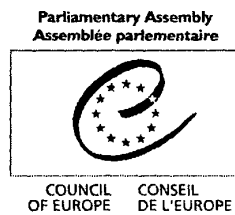


Parliamentary **Assembly**
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2005 ORDINARY SESSION

(Fourth part)

REPORT

Twenty-sixth sitting

Tuesday 4 October 2005 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 10.05 a.m.

THE PRESIDENT. – The sitting is open.

1. Minutes of proceedings

THE PRESIDENT. – The minutes of proceedings of the last sitting have not yet been distributed; they will be adopted at a later sitting.

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.

Thirdly, I remind you to switch off mobile phones during sittings of the Assembly and during committee meetings.

3. Elections of the Council of Europe Commissioner for Human Rights and the Secretary General of the Parliamentary Assembly

THE PRESIDENT. – This morning the orders of the day call for the elections of the Council of Europe Commissioner for Human Rights and the Secretary General of the Parliamentary Assembly.

The list of candidates and biographical notices for the Commissioner for Human Rights are contained in Document 10661 and for the Secretary General of the Parliamentary Assembly in Document 0656.

The candidates for the position of the Council of Europe Commissioner for Human Rights are as follows, in alphabetical order:

Mr Thomas Hammarberg

Mr Marek Antoni Nowicki

Mr Marc Verwilghen.

The candidate for the position of the Secretary General of the Parliamentary Assembly is:

Mr Mateo Sorinas Balfegó.

A summary of the arrangements governing the elections was printed in the notice papers for yesterday and today.

The elections will be held in the area behind the President's Chair.

At 1 p.m. the polls will be closed. As usual, counting will then take place under the supervision of two tellers, whom we must now proceed to choose by lot.

I shall now draw by lot the names of the two tellers who will supervise the counting of the votes.

The names of Mr Petr Lachnit and Lord Russell-Johnston have been drawn. They should go to Room 1087 at 1 p.m. Lord Russell-Johnston is a former President.

I now declare the ballots open.

I will announce the results of the elections here in the Assembly Chamber at the start of this afternoon's sitting.

4. Organisation of debates

THE PRESIDENT. – Today the business is very full, with the debate on the report on women and religion this morning, for which there is a total of 17 speakers, and 33 amendments, followed by the address by Mr Moratinos, and two debates this afternoon, for which 26 amendments have been tabled.

In order to allow the maximum number of speakers in the debates, and in view of the large number of amendments tabled, I suggest that speaking times in the debates today will be four minutes, and on amendments, 30 seconds. Are these arrangements agreed?

They are agreed.

In order to hear the address from Mr Moratinos at about 12 noon, we will have to interrupt the list of speakers in the debate at about 11.10 a.m. in order to leave sufficient time for the replies and the votes.

Are these arrangements agreed?

They are agreed.

5. Women and religion in Europe

THE PRESIDENT. – The next item of business this afternoon is the debate on women and religion in Europe presented by Mrs Zapfl-Helbling on behalf of the Committee on Equal Opportunities for Women and Men, Document 10670. After Mrs Zapfl-Helbling has presented her report we will hear a statement by Ms Asma Jahangir, United Nations Special Rapporteur on Freedom of Religion or Belief.

The list of speakers closed at 6 p.m. yesterday: 17 names are on the list and 33 amendments have been tabled.

I remind you that we expect the debate to finish by 11.10 a.m.

I call Mrs Zapfl-Helbling to take the floor. You have eight minutes.

Mrs ZAPFL-HELBLING (*Switzerland*) noted that, unfortunately, the Christian faith shared certain fundamentalist traits with other religions, and these conflicted with women's rights. Women who lived with Catholic priests, and their children, were sidelined; women were raped and infected with sexually transmitted diseases because the Church condemned contraception. These were not Christian values.

She noted that there were different models and degrees of separation of Church and state in European countries, for example, in France, Italy and Russia. The rise of Islam in some European countries was also leading to the infringement of women's rights. Discrimination against women occurred within religions, for example because women could not be ordained, or because they were forced to wear headscarves.

It was unacceptable for religion to lead to a decrease in the rights of women. Women had the same rights as men, but these were often trampled underfoot in the guise of ancient practices which had been absorbed into religions. It was not acceptable for any European country to disregard women's rights, yet this was happening in religions today. Opposition to contraception led to AIDS; female genital mutilation was practised in some European countries on religious grounds; there were also honour deaths and forced and child marriages. Some 70 000 women per year died following abortions carried out in unacceptable conditions. The Council of Europe must speak up against these injustices.

She drew attention to the supportive role women play within all religions. In her own country, the women of Zurich provided religion with financial support equivalent to 40 million Swiss francs per year. In politics, women and men had been on an equal footing for many years. There was a fear that a similar liberalisation within religious communities would be detrimental to those religions. There were human rights concerns about the treatment of women in the Islamic world. However, there were also fundamentalist views present within Europe. It was important to be aware of how such views could inhibit the rights of women.

THE PRESIDENT. – Thank you, Mrs Zapfl-Helbling.

It is a great pleasure to welcome to the Assembly Ms Asma Jahangir, who is United Nations Special Rapporteur on Freedom of Religion or Belief. You are renowned in your home country of Pakistan as a staunch defender of human rights, including women's rights. You have been a courageous critic of the hudud ordinance and the blasphemy laws in Pakistan, by which a person accused of adultery or of speaking or acting against Islam, can be sentenced to death. You have defended in court many of those wrongly accused, including victims of rape and of so-called honour crimes. You were appointed to the United Nations Commission on Human Rights in 1998, first serving as Special Rapporteur on Extra-Judicial Executions and, since last year, as Special Rapporteur on Freedom of Religion or Belief.

Today we are debating a report submitted by our Committee on Equal Opportunities for Women and Men. It is on women and religion. Your predecessor, Mr Amor, submitted a highly interesting report on the same issue to the United Nations in 2002. I would be most grateful if you inform the Assembly of your opinion on the interface between women's rights and the freedom of religion.

Ms JAHANGIR (*United Nations Special Rapporteur on Freedom of Religion or Belief*). – Thank you for inviting me to Strasbourg and for giving me the opportunity to address the Parliamentary Assembly of the Council of Europe. I know the importance that the Council of Europe attaches to the intercultural and inter-religious dialogue, and that one of its aims is to protect human rights and the rule of law in the 46 member states. The invitation comes at a crucial moment as you are discussing a draft resolution on women and religion in Europe and because a few days ago I was present in Strasbourg in the context of a visit to France in my capacity as United Nations Special Rapporteur on Freedom of Religion or Belief.

