

Parliamentary Assembly
Assemblée parlementaire

Europarådet (2. samling)
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2005 ORDINARY SESSION

(Second Part)

SIXTEENTH SITTING

Friday 29 April 2005 at 10 a.m.

MINUTES OF PROCEEDINGS

Mr Bernard Schreiner, a Vice-President of the Assembly, took the Chair at 10.05 a.m.

1. MINUTES

The Minutes of the twelfth, thirteenth, fourteenth and fifteenth sittings were adopted.

2. ATTENDANCE REGISTER

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

3. REFERENCES TO COMMITTEES

In accordance with Rule 24(2) of the Rules of Procedure, the Assembly ratified the following references to committees proposed by the Bureau at its meeting that morning:

- **Motion for a recommendation presented by Mr Huseynov and others on "Threat for the Iranian cultural heritage being a precious piece of the world civilisation" (Doc. 10517)**, for information, to the Committee on Culture, Science and Education (*Reference No. 3074*).
- **Motion for a resolution presented by Mr Preda and others on "Management of solid urban waste" (Doc. 10519)**, for information, to the Committee on the Environment, Agriculture and Local and Regional Affairs (*Reference No. 3075*).
- **Motion for a resolution presented by Mr Jakavonis and other on "Disposal and storage of spent nuclear fuel and long-lived radioactive nuclear waste" (Doc. 10522)**, for report, to the Committee on the Environment, Agriculture and Local and Regional Affairs (*Reference No. 3076*).
- **Motion for a resolution presented by Mr Margelov and others on "Inadmissibility of anti-Semitism in the social and political life of the Council of Europe member states" (Doc. 10523)**, for information, to the Political Affairs Committee (*Reference No. 3077*).
- **Motion for a resolution presented by Mr Fenechiu and others on "The Budapest-Odessa Corridor: the solution to a major problem in the transportation networks in Central and Eastern Europe" (Doc. 10524)**, for information, to the Committee on Economic Affairs and Development (*Reference No. 3078*).

- **Motion for a resolution presented by Mr Schmied and others on “The environment and the United Nations Millennium Development Goals” (Doc. 10525)**, for report, to the Committee on the Environment, Agriculture and Local and Regional Affairs (*Reference No. 3079*).
- **Motion for a recommendation presented by Mr Zingeris and others on “A series of travelling exhibitions of major European works of art” (Doc. 10526)**, for information, to the Committee on Culture, Science and Education (*Reference No. 3080*).
- **Motion for a recommendation presented by Mr McNamara and others on “Anti-terrorism legislation in the United Kingdom” (Doc. 10527)**, to be taken into account in the preparation of the report on “Respect for human rights in the fight against terrorism”, to the Committee on Legal Affairs and Human Rights (*Reference No. 3081*).
- **Motion for a recommendation presented by Mr McNamara and others on “Prosecution of offences falling within the jurisdiction of the International Criminal Tribunal for the Former Yugoslavia” (Doc. 10528)**, for information, to the Committee on Legal Affairs and Human Rights (*Reference No. 3082*).
- **Motion for a recommendation presented by Mr Van Den Brande and others on “The Council of Europe and the European neighbourhood policy of the European Union” (Doc. 10535)**, for report, to the Political Affairs Committee (*Reference No. 3083*).
- **Decision of the Bureau to refer the matter of the Interpretation of Article 15 of the General Agreement on Privileges and Immunities of the Council of Europe (letter by Chairperson of AS/PRO)**, for report, to the Committee on Rules of Procedure and Immunities (*Reference No. 3084*).

The Assembly also ratified the following extensions of references.

- **Motion for a resolution presented by Mr Iwiński and others on “Relations with Kazakhstan” (Ref. 2826 of 27/5/2005) (Doc. 9775)** extended to 31 December 2005.
- **Motion for a resolution presented by Mr Jurgens and others on “The concept of “nation”” (Ref. 2835 of 27/5/2005) (Doc. 9787)** extended to 27 November 2005.
- **Motion for a resolution presented by Ms Melandri and others on “The privatization of cultural property” (Ref. 2836 of 27/5/2005) (Doc. 9788)** extended to 27 November 2005.

4. WRITTEN DECLARATION

The President announced that, in accordance with Rule 53 of the Rules of Procedure, a written declaration, No. 364, on respect for the rights of the Timok Romanians (Eastern Serbia) (Doc. 10533), had been printed, signed by 23 Members of the Assembly.

Representatives or substitutes who wished to add their signatures to this written declaration could do so in the Table Office. If any names were added, the declaration would be distributed again two weeks after the end of the Part-Session, with all the accumulated signatures.

