

**Parliamentary Assembly**  
**Assemblée parlementaire**

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**REPORT**

Sixth sitting

Thursday 26 January 2006 at 10 a.m.

In this report:

1. Speeches in English are reported in full.
2. Speeches in other languages are summarised.
3. Speeches in German and Italian are reproduced in full in a separate document.
4. Corrections should be handed in at Room 1059A not later than 24 hours after the report has been circulated.

The contents page for this sitting is given at the end of the verbatim report.

*Mr van der Linden, President of the Assembly, took the Chair at 10.10 a.m.*

THE PRESIDENT. – The sitting is open.

### **1. Minutes of proceedings**

THE PRESIDENT. – The minutes of proceedings of the fourth sitting have been distributed.

Are these minutes agreed to?

*The minutes are agreed to.*

### **2. Voting cards and the register of attendance**

THE PRESIDENT. – I remind all members – including any non-voting Substitutes and Observers – to sign the attendance lists outside the doors of the Chamber at the beginning of every sitting.

I also remind all Representatives and duly designated Substitutes to ensure that they have placed their voting cards in the slot so as to ensure that the electronic system will work properly.

I emphasise to everyone present the importance of switching off mobile phones during sittings of the Assembly and during committee meetings.

### **3. Changes in the membership of committees**

THE PRESIDENT. – Our next business is to consider the changes proposed in the membership of committees. These are set out in document Commissions (2006) 1 Addendum 3.

Are the proposed changes in the membership of the Assembly's committees agreed to?

*They are agreed to.*

### **4. Situation in Belarus on the eve of the presidential election (debate under urgent procedure)**

THE PRESIDENT. – We come to the first item of business this morning, the debate under urgent procedure on the situation in Belarus. Mr Zhirinovskiy wishes to raise a point of order.

Mr ZHIRINOVSKY (*Russian Federation*) said that, as this was such an important debate, either everyone should be given the floor or the length of speaking time should be shortened so that everyone had the opportunity to speak. The Russian Federation members were at the end of the list and he was concerned that they would not be reached. The Russian Federation cared about Belarus and its members wanted to speak in the debate, particularly as it followed the important debate yesterday on the condemnation of the crimes of communism. If the speaking time were not shortened, he might consider supporting Belarus and President Lukashenko.

THE PRESIDENT. – Thank you. I take your point.

The first item of business this morning is the debate under urgent procedure on the situation in Belarus on the eve of the presidential election, presented by Mr Herkel on behalf of the Political Affairs Committee, Document 10806, with an oral opinion presented by Mr Pourgourides on behalf of the Committee on Legal Affairs and Human Rights and an opinion by Mr McIntosh on behalf of the Committee on Culture, Science and Education, Document 10814.

The list of speakers closed at 6.30 p.m. yesterday; 22 names are on the list and eight amendments have been tabled.

In order to ensure that we are finished in time to hear the communication from the Committee of Ministers at 12 noon, we will have to interrupt the list of speakers at about 11.25 a.m.

Are these arrangements agreed to?

*They are agreed.*

I call Mr Herkel on behalf of the Political Affairs Committee. You have eight minutes.

Mr HERKEL (*Estonia*). – As we all know, unfortunately Belarus is the only country in Europe that does not meet the standards required to be a member of our democratic home, the Council of Europe.

I thank all the colleagues who supported the initiative to have an urgent debate today about what is happening in Belarus before the presidential elections. The need for an urgent debate is obvious because presidential elections are scheduled for 19 March, despite the fact that the current president's term of office expires in July. We expected that we would have time to have this debate in April but now we must have an urgent debate. Unfortunately, nothing substantial has changed since reports on Belarus were presented to us in the Chamber by my colleague, Mr Pourgourides. They were very good and strong reports about "disappeared" persons in Belarus and persecution of the media.

A referendum about a possible third term for the president was held in Belarus. As we all know, the Venice Commission had serious concerns about the result of that referendum and how it was organised. The way in which the question was formulated is not in compliance with the rule of law or the rules of Belarus itself.

We discussed a lot of important problems here during our debates on the previous reports. There are new political prisoners. Political leaders are still in prison. The most well-known case is probably that of Mr Marynich, but there are several others. There are important issues of media freedom. Some years ago, there were about 60 independent media outlets. Now, just on the eve of the elections, the number is very small. That topic will be handled in a more profound way by my colleague from the Committee on Culture, Science and Education. When there is a lack of democratic freedoms and obvious cases of restrictions of those freedoms, with political prisoners and "disappeared" persons, from the point of view of justice things are going in a very bad direction.

I should like to mention the package of laws called anti-revolutionary law. I do not like that term: it is probably better to call it anti-democratic law. This package of laws is against society as a whole – against the Belarusian people. There are very serious restrictions. People can be sentenced for going to a street protest or for preparing somebody for how to behave in a street protest. Belarusian citizens can be punished criminally when they talk with foreign politicians like those of us here in the Chamber. The interpretation of the authorities would be that they misrepresented the situation in Belarus. There is an increasing lack of freedom for non-governmental organisations and parties. Foreign assistance is prohibited. Such organisations must be based in public buildings, but access to contracts for those buildings is not good. Of course, there is also the possibility of KGB officers entering private dwellings. That is not common in free countries.

I should like to mention a positive side. At least one important international organisation – the Organization for Security and Co-operation in Europe – has been invited to observe the presidential elections in Belarus. We do not yet know what we, as a Parliamentary Assembly, can do. We do not know whether we can be present in Belarus on election day or whether we will simply observe from other European capitals. We must comment from Strasbourg, Paris, Vilnius and so on. That is not the best way of dealing with the elections and it is unlike our work with member states, to which rapporteurs have access and the possibility of holding discussions with the authorities. The situation in Belarus is special.

However, politicians must always be optimists. There is some time even before the elections to improve the situation, given the important aspects that we reflect in the report.

THE PRESIDENT. – Thank you, Mr Herkel. I call Mr Pourgourides, who will speak on behalf of the Committee on Legal Affairs and Human Rights.

Mr POURGOURIDES (*Cyprus*). – The Committee on Legal Affairs and Human Rights fully supports the report of the Political Affairs Committee, which accurately describes the position in Belarus on the eve of the presidential elections. The elements that are aptly presented in the report's explanatory memorandum add up to a characterisation of Mr Lukashenko's regime as a fully fledged dictatorship.

The memorandum and draft resolution sum up the main legal and human rights considerations, to which the Committee on Legal Affairs and Human Rights subscribes wholeheartedly. I want to emphasise some in particular. They are: the unacceptable nature of the so-called "anti-revolution law", which criminalises many activities that are simply expressions of democratic freedoms; the abuse of the criminal justice system for political purposes, thus putting behind bars several political figures following trials based on questionable charges; the recent decree that enables the president to suspend judges' powers and

dismiss them from office, thus further increasing Mr Lukashenko's control over the judiciary; the additional powers granted to the Belarusian KGB in May 2005 – powers that did not even exist during the Soviet era – allowing KGB officials, *inter alia*, to enter any private dwelling without a court warrant and to tap telephone calls; and the total lack of progress in the investigation of the high profile disappearances, despite – or, more likely, because of – the strong evidence for implicating senior government officials, presented in my 1994 report, which led to the well-known resolution and recommendation.

I am absolutely certain that no investigation will take place as long as dictator Lukashenko remains in power. I therefore take this opportunity strongly to urge all Belarusians who have evidence or information about the disappearances to make it available to me or the Secretariat of the Committee on Legal Affairs and Human Rights for safe storage. We need to store that evidence safely and keep it until the appropriate time. Lukashenko is bound to follow the path of other dictators in many countries. They all perished in disgrace. He will do the same soon.

THE PRESIDENT. – Thank you, Mr Pourgourides. I call Mr McIntosh, who will speak on behalf of the Committee on Culture, Science and Education.

Mr McINTOSH (*United Kingdom*). – Thank you, Mr President.

The Committee on Culture, Science and Education fully supports the report presented by the Political Affairs Committee. Our contribution to the debate is to strengthen and deepen those parts of the report on the situation in Belarus on the eve of the elections that come under the remit of our committee.

I remind the Assembly that in 2002 the committee held a session at which the then Belarus Minister for Information was present, when he promised that there would be a new media law and that he would discuss its text with the Council of Europe. He has not done so.

I remind members, as has Mr Pourgourides, that in 2004 the Assembly issued a strong resolution, Resolution 1372, condemning the lack of media freedom in Belarus. Last November, my committee held a session with the Belarus Institute of Journalists at which it became clear that the situation for media freedom in Belarus is not simply as bad as it was before; it is actually worse. Mr Herkel referred to the so-called "revolutionary law", which makes it clear that there are ill-defined and very dangerous threats to journalists who try to exercise the right to freedom of information.

My committee not only supports the draft resolution and recommendations before the Assembly, but has also proposed a number of supportive amendments to flesh out some of the details that fall within our remit. In the essence of this presentation, we are all as one. Thank you.

THE PRESIDENT. – Thank you, Mr McIntosh. I now give the floor to Mr Konoplev, Speaker of the House of Representatives of the Belarus Parliament.

Mr KONOPLEV (*Speaker of the House of Representatives of the Belarus Parliament*) said he had been surprised to receive the invitation to participate in the proceedings of the Parliamentary Assembly, given the negative statements that had been made about his country. The Parliamentary Assembly had excluded itself from any dialogue with Belarus. He was a straightforward man and would tell members bluntly that he was not here to beg for admittance to the Council of Europe. The only reason he had attended was out of respect for the parliamentarians here today. Belarus had many other international partners and did not need the Council of Europe.