In 1986, the United Nations Commission on Human Rights appointed a special rapporteur to examine incidents in all parts of the world that were inconsistent with the provisions of the 1981 United Nations declaration on the elimination of all forms of intolerance and discrimination based on religion or belief and to recommend remedial measures for such situations. Furthermore, since 1996, the commission has persistently stressed in its resolutions the need for the special rapporteur to apply a gender perspective, *inter alia*, through the identification of gender-specific abuses in the reporting process, including in information collection and recommendations.

Some countries have been reluctant to see the nexus between the discrimination of women and the mandate of the special rapporteur on the question of religious intolerance. It is now accepted that a special rapporteur will raise cases or highlight situations that relate to the status of women. Under that aspect of my mandate, I regularly send urgent appeals and letters setting out allegations jointly with other United Nations special rapporteurs, such as the special rapporteur on the violence against women, its causes and consequences.

At the outset, and to define the scope of my mandate, I re-emphasise that the freedom of religion or belief is a fundamental human right of a non-derogable character which can be limited only under restricted conditions. Nevertheless, this right, like other human rights, cannot be used to justify the violation of other fundamental human rights. That clause is, *inter alia*, provided by Article 5.1 of the International Covenant on Civil and Political Rights and may, in certain cases, address situations of abuses committed in the name of religion. So far, I have tried to keep that approach as a central part of my mandate, and I will continue to do so.

I have read the excellent report by Mrs Zapfl-Helbling, the Rapporteur of the Committee on Equal Opportunities for Women and Men. It contains valuable information on women and religion. It also refers to the study on freedom of religion or belief and the status of women as regards religion and tradition conducted by my predecessor and published in April 2002. The study mentions the legal standards that are most relevant to gender equality in the context of religious freedom, such as those contained in the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the various instruments against slavery and the Convention on the Elimination of All Forms of Discrimination Against Women. It also lists the different types of discrimination against women, such as practices that are harmful to the health of women, discrimination against women within the family, attacks on the right to life, honour killings, and attacks on their dignity, such as restrictions on the education of women or their exclusion from certain functions.

In the framework of my mandate, and on the basis of the activities that I have carried out since my appointment in July 2004, I have noted with regret that women continue to be largely excluded from the decision-making process within most religious communities – a process that is usually a monopoly for men. In that context, in order to exercise their full human rights, women usually have to negotiate with religious beliefs and traditional values, often within their own communities. Similarly, at a time when much emphasis is put on inter-religious dialogue, the absence of women's voices from that dialogue is striking. The work that must be carried out to redress the situation remains important and will require energy at all levels.

An illustration of that reality can be found in the reservations undertaken by countries when ratifying United Nations instruments, in particular the Convention on the Elimination of All Forms of Discrimination Against Women, and in referring to the incompatibility of some of its provisions with the religiously inspired legislation of their countries. My predecessor's study dedicated several pages to that problem and identified the most pressing aspects, which are equality in marriage and, in the case of divorce, parental authority, the right of custody, choice of family name, heritage and transmission of nationality.

The situation remains ambiguous. Whereas some of the reservations are so general that they might not be valid because they can contradict the spirit and aim of the convention, the fact that there are so many reservations based on varying interpretations of the same religion shows an urgent need for less ambiguous rules and principles. The issue is extremely delicate, but that should by no means deter us from confronting it. On the contrary, I believe that the longer we postpone tackling it, the greater the risk of embedding gender inequalities in the field of human rights. Nevertheless, the measure that ought to be taken must be carefully considered as it deals with complex and sensitive situations and because one cannot draw a surgical line between the treatment of rights, such as the right to freedom of religion or belief and women's rights, which are so intrinsically intertwined.

My visit this year to Nigeria, Sri Lanka and France disclosed different situations with regard to freedom of religion or belief. However, it was possible to identify two patterns that reflect today's reality. First, the link between state and religion, or religions, is often the origin of the greatest difficulties relating to freedom of religion or belief. The neutrality or independence of the state vis-à-vis religion – or its capacity or willingness to guarantee and protect *de jure* and *de facto* freedom of religion of all individuals within its jurisdiction – is often the key to developing an appropriate framework for the protection of all human rights, including women's rights. It ensures that individuals can express themselves fully and dissent, even within their own religion; or, indeed, that they can choose not to have any religion at all.

Secondly, an atmosphere of religious intolerance generally undermines freedom of religion but also other human rights, including the rights of women. In this context, well-intentioned measures to protect the rights of women may, in certain circumstances, stigmatise the very women whom they are seeking to protect. Then, if such stigmatisation takes the form of humiliation, it often leads to the radicalisation of the affected persons and of those associated with them. In both cases, the central question is one of balance. Such balance implies that no right should be protected at the expense of others, and that the measures adopted to protect women's rights, the right to freedom of religion or belief and all other human rights, should take into account all individuals in society.

While Europe undoubtedly remains committed to protecting all fundamental rights, including freedom of religion or of belief, it is now faced with a challenge that will be successfully overcome only if it strikes the right balance between fundamental rights. The right balance should be present in both the domestic and foreign policies of the states concerned. Such balance will positively impact on the rights of women as individuals, regardless of their religious beliefs or their communities, and it will further promote a climate of religious tolerance.

I thank you for your attention.

THE PRESIDENT. – I thank you very much, Ms Jahangir, for your very valuable contribution to this debate. You underlined the necessity and importance of inter-religious and intercultural dialogue, and I can assure you that this Assembly will make that a very important theme not only this week, but next year. We are very happy to have you here during this session.

I remind members that speaking time in the debate is limited to four minutes. I call Mrs Bargholtz from Sweden on behalf of the Alliance of Liberals and Democrats for Europe.

Mrs BARGHOLTZ (*Sweden*). – Is religion dangerous for women? It seems so to me on reading this report on women and religion, which focuses on a sensitive, controversial and important topic, as the great number of proposed amendments shows.

Religion has played, and still plays, an important role for many women all over the world with all kind of religious beliefs. While some of the more traditional churches are losing members, new ones are arising that attract people, often young people. Do they share the traditional churches' attitude to women? I am afraid that they do.

Whether women are believers or not, most are affected – directly or indirectly – by the attitude of different faiths towards women, through the churches' influence on opinion and legislation in society. That often creates big problems for women.

In her thorough and excellent report, which I fully support on behalf of the Alliance of Liberals and Democrats for Europe, the rapporteur points out a number of violations of women's rights in the name of religion. Women's rights are being violated all over the world, as we have just heard. For example, there are the so-called "honour" crimes, forced marriages and female genital mutilation, but there is also the refusal to question a patriarchal culture that holds up the role of wife, mother and housewife as the ideal. If a woman cannot live up to this ideal, she is regarded as a failure.

