, Mr Klaus Werner Jonas, Mr Eduard Lintner, Mr Joachim Hörster, Mr Bent Høie, in the draft resolution, paragraph 5, delete the first sentence.

Speakers: MM Wodarg, Jurgens,

Speaker (on a point of order): Mr Marty.

The amendment was not agreed to.

Another amendment (No. 58) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, paragraph 5, first sentence, after the word "euthanasia" add the following words:

" , whether legal or conducted."

Speakers: MM Gubert, Dreyfus-Schmidt.

The amendment was not agreed to.

Another amendment (No. 45) was proposed by Mrs Helen D'Amato, Mr Jeffrey Pullicino Orlando, Mr Joseph Falzon, Mr Georges Colombier, Ms Elsa Skarbøvik, Mr Latchezar Toshev, Mr Egidijus Vareikis, Mr Murat Mercan, Mr Luc Van den Brande, Mr Vlad Cubreacov, in the draft resolution, paragraph 5, delete the words "in secret or in a legal vacuum, as highlighted by recent studies".

Speakers: Mrs D'Amato, Mr Jurgens.

The amendment was agreed to.

The President announced that as a result of amendment No. 45 being agreed to, tabled amendment No. 36 had fallen.

Another amendment (No. 36) had been tabled by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 5, replace the words "in secret or in a legal vacuum" with the following words:

"in a clandestine way or taking advantage of legal ambiguities".

The amendment was pre-empted by amendment No. 45.

Another amendment (No. 37) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 5, replace the words "and their rights should therefore be clearly established and effective machinery put in place to guarantee the exercise of and full respect for those rights." with the following words:

". Therefore, the protection of human dignity at every moment of life should be reaffirmed."

Speaker: Mr McNamara.

The amendment was agreed to.

The President announced that as a result of amendment No. 37 being agreed to, tabled amendment No. 46 had fallen.

Another amendment (No. 46) had been tabled by Mrs Helen D'Amato, Mr Jeffrey Pullicino Orlando, Mr Joseph Falzon, Mr Georges Colombier, Ms Elsa Skarbøvik, Mr Latchezar Toshev, Mr Egidijus Vareikis, Mr Murat Mercan, Mr Luc Van den Brande, Mr Vlad Cubreacov, in the draft resolution, paragraph 5, replace the words "their rights should therefore be clearly established and effective machinery put in place to guarantee the exercise of and full respect for those rights" with the following words:

"to reaffirm the protection of human dignity at every moment of life".

The amendment was pre-empted by amendment No. 37.

Another amendment (No. 13) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mrs Arlette Grosskost, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, in the draft resolution, paragraph 5.ii, replace the words "the right of any patient capable of discernment" by the following words:

"the right of a patient when capable of expressing his or her will,".

Speaker: Mr Geveaux.

An oral sub-amendment, to the amendment, was proposed by Mr Marty, in amendment No. 13, replace the words "when capable" with the words:

"capable of discernment and".

The President declared that the oral sub-amendment did meet the criteria of Rule 34.6a; but that at least ten members having objected, in accordance with Rule 34.6b, the oral sub-amendment could not be taken into consideration.

Speakers: Mr Dreyfus-Schmidt, Marty, Glesener.

The amendment was not agreed to.

Another amendment (No. 66) was proposed by Mr Wolfgang Wodarg, Mr Klaus Werner Jonas, Mr Eduard Lintner, Mr Joachim Hörster, Mr Bent Høie, in the draft resolution, paragraph 5.ii, after the words "aware of the facts, to", insert the following words:

"accept or".

Speaker: Mr Wodarg.

The amendment was agreed to.

Another amendment (No. 59) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, at the end of paragraph 5.ii, add the following words:

"if it is particularly invasive and positive outcomes are very uncertain".

Speakers: MM Gubert, Jurgens.

The amendment was not agreed to.

Another amendment (No. 5) was proposed by Mr Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, at the end of paragraph 5.ii, insert the following words:

"by the doctor; the doctor must explain to the patient the consequences of the refusal of treatment. He must fully record this in the patient's medical notes;".

Speaker: Mr Holovaty.

The amendment was agreed to.

Another amendment (No. 26) was proposed by Mr Pasquale Nessa, Mr Andrea Rigoni, Mrs Patrizia Paoletti Tangheroni, Mr Renzo Gubert, Mr Gianpietro Scherini, Mr Giovanni Mauro, in the draft resolution, replace paragraph 5.iii with the following sub-paragraph:

"the right of all adults to appoint a representative or to draw up advance directives in case they should one day be incapable of expressing their will. The representative's mandate or the advance directives would concern the person's wishes as regards the types of medical treatment to be maintained, limited or terminated. They may be revoked at any time;".

Speaker: Mr Nessa.

The amendment was not agreed to.

Another amendment (No. 38) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, replace paragraph 5.iii with the following sub-paragraph:

"the right of every patient to designate a representative or to put down living wills or advance decisions for the case in which he or she should one day not be in a position to express his or her will. The mandate of the representative or the living wills or advance decisions relates to the patient's will regarding the upholding, limiting or stopping of medical treatment. They may be revoked at any moment;"

Speaker: Mr McNamara.