He admitted that Belarus had some problems, but it was a young society and that was to be expected. Belarus was totally different from the disastrous picture which was normally presented, including that shown in the report. Why did the Council of Europe find it necessary to judge Belarus? There had been many improvements in his country. For example, annual GDP growth was at 7%, earnings had risen twofold, it was the first Commonwealth of Independent States country to exceed production under the soviet regime, and unemployment was very low at 1.5%. In Belarus, the state had become established, the economy was developing, and a good social and economic model was in place. That had been recognised by many international expert institutions. There was social stability and no ethnic or religious discord. If members did not believe that they could come and see for themselves. There was a saying in Belarus that it was better to see once than hear several times. Many people who had visited Belarus had changed their minds about the country.

This was a decisive year for Belarus. The presidential elections were approaching and all the arrangements had been made. There were eight groups of candidates which had been registered and which were busy collecting signatures. There was equal access for all registered candidates to the mass media. In accordance with the 1990 Organization for Security and Co-operation in Europe resolution, external observers had been invited to monitor proceedings. The authorities had an interest in ensuring free and fair elections that reflected the will of the people. They had no reason to falsify the election results because they were confident they already had the people's backing. All the polls, including the independent polls, showed that that was the case. In contrast, the opposition knew it was going to lose. This was why it was attributing sins to the leadership. The opposition had tried to organise riots and protests to gain power by any means, including slander and unconstitutional actions. He assured the Assembly that there would be no revolution in Belarus, either orange or any other colour, because the people would simply not support it. Elections were the main instrument of democracy.

In conclusion, the opposition was trying to exploit the Council of Europe for its own ends. He hoped that, in future, the Council of Europe would take a more unbiased view of Belarus, and asked why the Council of Europe felt it necessary to persecute his country. Was it because Belarus was not kneeling before the United States? Did Europe really need one more United States satellite? His country determined its own domestic and foreign policy. It was not making trouble or asking for money. Belarus simply wanted to be left alone to get on with its work quietly. This was the message sent to the Council of Europe by President Lukashenko.

THE PRESIDENT. – Thank you, Mr Konoplev, for your contribution. I give the floor to Mr Milinkievič, Single Candidate of the Unified Democratic Forces in Belarus. I ask those present to respect the speaker.

Mr MILINKIEVIČ (*Single Candidate of the Unified Democratic Forces in Belarus*) said that he was grateful for the opportunity to use this forum to air the troubles of Belarus.

He dreamt of living in an open and free country. Today there was no democracy in Belarus. The country was between the Baltic Sea and the Black Sea. In between there was an anachronism.

The presidential elections would take place in March. The authorities wanted to convince the Council of Europe that the people would decide the result. However, the people did not have that power. Society was deadlocked, paralysed by fear, with no impartial information available. Free elections were impossible when any criticism of the authorities was deemed a criminal act and an attack on the state. The country did not have free radio or television, and the free press had disappeared. State officials were required to sign lists supporting the incumbent and 1 million signatures had so far been collected to support the outgoing president. Leaders of the opposition and journalists had mysteriously gone missing, sometimes when they were in jail. Schools and educational establishments were required to teach the state ideology. Teachers who did not comply were removed. The Ministry of Justice had dissolved many non-governmental organisations. Fortunately, some were continuing their work. Other educational establishments had closed because their existence was at odds with the prevailing ideology of Belarus: *Homo Sovieticus*.

The opposition party was not permitted to participate in the work of the electoral commissions. One year ago, the president had breached the constitution by holding a referendum to allow him to continue for a third term. The Unified Democratic Forces in Belarus did not recognise the referendum. Members of the Assembly might wonder why he was even taking part in the campaign. It was vital to get the message across. His party was attached to European democratic trends and freedoms, yet its protests were in vain. If the elections in Belarus were free and fair, the authorities would not stand a chance. The people of Belarus must be freed from the shackles of fear and told that there was an alternative.

He was proud to be the candidate of the United Democratic Forces in Belarus, an umbrella organisation which were united by the values of democracy yet threatened by the authorities. Although it was difficult to restore democracy, his party had a clear agenda. Its members understood the principles of their European neighbours and wanted freedom of speech and information for all Belarusians. In the forthcoming elections, the international observers must be out in force. His organisation would provide full assistance to the European Parliament, the Council of Europe Assembly and the Organization for Security and Co-operation in Europe.

His party was against any type of repression during the elections. The electoral situation had to be transformed, as whatever the outcome of the elections it would not demonstrate the will of the people. He would not rest until the will of the majority was in force.

THE PRESIDENT (Translation). – I would like to thank the two speakers most warmly. It is very much part of the democratic process that we should hear a free expression of your views. I hope that you were not surprised by our invitation to you. We wanted the opportunity to hear both sides of the argument.

I call Ms Konečná, who will speak on behalf of the Group of the United European Left.

Ms KONEČNÁ (*Czech Republic*). – Thank you, Mr President. Ladies and gentlemen, dear colleagues, on the even of the presidential elections in Belarus, the rapporteur, Mr Andres Herkel, has presented a report to us regarding the political situation in Belarus. His report, in my opinion, is an interesting summary of the recent developments in the Republic of Belarus. It focuses mainly on political issues, especially those surrounding the so-called democratic opposition and the stance of the international community towards the Republic of Belarus and its political representation. I believe that the report is very informative. Nevertheless, I believe that some issues require more attention and a more objective approach.

Ladies and gentlemen, I am aware of the fact that the Republic of Belarus is the only country in Europe that is considered not to comply with the membership criteria of the Council of Europe. I cannot deny that, in the political development of the country, there have been certain deviations from the sound political culture which we all praise in Europe. Nevertheless, I would not want to slip into an ideological evaluation, thus exposing the country to a black-and-white vision. Above all, I am most concerned about the people of Belarus – the ordinary common people. It is they who usually suffer the most whenever we, the politicians, decide to take any punitive measure and whenever we apply negative, punitive policies or carrot-and-stick measures.

Apart from the political representation of Belarus, we also have our responsibility towards its people. We have to make sure that the image of the Council of Europe, the European Union and other international organisations does not suffer in the eyes of ordinary Belarusians and that the idea of becoming a part of something bigger – a united Europe – is also open to the citizens of Belarus. I therefore welcome the opening of the European Commission's delegation in Minsk and hope that that will be a good start not only in helping the anti-regime campaign, but in ensuring we bear the ordinary people in mind. We have to make sure that any help provided – whether an expression of support, a financial contribution or an improvement in relations – reaches those who can profit the most, thus limiting the possible aspects of any negative measure. We cannot forget that it is not only the social but the political situation of the general public that influences people's perceptions.

Ladies and gentlemen, as has been mentioned in the report and previously announced, a conference will be held in Prague on the political developments in Belarus, at which the representatives of the so-called democratic opposition will participate. This conference is being organised under the auspices of the Minister for Foreign Affairs of the Czech Republic. I invite the organisers of this conference not to take a one-sided view – not to favour one of the parties involved over another – but to take a broad view and ensure that all views are represented at that conference. In my experience, ministers often view the political situation in several of the regions as black or white, which does not always contribute to an objective evaluation of the situation there.

Even though this draft resolution focuses merely on the political issues that surround the election in Belarus, we should not forget to mention the 20th anniversary of the Chernobyl tragedy, because the Republic of Belarus has been hit more than any other country. We have to call for extended co-operation at international level in order to ensure that those who were hit the most – ordinary people – profit the most. Once again, I would like to stress the need to ensure that our help reaches those people.

I generally welcome some of the suggestions presented in the report – above all, the idea of waiving the visa requirements for ordinary Belarusians, especially students – as well as the positive attitude that the report takes, which will ensure that, if there are visible changes, Belarus will be welcomed into our Organisation and other democratic institutions.

Ladies and gentlemen, colleagues, we are obliged to view and evaluate all countries equally, and because of those equal criteria, we cannot use double standards – European democratic values are universal.

*(Mr Gardetto, Vice-President of the Assembly, took the Chair in place of Mr van der Linden.)*

THE PRESIDENT (Translation). – Thank you. I call Mr van Winsen, who will speak on behalf of the Group of the European People's Party.

Mr VAN WINSEN (*Netherlands*) congratulated the rapporteur on a well-documented report. Neighbours were important, needed each other and should not turn their backs on each other. These easterly neighbours were very important as they had a strategic position in the heart of Europe on the west-east axis.

The economic, intellectual and cultural potential of Belarus was huge, but all was not well as democratic rights were under threat and freedoms undermined. The electoral standards in Belarus were far removed from those expected from a Council of Europe member state. Unfortunately, the climate was deteriorating.

Was the question before the Assembly whether to close the door fully on Minsk? That was not the view of his group. The Council of Europe, in this "house of democracy", had to increase the pressure, in order not only to avoid isolating Belarus but to grant the Belarusians an important place in the European family where they belonged. Not much had changed over the past year and it was important to demand free and fair elections.

He gave the example of a foundation in the Netherlands which enabled Belarusian children to stay with a Dutch family for a couple of weeks. The Belarusian authorities were threatening to prevent such exchanges from taking place on national health and public security grounds. That could surely be of no benefit to the Lukashenko Government. A short-term clear strategy was needed, and the Council of Europe should play a lead role. His group firmly supported the report and draft resolution.

THE PRESIDENT (Translation). – Thank you, Mr van Winsen. I call Mr Bokeria, who will speak on behalf of the Alliance of Liberals and Democrats for Europe.

Mr BOKERIA (*Georgia*). – My political group and I strongly support the draft resolution. I would hope that there would be a strong consensus in the Assembly, apart from Mr Zhirinovskiy, against Mr Lukashenko. I can see that that is not the case. My honourable friends in the Unified European Left say that the draft resolution is flawed because it paints a black-and-white picture. There is, however, a black-and-white case against Mr Lukashenko. It is a case against torture, repression and killing, and there can be no middle position on such issues. Either one is on the side that condemns them or one is on the other side. One cannot drift between the two – that is impossible.