The obligatory headscarves have become a symbol in the debate surrounding religious oppression of women. Let me tell you about an experience that I had. I once saw a young girl wearing a headscarf, on which was printed her face and head without a headscarf. I like that kind of disobedience.

Once again, I ask the question: is religion dangerous to women? Thank you, Mr President.

THE PRESIDENT. – Thank you. I call Mrs Smirnova, on behalf of the European Democratic Group.

Mrs SMIRNOVA (*Russian Federation*) said that this was a very important and timely report. She thanked the rapporteur for exhibiting the courage to tackle such a difficult subject. The number of amendments tabled to the report was an illustration of the complexity of the issues involved. The report dealt with delicate and sensitive issues. It suggested that some laws and traditions within certain religions violated the human rights of women and should therefore be changed. She wondered whether Council of Europe member states had the right to interfere with the personal beliefs of their citizens. There were obviously problems in this area, however, and it was right to defend the human rights of women. It would be necessary to change certain traditions, but this might be difficult for many Europeans to accept. Therefore, the draft text should be sent back for further consideration by a special committee which should include representatives of different religions and women.

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

THE PRESIDENT. – I now call Mr Platvoet to speak on behalf of the Group of the Unified European Left.

Mr PLATVOET (*Netherlands*). – On behalf of my group, I compliment the rapporteur on an important and brave report on an important and delicate issue, which is currently being discussed in many of our countries.

I think everyone agrees that the position of women in religion is not equal to that of men in, for instance, the Catholic Church or Islam, and that these religions – these institutions – are hierarchies dominated and controlled by men. Freedom of religion is a human right, like freedom of speech and the freedom of people to organise themselves. There is also the non-discrimination rule, which is the first article in the Constitution of the Netherlands. As Ms Jahangir pointed out, there can be tension between those different human rights. The freedom of religion, for instance, is in my view limited by the non-discrimination rule if discrimination becomes a practice.

I do not think it necessary to point out – especially to my Italian colleagues, who have tabled some 30 amendments – that religion has a bad record in European history. Even nowadays, wars are being fought in the name of religion. I think that religion should be an individual matter. It can enrich personalities in all kinds of ways, but if it leaves the private domain – if it leaves the church or the mosque – the separation between Church and state should be guaranteed. Many European countries, however, still have a history of allowing religion and religious institutions to hold an overwhelming position in their laws and practices.

We stand on the threshold of true democracy and a truly humanitarian society. The report contains detailed proposals for the establishment of full and equal rights for women in religion, and the safeguarding of their position in all fields of their lives that are still under the influence of religion. In today's Europe, the role of the masculine Catholic Church is still strong, and Islam features all kinds of customs that discriminate against women. It is absolutely necessary for the report to be adopted and put into practice.

THE PRESIDENT. – Thank you. I call Mrs Fernández-Capel to speak on behalf of the Group of the European People's Party.

Mrs FERNÁNDEZ-CAPEL (*Spain*) asked on behalf of the EPP that the draft text be referred back to the committee. More account should have been taken of many additional nuances and the committee ought to have considered the issue in more depth. There was some confusion in the draft: issues needed to be made crystal clear. The member states of the Council of Europe were free and democratic. The Assembly agreed that there should be no political interference in religion. However, religious practices should not be allowed to violate the laws of free societies. Therefore, the group wished to refer the draft report back in order to clarify certain issues relating to different religions. There was a need for a clearer distinction between different issues, such as domestic violence, forced marriage, alleged discrimination and structures of economic power. The Assembly accepted that freedom of religion was a fundamental

right, but there ought not to be confusion with other fundamental freedoms. Therefore, the group asked that the text be referred back.

THE PRESIDENT. – Thank you. Do you wish to propose a formal motion to refer the report back to the committee now, or later?

Mrs FERNÁNDEZ-CAPEL (*Spain*) said that she wished to move to refer the matter back to the committee at the most appropriate moment, and would do so now if that were best.

THE PRESIDENT. – It could be done at any time. It could be done now, or later before the vote.

Mrs FERNÁNDEZ-CAPEL (*Spain*) (Translation). – In that case, we will do it now.

THE PRESIDENT. – Mrs Fernández-Capel wishes to move for the report to be referred back to the committee. Does anyone wish to oppose the motion?

Under Rule 37.3, only the proposer of the motion, one speaker against it and the rapporteur or chairperson concerned has the right to speak. The proposer has already spoken, so I now call Mrs Zapfl-Helbling to oppose the motion.

Mrs ZAPFL-HELBLING (*Switzerland*) opposed the motion, arguing that those representatives seeking to speak in the debate had no doubts as to the purpose of the report. She pointed out that there were 33 amendments tabled which would allow exploration of areas that needed clarification.

THE PRESIDENT. – Thank you. What is the opinion of the Committee on Equal Opportunities for Women and Men?

I call Mrs Čurdová. She has one minute.

Mrs ČURDOVÁ (*Czech Republic*). – We fully support the report and the statements of Mrs Zapfl-Helbling.

THE PRESIDENT. – Thank you. The Assembly will now vote on the motion to refer the report on Women and Religion in Europe back to the committee.

The vote is open.

The procedural motion has been defeated. We shall therefore proceed with the debate.

I call Mr Kucheida.

Mr KUCHEIDA (*France*) thanked the rapporteur for her report. He agreed that there were some difficulties, but considered that the report represented a great stride forward. Too often, religions perpetrated outrages against women that sent a chill down his spine. The matter was complicated because some religions were more tolerant than others. Some religions enslaved women – who could not freely control their bodies and minds – for example through the compulsory wearing of headscarves, bans on contraception, polygamy, mutilation and forced marriage. The blame lay not just with religion but he noted that the status of women had remained unchanged wherever religion had been dominant. Religion was less of a problem in secular societies such as most countries in Europe. The Council of Europe therefore had a major role to play. Women's emancipation began in the 20th century; the 21st century should bring equality in all walks of life.

THE PRESIDENT. – Thank you. I now call Mr Branger.

Mr BRANGER (*France*) said that the report was positive but needed to be more subtle. He accepted paragraph 7 of the report on forced marriage, crimes of honour, and similar matters. Freedom of religion was limited by human rights and governments had a duty to speak out. He had contacted the French Government about the non-recognition in France of forced marriages entered into abroad. The courts had considered banning certain traditions, for example, those which forced young girls to respect dress codes. There was a positive role for religion in encouraging ethics. The state could not interfere in personal practices. It was important to stand up for all rights.