The amendment was agreed to.

The President announced that as a result of amendment No. 38 being agreed to, tabled amendments Nos. 14, 6 and 15 had fallen.

Another amendment (No. 14) had been tabled by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mrs Arlette Grosskost, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, in the draft resolution, paragraph 5.iii, replace the words "living wills" with the following words:

"advance directives".

Another amendment (No. 6) had been tabled by Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, paragraph 5.iii, after the words " "living wills" ", insert the following words:

"or "advance decisions",".

Another amendment (No. 15) had been tabled by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mrs Arlette Grosskost, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, in the draft resolution, paragraph 5.iii, replace the words " representative for medical matters" with the following words:

"trusted person".

The amendments were pre-empted by amendment No. 38.

Another amendment (No. 60) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, at the end of paragraph 5.iii, add the following words:

“; such presumed or manifested will of patients or their representatives shall be null and void if it expresses the desire for the patients' lives to be ended deliberately, either actively or by withdrawing normal treatment from them;”.

Speakers: MM Gubert, Jurgens.

The amendment was not agreed to.

Another amendment (No. 16) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mrs Arlette Grosskost, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, in the draft resolution, paragraph 5.iv, replace the words "independent second medical opinion" with the following words:

"opinion of a practitioner other than the doctor in attendance".

Speakers: MM Geveaux, Dreyfus-Schmidt.

The amendment was not agreed to.

Another amendment (No. 17) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mrs Arlette Grosskost, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, in the draft resolution, delete paragraph 5.v.

Speakers: MM Geveaux, Dreyfus-Schmidt.

The amendment was not agreed to.

Another amendment (No. 18) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, in the draft resolution, replace paragraph 5.vi with the following sub-paragraph:

" the introduction, where they do not yet exist, of provisions and procedures guaranteeing, where the patient is in no condition to express his will, that his advance directives shall be heeded and the trusted person, the family, relations or friends and the medical and nursing staff shall be consulted. These rules should stipulate that in all circumstances the final decision to limit or terminate treatment rests strictly with the doctors and that the decision must be recorded in a document accessible to all."

Speakers: MM Geveaux, Jurgens.

The amendment was not agreed to.

Another amendment (No. 28) was proposed by Mr Pasquale Nessa, Mrs Patrizia Paoletti Tangheroni, Mr Enrico Rizzi, Mr Renzo Gubert, Mr Gianpietro Scherini, Mr Giovanni Mauro, in the draft resolution, replace paragraph 6 with the following paragraphs:

"The Assembly, one of whose principal assignments is to secure the fundamental rights set out in the European Convention on Human Rights, being perfectly well aware that in the current situation and in view of the diversity of cultural and religious sensitivities in the member States, it is hardly possible to recommend a universal model for all to follow, nevertheless recommends that the Committee of Ministers instructs a working group:

- i. set up or, if they exist already, reinforce palliative care units and, as far as possible, home care and other appropriate health facilities for the terminally ill;
- ii. promote or consolidate a comprehensive suicide prevention policy ;
- iii. pay particular attention that the current social changes in many countries in Europe, such as the ageing of the population and increasing health costs, do not give rise to social or family pressure to seek assistance with suicide or to request euthanasia, undermining society's feeling of responsibility towards elderly and dependent persons.

The Assembly also recommends that the member states:

- i. analyse objectively and in depth the experience with the legislation introduced in the Netherlands and Belgium and the bills on the subject currently being discussed in other countries;
- ii. take the necessary steps to recognise and guarantee specific rights for patients at the end of life, i.e. right to information, patient's consent, representatives for medical matters, collegiate decisions by the medical profession, traceability of decisions and the right to decide what to do with one's person;
- iii. accurately define the responsibilities and procedures for discontinuing treatment where it will only secure a slight prolongation of life without any hope of survival and inflict unnecessary additional suffering on the patient;
- iv. promote public discussion so as to create the greatest possible transparency and accountability in an area at present too often subject to decisions taken by the medical and paramedical profession without any form of control".

The President announced that, if passed, Amendment No. 28 would convert the text of the draft resolution contained in Doc. 10455 into a draft recommendation.

Speaker: Mr Nessa.

Speaker (on a point of order): Mr Jurgens.

The amendment was not agreed to.

Another amendment (No. 39) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 6, replace the words "The Assembly, being perfectly well aware that in the current situation and in view of the diversity of cultural and religious sensitivities in the member states, it is hardly possible to recommend a universal model for all to follow, nevertheless recommends that member states of the Council of Europe should:" with the following words:

"Notwithstanding the cultural and religious diversity that one notices in the different countries, the Council of Europe must act in such a way that always ensures the fundamental rights formulated in the European Convention on Human Rights and Fundamental Freedoms. The Assembly recommends that member states of the Council of Europe should:".

Speakers: MM McNamara, Jurgens.

The amendment was not agreed to.