5. REFERENDUMS: TOWARDS GOOD PRACTICES IN EUROPE

The Report of the Political Affairs Committee on referendums: towards good practices in Europe (Doc. 10498) was presented by Mr Elo, Rapporteur.

The debate was opened.

Speakers: MM Čekuolis, Einarsson, Mrs Papadimitriou, MM Gross, Šami, Ms Radulović-Šćepanović, MM Kocharyan, Bojović, Torosyan, Žižić, Kalezić, Severing, Brajović.

Mr Elo, Rapporteur of the Political Affairs Committee, and Mr Toshev, Vice-Chairperson of the Committee, replied to the debate.

The debate was closed.

The Assembly considered the draft recommendation contained in Doc. 10498.

An amendment (No. 1) was proposed by Mr Luc Van Den Brande, Mr Lluís Maria De Puig, Mrs Hanne Severinsen, Mr Göran Lindblad, Mr Latchezar Toshev, Mr Bernard Schreiner, in the draft recommendation, after paragraph 1, insert the following paragraph:

"The Parliamentary Assembly considers referendums as one of the instruments enabling citizens to participate in the political decision-making process and recognises the essential contribution of organised civil society in the framework of participative democracy."

Speaker: Mr Toshev.

A sub-amendment (No. 1), to the amendment, was proposed by Mr Mikko Elo, on behalf of the Political Affairs Committee, in amendment 1, after the words "decision-making process", replace the word "and" with the following words:

"; it also".

Speaker: Mr Elo.

The sub-amendment was agreed to.

A sub-amendment (No. 2), to the amendment, was proposed by Mr Mikko Elo, on behalf of the Political Affairs Committee, in amendment 2, replace the word "participative" with the following word:

"participatory".

The sub-amendment was agreed to.

Speaker: Mr Toshev.

The amendment, as amended, was agreed to.

The Assembly agreed the draft recommendation contained in Doc. 10498, as amended, (*Recommendation 1704 (2005)*).

Mrs Papadimitriou, a Vice-President of the Assembly, took the Chair in place of Mr Schreiner.

6. SEA POLLUTION

The Report of the Committee on the Environment, Agriculture and Local and Regional Affairs, on sea pollution (Doc. 10485) was presented by Mr Lengagne, Rapporteur.

The debate was opened.

Speakers: MM Dupraz, Mirzazada, Schreiner, Steenblock.

Mr van der Linden, President of the Assembly, took the Chair in place of Mrs. Papadimitriou.

Speakers: MM Gardetto, Jakavonis.

Mr Lengagne, Rapporteur of the Committee on the Environment, Agriculture and Local and Regional Affairs, and Mr Schmied, Chairperson of the Committee, replied to the debate.

The debate was closed.

The Assembly considered the draft resolution contained in Doc. 10485.

The President announced that the amendments to the draft resolution would be considered in the following order: Nos. 2, 1.

An amendment (No. 2) was proposed by Mr Toomas Alatalu, Mr Saulius Bucevičius, Mr Andris Bērziņš, Mr Oskars Kastēns, Mrs Ingrīda Circene, Mrs Anta Rugāte, Mr Rudolf Bindig, Mr Kimmo Sasi, Mr Marko Mihkelson, Mr Andres Herkel, Mr Egidijus Vareikis, Mr Gediminas Jakavonis, in the draft resolution, at the end of paragraph 7, add the following words:

"and single-hull oil tankers should be forbidden."

Speakers: MM Jakavonis, Schmied.

The amendment was agreed to.

Another amendment (No. 1) was proposed by Mr Guy Lengagne, Mr John Dupraz, Mr György Frunda, Mr Adrian Severin, Mr Renzo Gubert, in the draft resolution, after paragraph 12.vi, insert the following sub-paragraph:

"sign and/or ratify the International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS Convention) and the Council of Europe Convention on the Protection of the Environment through Criminal Law (CETS No 172);".

Speakers: MM Lengagne, Schmied.

The amendment was agreed to.

The Assembly agreed the draft resolution contained in Doc. 10485, as amended, (*Resolution 1439 (2005)*).

7. END OF THE PART-SESSION

The President announced that the third part of the 2005 Ordinary Session would be held from 20 June to 24 June 2005 and declared the second part of the 2005 Ordinary Session of the Parliamentary Assembly of the Council of Europe closed.