THE PRESIDENT. – Thank you. I call Mrs Wurm.

Mrs WURM (*Austria*) congratulated the rapporteur on her report and said that religious texts had lent themselves to interpretations which had led to the infringement of women's rights. It was often said

that the Koran incited violence and was incompatible with women's rights. This was unproven. Experts suggested the attitudes might be rooted in ancient, patriarchal societies. Educated Muslim women had different views from others, so there were two different groups of women participating in Islam: some found that it justified the oppression of women; others did not.

Violence against women should never be accepted, no matter what the justification. Important matters addressed in the draft resolution included the separation of Church and state and the fact that freedom of religion should not limit the rights and dignity of women and men. She called on members of the Assembly to support the resolution.

THE PRESIDENT. – Thank you. Mr Mirzazada and Mr Umakhanov are not present, so I call Mrs Err.

Mrs ERR (*Luxembourg*) said that she supported the work of the rapporteur but felt uneasy discussing religious issues in this context. She had been born a Roman Catholic because that was the choice of her parents, and she had been raised as a Catholic. However, early in her life she had felt uneasy about the inequalities between boys and girls in that Church. Today she followed a secular lifestyle, but would still end her days a Catholic because the Church did not allow her to withdraw. She held it against the Catholic Church that it would not release her, but also thanked it for giving her the gift to think for herself. This led to her feeling of ambivalence.

She congratulated the rapporteur and committee for the courage that they had shown in examining the role religions played in society. Cultural relativism was not acceptable and should be opposed. She credited the rapporteur's gift for diplomacy to the fact that she was a practising Catholic and to her constructive attitude. The report did not single out any monotheistic religion.

THE PRESIDENT. – Thank you. The last speaker is Mr Schreiner.

Mr SCHREINER (*France*) noted that the European Convention on Human Rights authorised certain limitations to freedom of religion and belief, but also opposed gender discrimination. Freedom of religion seemed to be used by some to trump gender equality. The subject was important to many people and very delicate. The Assembly needed courage to examine it.

Paragraph 19 of the report raised the possibility that Moroccan women resident in France might be unilaterally repudiated by their husbands, or have the guardianship of some of their children taken away. He thought this conclusion should be toned down, since the agreement between France and Morocco meant repudiation was subject to judicial supervision in France and the Court of Cassation had issued judgements on the matter.

THE PRESIDENT. – Thank you. Because of the shortage of time, may I ask all speakers strictly to follow the time-limit?

I must now interrupt the list of speakers. Speeches by members on the speakers list who have been present in the debate but were not able to speak may be given to the Table Office for publication in the official report.

Ms Jahangir, do you wish to reply briefly to the debate? You have two minutes.

MS JAHANGIR (*United Nations Special Rapporteur on Freedom of Religion or Belief*). – I have listened with great interest to the debate; it is both crucial and timely. However, while people were speaking I also heard a kind of fear that came across – and we do not have to imagine where, and from which particular religion, that fear comes.

I urge members not to let your policies be driven by that alone. What you say here today will have repercussions not only in Europe but on women all over the world. What we want is the emancipation of women, but we do not want women to be stigmatised or to feel that they have to find new partnerships. Your message from here should be clear – crystal clear, as someone said. It is to empower women and to take them into your fold as equal partners, not as European women who are going to protect less European women.

I thank you for everything that you have done. It is crucial and timely, and this subject is something that I had hoped and wished would come to such a forum.

THE PRESIDENT. – Thank you, Ms Jahangir. I call the rapporteur, Mrs Zapfl-Helbling to reply. You have four minutes.

Mrs ZAPFL-HELBLING (*Switzerland*) thanked contributors to the debate, which had focused on human rights. She said that in democratic countries under the rule of law there should be no difference between the rights of women and men.

Where human rights were affected by religion, the state should be forced to intervene. Her report covered all the main monotheistic religions in Europe. She had tried to be realistic when analysing the different cultural interpretations of these religions and hoped that this realism was reflected in the report. Many women grew up within a religious environment and she was concerned that this affected young women's perspectives on equality issues. She thanked the secretariat for their excellent assistance in the drafting of the report.

THE PRESIDENT. – Thank you, Mrs Zapfl-Helbling. Does Mrs Čurďová, spokesperson for the committee, wish to respond?

Mrs ČURDOVÁ (*Czech Republic*). – I congratulate Mrs Zapfl-Helbling on her excellent work and thank the Assembly for its interesting discussion, which has shown that the issue is delicate. We must view it in the context of our private lives and history. It is good that the Council of Europe has led the way and has given us the opportunity to discuss the subject in our countries and our committees, because the situation of women and religion differs in our member countries.

On behalf of the committee, I ask the Assembly to support the report.

THE PRESIDENT. – Thank you, Mrs Čurďová.

I remind members of the Assembly that voting in the ballots for the elections of the Council of Europe Commissioner for Human Rights and the Secretary General of the Parliamentary Assembly will close at 1 p.m.

The Committee on Equal Opportunities for Women and Men has presented a draft resolution to which 33 amendments have been tabled. They will be taken in the order in which they appear on the notice paper and in the compendium of amendments.

There are a number of occasions on which the adoption of one amendment will cause other amendments to fall. I will bring these to the Assembly's attention as they occur.

I remind members that speaking times on amendments will be limited to 30 seconds, not one minute.

We come to Amendment No. 16, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Bart van Winsen, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Mulas and Mr Claudio Azzolini, which is, in the draft resolution, delete paragraph 1.

I call Mr Provera to support Amendment No. 16.

Mr PROVERA (*Italy*) said that religious women had made a choice to live according to the views of their faith and were entitled to make a different choice in future if they wished.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said that the paragraph in question was factual and should therefore not be amended.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 16 is rejected.

We come to Amendment No. 17, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Bart van Winsen, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Mulas and Mr Claudio Azzolini, which is, in the draft resolution, delete paragraph 2.

If this amendment is adopted, Amendments Nos. 26, 15, 14, 1, 2 and 13 fall.

I call Mr Provera to support Amendment No. 17.

Mr PROVERA (*Italy*) said that exercising religious freedom was a fundamental right within member states.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said that the paragraph was factual and therefore should not be changed.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 17 is rejected.