Another amendment (No. 61) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, paragraph 6, first sentence, replace the words "a universal model for all to follow" with the following words:

"universally valid arrangements for assisting patients at end of life".

Speakers: MM Gubert, Dreyfus-Schmidt.

The amendment was not agreed to.

Another amendment (No. 47) was proposed by Mrs Helen D'Amato, Mr Jeffrey Pullicino Orlando, Mr Joseph Falzon, Mr Georges Colombier, Ms Elsa Skarbøvik, Mr Latchezar Toshev, Mr Egidijus Vareikis, Mr Murat Mercan, Mr Luc Van den Brande, Mr Vlad Cubreacov, Mrs Marie-Louise Bemelmans-Videc, in the draft resolution, paragraph 6.i, replace the words "and in depth the experience with the legislation introduced in the Netherlands and Belgium and the bills on the subject currently being discussed in other countries;" with the words:

", in depth and critically, the experience with the legislation introduced in the Netherlands and Belgium and legislation in France and in other countries where euthanasia is not permitted;".

Speaker: Mrs D'Amato.

The amendment was agreed to.

The President announced that as a result of amendment No. 47 being agreed to, tabled amendment No. 7 had fallen.

Another amendment (No. 7) had been tabled by Mr Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, paragraph 6.i, delete the words "in the Netherlands and Belgium" and replace at the end of the paragraph the words "other countries" with the following words:

"member states".

The amendment was pre-empted by amendment No. 47.

Another amendment (No. 62) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, at the end of paragraph 6.i., add the following words:

"with a view to checking their compatibility with Recommendation 1418 (1999)".

Speakers: MM Gubert, Dreyfus-Schmidt.

The amendment was not agreed to.

Another amendment (No. 40) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, delete paragraph 6.ii.

Speakers: MM McNamara, Bindig.

The amendment was not agreed to.

Another amendment (No. 48) in identical terms had been tabled by Mrs Helen D'Amato, Mr Jeffrey Pullicino Orlando, Mr Joseph Falzon, Mr Georges Colombier, Ms Elsa Skarbøvik, Mr Latchezar Toshev, Mr Egidijus Vareikis, Mr Murat Mercan, Mr Luc Van den Brande, Mr Vlad Cubreacov and others.

Another amendment (No. 20) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, Mrs Arlette Grosskost, in the draft resolution, paragraph 6.ii, replace the words "representative for medical matters" with the following words:

"consultation of the advance directives, the trusted person, the family or close relatives and friends".

Speakers: MM Geveaux, Schmied.

The amendment was not agreed to.

Another amendment (No. 19) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, Mrs Arlette Grosskost, in the draft resolution, paragraph 6.ii, replace the words "representatives for medical matters" with the following words:

"trusted person".

Speakers: MM Geveaux, Marty.

The amendment was not agreed to.

Another amendment (No. 21) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, Mrs Arlette Grosskost, in the draft resolution, paragraph 6.ii, replace the words "traceability of decisions and the right to decide what to do with one's person" with the following words:

"transparency of the procedure and traceability of the medical decision".

Speakers: MM Geveaux, Dreyfus-Schmidt.

The amendment was not agreed to.

Another amendment (No. 67) was proposed by Mr Wolfgang Wodarg, Mr Klaus Werner Jonas, Mr Eduard Lintner, Mr Joachim Hörster, Mr Bent Høie, in the draft resolution, paragraph 6.ii, replace the words "decide what to do with one's person" with the following words:

"accept or decline the treatment proposed".

Speakers: MM Wodarg, Dreyfus-Schmidt.

The amendment was agreed to.

Another amendment (No. 63) was proposed by Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla, in the draft resolution, at the end of paragraph 6.ii, add the following words:

“, without under any circumstances establishing a right or freedom deliberately to end one’s life or have it ended”.

Speakers: MM Gubert, Jurgens.

The amendment was not agreed to.

Another amendment (No. 8) was proposed by Mr Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, after paragraph 6.ii, insert the following sub-paragraph:

“make an effort to determine the presumed wishes of patients who are no longer able to express their wishes, including through discussing the issue of advance decisions or through the appointment of a representative mandated by the patient to deal with medical questions (“representative for medical matters”). When discussing advance decisions, member states should bear in mind the safeguards around these; advance decisions dealing with life-sustaining treatment should be in writing and properly signed and witnessed;”.

Speaker: Mr Holovaty.

The amendment was agreed to.

Another amendment (No. 22) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, Mrs Arlette Grosskost, in the draft resolution, at the end of paragraph 6.iii, add the following words:

“ensuring that palliative care culture is not confined to a few departments but disseminated throughout all hospital departments and relies on the development of mobile teams”.

Speaker: Mr Geveaux,

The amendment was agreed to.

Another amendment (No. 9) was proposed by Mr Holovaty, on behalf of the Committee on Legal Affairs and Human Rights, in the draft resolution, after paragraph 6.iii, insert the following sub-paragraph:

“draw up, when they do not already exist, specific recommendations on patients who, without being terminally ill, may request that all treatment be stopped or restricted and on intensive care of the newborn;”.