I hope that no one in the Assembly will continue with the nonsense that someone is trying to thrust democracy on the Belarusian people, that someone is interfering in domestic affairs, or that it is the choice of the Belarusian people to have Lukashenko. No one wants leaders like Lukashenko. If one gives the people a chance they will do their job, but the problem is that they have not been given that chance. We should do our best to give them the chance to decide their future on their own. We should take a moral position with no ifs or buts. I support the draft resolution not only because it condemns the Lukashenko regime but because it offers concrete proposals on how we should act to help the Belarusian people. The land should be burning beneath the feet of those who kill and repress. The call for European Union countries to extend the visa ban on those who participate in that repression is more than welcome. The call to freeze bank accounts of those who steal from their own people and repress them is more than welcome. The positive calls to ease the regime for students and ordinary people in Belarus are welcome, which is why the draft resolution is a very good one.

I have one more thing to add. The representative of the Lukashenko Government said that it does not care very much about the Council of Europe because it has other friends. It has one influential friend – the Russian Federation. As the draft resolution says, the Assembly has called on Russia to make any political or financial support for the regime conditional on its human rights record. So far, that has not happened. The Russian political leadership has not explicitly and clearly condemned the Lukashenko regime, let alone taken further steps. It is a fact that the Lukashenko regime is on the payroll of Russian taxpayers.

Turning to the recent gas crisis in Ukraine, I will not talk about whether economic sanctions are necessary, as the leader of the democratic opposition did. That is a separate issue. Russia said that the gas crisis with Ukraine was caused by the move towards a market relationship with gas and energy. That is not the case with Lukashenko, so why is there a problem?

Dear colleagues, Mr Lukashenko has been called the last dictator in Europe. Our job is to help the Belarusian people stop the Lukashenko regime lasting any longer. Let us do our job now without adopting any intermediate positions.

THE PRESIDENT (Translation). – I call Mr Zhirinovskiy on a point of order.

Mr ZHIRINOVSKY (*Russian Federation*) said that the Russian Federation was not to blame for what had happened in Belarus. Other countries could be seen to be responsible.

THE PRESIDENT (Translation). – That statement is inadmissible.

I call Mr Zingeris, who will speak on behalf of the European Democratic Group.

Mr ZINGERIS (*Lithuania*). – We are discussing the last pure dictatorship in Europe – the Lukashenko regime. As has been said, we should introduce clear, constructive measures. Two months ago, I visited Belarus at the invitation of a gathering of democratic forces, including social democrats, Christian democrats, conservatives and even communists, who asked for support in obtaining access to the mass media and free expression. Belarus contains true Europeans, including representatives of all the political parties in this Assembly, but they cannot express their opinions.

I congratulate the rapporteur on the report. I live in Vilnius, 20 miles from the Russian border, and I can see Lukashenko's face on four television stations every evening. The report is good, but it is expressed in mild terms. The military regime in Minsk is a well-organised unit. We should pass on our expertise to the European Union and consider how we can influence the situation on the ground. It is our duty to help the democratic forces to restore democracy, but will they trust us? Our political approach is to support democracy in Belarus.

It is now sixty years since the Potsdam conference. At Yalta, western leaders proposed the Atlantic charter, which influenced development in western Europe. We must avoid the failure of 1945, which led to fifty years of certain regimes in eastern Europe. Member states of the Council of Europe should try to spread their influence on neighbouring countries — they should try to spread democracy, not dictatorships. We should not reconstruct the map of 1945, and we should learn the lessons of Potsdam and Yalta.

THE PRESIDENT (Translation). – Thank you. I call Mr Severin.

Mr SEVERIN (*Romania*). – Fortunately or unfortunately, we know almost everything about Belarus today. The report does not contain any good news, which we have expected for a long while. Belarus is a central European country with a highly educated society. It is an immediate neighbour of the European Union, and it is in the middle of the map of our Organisation. Unfortunately, it is the only European country that does not meet the criteria for membership of this Organisation, which is the guardian of democracy, human rights and the rule of law.

Belarus is the last dictatorship in Europe. Over the years, I have tried to argue that that is not the case, because there have been lights at the end of various tunnels, but today we can see the totalitarian inclinations of the dictatorship. Belarus has breached all international covenants and treaties in the field of human rights to which it is party.

The report is filled with data, names and information. We cannot react to it by saying that the reality is different. If people think that the facts in the report are incorrect, they must point out which ones, and if the report contains false information, they must identify it.

Mr Konoplev has said that it is better to see once than to listen many times, and I like that Russian proverb. However, can he explain why the rapporteurs of all international organisations who want to visit Belarus to see once rather than listen many times have been denied access? Why cannot our rapporteur travel there? Why cannot the OSCE rapporteur travel there? Why has the United Nations special rapporteur on human rights in Belarus been denied access? Why has Javier Solana's special representative been denied permission to travel there? When Javier Solana's special representative asked for permission, it was dismissed as a provocation. Why is it a provocation to visit a country at the invitation of Mr Konoplev? The attempts to visit by those organisations does not include a hidden political agenda. Some people say that we are politically motivated; yes, we are politically motivated – we want to promote human rights, democracy and the rule of law. Those who do not agree with our political values place themselves in opposition to us.

We must understand and respect Russia's strategic interest in Belarus. I am not asking for condemnation of Belarus; I am asking colleagues to join the effort to bring democracy to Belarus. In the past, some people used the philosophy that our bastards are better than their bastards. I disagree with



that philosophy and welcome the fact that democratic forces have united behind one candidate, who is not our candidate, a Russian candidate or anyone else's candidate. I hope that that candidate will address Belarusian society in the elections, which we must try to ensure are free and fair.

THE PRESIDENT (Translation). – Thank you. I call Mr Azzolini.

Mr AZZOLINI (*Italy*) said that he spoke both in a personal capacity and on behalf of other representatives of his group who had been unable to attend due to the bad weather and an air strike in Italy. He had deposited a document on the subject with the Bureau that morning. The members of the inter-parliamentary delegation that had visited Belarus had positive recollections of their time there. It was important for the report to be objective but members of the Council of Europe should remember what had gone on in the past, and the Council of Europe had a responsibility to act on that.

He thanked the rapporteur for producing the report at such short notice. Members of the Assembly had listened to both opposition and authority views from Belarus, and now they should try to reach a judgment to ensure that Belarus respected the values of the Assembly. They should not be content with just an expression of pious wishes but should send a positive message to those in Belarus who were waiting for a sign that the Council of Europe was open and would make an active contribution to the situation. Diplomatic representation abroad needed to be improved. The Belarusian diplomatic representative to Italy was intelligent and represented his country in a positive way. Similar positive representation by other diplomats would make people realise that it was time to make concessions towards Belarus as a country that had lived with a difficult situation for some time. He wished to give a friendly message from a friendly country to President Lukashenko. Did he want to be remembered in history for the positive changes he had made to Belarus? Rather than have the same sterile debate every time, the Parliamentary Assembly should make an active contribution towards helping Belarus on the road to democracy.

*(Mr van der Linden, President of the Assembly, took the Chair in place of Mr Gardetto.)*

THE PRESIDENT. – Thank you. I call Ms Vésaitė.

Ms VĖSAITĖ (*Lithuania*). – I support the draft resolution and the recommendations, which send a strong message to Lukashenko's regime.

I would like to say to Mr Konoplev that I managed to be in Belarus without any difficulties in being issued a visa. I was giving a seminar to women parliamentarians in the Lukashenko Parliament, having been invited by the local United Nations Development Programme to speak on women's issues. It should be said that I met intelligent, well-educated and well-informed women. One third of Belarusian parliamentarians are women. Lukashenko promised that on the eve of the elections, and it happened. I am happy with that number, but I am not happy with the way in which the parliamentarians were elected. The policy of isolating Belarus leads to nothing. In the past couple of years, the state of democracy and human rights has changed for the worse. The political prisoners are still in jail, non-governmental organisations are prosecuted, and the latest anti-revolutionary law has frozen the country with fear.

What could make a difference in this country? I am sure that economic co-operation and using people's democracy could make a change. As a neighbouring country, Lithuania imports significant numbers of the Belarusian labour force to work in construction. Lithuanian entrepreneurs make efforts to issue labour permits to Belarusian girls to work as cashiers in our supermarkets. Those people will see the difference between the two countries and will tell their relatives, friends and neighbours.

A very helpful tool for change is the energy supply. If the country was told to pay at least half the market price for its oil and gas supply, the unreformed Belarusian economy could not survive for long. Last year, I, and some other members of this Assembly, submitted a motion for resolution concerning the European interest in economic co-operation with Belarus. Unfortunately, the Bureau of this Assembly decided that the report is not needed. Access to the Internet and financial support by the European Union could also make a change. One-third of the Belarusian population uses the Internet. Two-thirds of young people do so.

Women parliamentarians expressed a wish to observe the work of this Assembly. I realise that the Council of Europe is not a proper place for that at this time. However, the Baltic Assembly could be a place for parliamentarians of our countries to meet and discuss issues. I call on my colleagues in the Assembly not to build new iron curtains but to look for effective means to destroy the existing ones. The

Finally, I emphasise that we are not at the end of the process. We are co-operating greatly with our colleagues from the Organization for Security and Co-operation in Europe, the Assembly and the European Parliament. We have held many consultations at Belarus sub-committee level, and mention has already been made of our President's initiative to hold a high-level conference on the situation in Belarus in Prague at the end of February.

THE PRESIDENT. – Thank you, Mr Herkel. I call Mr Pourgourides.

Mr POURGOURIDES (*Cyprus*). – Thank you, Mr President.

Ms Konečná spoke of the need to avoid anything that would hurt the people of Belarus. She also said that we should avoid double standards in our approach to Belarus. Is there another fully fledged dictatorship in Europe? I think not. The regime is arrogant and is the most oppressive dictatorship in Europe, so there can be no question about double standards.

In view of what is going on in Belarus, we are duty-bound to request that our member states and the rest of the international community impose full sanctions against Belarus. We are not doing that because we want to hurt the people of Belarus, but the regime must receive a message. We are not acting for the sake of the regime.