We come to Amendment No. 26, tabled by Mr Giuseppe Gaburro, Mr Renzo Gubert, Mr Marcel Glesener, Mr Norbert Hauptert, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni, Mr Andrzej Wielowieyski and Mr György Frunda, which is, in the draft resolution, replace paragraph 2 with the following paragraph:

“However, this influence is not always benign: women’s rights are sometimes curtailed or violated in the name of religion. While most religions teach equality of women and men before God, they may attribute different roles to women and men on earth. These beliefs have sometimes conferred upon men a sense of superiority which has led to discriminatory treatment of women by men and even violence at their hands.”

If this amendment is adopted, Amendments Nos. 15, 14, 1 and 2 fall.

I call Mr Garburro to support Amendment No. 26

Mr GABURRO (*Italy*) said that aspects of the report were unrealistic and did not apply to the Roman Catholic Church. His amendment provided a more balanced alternative.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said that the amendment was unhelpful and it was not true that rights were only sometimes violated. They were systematically violated.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 26 is rejected.

We come to Amendment No. 15, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 2, first sentence, replace the words “is seldom benign” with the following words: “may be positive and enhance the role of women but, in some cases, it may also be negative”.

I call Mr Gubert to support Amendment No. 15.

Mr GUBERT (*Italy*) said that the report should reflect both the positive and negative impacts of religion on women.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Vermot-Mangold.

Mrs VERMOT-MANGOLD (*Switzerland*) said that the amendment should be rejected.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 15 is rejected.

We come to Amendment No. 14 tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 2, second sentence, replace the words “they attribute different roles to women and men on earth. Religiously” with the following words: “they accept conceptions of the role of women that they derive from society. In some cases religiously”.

If this amendment is adopted, Amendment No. 1 falls. I call Mr Gubert to support Amendment No. 14.

Mr GUBERT (*Italy*) said the amendment took account of the fact that religion was an emanation of society, and did not exist within a vacuum. It was not appropriate to blame religion for widely views.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said the report did not refer to the issues raised in the amendment and therefore it would be inappropriate to accept it.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 14 is rejected.

We come to Amendment No. 1, tabled by Mrs Ingrīda Circene, Mr Toomas Alatalu, Mrs Kaarina Dromberg, Mr Mikko Elo and Mr Andris Bērziņš, which is, in the draft resolution, paragraph 2, after the word “earth”, insert the following words: “, including in the Church itself”.

I call Mrs Circene to support Amendment No. 1.

Mrs CIRCENE (*Latvia*). – The purpose of the amendment is to emphasise that although most religions teach equality of women and men before God, they do not respect this equality, even in the churches themselves. Given that the purpose of the draft resolution is to call on the member states of the Council of Europe to eliminate all forms of discrimination against women that are based on, or attributed to, religion, it is also necessary to refer in the text of the resolution to this form of discrimination.

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

What is the opinion of the committee?

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 1 is rejected.

We come to Amendment No. 2, tabled by Mrs Ingrīda Circene, Mr Toomas Alatalu, Mrs Kaarina Dromberg, Mr Mikko Elo and Mr Andris Bērziņš, which is, in the draft resolution, at the end of paragraph 2, add the following sentence:

“In view of these stereotypes, women cannot be ordained as priests in most religions.”

I call Mrs Circene to support Amendment No. 2.

Mrs CIRCENE (*Latvia*). – The purpose of this amendment is the same as that of the previous one. Religiously motivated gender stereotypes have led to the discriminatory treatment of women not only in

everyday life but also in religious life. The most striking example of such discrimination is the fact that women are deprived of the right to participate in the priesthood in most religions.

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

What is the opinion of the committee?

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 2 is rejected.

We come to Amendment No. 13, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, at the end of paragraph 2, add the following sentence:

“It must also be pointed out that, in certain societies outside Europe, matriarchal cultures still survive where it is women who enjoy a sense of superiority and a superior social position, which is accepted by their religion.”

I call Mr Gubert to support Amendment No. 13.

Mr GUBERT (*Italy*) said he wished to withdraw his amendment.

THE PRESIDENT. – The amendment is withdrawn.

We come to Amendment No. 27, tabled by Mr Giuseppe Gaburro, Mr Renzo Gubert, Mr Marcel Glesener, Mr Norbert Haupt, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni, Mr Andrzej Wielowieyski and Mr György Frunda, which is, in the draft resolution, paragraph 3, replace the words “At one end of the spectrum lie the” with the following words: “The most extreme interpretations may result in”.

I call Mr Gaburro to support Amendment No. 27.

Mr GABURRO (*Italy*) said the amendment was a more accurate proposition than the current drafting.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapf-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said it was not the case that extreme interpretations of religion “may” lead to forced marriages and so forth; they did lead in that direction.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 27 is rejected.

We come to Amendment No. 18, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Bart van Winsen, Mrs Patrizia Paoletti Tangheroni, Mr Giuseppe Mulas and Mr Claudio Azzolini, which is, in the draft resolution, delete paragraph 4.

If this amendment is adopted, Amendments Nos. 28 and 12 fall.

I call Mr Provera to support Amendment No. 18.

Mr PROVERA (*Italy*) said that the text did not accurately reflect reality. Women’s rights had been conscientiously promoted by Christian churches.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Vermot-Mangold.

Mrs VERMOT-MANGOLD (*Switzerland*) pointed out that women were not allowed to become Catholic priests.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 18 is rejected.

We come to Amendment No. 28, tabled by Mr Giuseppe Gaburro, Mr Renzo Gubert, Mr Marcel Glesener, Mr Norbert Hauptert, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni, Mr Andrzej Wielowieyski and Mr György Frunda, which is, in the draft resolution, replace paragraph 4 with the following paragraph:

“At the same time, we can see more subtle and less spectacular forms of intolerance and discrimination which are much more widespread in Europe and are intended to restrict women’s right to freedom of expression, for example, by imposing or prohibiting the use of religious symbols in public buildings and areas.”

If this amendment is accepted, Amendment No. 12 falls.

I call Mr Gaburro to support Amendment No. 28.

Mr GABURRO (*Italy*) said that the resolution was criticising the idea that women had a variety of roles. His revised text would be more balanced and realistic.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) opposed the amendment because she did not want to debate the matter in this context.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 28 is rejected.

THE PRESIDENT. – We come to Amendment No. 12, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 4, delete the words “, such as the refusal to put into question a patriarchal culture which holds up the role of wife, mother and housewife as the ideal and the refusal to adopt positive measures in favour of women (for example in parliamentary elections)”.

I call Mr Gubert to support the amendment.

Mr GUBERT (*Italy*) asked why the Assembly should seek to interfere with cultural norms.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Wurm.

Mrs WURM (*Austria*) said that the committee did not wish to discriminate against mothers, but motherhood had to be a free choice.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 12 is rejected.