Speaker: Mr Holovaty.

The amendment was agreed to.

Another amendment (No. 68) was proposed by Mr Wolfgang Wodarg, Mr Klaus Werner Jonas, Mr Eduard Lintner, Mr Joachim Hörster, Mr Bent Høie, in the draft resolution, paragraph 6.iv, after the word “suicide”, insert the following words:

“and euthanasia”.

Speaker: Mr Wodarg.

The amendment was agreed to.

Another amendment (No. 41) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, delete paragraph 6.v.

Speakers: MM McNamara, Dreyfus-Schmidt.

The amendment was agreed to.

Amendments in identical terms had been tabled by Mrs Helen D'Amato, Mr Jeffrey Pullicino Orlando, Mr Joseph Falzon, Mr Georges Colombier, Ms Elsa Skarbøvik, Mr Latchezar Toshev, Mr Egidijus Vareikis, Mr Murat Mercan, Mr Luc Van den Brande, Mr Vlad Cubreacov, Mrs Marie-Louise Bemelmans-Videc (No. 49) and Mr Wolfgang Wodarg, Mr Klaus Werner Jonas, Mr Eduard Lintner, Mr Joachim Hörster, Mr Bent Høie (No. 69).

The President announced that as a result of amendment No. 41 being agreed to, tabled amendments Nos. 23, 42, 50 and 64 had fallen.

Another amendment (No. 23) had been tabled by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, Mrs Arlette Grosskost, in the draft resolution, replace paragraph 6.v with the following sub-paragraph:

"prevent practices of euthanasia through the introduction of regulations enforcing sound medical practices inspired by respect for the patient's rights, consultation of the patient's close relations and friends, and transparency and collegiality in medical decision-making;"

Another amendment (No. 42) had been tabled by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 6.v, delete the words "in a shroud of secrecy because of legal uncertainties or outdated norms".

Amendments in identical terms had been tabled by Mrs Helen D'Amato, Mr Jeffrey Pullicino Orlando, Mr Joseph Falzon, Mr Georges Colombier, Ms Elsa Skarbøvik, Mr Latchezar Toshev, Mr Egidijus Vareikis, Mr Murat Mercan, Mr Luc Van den Brande, Mr Vlad Cubreacov, Mrs Marie-Louise Bemelmans-Videc (No. 50) and Mr Renzo Gubert, Mr Andrzej Wielowieyski, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Gaburro, Mr Egidijus Vareikis, Mr Gabino Puche, Mr Adolfo Fernández Aguilar, Mr Murat Mercan, Mr Latchezar Toshev, Mr Göran Lindblad, Mr Julio Padilla (No. 64).

The amendments were pre-empted by amendment No. 41.

Another amendment (No. 70) was proposed by Mr Wolfgang Wodarg, Mr Klaus Werner Jonas, Mr Eduard Lintner, Mr Joachim Hörster, Mr Bent Høie, in the draft resolution, delete paragraph 6.vi.

Speakers: MM Wodarg, Jurgens.

The amendment was not agreed to.

Another amendment (No. 24) was proposed by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, Mrs Arlette Grosskost, in the draft resolution, paragraph 6.vi, replace the French words "et infligeant" with the words:

"et infligent" (English unchanged).

Speakers: MM Geveaux, Jurgens.

The amendment was agreed to.

Another amendment (No. 43) was proposed by Mr Kevin McNamara, Mr Thomas Cox, Mr Eduard Lintner, Sir Sydney Chapman, Mr John Wilkinson, Mr Syd Rapson, in the draft resolution, paragraph 6.vii, replace the words "accountability in an area too often subject to decisions taken by the medical and paramedical profession without any form of control" with the following words:

"a higher level of information for the public about the possibilities of palliative care and the dangers linked with legalisation favouring euthanasia (e.g. abuse)".

Speakers: MM McNamara, Marty.

The amendment was agreed to.

The President announced that as a result of amendment No. 43 being agreed to, tabled amendments Nos. 25 and 71 had fallen.

Another amendment (No. 25) had been tabled by Mr Jean-Marie Geveaux, Mr Georges Colombier, Mr Jean-Pierre Kucheida, Mr Bernard Schreiner, Mr Jean-Claude Mignon, Mr André Schneider, Mr Gilbert Meyer, Mr Jean-Guy Branger, Mrs Arlette Grosskost, in the draft resolution, paragraph 6.vii, replace the words "to decisions taken by the medical and paramedical profession without any form of control" with the following words:

"to decisions that may be taken by the medical profession in breach of the rules of medical transparency and of good medical practices".

Another amendment (No. 71) had been tabled by Mr Wolfgang Wodarg, Mr Klaus Werner Jonas, Mr Eduard Lintner, Mr Joachim Hörster, Mr Bent Høie, in the draft resolution, paragraph 6.vii, after the words "paramedical profession", insert the following words:

"and organisations".

The amendments were pre-empted by amendment No. 43.

Speakers (on a point of order): Mr Marty.