Like Mr Bokeria of Georgia, I am deeply disappointed at the full support given by the Russian authorities and some parliamentarians in this Assembly to the dictatorial regime in Belarus. That support makes the regime arrogant and oppressive. Moreover, it does no good to Russia's international reputation. Russia appears to be giving support to oppressive regimes such as that of Lukashenko and as a result is in danger of losing many influential friends.

THE PRESIDENT. – Thank you. I call Mr McIntosh. You have thirty seconds.

Mr McINTOSH (*United Kingdom*). – In thirty seconds, Mr President. We have heard much support for the draft resolution and recommendations from a majority of speakers. We have heard some criticism, especially from representatives of the Russian Federation. The report and recommendations are supported by 47 paragraphs of fact from the Political Affairs Committee and by 65 paragraphs of fact from the Committee on Culture, Science and Education. I challenge those who want to oppose the draft resolution and its amendments to answer those facts.

THE PRESIDENT. – Thank you. I call Mr Kosachev.

Mr KOSACHEV (*Russian Federation*) said that members had had the opportunity to examine the report at two committee meetings and it had the general support of the overwhelming majority. The same was true for the draft resolution.

THE PRESIDENT. – Thank you. The Political Affairs Committee has presented a draft resolution to which seven amendments have been tabled. They will be taken in the following order: Nos. 3, 4, 1, 5, 6, 2 and 7.

I remind you that speeches on amendments are limited to one minute.

We come to Amendment No. 3, tabled by Mr Andrew McIntosh, on behalf of the Committee on Culture, Science and Education, which, is in the draft resolution, replace paragraph 4 with the following paragraph:

“The Assembly recalls that, four years ago, the Minister of Information promised to send the draft media law to the Council of Europe for advice. In the absence of any action and the media situation deteriorating, the Assembly was forced to adopt its Resolution 1372 (2004) on the persecution of the press in the Republic of Belarus. Two years later, on the eve of the presidential elections, the situation has not improved but actually worsened and freedom of expression is now blatantly flouted. Under such circumstances, the people of Belarus cannot receive the information necessary in order to form freely political opinions and make a democratic choice in the coming elections.”

I call Mr McIntosh to support Amendment No. 3.

Mr McINTOSH (*United Kingdom*). – Amendment No. 3 is supportive of paragraph 4, but it is designed to strengthen it by reminding the Assembly and those to whom the draft resolution is addressed of the Assembly's history of opposition to the dictatorship in Belarus. It is designed to make it clear that the situation in Belarus, as has been confirmed by the debate today, is not getting better or staying the same, but is getting worse. That is borne out by the great detail of the draft resolution, the recommendations and the supporting documents.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Zhirinovskiy.

Mr ZHIRINOVSKY (*Russian Federation*) said that he was against the amendment. It was not true to say that the people of Belarus did not have access to information. The people who said this had not visited Belarus. The Belarusians had freedom of the press and young people could express their feelings. It was in western Europe that restrictions were imposed. He implored people to visit Belarus as it was a great place to live.

THE PRESIDENT. – What is the opinion of the committee?

Mr KOSACHEV (*Russian Federation*). – In favour.

THE PRESIDENT. – The vote is open.

*Amendment No. 3 is adopted.*

We come to Amendment No. 4, tabled by Mr Andrew McIntosh, on behalf of the Committee on Culture, Science and Education, which is, in the draft resolution, at the end of paragraph 12.2, add the following words: “, in particular allow all political parties fair and equal access to the electronic and print media”.

I call Mr McIntosh to support Amendment No. 4.

Mr McINTOSH (*United Kingdom*). – Amendment No. 4 has very much the same purpose as Amendment No. 1, but I understand that Mr Herkel wishes to move an oral sub-amendment, which I shall support. I give notice that, if the oral sub-amendment is supported by the Assembly, I shall gladly withdraw Amendment No. 1. The purpose of Amendment No. 4 is to ensure that there is equal and fair access to the electronic and print media. We have heard the representative of the Lukashenko Government say that that will be the case. This is the opportunity to make the Government of Belarus stand by its words.

THE PRESIDENT. – I understand that Mr Herkel wishes to propose an oral sub-amendment on behalf of the Political Affairs Committee which reads as follows: “in Amendment No. 4, leave out the proposed new words and insert ‘, in particular ensure equal accessibility to the media during the election.”

The effect of this oral sub-amendment would be to insert the words of Amendment No. 1 in the place of Amendment No. 4. Consequently, if the sub-amendment is agreed, Amendment No. 1 falls.

In my opinion, the oral sub-amendment meets the criteria of Rule 34.6, and can be considered unless 10 or more members of the Assembly object. Is there any opposition to the oral sub-amendment being debated? That is not the case.

I call Mr Herkel to support the oral sub-amendment.

Mr HERKEL (*Estonia*). – Thank you, Mr President. The wording of the oral sub-amendment, which is self-explanatory, is more exact and would combine Amendment No. 4 and Amendment No. 1.

THE PRESIDENT. – Does anyone wish to speak against the oral sub-amendment? That is not the case.

What is the opinion of the committee?

Mr KOSACHEV (*Russian Federation*). – In favour.

THE PRESIDENT. – The vote is open.

*The oral sub-amendment is adopted.*

Since the oral sub-amendment is agreed to and replaces the whole of Amendment No. 4, I declare Amendment No. 4, as amended, agreed to.

*Amendment No. 4, as amended, is adopted.*

We come to Amendment No. 5, tabled by Mr Andrew McIntosh, on behalf of the Committee on Culture, Science and Education, which is, in the draft resolution, after paragraph 12.9, insert the following sub-paragraphs:

"comply with Article 19 of the Universal Declaration of Human Rights and the United Nations' International Covenant on Civil and Political Rights and respect freedom of expression in the media in accordance with Assembly Resolution 1372 (2004) and this present resolution;

respect academic freedom and in particular provide appropriate conditions for the European Humanities University to return to Minsk and for Belarusian students to participate in studies as well as student organisations abroad."

I call Mr McIntosh to support Amendment No. 5.

Mr McINTOSH (*United Kingdom*). – I recall that in the debate Mr Kolesnikov asked for positive proposals, not simply for criticism. This amendment – again, it supports the position of the Political Affairs Committee – produces positive proposals, but suggesting that Belarus should comply with Article 19 of the Universal Declaration of Human Rights. In particular, it requires that Belarus should respect academic freedom. There is reference to the European Humanities University, which is now exiled to Vilnius. I believe that that is a positive, practical and in line with Mr Kolesnikov's requirement and, I think, that of the whole Assembly.

THE PRESIDENT. – Does anyone wish to speak against the amendment? That is not the case.

What is the opinion of the committee?

Mr KOSACHEV (*Russian Federation*). – In favour.

THE PRESIDENT. – The vote is open.

*Amendment No. 5 is adopted.*

We come to Amendment No. 6, tabled by Mr Andrew McIntosh, on behalf of the Committee on Culture, Science and Education, which is, in the draft resolution, replace paragraph 14 with the following paragraph:

"The Assembly also calls on Council of Europe member states to:

give immediate financial and if necessary logistical support to independent broadcasting to Belarus from abroad, which should preferably employ independent Belarusian journalists and broadcast in the Belarusian language about Belarus;

set up student exchange programmes for students from Belarus and with universities in Belarus;

support humanitarian programmes for young people and children in Belarus."

I call Mr McIntosh to support Amendment No. 6.

Mr McINTOSH (*United Kingdom*). – This amendment is very much on the same theme. It is practical and refers to things that the European Community can do. I believe that it adds strength, rather than contradicting the Political Affairs Committee's view. I notice that both Mr van Winsen and Ms Vésaité referred to practical examples of how the aim of paragraph 3 is being achieved. By passing this measure, we would show proper support to those initiatives that are already taking place.

THE PRESIDENT. – I understand that Mr Herkel wishes to propose an oral sub-amendment on behalf of the Political Affairs Committee which reads as follows: "in Amendment No. 6, leave out the last two sub-paragraphs."

In my opinion, the oral sub-amendment meets the criteria of Rule 34.6, and can be considered unless 10 or more members of the Assembly object. Is there any opposition to the oral sub-amendment being debated? That is not the case.

I call Mr Herkel to support the oral sub-amendment.

Mr HERKEL (*Estonia*). – Thank you, Mr President. The sub-amendment would delete just a few sentences. The same questions are touched on in another amendment.

THE PRESIDENT. – What is the opinion of the mover of the amendment?

Mr McINTOSH (*United Kingdom*). – I resist the oral sub-amendment. I believe that there have been practical examples of why the third paragraph is particularly important and should be supported.

THE PRESIDENT. – What is the opinion of the committee?

Mr KOSACHEV (*Russian Federation*). – In favour.

THE PRESIDENT. – The vote is open.

*The oral sub-amendment is adopted.*

THE PRESIDENT. – Does anyone wish to speak against Amendment No. 6, as amended?

I call Mr Zhirinovsky.

Mr ZHIRINOVSKY (*Russian Federation*) said that the amendment interfered with the internal workings of Belarus and violated the laws of the land.

THE PRESIDENT. – What is the opinion of the committee?

Mr KOSACHEV (*Russian Federation*). – The committee is in favour.

THE PRESIDENT. – The vote is open.

*Amendment No. 6, as amended, is adopted.*

We come to Amendment No. 2, tabled by Mr Emanuelis Zingeris, Mr Andrew McIntosh, Mr Josef Jařab, Mr Robert Walter, Mr Paschal Mooney, Mr Zbigniew Rau, Mr Piotr Wach, Mrs Miroslava Nĕmcov, Mr Philippe Nachbar, Mr Ferdinand Devnsky, and Mr Christophe Spiliotis-Saquet, which is, in the draft resolution, at the end of paragraph 15.1, add the following words: "and official media people hired by the Lukashenko regime in order to propagate hatred and intolerance against human rights and democracy".