The second part of the 2005 Ordinary Session was closed at 12.05 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
 ALIBEYLI, Gulamhuseyn*
 ALITI, Rafis*
 ANDRÉ, René*
 ANTTILA, Sirkka-Liisa*
 ARIAS, Miguel*
 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
 BOKERIA, Giorgi*
 BRAUN, Márton*
 BREEN, Patrick*
 BRESTENSKÁ, Beáta*
 BRUCE, Malcolm*
 ÇAVUŞOĞLU, Mevlüt*
 ĆEBEĆI, Erol Aslan*
 ĆEKUOLIS, Jonas
 CHAPMAN, Sydney*
 CHIKHRADZE, Pikria*
 CHRISTMAS-MØLLER, Pia*
 CHRISTODOULIDES, Doros*
 CIEMNIAK, Grażyna*
 CILEVIČS, Boriss*
 CIRCENE, Ingrīda*
 CLIVETI, Minodora*
 COLLAVINI, Manlio*
 COLOMBIER, Georges/Meyer, Gilbert
 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/Ringstad, Jorunn
 DONABAUER, Karl*
 DROMBERG, Kaarina*
 DRZEŻLA, Bernard*
 DURRIEU, Josette/Dreyfus-Schmidt, Michel
 EKER, Mehdi*
 ELO, Mikko
 ENGESET, Martin/Monsen, Per Erik
 EÖRSI, Mátyás
 ERR, Lydie*
 ETHERINGTON, Bill*
 EVIN, Claude/ Loncle, François
 EXNER, Václav
 EYMER, Anke*
 FARKAS, Iván*
 FEDOROV, Valeriy*
 FENECHIU, Relu*
 FERNÁNDEZ SORIANO, Maria Emelina*
 FICO, Robert*
 FILIPIOVÁ, Daniela/Jirsa, Tomáš
 FLYNN, Paul*
 FREIHERR von und zu GUTTENBERG, Karl
 Theodor*
 FRÍÐLEIFSDÓTTIR, Siv*
 FRUNDA, György*
 GABURRO, Giuseppe*
 GARDETTO, Jean-Charles
 GASÓLIBA, Carles*
 GEDEI, József*
 GILMORE, Eamon*
 GLÄVAN, Stefan*
 GLESENER, Marcel
 GOERENS, Charles*
 GOLDBERG, Pierre*
 GORIS, Stef*
 GRACHEV, Vladimir*
 GREBENNIKOV, Valery*
 GRIGNON, Francis*
 GROSS, Andreas
 GRZYB, Andrzej*
 GÜLÇİÇEK, Ali Riza*
 GUSENBAUER, Alfred*
 HADŽIAHMETOVIĆ, Azra*
 HAGBERG, Michael/ Einarsson, Mats
 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*
 IANNUZZI, Raffaele*
 ILAŞCU, Ilie
 INCEKARA, Halide*
 IVANOV, Sergei*
 IWŃSKI, Tadeusz*
 JACYNA-ONYSZKIEWICZ, Zbigniew*
 JÄGER, Renate*
 JAHIĆ, Elmir*
 JAŘAB, Josef/Āurdov, Anna
 JASKIERNIA, Jerzy*
 JUREGUI, Ramon*
 JUDD, Frank*
 JUNG, Armand*
 JURGENS, Erik*
 KAIKKONEN, Antti/Krohn, Irina
 KALANOVIĆ, Verica/RaduloviĆ-ŐĉĉepanoviĆ,
 Valentina
 KALEZIĆ, Ivan
 KARAPETYAN, Karen*
 KARPOV, Oleksandr*
 KATSELL, Eleonora*
 KAZAKOV, Alexandre Ivanovich*
 KIRILOV, Evgeni
 KLYMPUSH, Orest/Vaschuk, Kateryna*
 KNIGHT OF COLLINGTREE, Jill*
 KOCHARYAN, Shavarsh
 KOĀI, Petro*
 KOSACHEV, Konstantin*
 KOSTENKO, Yuriy
 KOVALEV, Nikolay*
 KOVALEV, Yuri*
 KRSTEVSKI, Zoran*
 KUCHEIDA, Jean-Pierre/Lengagne, Guy
 KUCLER-DOLINAR, Mojca*
 KVAKKESTAD, Andre*
 LACHNIT, Petr
 LALOY, Marie-Jose*
 LAMBERT, Geert*
 LANDRAIN, Edouard/Pozzo di Borgo, Yves
 LATVIŻAR-BEBLER, Darja*
 LEGENDRE, Jacques*
 LEPPER, Andrzej*
 LEUTHEUSSER-SCHNARRENBERGER,
 Sabine*
 van der LINDEN, Rene
 LINTNER, Eduard*
 LLOYD, Tony*
 LOBKOWICZ, Jaroslav
 LOUTFI, Younal*
 LUCYGA, Christine*
 MALGIERI, Gennaro*
 MANZELLA, Andrea*
 MARGELOV, Mikhail*
 MARQUET, Bernard*
 MARTINS, Alberto*
 MARTY, Dick/Kaufmann, Hans
 MASI, Tito*
 MASSERET, Jean-Pierre*
 MATUŐIĆ, Frano*
 McCAFFERTY, Chris*
 McNAMARA, Kevin*
 MEDEIROS FERREIRA, Jose*
 MEIMARAKIS, Evagelos*
 MELANDRI, Giovanna*
 MELĀAK, MiloŐ
 MELNIKOV, Ivan*
 MERCAN, Murat*
 MESSERSCHMIDT, Morten*
 MIĆUNOVIĆ, Dragoljub/BrajoviĆ, Ivan
 MIGNON, Jean-Claude*
 MIHKELSON, Marko*
 MIKUTIENE, Dangute*
 MILIĆEVIĆ, Ljiljana*
 MILOJEVIĆ, Goran*
 MILOTINOVA, Milena*
 MIMICA, Neven*
 MOKRY, Vladimir*
 MONFILS, Philippe*
 MORTENSEN, Kim*
 MULAS, Giuseppe*
 NACHBAR, Philippe*
 NAKASHIDZE, Nino*
 NARO, Giuseppe*
 NAROCHNITSKAYA, Natalia*
 NAZARE PEREIRA, Antonio/Campos Ferreira,
 Luis
 NEGELE, Gebhard*
 NEMETH, Zsolt*
 NIKOLIĆ, Tomislav*
 NIKOLOPOULOS, Nikolaos*
 OCCHETTO, Achille*
 O'HARA, Edward*
 OHLSSON, Carina
 OHMAN, Conny
 OLIYNYK, Boris*
 OSTERGAARD, Morten*
 OZAL, Ibrahim*
 PADILLA, Julio*
 PALECKIS, Algirdas/Jakavonis, Gediminas
 PANGALOS, Theodoros*
 PAPADIMITRIOU, Elsa
 PAVLOV, Ivan*
 PEKHTIN, Vladimir*
 PETROVA-MITEVSKA, Eleonora*
 PETURSDOTTIR, Solveig*
 PINTAT ROSSELL, Clara*
 PODGORSKI, Bogdan*
 POL, Marek*
 POSTOICO, Maria*
 POTRATA, Majda*
 POURGOURIDES, Christos*
 PREDA, Cezar Florin*
 PRIJMIREANU, Dumitru*
 PROVERA, Fiorello*
 PUCHE, Gabino*
 de PUIG, Llus Maria*
 PULLICINO ORLANDO, Jeffrey*
 PUPOVAC, Milorad*
 PYSARENKO, Anatoliy*
 QUESADA, Adoracion*
 RAGUŐ, Martin*
 RAKHANSKY, Anatoliy*
 RANIERI, Umberto*
 REIMANN, Maximilian/Dupraz, John