The Assembly did not adopt the draft resolution contained in Doc. 10455, as amended.

10. ELECTION OF A JUDGE TO THE EUROPEAN COURT OF HUMAN RIGHTS IN RESPECT OF LATVIA

The President announced that the ballot for the election of a judge to the European Court of Human Rights was closed.

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

The next sitting was fixed for Wednesday 27 April 2005 at 3 p.m. with the following orders of the day:

- 1. Address by Mr Jean-Claude Juncker, Prime Minister of Luxembourg and President of the Council of the European Union**
 - Questions
- 2a. Discrimination against women in the workforce and the workplace (Doc. 10484)**
 - Presentation by Mrs Čurdová of the report of the Committee on Equal Opportunities for Women and Men (Doc. 10484)
- 2b. Discrimination against women and girls in sport (Doc. 10483)**
 - Presentation by Mrs Aguiar of the report of the Committee on Equal Opportunities for Women and Men (Doc. 10483).
 - Joint debate and vote on the draft recommendations contained in Doc. 10484 and Doc 10483.
- 3. Migration and integration: a challenge and an opportunity for Europe (Doc. 10453)**
 - Presentation by Mr Branger of the report of the Committee on Migration, Refugees and Population (Doc. 10453).
 - Debate and vote on the draft resolution contained in Doc. 10453.

The sitting was closed at 1.15 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/Fernández Aguilar, Adolfo
 AGUIAR, Manuela*
 AHLQVIST, Birgitta
 ALIBEYLI, Gulamhuseyn
 ALITI, Rafis
 ANDRÉ, René*
 ANTTILA, Sirkka-Liisa
 ARIAS, Miguel*
 ARRIGO, Robert/D'Amato, Helen
 ARZILLI, Giuseppe*
 ATEŞ, Abdülkadir
 ATKINSON, David
 AZEVEDO, Maria Eduarda*
 AZZOLINI, Claudio
 BADRÉ, Denis*
 BANAC, Ivo
 BARGHOLTZ, Helena/Ertsborn, Jan
 BARTUMEU CASSANY, Jaume
 BATET, Meritxell
 BEMELMANS-VIDEC, Marie-Louise
 BENEŠ, Miroslav
 BERCEANU, Radu-Mircea*
 BERDZENISHVILI, Levan*
 BERISHA, Sali*
 BÉRZINŠ, Andris
 BIANCO, Gerardo
 BİLGEHAN, Gülsün
 BINDIG, Rudolf
 BLANKENBORG, Haakon*
 BOKERIA, Giorgi
 BRAUN, Márton*
 BREEN, Patrick/Bradford, Paul
 BRESTENSKÁ, Beáta
 BRUCE, Malcolm/Kilclooney of Armagh, John
 ÇAVUŞOĞLU, Mevlüt
 ÇEBECİ, Erol Aslan
 ČEKUOLIS, Jonas
 CHAPMAN, Sydney
 CHIKHRADZE, Pikria/Kurdadzé, Irine
 CHRISTMAS-MØLLER, Pia/Nielsen, Jakob-Axel
 CHRISTODOULIDES, Doros*
 CIEMNIAK, Grażyna*
 CILEVIČS, Boriss
 CIRCENE, Ingrida
 CLIVETI, Minodora
 COLLAVINI, Manlio/Paoletti Tangheroni, Patrizia
 COLOMBIER, Georges
 CORTÉS, Luis Eduardo/Fernández-Capel, Blanca
 COSARCIUC, Valeriu
 COŞKUNOĞLU, Osman
 COX, Thomas
 CSÁKY, András
 CUBREACOV, Vlad
 CZINEGE, Imre
 DAVERN, Noel
 DEBONO GRECH, Joseph/Falzon, Joseph
 DEDJA, Taulant*
 DEES, Dirk
 DEITTERT, Hubert
 DEVÍNSKY, Ferdinand
 DJUPEDAL, Øystein*
 DONABAUER, Karl
 DROMBERG, Kaarina/Sasi, Kimmo
 DRZEŹLA, Bernard*
 DURRIEU, Josette
 EKER, Mehdi
 ELO, Mikko
 ENGESET, Martin/Høie, Bent
 EÖRSI, Mátyás
 ERR, Lydie
 ETHERINGTON, Bill*
 EVIN, Claude/Loncle, François
 EXNER, Václav
 EYMER, Anke/Letzgus, Peter
 FARKAS, Iván
 FEDOROV, Valeriy
 FENECHIU, Relu*
 FERNÁNDEZ SORIANO, María Emelina/
 Aburto, María Rosario Fátima
 FICO, Robert*
 FILIPIOVÁ, Daniela/Jirsa, Tomáš
 FLYNN, Paul*
 FREIHERR von und zu GUTTENBERG, Karl
 Theodor*
 FRIÐLEIFSDÓTTIR, Siv/Jónsson, Birkir Jón
 FRUNDA, György*
 GABURRO, Giuseppe
 GARDETTO, Jean-Charles
 GASÓLIBA, Carles/Txueka, Ifaki
 GEDEI, József
 GILMORE, Eamon*
 GLÄVAN, Stefan
 GLESENER, Marcel
 GOERENS, Charles/Huss, Jean
 GOLDBERG, Pierre/Dreyfus-Schmidt, Michel
 GORIS, Stef
 GRACHEV, Vladimir*
 GREBENNIKOV, Valery
 GRIGNON, Francis
 GROSS, Andreas
 GRZYB, Andrzej/Wikiński, Marek
 GÜLÇİÇEK, Ali Riza
 GUSENBAUER, Alfred/Lindinger, Ewald
 HADŽIAHMETOVIĆ, Azra*
 HAGBERG, Michael
 HAJIYEVA, Gultakin*
 HENRY, Jean-Pol
 HERKEL, Andres
 HIMMER, Harald
 HLADIY, Mykhailo
 HÖFER, Gerd
 HÖGMARK, Anders G.
 HOLOVATY, Serhiy