I call Mr Zingeris to support Amendment No. 2.

Mr ZINGERIS (*Lithuania*). – After the Second World War, in Nuremburg we charged people who were responsible for ideology, not only war criminals who committed crimes. Those individuals used ideology to create fear and to try to scare people. They opposed human rights and fundamental charters that embodied the basic values of this Assembly. Our committee, which consists of members from all parties and political groups in the Council of Europe, is trying to extend the ban on visas for people who are responsible for ideology that opposes human rights.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Zhirinovsky.

Mr ZHIRINOVSKY (*Russian Federation*) said that whenever he travelled to France he struggled to get a visa but no noise was made. The amendment prejudged Lukashenko's regime, assuming that everyone in the regime was in favour of violence. What did that say about the 10 million Belarusian voters who had elected Lukashenko? The amendment would incite hatred among the Belarusian people.

THE PRESIDENT. – What is the opinion of the committee?

Mr KOSACHEV (*Russian Federation*). – The committee is against.

THE PRESIDENT. – The vote is open.

*Amendment No. 2 is rejected.*

We come to Amendment No. 7, tabled by Mr Andrew McIntosh, on behalf of the Committee on Culture, Science and Education, which is, in the draft resolution, after paragraph 15.3, insert the following sub-paragraphs:

“support student exchanges from Belarus with universities in the European Union and continue supporting the European Humanities University in exile in Vilnius;

activate immediately financial support which had been allocated to European media broadcasting into Belarus.”

I call Mr McIntosh to support Amendment No. 7.

Mr McINTOSH (*United Kingdom*). – The substance of the amendment has already been considered in earlier amendments, but in this case, it relates specifically to the recommendations to the European Union. Again, these are practical and positive recommendations which make it clear that it is not the intention of any of the committees that have tabled resolutions to isolate Belarus as a whole, rather, they wish to express firm disapproval of the dictatorship and to seek to help the people of Belarus in every possible way.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Zhirinovskiy.

Mr ZHIRINOVSKY (*Russian Federation*) said that he could not understand why the amendment had been tabled as the issues had already been covered by Amendment No. 6. What did Amendment No. 7 add to the draft resolution? When the Germans marched through Belarus, it was Belarusians who died. No other country had suffered as Belarus and he cited the example of the Chernobyl disaster. Adopting the amendment would not add to the credibility of the draft resolution and was a waste of ink and paper.

THE PRESIDENT. – What is the opinion of the committee?

Mr KOSACHEV (*Russian Federation*). – The committee is in favour.

THE PRESIDENT. – The vote is open.

*Amendment No. 7 is adopted.*

We will now proceed to vote on the whole of the draft resolution contained in Document 10806, as amended.

The vote is open.

*The draft resolution in Document 10806, as amended, is adopted.*

The Political Affairs Committee has also presented a draft recommendation, to which one amendment has been tabled.

We come to Amendment No. 8, tabled by Mr Andrew McIntosh, on behalf of the Committee on Culture, Science and Education, which is, in the draft recommendation, after paragraph 1.4, add the following sub-paragraphs:

“facilitate entry by young people from Belarus into the territory of member states, for instance in accordance with the European Agreement on Travel by Young Persons on Collective Passports between the Member Countries of the Council of Europe;

instruct its inter-governmental committees in which Belarus participates on the basis of the European Cultural Convention to maintain their contacts with government officials from Belarus at a working level;

establish and extend, at the levels of its Rapporteur Groups and steering committees, contacts with representatives of all democratic political parties, non-governmental organisations and youth organisations from Belarus.”

I call Mr McIntosh to support Amendment No. 8.

Mr McINTOSH (*United Kingdom*). – Again, this is a supportive amendment of which we are totally in favour. We are trying to put flesh on the bones to show how the recommendations could be implemented. First, we say that the European Agreement on Travel, which is not very much used, could be used more. Secondly, we wish to instruct inter-governmental committees to maintain contacts at a working level, not at a governmental level. Thirdly, we wish to extend the work of rapporteur groups and steering committees with all democratic political parties, non-governmental organisations and youth organisations. That reflects the nature of our debate. Finally, if members who spoke against the recommendations are so fierce, why did they not table amendments themselves?

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Zhirinovsky.

Mr ZHIRINOVSKY (*Russian Federation*) said that the amendment was self-contradictory. Previously, the intention had been to obstruct Belarusians from entering western Europe, whereas here the aim was to facilitate the entrance of Belarusians. It did not make sense to prevent the issue of visas for Belarusian civil servants and government representatives, but allow visas for young people. Those young people supported their civil servants and the government: over 98% of the Belarusian population had supported their government. He noted that Mr Milinkievič had spoken in French and that the Belarusians would be disappointed that he had not spoken in Belarusian.

THE PRESIDENT. – What is the opinion of the committee?

Mr KOSACHEV (*Russian Federation*). – The committee is in favour.

THE PRESIDENT. – The vote is open.

*Amendment No. 8 is adopted.*

We will now proceed to vote on the whole of the draft recommendation contained in Document 10806, as amended. I remind you that a two-thirds majority is required for the adoption of a recommendation.

The vote is open.

*The draft recommendation in Document 10806, as amended, is adopted.*

### **5. Communication from the Committee of Ministers**

THE PRESIDENT. – I now welcome Mr Mihai-Răzvan Ungureanu, Minister for Foreign Affairs of Romania, representing the chairmanship of the Committee of Ministers, who will present the communication from the Committee of Ministers.

This will be followed by parliamentary questions for oral answer. The list of written questions has been circulated in Document 10797.

Mr Minister, it is a pleasure to welcome you to the Parliamentary Assembly as Chairman of the Committee of Ministers. Romania's presidency has come at an important moment, when our common challenge is the implementation of the action plan of the 3rd Summit of our Organisation. Defining relations between the Council of Europe and the European Union is one of the important challenges ahead.

We in the Assembly believe that the timing is right to create a new framework of enhanced co-operation and political dialogue between our two institutions. In particular, we need to focus on how the European Union's member states could make better use of Council of Europe instruments and institutions. We will participate in that discussion and the final decision-making process.

The heads of state and government asked Prime Minister Juncker to write a report on relations between the two European institutions. The summit's decision to ask one of Europe's most senior statesmen to prepare a report gives the exercise a unique political dimension and should enable the discussion to go beyond mere technical aspects and to address a number of fundamental questions.

The Assembly has high expectations of the Romanian chairmanship. On account of its history, location and political situation, Romania is well placed to promote conflict resolution and democratisation in the Balkans, South-Eastern Europe and the Caucasus. We in the Assembly and you in the Committee of Ministers have different responsibilities, but we share the same goals and are motivated by the same values.

The Assembly counts on the Committee of Ministers and the Romanian chair to strengthen co-operation and enhance co-ordination so that our Organisation as a whole may be as effective as possible in accomplishing its goals.

Mr Minister, you have the floor.

Mr UNGUREANU (*Minister for Foreign Affairs of Romania*). – Mr van der Linden, first of all I would like to congratulate you on your re-election as President of this Assembly.

After meeting the members of your Standing Committee in Bucharest on 25 November 2005, I am honoured to have the opportunity to address the Parliamentary Assembly today in order to present the assessment of the activities of the Committee of Ministers since the last Ordinary Session in October.

My contribution will have two main themes: what we have done so far in the Committee of Ministers, and what we intend to do in order to accomplish the important tasks with which we have been entrusted by the 3rd Summit of the heads of state and government, which took place in Warsaw last year.

First of all, I would like to remind you of the conclusions reached at the 115th ministerial session in Strasbourg on 16 and 17 November 2005, which you attended, Mr President, and which gave us the guidelines for the development of our Organisation's activities in the short and medium term.

I am primarily thinking of our common aim of establishing a genuine partnership between the Council of Europe and the European Union, as two prominent organisations which share the same values. Two distinct and mutually reinforcing processes have been unfolded to this purpose: a report by Mr Jean-Claude Juncker, which the heads of state and government asked the Prime Minister of Luxembourg to prepare on a personal basis, and the negotiation of a memorandum of understanding to render operational the guidelines adopted by the Warsaw Summit.

The informal ministerial session on 16 November offered us the opportunity of a constructive and fruitful exchange of views with Mr Juncker, and I am determined fully to take advantage of his political vision and unique experience in the process of conducting the negotiations on the memorandum of understanding. We are therefore looking forward to his dialogue with the Standing Committee in Paris on 17 March.

Concerning the memorandum of understanding, I have taken the decision to initiate consultations with all the member states and institutional partners of the Council of Europe on the basis of the draft we received from the former British presidency of the European Union. I am convinced that the Parliamentary Assembly will actively contribute to this endeavour through its participation in the Warsaw follow-up committee.

The ministerial session in November reaffirmed the priority given by the Committee of Ministers to ensuring the effectiveness and integrity of the unique human rights protection system provided by the European Convention on Human Rights. In order to fulfil this ambitious objective, I will continue the endeavours of the Portuguese chairmanship and give priority to supporting the activity of the Group of Wise Persons and to promoting the timely entry into force of Protocol No. 14. As I have said on other occasions, I believe that you, as members of parliaments, have the most important role in ensuring that Protocol No. 14 is ratified without delay. I have addressed personal messages in this respect to the ministers for foreign affairs of the member states that have not yet signed or ratified this important legal instrument. Even if achieving the deadline established for its entry into force seems improbable, I am confident that, with your personal involvement, we could have the Protocol No. 14 ratified by all member states by May 2006. At the same time, I am fully aware of the fact that the credibility and efficient functioning of the European Court of Human Rights depend on the conduct adopted by us, as member



states, in providing all persons with the necessary conditions fully to exercise the rights and freedoms afforded by the Convention.