We come to Amendment No. 29, tabled by Mr Giuseppe Gaburro, Mr Renzo Gubert, Mr Marcel Glesener, Mr Norbert Hauptert, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni, Mr Andrzej Wielowieyski and Mr György Frunda, which is, in the draft resolution, paragraph 5, replace the words "women's rights, be they open, subtle, legal or illegal, practised with or without the nominal consent of the victims – women" with the following words: "universally recognised fundamental rights of women".

I call Mr Gaburro to support the amendment.

Mr GABURRO (*Italy*) said that the idea of "women's rights" was controversial and should be replaced with "universal rights".

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said that precision was important.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 29 is rejected.

We come to Amendment No. 30, tabled by Mr Giuseppe Gaburro, Mr Renzo Gubert, Mr Marcel Glesener, Mr Norbert Hauptert, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr György Frunda, which is, in the draft resolution, paragraph 6, replace the words "of their rights in the name of religion and to promote and fully implement gender equality" with the following words: "of human rights, regardless of their source".

If this amendment is adopted, Amendment No. 11 will fall.

I call Mr Gaburro to support the amendment.

Mr GABURRO (*Italy*) said that his amended text was more balanced and a better reflection of reality.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs de Zulueta.

Mrs DE ZULUETA (*Italy*) said that it would be strange to abandon the concept of gender rights.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 30 is rejected.

We come to Amendment No. 11, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 6, first sentence, after the word "equality", insert the following words: "of human dignity".

I call Mr Gubert to support the amendment.

Mr GUBERT (*Italy*) said that equality was an ambiguous term: men and women did not always do the same things.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Ms Err.

Ms ERR (*Luxembourg*) said that the resolution related to gender, not physical, equality.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 11 is rejected.

We come to Amendment No. 20, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Giuseppe Mulas, Mrs Patrizia Paoletti Tangheroni, Mr Bart van Winsen and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 6, delete the following words: "on grounds such as physical or biological differentiation based on, or attributed, to religion".

I call Mr Provera to support the amendment.

Mr PROVERA (*Italy*) said that the text confused the violation of rights against women in the name of religion with the violation of rights more generally.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Ms Err.

Ms ERR (*Luxembourg*) said that those who violated rights were in no position to speak about equality of treatment.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 20 is rejected.

We come to Amendment No. 10, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 6, last sentence, after the word "stereotypes", insert the words: "without foundation".

I call Mr Gubert to support Amendment No. 10.

Mr GUBERT (*Italy*) said that the Assembly should only fight against those stereotypes which were without foundation.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Vermot-Mangold.

Mrs VERMOT-MANGOLD (*Switzerland*) said that all stereotypes were without foundation.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 10 is rejected.

We come to Amendment No. 19, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Giuseppe Mulas, Mrs Patrizia Paoletti Tangheroni, Mr Bart van Winsen and Mr Claudio Azzolini, which is, in the draft resolution, at the end of paragraph 6, add the following sentence:

"It is also the duty of the states to uphold the religious freedom of women against its violation in the name of other rights."

THE PRESIDENT. – I call Mr Provera to support Amendment No. 19.

Mr PROVERA (*Italy*) said that he had heard it suggested that some present endorsed the permanent violations of women's rights. He did not consider this to be the case.

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

What is the opinion of the committee?

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 19 is rejected.

We come to Amendment No. 31, tabled by Mr Giuseppe Gaburro, Mr Renzo Gubert, Mr Marcel Glesener, Mr Norbert Hauptert, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr György Frunda, which is, in the draft resolution, replace paragraph 7 with the following paragraph:

“The Parliamentary Assembly thus calls on the member states of the Council of Europe to protect fully all women living in their country against violations of their human rights:

– putting in place and enforcing specific and effective policies to fight all violations of such rights, such as so-called ‘honour’ crimes, forced marriages and female genital mutilation, wherever and by whomever they are committed, however they are justified;

– taking a stand against violations of fundamental human rights, including in international for such as the United Nations, the IPU and others;

– guaranteeing the right of women to freedom of expression and religion in all areas of their life;

– ensuring that the freedom of religion and the respect for culture and tradition are not accepted as a pretext to justify violations of fundamental human rights recognised the world over.”

If this amendment is adopted, all remaining amendments fall.

I call Mr Gaburro to support Amendment No. 31.

Mr GABURRO (*Italy*) said that his amendment summed up a number of points in the last part of the draft resolution. The general aim was to make the provisions more acceptable; the general philosophy of the report was not acceptable as it stood.

THE PRESIDENT. – Thank you. Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) argued that the amendment watered down the general thrust of the report and it was impossible for her to support it.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 31 is rejected.

We come to Amendment No. 22, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Bart van Winsen, Mr Giuseppe Mulas, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, delete paragraph 7.1.

If this amendment is adopted, Amendment No. 23 falls.

I call Mr Provera to support Amendment No. 22.

Mr PROVERA (*Italy*) said that the Assembly could not refer to conflicts between two basic rights.

THE PRESIDENT. – Thank you. Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said that this amendment attempted to delete the concept of violations against women in the name of religion and was therefore unacceptable.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 22 is rejected.

We come now to Amendment No. 23, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Giuseppe Mulas, Mr Bart van Winsen, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, delete paragraph 7.1.1.

I call Mr Provera to support Amendment No. 23.

Mr PROVERA (*Italy*) said that it was for the state to uphold the rights of individuals.

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

What is the opinion of the committee?

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 23 is rejected.

We now come to Amendment No. 24, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Giuseppe Mulas, Mr Bart van Winsen, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, delete paragraph 7.2.

I call Mr Provera.

Mr PROVERA (*Italy*) said that the Assembly could not condemn fanaticism without defining the term properly.

THE PRESIDENT. – Thank you. Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said that the amendment would delete reference to the idea that the countries of Europe were opposed to such problems.

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

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 24 is rejected.

We come now to Amendment No. 9, which is identical to Amendment No. 25, and is tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, delete paragraph 7.3.

I call Mr Gubert to support Amendment No. 9.

Mr GUBERT (*Italy*) said Christian Democrats should not leave the field open.

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

What is the opinion of the committee?

Mrs ČURDOVÁ (*Czech Republic*). – The committee is against.

THE PRESIDENT. – The vote is open.

Amendment No. 9 is rejected.

THE PRESIDENT. – We come to Amendment No. 21, tabled by Mr Fiorello Provera, Mr Marcel Glesener, Mr Giuseppe Mulas, Mrs Patrizia Paoletti Tangheroni, Mr Bart van Winsen and Mr Claudio Azzolini, which is, in the draft resolution, delete paragraph 7.4.