HÖRSTER, Joachim
 HURSKAINEN, Sinikka
 HUSEYNOV, Ali*
 IANNUZZI, Raffaele/Nessa, Pasquale
 ILAŞCU, Ilie
 INCEKARA, Halide
 IVANOV, Sergei
 IWIŃSKI, Tadeusz
 JACYNA-ONYSZKIEWICZ, Zbigniew
 JÄGER, Renate
 JAHIĆ, Elmir*
 JAŘAB, Josef
 JASKIERNIA, Jerzy
 JÁUREGUI, Ramón
 JUDD, Frank
 JUNG, Armand*
 JURGENS, Erik
 KAIKKONEN, Antti
 KALANOVIĆ, Verica
 KALEZIĆ, Ivan
 KÁRAPETYAN, Karen/Geghamyan, Artashes
 KARPOV, Oleksandr*
 KATSELI, Eleonora*
 KAZAKOV, Alexandre Ivanovich
 KIRILOV, Evgeni*
 KLYMPUSH, Orest/Vaschuk, Kateryna
 KNIGHT OF COLLINGTREE, Jill
 KOCHARYAN, Shavarsh
 KOÇI, Petro*
 KOSACHEV, Konstantin
 KOSTENKO, Yuriy
 KOVALEV, Nikolay*
 KOVALEV, Yuri*
 KRSTEVSKI, Zoran
 KUCHEIDA, Jean-Pierre
 KUCLER-DOLINAR, Mojca
 KVAKKESTAD, André*
 LACHNIT, Petr
 LALOY, Marie-José
 LAMBERT, Geert/Bousakla, Mimount
 LANDRAIN, Edouard*
 LATVIŽAR-BEBLER, Darja
 LEGENDRE, Jacques/Geveaux, Jean-Marie
 LEPPER, Andrzej*
 LEUTHEUSSER-SCHNARRENBERGER, Sabine
 van der LINDEN, René
 LINTNER, Eduard
 LLOYD, Tony/Foulkes, George
 LOBKOWICZ, Jaroslav
 LOUTFI, Younal
 LUCYGA, Christine
 MALGIERI, Gennaro/Selva, Gustavo
 MANZELLA, Andrea/Mauro, Giovanni
 MARGELOV, Mikhail*
 MARQUET, Bernard
 MARTINS, Alberto*
 MARTY, Dick
 MASI, Tito*
 MASSERET, Jean-Pierre/Lengagne, Guy
 MATUŠIĆ, Frano/Letica, Slaven
 McCAFFERTY, Chris/Griffiths, Jane
 McNAMARA, Kevin
 MEDEIROS FERREIRA, José*

MEIMARAKIS, Evangelos*
 MELANDRI, Giovanna*
 MELČÁK, Miloš
 MELNIKOV, Ivan/Eltsov, Victor
 MERCAN, Murat
 MESSERSCHMIDT, Morten
 MIĆUNOVIĆ, Dragoljub
 MIGNON, Jean-Claude
 MIHKELSON, Marko
 MIKUTIENĖ, Dangutė/Bucevičius, Saulius
 MILIĆEVIĆ, Ljiljana
 MILOJEVIĆ, Goran/Gligorić, Tihomir
 MILOTINOVA, Milena
 MIMICA, Neven*
 MOKRY, Vladimir
 MONFILS, Philippe*
 MORTENSEN, Kim*
 MULAS, Giuseppe/Tirelli, Francesco
 NACHBAR, Philippe/Branger, Jean-Guy
 NAKASHIDZÉ, Nino
 NARO, Giuseppe/ Gubert, Renzo
 NAROCHNITSKAYA, Natalia*
 NAZARÉ PEREIRA, António*
 NEGELE, Gebhard
 NÉMETH, Zsolt/Szalay, Gábor
 NIKOLIĆ, Tomislav
 NIKOLOPOULOS, Nikolaos/Dendias, Nikolaos
 OCCHETTO, Achille*
 O'HARA, Edward*
 OHLSSON, Carina/Hägg, 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*
 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*
 PYSARENKO, Anatoliy
 QUESADA, Adoración*
 RAGUŽ, Martin
 RAKHANSKY, Anatoliy
 RANIERI, Umberto/Piscitello, Rino
 REIMANN, Maximilian/Dupraz, John
 REYMANN, Marc
 RIESTER, Walter