The Committee of Ministers will continue to supervise the implementation by the member states of the measures adopted in 2004 and earlier, with the aim of reducing the pressure of the applications on the European Court by taking appropriate measures at national level. I count on you, distinguished members of the Assembly, as natural advocates of the Council of Europe, to use your best endeavours to assist your national authorities in fulfilling this mission.

Increased attention will be paid to the execution of the judgments of the European Court of Human Rights. Any failure to accomplish this important task will be detrimental to the Convention and to the system of human rights protection it represents. Regrettably, notwithstanding the continuous efforts deployed so far by the Committee of Ministers, no progress has been achieved as regards the execution of the decision adopted in the case of *Ilaşcu and others* against the Republic of Moldova and the Russian Federation. The issue remains high on our agenda, and we will continue to put pressure on those responsible, so as to have Mr Tudor Petrov Popa and Mr Andrei Ivantoc released as soon as possible.

Distinguished members of the Assembly, as regards the contribution of the Council of Europe to promoting democracy throughout Europe, I am pleased to inform you that this issue was one of the highlights of the last ministerial session. It also represents the primary concern for the Assembly. The Council of Europe contributes to this objective through its work in a number of fields, including the protection of the rights of persons belonging to national minorities. The Romanian chairmanship attaches great importance to this matter, and I will continue to pay special attention to the situation of Romanian minorities in neighbouring countries.

In recent months, the Committee of Ministers has continued to pay particular attention to the situation developing in the three countries of the southern Caucasus, having regard especially to the important electoral events that took place in Armenia and Azerbaijan in November 2005.

With reference to Armenia, the adoption of several amendments to the constitution, pursuant to the referendum on 27 November, paved the way for honouring a number of commitments accepted by this country on its accession to the Council of Europe. The Committee of Ministers stands ready to support the Armenian authorities in implementing the follow-up measures, especially those related to the revision of national legislation on the judicial system, local democracy and the regulation of the media, in accordance with Council of Europe standards. In the same time, I call on the Armenian authorities to take decisive steps to investigate all the cases of fraud discovered during the referendum by the delegation of the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe, which monitored the ballot.

Regarding Azerbaijan, the preliminary conclusions of the international observation mission of the parliamentary elections held at the beginning of November were analysed with concern by the Committee of Ministers. We are still awaiting further clarification about the current inquiries into allegations of electoral fraud, and I call on the Azeri authorities to take, as speedily as possible, all the necessary measures in this respect.

As to Georgia, a review of the situation in this country and of the progress achieved in honouring its commitments led to the approval of an action plan for strengthening co-operation between the Council of Europe and that country. Further efforts are needed for Georgia to meet its outstanding commitments, and the Committee of Ministers stands ready to increase its assistance to this end.

In my capacity as Chairman of the Committee of Ministers, I intend to keep under close review the developments in this region. I am planning to visit each of these countries in order to get a clearer picture of what needs to be done to consolidate democracy in this area.

The next couple of months will be marked by increased responsibilities for us in ensuring appropriate reactions to some major political developments. The first challenge we will have to deal with is connected with the presidential elections in Belarus which are scheduled for 19 March. I welcome the debate under urgent procedure organised by the Assembly this morning, and I want to assure you that I will follow closely the developments in this country, which are not yet very encouraging. The situation regarding human rights and fundamental freedoms has continued to deteriorate, and the supplementary restrictions imposed in December on freedom of assembly, association and expression seriously put in question the fairness of the electoral campaign and of the future elections.

I was pleased to hear that Belarus invited the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights to observe the elections. I hope that this gesture will be accompanied by other measures consistent with the applicable European and international standards. The Council of Europe stands ready to promote and to provide increased assistance for the implementation of democratic reforms in order for Belarus to occupy its rightful place in the construction of a democratic and united Europe.

Distinguished parliamentarians, as Chair of the Committee of Ministers, I will also continue to follow carefully the political developments in Ukraine, where parliamentary elections are due at the end of March. I hope that the political maturity of Ukrainian democratic forces and public opinion will prevail over certain circumstantial elements and that the process of political and economic reforms started after the 2004 presidential elections will not lose momentum. As underlined in the reply of the Committee of Ministers to Parliamentary Assembly Recommendation 1722, we stand ready to provide the Ukrainian authorities with any support required to ensure that the elections are free and fair. I am convinced that the distinguished members of the Parliamentary Assembly will attentively observe this electoral event, which is extremely important for the future of Ukraine and of the region.

The months to come will also be crucial for reshaping the presence of our Organisation in the western Balkans. Major developments are expected in this area and, even if the situation in each of these countries is specific, I am confident that the final outcome for all of them will reconfirm their European perspective. That is why it is very important that we continue our practice of implementing joint Council of Europe-European Union programmes aimed at developing democratic institutions and at enhancing the protection of human rights and respect for the rule of law in line with European norms and standards. Increasing the efficiency of these initiatives and ensuring that they have a direct impact in building tolerant societies is not the only challenge that we have to face.

The ongoing discussions on the future status of Kosovo and the prospect of holding a referendum in Montenegro show us that the time has come to evaluate the current contribution of the Council of Europe to furthering regional stability, and to assess future opportunities for enhancing its involvement.

In the near future, I will travel to the region and have a direct exchange of views with the major actors on the ground. I am looking forward to close co-operation with the Secretary General in this enterprise. This will allow both the Committee of Ministers and the Parliamentary Assembly to have a clear picture of what governmental officials and local authorities expect from our Organisation and will provide the basis for identifying concrete proposals for strengthening the relevance of its activity.

The above considerations are an overview of part of the work that we have ahead of us. We cannot expect to fulfil our mission unless we strengthen co-operation not only between the different institutions of the Council of Europe, among which the Parliamentary Assembly has a key role to play, but with our traditional partners, in particular the Organization for Security and Co-operation in Europe and the European Union. High-level consultations with these two organisations will be held on a regular basis so as to ensure that all key components of the European institutional architecture have common responses to our major challenges.

However, even if intergovernmental co-operation remains the main area of our activity, I am fully aware that, in order to be successful, we have to obtain results at ground level. This is why I have decided to work very closely with the Congress of Local and Regional Authorities of the Council of Europe and to support its initiatives aimed at strengthening co-operation between local authorities for the benefit of regional democratic stability. In this context, I also refer to the proposal to set up a Council of Europe centre for interregional and transborder co-operation in St Petersburg. From the point of view of Romania, I would like to add, and particularly stress, a major project that is on our agenda – the establishment of a Black Sea Euro-region – and I am confident that the honourable members of the Parliamentary Assembly will afford this project the same support they granted for the creation of the Adriatic Euro-region.

The January part-session of the Parliamentary Assembly has a rich political agenda. Having said this much, I refer you to my written communication, which further develops certain ideas and provides additional information that you might find of interest. I want to underline that I welcome the adoption by the Assembly yesterday of Resolution 1481 on the need for international condemnation of crimes of totalitarian communist regimes, which, in my view, was long overdue. Romania is ready to host the proposed debate at international level on the crimes committed by the totalitarian communist regimes.

To conclude, I say, Mr President and honourable members of the Assembly, that I am deeply convinced that the Council of Europe makes a vital contribution to Europe's 21st-century architecture. The Romanian chair is determined to pursue this drive for the unity of our continent and will spare no effort to give our Organisation the means to assume its responsibilities, for the benefit of 800 million Europeans. Thank you.

The PRESIDENT. – Thank you, Mr Ungureanu. We now come to parliamentary questions for oral answer.

I remind the Assembly that Mr Ungureanu will answer questions only from those members who are present.

Eight questions have been tabled. They are contained in Document 10797 revised and will be taken in the order in which they have been published.

Since these questions have been published, I will not call the member concerned to ask them from the floor. Instead, I will ask the Minister to reply to each written question. Then I will allow one supplementary question from the member who tabled the question. Members have no more than 30 seconds to ask supplementary questions. I remind colleagues that they should ask questions and not make speeches.

The first question is No. 1, from Mr Nachbar.

*“Question No. 1:*

Mr Nachbar,

Noting how much the numbers of competing courts weaken the law in practice, as procedures become both incomprehensible and uncertain,

To ask the Chairperson of the Committee of Ministers,

Whether, where the setting up by the European Union of a ‘Human Rights Agency’ is concerned, the role of which will only confuse further the situation of the European courts, the solution might not be the long envisaged one of European Union accession to the European Convention on Human Rights, thereby unifying the system for the protection of human rights and fundamental freedoms to which the 25 EU member states and the 21 states which are the other members of the Council of Europe have already subscribed individually.”

I call Mr Ungureanu to reply.

Mr UNGUREANU (Translation). – First, a clarification: the Fundamental Rights Agency will not be a judicial body; it will be a community agency, with a mandate to provide the relevant EU institutions and bodies with assistance and expertise relating to fundamental rights. It will not deal with individual complaints.

However, I agree with the honourable member that the proliferation of human rights monitoring bodies presents risks, particularly of undermining legal certainty and creating dividing lines in an area where our continent should be united by common standards and values.

Accordingly, the Council of Europe has sought to ensure that the agency's mandate will complement the work of the Council of Europe. Here, I refer the honourable member, in addition to the Assembly's own efforts, to the reply to Recommendation 1696, which the Committee of Ministers adopted last October, and to the various contributions by the Secretary General.

EU accession to the European Convention would be the best way of achieving a coherent, Europe-wide system of human rights protection. At the Warsaw Summit, Commissioner Benita Ferrero-Waldner called it a historic achievement and a symbol of the EU's and Council of Europe's commitment to pan-European values. Preparatory discussions had to be delayed following the referenda in two EU member states, but we all hope they can re-start soon.

THE PRESIDENT. – Thank you. Do you wish to ask a supplementary question, Mr Nachbar?

Mr NACHBAR (*France*) thanked the Committee of Ministers for its satisfactory answer and noted that the Council of Europe needed to be vigilant if it was not to undermine the scope of its work through this plurality of institutions.