I call Mr Provera to support Amendment No. 21.

Mr PROVERA (*Italy*) said the amendment was self-explanatory.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said the Assembly should oppose young girls being forced to wear the burqha.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 21 is rejected.

We come to Amendment No. 8, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 7.4, delete the words “, including when underage girls are forced to submit to religious codes (including dress codes), their freedom of movement is curtailed or their access to contraception is barred by their family or community”.

If this amendment is adopted, Amendment No. 7 falls.

I call Mr Gubert to support Amendment No.8.

Mr GUBERT (*Italy*) said families should be able to raise their children as they saw fit.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said that girls should not be contracting sexually transmitted diseases or AIDS because of a lack of access to contraception.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 8 is rejected.

We come to Amendment No. 7, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 7.4, delete the words “or their access to contraception is barred by their family or community”.

I call Mr Gubert to support Amendment No.7.

Mr GUBERT (*Italy*) said parents should not be punished for asking their daughters to remain virgins.

THE PRESIDENT. – Does anyone wish to speak against the amendment?

That is not the case.

What is the opinion of the committee?

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 7 is rejected.

We come to Amendment No. 5, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 7.5, replace the words "with gender equality principles", with the following words: "with the principles of equality of human dignity between women and men".

I call Mr Gubert to support Amendment No. 5.

Mr GUBERT (*Italy*) said the point at issue had been raised previously.

THE PRESIDENT. – Does anyone wish to speak against the amendment?

That is not the case.

What is the opinion of the committee?

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 5 is rejected.

We come to Amendment No. 32, tabled by Mr Giuseppe Gaburro, Mr Renzo Gubert, Mr Marcel Glesener, Mr Norbert Hauptert, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni, Mr Andrzej Wielowieyski and Mr György Frunda, which is, in draft resolution, paragraph 7.6, replace the words "is anti-democratic or disrespectful of" with the following words: "undermines democratic government and fails to respect".

I call Mr Gaburro to support Amendment No. 32.

Mr GABURRO (*Italy*) said the wording of the report should be revised.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said the question was whether Christian doctrine was undemocratic or not. The word "or" was sufficient.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

THE PRESIDENT. – The vote is open.

Amendment No. 32 is rejected.

We come to Amendment No. 4, tabled by Mr Renzo Gubert, Mr Giuseppe Gaburro, Mr Adolfo Fernández Aguilar, Mr Marcel Glesener, Mrs Blanca Fernández-Capel, Mrs Patrizia Paoletti Tangheroni and Mr Claudio Azzolini, which is, in the draft resolution, paragraph 7.6, delete the words ", and refuse to allow such doctrines to influence political decision-making".

I call Mr Gubert to support Amendment No. 4.

Mr GUBERT (*Italy*) said the wording in the report seemed authoritarian. The Assembly should uphold freedoms.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mrs Zapfl-Helbling.

Mrs ZAPFL-HELBLING (*Switzerland*) said the state religion should not influence the policy of the state.

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

Mrs ČURDOVÁ (*Czech Republic*). – Against.

destination, but had to manage migration in co-operation with others. Spain and the European Union wanted to show leadership by adopting the Africa plan. Strict border controls needed to be complemented by temporary admission and repatriation policies. Of course, immigration could be culturally enriching, but assistance had to be tempered by defence against those whose aim was destruction.

He concluded that Spain shared the Council of Europe's commitment to freedom, democracy and the rule of law, and urged the Assembly to continue its work.

THE PRESIDENT. – Thank you very much, Mr Moratinos, for that valuable and concrete contribution to the debate. You have expressed your preparedness to answer questions, and a list of members who have expressed a wish to put questions to you has been circulated.

The first question is from Mr de Puig, the leader of the Socialist Group.

Mr DE PUIG (*Spain*) asked what political activities the Alliance of Civilisations would undertake.

THE PRESIDENT. – Thank you. I invite Mr Moratinos to reply.

Mr MORATINOS said it would develop a specific action plan with measures to be taken by national governments. Each government should then prepare an implementation plan. The Spanish Government believed that many Islamic countries were also faced with terrorism and so must work together.

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

Mr ÇAVUŞOĞLU (*Turkey*). – The international community's interest in, and support for, our "Alliance of Civilisations" initiative will be an important element in its success. In your opinion, Mr Moratinos, what steps could be taken further to promote this initiative at both public and official levels that would lead to greater support?

THE PRESIDENT. – Thank you. I invite Mr Moratinos to reply.

Mr MORATINOS said that he very much agreed with the sentiments of the question. Turkey was in a good position to facilitate better communication between the western world and the Islamic states.

THE PRESIDENT. – Thank you. I call Mr Fernández Aguilar.

Mr FERNÁNDEZ AGUILAR (*Spain*) wanted to know what action the Spanish Government was taking to deal with European water shortages.

Mr MORATINOS said that he understood the importance of the water issue in Europe. He had heard it said that the next European war would be fought over water, not land. He was able to offer reassurance that the Spanish Government had plans to safeguard this resource.

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

Mr ALATALU (*Estonia*) wished to know the Minister's views on the proposed Alliance of Civilisations and the withdrawal of troops from Iraq.

THE PRESIDENT. – Thank you. I invite Mr Moratinos to reply.

Mr MORATINOS thanked Mr Alatalu for speaking in Spanish, and said that the western world faced many challenges. The Spanish Government had policies to deal with the development of situations across the world, including those in Iraq. The biggest challenge would be to convert a diplomatic initiative into a coherent road map for peace. All European Union countries were committed to carrying that task forward.

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

Mr AGRAMUNT (*Spain*) said that many matters had not been dealt with during the session of questions. He wanted to know the Spanish Government's immigration plans, in particular what was being done to address the problems on the Spanish border with Morocco.

THE PRESIDENT. – Thank you. I invite Mr Moratinos to reply.

Mr MORATINOS said that immigration was an international problem. Spain had borders with north Africa and this raised important immigration issues which the Spanish Government was discussing with the Moroccan Government. Morocco had already taken action in relation to this matter.

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

Mr ATEŞ (*Turkey*). – I welcome you, Minister. We really appreciated your informative presentation.

Yesterday morning, my Political Affairs Committee adopted a paper on European neighbourhood policy. We should like to know what you think the Council of Europe's role should be in the European Union's neighbourhood policy.

Let me also wish every success to Prime Minister Zapatero and to our Prime Minister, Mr Erdogan, in their new endeavour.

Mr MORATINOS. – Thank you for that question. The new neighbourhood policy is one of the essential instruments of the European Union. It takes place under the Barcelona process, and it is a step forward.