REYMANN, Marc
 RIESTER, Walter*
 RIGONI, Andrea*
 RIVOLTA, Dario*
 RIZZI, Enrico*
 ROCHEBLOINE, François*
 ROSETA, Pedro*
 ROTH, Michael*
 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*
 SLUTSKY, Leonid*
 SMITH, Geraldine*
 SPINDELEGGER, Michael
 STĂNOIU, Rodica Mihaela*
 STEENBLOCK, Rainer
 STEPANIUC, Victor*
 SUDARENKOV, Valeriy*
 SYMONENKO, Petro*
 SZABÓ, Zoltán*
 SZCZYGŁO, Aleksander*
 TAYLOR, Teddy*
 TEKELİOĞLU, Mehmet*
 TEPHI, Qazim*
 TEVDORADZE, Elene*
 TIMMERMANS, Frans/Kox, Tiny
 TOROSYAN, Tigran
 TOSHEV, Latchezar
 TRITZ, Marianne*
 URBÁNI, Milan*
 VAKILOV, Vagif*
 VAN DEN BRANDE, Luc
 VAREIKIS, Egidijus
 VARVITSIOTIS, Miltiadis*
 VELIKOV, Borislav*
 VERA JARDIM, José*
 VERMOT-MANGOLD, Ruth-Gaby*
 VIS, Rudolf*
 VISSER, Arno*
 VOSGANIAN, Varujan*
 VRETTOS, Konstantinos*
 WIELOWIEYSKI, Andrzej*
 WILKINSON, John
 WILLE, Paul*
 van WINSEN, Bart*
 WODARG, Wolfgang*
 WOHLLEBEN, Verena*
 WOHLWEND, Renate*

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

ALSO PRESENT

Representatives and Substitutes not authorised
 to vote:

COUSIN, Alain

Special Guests

-

Observers

-

Others

-