THE PRESIDENT. – Thank you. The next question is No. 2, from Mr Bartumeu Cassany.

*“Question No. 2:*

Mr Cassany,

Noting press reports that Andrzej Marek, a Polish journalist, had just been arrested to serve a prison sentence of three months imposed for libel because of two articles published in 2001, and noting that according to Reporters Without Borders and the Committee to Protect Journalists, Poland is the only European Union state to make defamation a criminal offence,

Whereas the Assembly is currently working on the decriminalisation of defamation,

To ask the Chairperson of the Committee of Ministers,

As the experts in the thematic monitoring procedure on freedom of expression took the view that the situation in Poland gave rise to concern in this respect (see CM/Monitor (2003) 8 final 2, paragraph 6), what action does the Committee of Ministers intend to take in order to bring this situation to an end.”

I call Mr Ungureanu to reply.

Mr UNGUREANU. – I frankly do not know the details of the case of the journalist to which the honourable parliamentarian refers in his question. However, I underline that freedom of expression and information, as protected by Article 10 of the European Convention on Human Rights, is a high priority for the Committee of Ministers. This fundamental freedom must be strictly respected by all member states.

A considerable volume of information on freedom of expression was gathered in the process of the thematic monitoring exercise which the honourable parliamentarian mentions, including on the manner in which defamation is addressed in each member state. Poland was therefore covered.

In view of the results of this analysis, the Committee of Ministers adopted, in February 2004, a declaration on freedom of political debate in the media. It also instructed the competent steering committee to study, at intergovernmental level, the alignment of laws on defamation with the relevant case law of the European Court of Human Rights. The issue of the decriminalisation of defamation was mentioned. The study is under way; the results are expected by the end of the year.

The Committee of Ministers will give consideration to these results. The work undertaken by your Assembly on the decriminalisation of defamation will provide a useful contribution to this question. We will study with interest the Assembly's recommendations in this context.

THE PRESIDENT. – Mr Bartumeu Cassany, would you like to ask a supplementary question?

Mr BARTUMEU CASSANY (*Andorra*) thanked Mr Ungureanu for his answer and said that the principle of freedom of the press was essential to the Council of Europe's work. As the Minister did not know the details of this particular case, he asked that he look into it at his next meeting.

Mr UNGUREANU thanked Mr Bartumeu Cassany for his suggestion.

THE PRESIDENT. – Thank you. The next question is No. 3, from Mr Pourgourides.

*“Question No. 3:*

Mr Pourgourides,

To ask the Chairperson of the Committee of Ministers,

In the light of the investigations into secret detention facilities in Council of Europe member states, launched at various levels by a number of member states, and given that some of them have now been completed and are the subject of reports, whether, in the context of Mr Marty's work, he thinks he can

ensure, with the support of the Committee of Ministers, publication of the findings of these investigations, which have so far remained confidential."

THE PRESIDENT. – I call Mr Ungureanu.

Mr UNGUREANU. – Thank you, Mr President.

The question of secret detention allegations has indeed prompted a number of investigations in recent months, including within the Council of Europe. I will not go into detail on the very in-depth investigations carried out by Mr Marty on behalf of your Assembly, which served as the basis for the current affairs debate you held on Tuesday. There is also no need to remind you of the request for information sent on 21 November last year by the Secretary General to all member state governments under Article 52 of the European Convention on Human Rights. As you know, the deadline for replying to that request was set for 21 February 2006 and we have to await the outcome of that procedure. The report of the Secretary General was discussed in the Committee of Ministers and my position as Chairperson of the Committee of Ministers is that the Parliamentary Assembly should be informed throughout the process.

As regards investigations at national level, I believe that they should be carried out with the utmost transparency as this is a matter of public interest for which the national authorities are accountable to their fellow citizens. I can therefore but call on all member state governments fully to implement this principle of transparency while reiterating that the matter falls within their sovereign power of decision. As you know, Romania has approached that issue in a fully transparent manner and we shall maintain the same conduct. The Romanian authorities will continue to assist Mr Marty in fulfilling his important mission. My government has already accepted that all the relevant information obtained by the EU satellite centre in Torrejon covering the period between 2001 and 2005 should be made fully available to Mr Marty. We shall continue that approach, as it is most important to us that those allegations are clarified as soon as possible. Thank you.

THE PRESIDENT. – Thank you. Do you wish to put a supplementary question, Mr Pourgourides?

Mr POURGOURIDES (*Cyprus*). – Many members of the Assembly are disappointed by the soft and often inconclusive position adopted by the Committee of Ministers on many serious human rights violations in member states. Mr Minister, are you prepared to exercise your influence in bringing about a change of policy by the Committee of Ministers, especially on the important issue being examined by Mr Marty?

THE PRESIDENT. – Thank you, Mr Pourgourides. Do you wish to respond, Mr Ungureanu?

Mr UNGUREANU. – Thank you.

My answer is brief, Mr President. The issue has been dealt with, as far as I know, with the utmost seriousness by the Committee of Ministers and by ministers individually. They represent independent sovereign states and thus members of this distinguished Assembly. I presume that if the allegations could have been proved, the report submitted to this distinguished Assembly by Mr Marty would have shown that clearly. That is why the issue is still to be dealt with and, to return to my earlier answer, I look forward to the allegations being clarified on a sound basis: facts, not words.

Thank you, Mr President.

THE PRESIDENT. – Thank you. The next question is No. 5.

*"Question No. 5:*

Mr Çavuşoğlu,

Noting that the Ministry of the Interior of the State of Baden Württemberg in Germany decided to use a new form of questionnaire in the interrogation process for the foreigners of Muslim faith who would like to acquire German citizenship as of 1 January 2006;

Considering that the content of the questionnaire represents an illegitimate intrusion by the state to political opinion and personal lives of individuals;

Noting that several political groups in Germany have expressed their opposition to this practice, qualifying it as discriminatory and that certain German politicians pointed out that, according to these criteria, one would have to take citizenship away from many Germans, including the Pope,

To ask the Chairperson of the Committee of Ministers,

How he considers that the Committee of Ministers will react to this discriminatory procedure?"

I call Mr Ungureanu to reply.

Mr UNGUREANU. – Thank you.

I am not in a position to comment on the precise matters raised by the honourable member, so I hope that I do not disappoint him. But although states have the right, under international law and subject to their international obligations, in particular the European Convention on Human Rights, to regulate the acquisition of nationality by foreigners, such a right cannot be exercised in a discriminatory manner.

The European Convention on Nationality, which Germany has ratified, confirms that rules on nationality shall not contain distinctions or include any practice which amount to discrimination on grounds of sex, religion, race, colour or national or ethnic origin. Although a "right to nationality" is not guaranteed by the European Convention on Human Rights or its protocols, an arbitrary denial of nationality may under certain circumstances amount to an interference with rights under Article 8 of the Convention.

Any national legislation in this field should therefore pay particular attention to guaranteeing, in a non-discriminatory way, the freedoms of expression, religion and movement as well as the right to respect for private and family life. In line with general policy recommendations of the European Commission against Racism and Intolerance, in particular its 2004 recommendation on combating racism while fighting terrorism, states must avoid any regulation that discriminates, directly or indirectly, against certain categories of foreigners, not least as regards the acquisition or revocation of citizenship.

THE PRESIDENT. – Thank you, Mr Ungureanu. Do you wish to put a supplementary question, Mr Çavuşoğlu?

Mr ÇAVUŞOĞLU (*Turkey*). – Thank you, Mr President.

I thank the Minister for his explanation. What is the reaction of the Committee of Ministers to that discrimination?

Mr UNGUREANU. – The issue has still to be discussed, Mr President, and I shall be glad to inform you of the results of our further debates.

THE PRESIDENT. – Thank you. The next question is No. 6.

*"Question No. 6:*

Mr Tekelioğlu,

Recalling that it has been ten years since Mr Özdemir Sabancı, a prominent Turkish businessman and his colleagues, Mr Haluk Görgün and Ms Nilgün Haşefe were murdered in Istanbul on 9 January 1996, that they were murdered cold bloodedly by a gang of terrorists, including Fehriye Erdal who is a member of an extreme left wing terrorist organisation 'the Revolutionary People's Liberation Front' (DHKP/C), an organisation which is responsible for the murder of many innocent civilians, including a former prime minister and which is included in the European Union's terrorist organisations list in May 2002;

Considering that when Fehriye Erdal was captured in Belgium in 1999, Turkey requested her extradition from Belgian authorities, referring to the provisions of the European Convention on Extradition to which both Turkey and Belgium are parties that this request was rejected by Belgium on grounds of lame excuses such as the murder weapon was not a full automatic gun, but a semi-automatic one;

Noting also that, although frustrated by this attitude, Turkey requested the extradition of the terrorist once again from Belgium in April 2004 that Belgium did not even answer this request and that while denying her extradition to Turkey, Belgium refuses to try Fehriye Erdal in its courts;

Further considering that combating terrorism and legal co-operation between member states are areas where the Council of Europe has made significant and meaningful contribution to international codification efforts that there are a number of Council of Europe conventions and protocols on prevention of terrorism and mutual legal assistance to which Belgium is a signatory and that, just a couple of days ago, the Belgian Ambassador signed the latest Council of Europe Convention on Prevention of Terrorism;

Noting further that, although Belgium is either party, or signatory to all Council of Europe conventions and protocols on prevention of terrorism and mutual legal assistance, it refuses to abide by the letter and the spirit of these conventions and that, above all, Belgium fails to implement the basic principle of 'try or extradite' in the case of Fehriye Erdal,

To ask the Chairperson of the Committee of Ministers,

If he will set out his opinion on the non-implementation of Council of Europe conventions by member states and the effect of this non-implementation on the effectiveness of these legal instruments and inform the Assembly whether he has any plans to prevent the damage that such policies can have on the credibility of the Council of Europe's convention system."