RIGONI, Andrea
RIVOLTA, Dario/Scherini, Gianpietro
RIZZI, Enrico
ROCHEBLOINE, François
ROSETA, Pedro*
ROTH, Michael/Jonas, Klaus Werner
RUSSELL-JOHNSTON,
RUSTAMYAN, Armen
RUŽIĆ, Branko
RYBAK, Volodymyr
RZYMEŁKA, Jan*
ŠAMI, Zoran
SCHIEDER, Peter
SCHMIED, Walter
SCHNEIDER, André
SCHREINER, Bernard
SERNA, Juana*
SEVERIN, Adrian
SEVERINSEN, Hanne
SEYIDOV, Samad
SHAKHTAKHTINSKAYA, Naira*
SHARANDIN, Yuri
SIEBERT, Bernd*
SKARBØVIK, Elsa
SKARPHÉDINSSON, Össur/Frimannsdóttir,
Margrét
SLUTSKY, Leonid
SMITH, Geraldine*
SPINDELEGGER, Michael
STĂNOIU, Rodica Mihaela*
STEENBLOCK, Rainer
STEPANIUC, Victor*
SUDARENKOV, Valeriy/Tulaev, Nikolay
SYMONENKO, Petro*
SZABÓ, Zoltán
SZCZYGŁO, Aleksander/Stuligrosz, Michał
TAYLOR, Teddy/Hooper, Gloria
TEKELIOĞLU, Mehmet*
TEPSHI, Qazim
TEVDORADZE, Elene
TIMMERMANS, Frans*
TOROSYAN, Tigran
TOSHEV, Latchezar
TRITZ, Marianne*
URBÁNI, Milan
VAKILOV, Vagif/Huseynov, R.
VAN DEN BRANDE, Luc
VAREIKIS, Egidijus
VARVITSIOTIS, Miltiadis*
VELIKOV, Borislav*
VERA JARDIM, José*
VERMOT-MANGOLD, Ruth-Gaby
VIS, Rudolf/Rapson, Syd
VISSER, Arno/Kox, Tiny
VOSGANIAN, Varujan*

VRETTOS, Konstantinos/Damanaki, Maria
WIELOWIEYSKI, Andrzej*
WILKINSON, John
WILLE, Paul
van WINSEN, Bart/van Thijn, Ed
WODARG, Wolfgang
WOHLLEBEN, Verena/Hoffmann, Jelena
WOHLWEND, Renate
WRAY, James*
WRIGHT, G.V./Ormonde, Ann
WURM, Gisela
ZACCHERA, Marco*
ZAPFL-HELBLING, Rosmarie
ZAVGAYEV, Akhmar/Chernyshenko, Igor
ZHEVAGO, Kostyantyn*
ZHIRINOVSKY, Vladimir*
ZIUGANOV, Guennady
ŽIŽIĆ, Zoran*
de ZULUETA, Tana
ŽUŽUL, Miomir*
ZVARYCH, Roman/Shybko, Vitaliy
Vacant seat CY/ -

ALSO PRESENT

Representatives and Substitutes not authorised
to vote :

BURLISON, Lord
FAUTRIER, Catherine
McHUGH, Paddy
ZINGERIS, Emanuelis

Special Guests

-

Observers

ALCÉRRECA, Victor Manuel
CAMACHO QUIROZ, César
CELAYA Lino
COHEN, Ran
GONZÁLEZ CAMILLO, Adriana
LOSIER- COOL, Rose-Marie
LYNCH STAUNTON, John
MARGÁIN BERLANGA, Fernando
MEDINA, Carlos
SÁNCHEZ CARREÑO, Sadot

Others

-

APPENDIX II

Representatives or Substitutes who took part in the ballot for the election of a judge to the European Court of Human Rights with respect to Latvia.