What is new about the new neighbourhood policy is that each country from the south or on the eastern European borders will receive specific treatment with all the elements necessary to create zones of stability and modernity and to give them a chance to have everything except, as Mr Prodi, the former President of the Commission, said, the institutions. We face the tremendous challenge of bringing to those countries the political values and principles of human rights and the rule of law.

My advice is that the Council of Europe should work in terms of what it can do politically. That means working politically on the reform of human rights records and on protecting and reinforcing the rule of law and democracy. That should be one of your important contributions.

Negotiations with Tunisia, Morocco and other countries are continuing. You therefore have time to co-operate with the European Commission and with member states to make a specific proposal that will enhance the framework for the respect for human rights, democracy and the rule of law.

THE PRESIDENT. – Thank you for your support for this Assembly. I now call Mr Lloyd.

Mr LLOYD (*United Kingdom*). – May I also thank you, Mr Moratinos, for your message and for the positive way in which you put the case for human rights? Intercultural dialogue is in our interests and the message was strong and not defensive.

It is important that we do not have conflict between the different European institutions and that we work in parallel to strengthen each other. What are your views on the EU's proposed human rights agency? If it works well, it will complement the Council of Europe. If it works badly, both organisations will become less effective.

Mr MORATINOS. – Thank you for that question. You have put your finger on it. Human rights is at the heart of Europe, and this organisation is the home of human rights. All our efforts should be directed at reinforcing and reforming the tribunal on human rights so that it can become more effective and so that guarantees are in place to ensure that human rights are protected.

I fully agree that, in this complex 21st century, politicians, diplomats and those in charge of international relations and the organisations with their own sign of identity should work together. The Council of Europe should be the main centre for the defence of human rights.

In the European Council, there have been proposals to create an agency on human rights and it could be complementary to what is being done by the Council of Europe. However, even if things become difficult and frustrating for organisations, it is worth trying to find synergies and complementarities and to define what each organisation should do.

THE PRESIDENT. – Thank you very much. We fully agree with you. We are strongly against the Commission's proposals that the agency should act outside the European Union. If it did, it would duplicate the work and undermine the role of the Council of Europe. I ask for your support in the European Council.

I also ask members to act in their national parliaments against the proposal. I assure you that, in my parliament in the Netherlands, we will offer our Minister of Foreign Affairs no room to manoeuvre to accept the proposal.

This is the first time I have intervened on this point in my presidency, but the proposal affects the existence of the Council of Europe. If we allow our position to be undermined, we will not be accepting our responsibilities nor doing our duty.

I now call Mr Van den Brande.

Mr VAN DEN BRANDE (*Belgium*). – I wish to underline what the President has just said. It is unthinkable that the EU should monitor countries that are outside its borders and are members of the Council of Europe.

We know that Spain is an example of cultural variety and different identities and cultural heritages. What dialogue, Mr Moratinos, can you set up with the differing cultural identities in Spain? I refer to your general answer. It is not enough to say that the Council of Europe must play a role in the coexistence between North and South and in the processes going on. What is the Council of Europe's concrete role in our approach to north Africa?

Mr MORATINOS. – Thank you for that question. Human rights, the rule of law and democracy are not a legacy of the west. All countries, civilisations and cultures must follow the road of human rights, democracy and the rule of law. We should therefore pay a little more attention to becoming involved with what is happening in north Africa and in the countries that seek modernity while respecting their own histories, religions and cultures. We must move further on the new parameters for democracy, human rights and rule of law.

We in Europe should sometimes be a little more aware of our neighbours. Unfortunately, we only consider problems when they become urgent. Spain launched the Barcelona process in 1995 because we were aware of what was going on on our southern borders and we asked our European friends for political, economic and cultural involvement. We asked the Council of Europe to make offers to our neighbours to facilitate their efforts.

THE PRESIDENT. – Thank you, Mr Moratinos. We must now finish our discussion and you have answered several questions. I have the honour of thanking you for making an important contribution to the discussions that we will have today and tomorrow. The Council of Europe is one of the international organisations whose key mission is intercultural and inter-religious dialogue. You gave specific examples of that, and the Council of Europe will become involved in the activities of the high level committee of the United Nations. That is tremendously important.

We have made it a priority that all committees come up with an action plan for next year and this morning we held a meeting with UEFA, because non-governmental organisations and civil society are our partners. We must go beyond declarations and reach compromises so that we can take concrete action. We will work with UEFA, starting with concrete action in Bosnia and Herzegovina.

We will have a seminar on the fight against racism in sport. We want to make our contribution as we are partners in these activities.

We thank you for coming, Mr Moratinos. I hope that we can count on your support in the General Affairs Council when it comes to the discussion about the agency.

Are there any members who still wish to vote in the election of the Council of Europe Commissioner for Human Rights and the Secretary General of the Parliamentary Assembly?

The ballots are now closed.

The counting of votes will take place under the supervision of the tellers, Mr Lachnit and Lord Russell-Johnston.

I invite them to go at once to Room 1087.

The results of the elections will be announced at the start of this afternoon's sitting.

7. 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 orders of the day which were approved yesterday.

Is that agreed?

It is agreed.

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

(The sitting was closed at 1.00 p.m.)

CONTENTS

1. Minutes of proceedings
2. Voting cards and the register of attendance
3. Elections of the Council of Europe Commissioner for Human Rights and the Secretary General of the Parliamentary Assembly
4. Organisation of debates
5. Women and religion in Europe

Presentation by Mrs Zapfl-Helbling of report, on behalf of the Committee on Equal Opportunities for Women and Men, Doc. 10670

Statement by Ms Jahangir, United Nations Special Rapporteur on Freedom of Religion or Belief

Speakers:

Mrs Bargholtz (Sweden)
Mrs Smirnova (Russian Federation)
Mr Platvoet (Netherlands)
Mrs Fernández-Capel (Spain)
Mr Kucheida (France)
Mr Branger (France)
Mrs Wurm (Austria)
Mrs Err (Luxembourg)
Mr Schreiner (France)

Replies:

Mrs Zapfl-Helbling (Switzerland)
Mrs Čurdová (Czech Republic)

Draft resolution adopted.

6. Address by Mr Moratinos, Minister for Foreign Affairs and Co-operation of Spain

Questions:

Mr de Puig (Spain)
Mr Çavuşoğlu (Turkey)
Mr Fernández Aguilar (Spain)
Mr Alatalu (Estonia)
Mr Agramunt (Spain)
Mr Ateş (Turkey)
Mr Lloyd (United Kingdom)
Mr Van den Brande (Belgium)

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