THE PRESIDENT. – I call Mr Ungureanu to reply.

Mr UNGUREANU. – Thank you, Mr President.

The Committee of Ministers has on many occasions underlined the importance of judicial co-operation in criminal matters and in particular the need to prevent and to fight terrorism. The parties to the relevant Council of Europe conventions are encouraged to make full use of the co-operation mechanisms foreseen in these conventions.

The Council of Europe has developed about 30 conventions in the criminal field, in order to create a comprehensive set of norms enabling member states to co-operate efficiently in fighting crime, bringing criminals to justice and avoiding situations of impunity. Among those conventions, the European Convention on Extradition, as well as the European Convention on Mutual Assistance in Criminal Matters, has been especially useful. Those conventions were elaborated and opened to signature in the 1950s. They have since been ratified by almost all member states of the Council of Europe as well as by non-member states.

The Convention on Extradition foresees the obligation between states parties to extradite individuals requested for prosecution purposes or for the execution of a criminal sanction. The convention also foresees the conditions, such as the necessary information to support a request, and limits, such as several grounds for refusal, applicable to an extradition request. Moreover, extradition is possible only within the limits set by the European Convention on Human Rights.

In addition, in the case of a dispute between parties in relation to the implementation of the convention, states are invited to find solutions through negotiation or any other peaceful means of their choice. If they so wish, they can submit their dispute for a friendly settlement to the competent Council of Europe body, which is the European Committee for Crime Problems – CDPC.

I have been informed that the case referred to by the honourable parliamentarian was never brought to the attention of the CDPC.

THE PRESIDENT. – Thank you, Mr Ungureanu. Do you wish to put a supplementary question Mr Tekelioğlu?

Mr TEKELIOĞLU (*Turkey*). – Thank you, Mr President.

As everyone knows, human rights are extremely important to this Assembly, but on the other hand we have to combat terrorism. Mr Minister, what do you think should be the order of those two important things?

Mr UNGUREANU. – Thank you.

Mr Tekelioğlu, you are right to ask a question about the moral order of the fight against terrorism, while abiding by the conventions that refer to human rights. Defending peaceful populations, defending the average citizen, from terrorism is very much like waging a war against an enemy that has no face,

sometimes no passport and cannot be pinned to a map. Sometimes it seems that all means should be employed to win that war. On the other hand, I fully agree that there should be no breach in the defence of human rights when fighting against terrorism and I am confident that we both meet on that conclusion.

THE PRESIDENT. – Thank you. Questions Nos. 7 and 8 concern the same issue, so perhaps you could answer them both together, Mr Ungureanu, and then Mr Van den Brande and Mr de Puig would get the opportunity to ask additional questions.

*“Question No. 7:*

Mr Van den Brande,

To ask the Chairperson of the Committee of Ministers,

Whether the Committee of Ministers intends to propose that the draft Memorandum of Understanding between the Council of Europe and the European Union be submitted to the Parliamentary Assembly and the European Parliament for their approval, with a view to their respective Presidents also signing the final document.

*Question No. 8:*

Mr de Puig,

To ask the Chairperson of the Committee of Ministers,

If the Committee of Ministers will formally seek the opinion of the Parliamentary Assembly of the Council of Europe on the proposed Memorandum of Understanding between the Council of Europe and the European Union, before finalising this text.”

Mr Ungureanu, you have the floor to answer these questions.

Mr UNGUREANU. – I am aware of the importance attached by the Parliamentary Assembly to the question of relations between the Council of Europe and the European Union, a position – I hasten to say – that is fully shared by the Romanian chairmanship of the Committee of Ministers: as I stated at length in my speech, this is indeed a fundamental question for the future of European construction and the architecture of our continent.

The Parliamentary Assembly has already greatly contributed to the debate through its reports and recommendations. It is normal, therefore, that it is also called upon to contribute to discussions concerning the preparation of the memorandum of understanding.

As I pointed out to President van der Linden in my letter of 17 January 2006, a preliminary draft of that memorandum was forwarded to the chairmanship of the Committee of Ministers at the end of last year by the outgoing British presidency of the European Union, and we have circulated it to all the member states, in good faith and on the basis of transparency. For the time being, it is a basis for discussion.

We intend to discuss it in the framework of CM-SUIVI 3, in which the Assembly is represented by Mr Van den Brande. It is in this capacity that Mr Van den Brande received the text in question and it is through its representative in the discussions that the Parliamentary Assembly should express its views.

Regarding formal consultation of the Parliamentary Assembly and the European Parliament, I am obviously unable to comment on consultation of the European Parliament as consultation of that kind does not fall within my competence. Where the Council of Europe Parliamentary Assembly is concerned, we will have to consider in due course whether there is a consensus within the Committee of Ministers in favour of formal consultation of the Assembly. I would like to underline the fact that, as we have said today, discussions between the Chairman of the Committee of Ministers and the President of the Parliamentary Assembly should take place on all contentious issues and all issues that may be debateable. Thank you.

THE PRESIDENT. – Thank you. I call Mr Van den Brande.



Mr VAN DEN BRANDE (*Belgium*). – Minister, what you say in your introductory speech is very good – I am not disappointed – but you are not very clear. We must say clearly that the project in the memorandum of understanding is, in fact, a non-paper for us, because it is dated 23 December 2005. I think that you have a responsibility to wait until Mr Juncker has made his proposals before making a new and better memorandum. Of course, the European Parliament and the Assembly of the Council of Europe must be co-signatories.

THE PRESIDENT. – Thank you. I call Mr de Puig.

Mr DE PUIG (*Spain*) thanked Mr Ungureanu, but restated the need for the Parliamentary Assembly of the Council of Europe to be consulted on the memorandum of understanding. The Committee of Ministers needed to note that the current draft was a non-paper and that all were waiting for the Juncker report before any decisions were made. It was essential that the opinions of the Parliamentary Assembly were sought.

THE PRESIDENT. – Thank you. Mr Ungureanu, you have the floor.

Mr UNGUREANU. – Thank you, Mr de Puig. As for further clarification, Mr Van den Brande, what has been tabled at the Committee of Ministers is basic information, not even a non-paper, and as such, it must be taken into account like all other information. As at the end of 2005, there was no draft of the memorandum of understanding – there was only this very text, which came through the channels provided to us by the outgoing British presidency when in office. How could one not take this into account? Not to do so would have been against the rules of any democratic engagement, and I am very confident that we both think the very same way in this respect.

I would have welcomed whatever other opinion or proposal could have been added to this very text, but for the time being, my plans are the following. We have an exchange of views on this text. We await and welcome Mr Juncker's contribution, which is extremely important and essential to the very intellectual debate that gravitates around the issue of the memorandum of understanding, as well as that of relations between those important European bodies – the Council of Europe and the European Union. When we eventually have the texts before us after the consultations, we will find which is the best possible formula. That certainly cannot be done without consultation. Thank you, Mr President.

THE PRESIDENT. – Thank you, Minister. We take note of this information about the Committee of Ministers. We await Mr Juncker's report, and I hope that the consultations allow us to find a common approach in the end. As has been said, all of us in the Council of Europe have the same responsibilities, even though we may take different positions. That is the same for the Assembly, and on behalf of the Assembly I mention that the leaders of its biggest political groups have said that we are keen to have those discussions.

Thank you very much, Minister, for your contribution and especially for your willingness to cooperate in this matter. I am sure that we will have such discussions in the coming months. I wish you all the best success as the Chairman of the Committee of Ministers. That brings to an end the questions to Mr Ungureanu.

#### **6. Date, time and orders of the day of the next sitting**

THE PRESIDENT. – I propose that the Assembly hold its next public sitting this afternoon at 3 p.m. with the following orders of the day which were approved on Monday.

Are there any objections? That is not the case.

The orders of the day of the next sitting are therefore agreed.

The sitting is closed.

*(The sitting was closed at 12.50 p.m.)*

## CONTENTS

1. Minutes of proceedings
2. Voting cards and the register of attendance
3. Changes in the membership of committees
4. Situation in Belarus on the eve of the presidential election (debate under urgent procedure)

Presentation by Mr Herkel of the report of the Political Affairs Committee, Doc. 10806

Presentation by Mr Pourgourides of the oral opinion of the Committee on Legal Affairs and Human Rights

Presentation by Mr McIntosh of the opinion of the Committee on Culture, Science and Education, Doc. 10814

*Speakers:*

Mr Konoplev (Speaker of the House of Representatives of the Belarus Parliament)

Mr Milinkievič (Single Candidate of the Unified Democratic Forces in Belarus)

Ms Konečná (Czech Republic)

Mr van Winsen (Netherlands)

Mr Bokeria (Georgia)

Mr Zingeris (Lithuania)

Mr Severin (Romania)

Mr Azzolini (Italy)

Ms Vėrsaitė (Lithuania)

Mr Hancock (United Kingdom)

Mr Kolesnikov (Russian Federation)

Mr Ziuganov (Russian Federation)

*Replies:*

Mr Herkel (Estonia)

Mr Pourgourides (Cyprus)

Mr McIntosh (United Kingdom)

Mr Kosachev (Russian Federation)

*Amendments Nos. 3, 4 as amended, 5, 6 as amended and 7 adopted  
Draft resolution, as amended, Doc. 10806, adopted*

*Amendment No. 8 adopted  
Draft recommendation, as amended, Doc. 10806, adopted*

5. Communication from the Committee of Ministers

Presentation by Mr Ungureanu, Minister for Foreign Affairs of Romania, representing the chairmanship of the Committee of Ministers, of a communication from the Committee of Ministers to the Parliamentary Assembly

*Questions:*

Mr Nachbar

Mr Bartumeu Cassany

Mr Pourgourides

Mr Çavuşoğlu

Mr Tekelioğlu

Mr Van den Brande

Mr de Puig

6. Date, time and orders of the day of the next sitting