AÇIKGÖZ, Ruhi	ILAŞCU, Ilie
ADAM, Ulrich	IVANOV, Sergei
AGRAMUNT, Pedro/Fernández Aguilar, Adolfo	IWIŃSKI, Tadeusz
AHLQVIST, Birgitta	JACYNA-ONYSZKIEWICZ, Zbigniew
ALIBEYLI, Gulamhuseyn	JÄGER, Renate
ANTTILA, Sirkka-Liisa	JAŘAB, Josef
ARRIGO, Robert/D'Amato, Helen	JASKIERNIA, Jerzy
ATEŞ, Abdülkadir	JÁUREGUI, Ramón
ATKINSON, David	JUDD, Frank
AZZOLINI, Claudio	JURGENS, Erik
BARGHOLTZ, Helena/Ertsborn, Jan	KAIKKONEN, Antti
BARTUMEU CASSANY, Jaume	KALEZIĆ, Ivan
BATET, Meritxell	KLYMPUSH, Orest/Vaschuk, Kateryna
BEMELMANS-VIDEC, Marie-Louise	KNIGHT OF COLLINGTREE, Jill
BENEŠ, Miroslav	KOSTENKO, Yuriy
BĚRZINŠ, Andris	KUCHEIDA, Jean-Pierre
BIANCO, Gerardo	KUCLER-DOLINAR, Mojca
BINDIG, Rudolf	LACHNIT, Petr
BOKERIA, Giorgi	LATVIŽAR-BEBLER, Darja
BRESTENSKÁ, Beáta	LEUTHEUSSER-SCHNARRENBERGER, Sabine
ÇAVUŞOĞLU, Mevlüt	LINTNER, Eduard
CEBEÇI, Erol Aslan	LOBKOWICZ, Jaroslav
ČEKUOLIS, Jonas	LOUTFI, Younal
CHAPMAN, Sydney	LUCYGA, Christine
CHIKHRADZE, Pikria/Kurdadzé, Irine	MALGIERI, Gennaro/Selva, Gustavo
CILEVIČS, Boriss	MANZELLA, Andrea/Mauro, Giovanni
CIRCENE, Ingrīda	MARQUET, Bernard
COLOMBIER, Georges	MARTY, Dick
CORTÉS, Luis Eduardo/Fernández-Capel, Blanca	McCAFFERTY, Chris/Griffiths, Jane
COSARCIUC, Valeriu	McNAMARA, Kevin
CUBREACOV, Vlad	MELNIKOV, Ivan/Eltsov, Victor
DEITTERT, Hubert	MIGNON, Jean-Claude
DROMBERG, Kaarina/Sasi, Kimmo	MIHKELSON, Marko
DURRIEU, Josette	MILIČEVIĆ, Ljiljana
EKER, Mehdi	MILOTINOVA, Milena
ELO, Mikko	MOKRY, Vladimir
EÖRSI, Mátyás	NACHBAR, Philippe/Branger, Jean-Guy
ERR, Lydie	NAKASHIDZÉ, Nino
EXNER, Václav	NARO, Giuseppe/ Gubert, Renzo
EYMER, Anke/Letzgus, Peter	NEGELE, Gebhard
FEDOROV, Valeriy	NÉMETH, Zsolt/Szalay, Gábor
FILIPIOVÁ, Daniela/Jirsa, Tomáš	OHLSSON, Carina/Hägg, Carina
GABURRO, Giuseppe	ÖHMAN, Conny
GARDETTO, Jean-Charles	ØSTERGAARD, Morten/Lund, Rune
GEDEI, József	ÖZAL, Ibrahim
GOLDBERG, Pierre/Dreyfus-Schmidt, Michel	PANGALOS, Theodoros
GREBENNIKOV, Valery	PAPADIMITRIOU, Elsa
GROSS, Andreas	PAVLOV, Ivan
GÜLÇİÇEK, Ali Riza	PEKHTIN, Vladimir/ Smirnova, Svetlana
GUSENBAUER, Alfred/Lindinger, Ewald	PETROVA-MITEVSKA, Eleonora
HERKEL, Andres	PÉTURSDÓTTIR, Sólveig
HLADIY, Mykhailo	POTRATA, Majda
HÖFER, Gerd	PREDA, Cezar Florin
HÖGMARK, Anders G.	PUCHE, Gabino
HOLOVATY, Serhiy	PYSARENKO, Anatoliiy
HÖRSTER, Joachim	REIMANN, Maximilian/Dupraz, John
HURSKAINEN, Sinikka	RIESTER, Walter
HUSEYNOV, Ali/Mirzazada, Aydin	RIGONI, Andrea

RIVOLTA, Dario/Scherini, Gianpietro
RIZZI, Enrico
ROTH, Michael/Jonas, Klaus Werner
RUSSELL-JOHNSTON,
RYBAK, Volodymyr
SCHIEDER, Peter
SCHNEIDER, André
SCHREINER, Bernard
SEVERINSEN, Hanne
SEYDOV, Samad
SHARANDIN, Yuri
SKARBØVIK, Elsa
SLUTSKY, Leonid
SPINDELEGGER, Michael
STEENBLOCK, Rainer
SZABÓ, Zoltán
TEVDORADZE, Elene
TOSHEV, Latchezar

VAN DEN BRANDE, Luc
VAREIKIS, Egidijus
VERMOT-MANGOLD, Ruth-Gaby
VIS, Rudolf/Rapson, Syd
VISSER, Arno/Kox, Tiny
VRETTOS, Konstantinos/Damanaki, Maria
WILKINSON, John
WILLE, Paul
van WINSEN, Bart/van Thijn, Ed
WODARG, Wolfgang
WOHLLEBEN, Verena/Hoffmann, Jelena
WOHLWEND, Renate
WURM, Gisela
ZAPFL-HELBLING, Rosmarie
ZAVGAYEV, Akhmar/Chernyshenko, Igor
ZHIRINOVSKY, Vladimir/Fomenko, Alexander
de ZULUETA, Tana
Vacant seat CY/ -