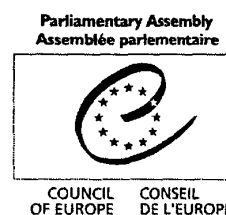


Parliamentary Assembly Assemblée parlementaire



Doc. 10794
23 January 2006

Progress report of the Bureau of the Assembly and of the Standing Committee (7 October 2005 – 23 January 2006)¹

Bureau of the Assembly
Rapporteur: Mr Bernard Schreiner (France, Group of the European People's Party)

Part I

1. INTRODUCTION

1. The Bureau met on 7 October 2005 in Strasbourg, on 25 November 2005 in Bucharest, on 12 December 2005 and on 9 January 2006 in Paris. The Standing Committee met on 25 November 2005 in Bucharest.

2. FUNCTIONING OF THE ASSEMBLY

A. **PROGRESS REPORT OF THE BUREAU OF THE ASSEMBLY AND OF THE STANDING COMMITTEE (7 OCTOBER 2005 – 23 JANUARY 2006)**

2. On 7 October 2005, the Bureau appointed Mr Schreiner (France, EPP/CD) as rapporteur.

B. **FOLLOW-UP TO 4TH PART OF THE 2005 ORDINARY SESSION (STRASBOURG, 3-7 OCTOBER 2005)**

3. On 7 October 2005, the Bureau:

i. *Opinion on the "Draft Framework Convention of the Council of Europe on the value of cultural heritage for society"*: agreed with the proposal of the Committee on Culture, Science and of Education that a formal preparation of an opinion of the Assembly was not necessary considering that in paragraph 17 of Recommendation 1712 (2005) on "Follow-up to the Third Summit" the Assembly had already taken position in favour of the Framework Convention and called on member States to sign and ratify it;

ii. *Follow-up to be given to the texts adopted*:

a. Recommendation 1724 (2005) on "the Council of Europe and the European Neighbourhood Policy of the European Union": decided to follow closely the implementation of the European Union Neighbourhood Policy and to discuss the modalities of this follow-up at its next meeting;

b. Recommendation 1726 (2005) on "Serious human rights violations in Libya – inhuman treatment of Bulgarian medical staff": took note that the President would follow closely the situation in Libya ;

¹ To be completed with the decisions taken by the Bureau during its meeting on 23 January 2006 in Strasbourg.

iii. Joint Committee: took note of the proposal of the Russian Permanent Representative to increase the involvement of the Assembly in the implementation of the conclusions of the Third Summit, on the occasion of the Russian Chairmanship of the Committee of Ministers.

C. 1st PART OF THE 2006 ORDINARY SESSION (23-27 JANUARY 2006)

4. On 25 November 2005 in Bucharest, the Bureau:

i. adopted the draft agenda ;

ii. took note of the letter from Mrs Bargholtz and Mr Lindblad requesting to hold a debate under urgent procedure on "*Freedom of the media in Russia*" during the January part-session 2006 and decided to consider this request at a future Bureau meeting;

iii. was informed by the Chairman of the Committee on Legal Affairs and Human Rights that this Committee might request a debate under urgent procedure on "*Alleged secret detention centres in Council of Europe member States*".

5. On 12 December 2005 in Paris, the Bureau:

i. drew up the draft order of business;

ii. Joint Committee (Thursday, 26 January 2006 at 6.30 pm): agreed to include the following topics on the draft agenda:

a. Relations between the Council of Europe and the European Union;

b. Follow-up of the Third Summit;

c. Alleged secret detention centres in Council of Europe member States.

6. On 9 January 2006 in Paris, the Bureau:

i. Requests for debates under urgent procedure:

a. *Current situation in Belarus:*

➤ recommended to the Assembly to hold this debate under urgent procedure; proposed to change the title to "Situation in Belarus on the eve of the presidential election"; and recommended to refer it to the Political Affairs Committee for report and to the Committee on Legal Affairs and Human Rights as well as the Committee on Culture, Science and Education for opinion;

➤ decided to invite representatives of the opposition and the authorities of Belarus to take part in this debate;

b. *Alleged secret detentions in Council of Europe member States:*

➤ recommended to the Assembly not to hold this debate under urgent procedure but as a current affairs debate being understood that a report on this matter will be presented at a future part-session;

➤ asked Mr Marty, rapporteur of the Committee on Legal Affairs and Human Rights, to open the debate;

➤ decided to invite representatives of the US Congress and of the European Parliament, Mrs Rice, US Secretary of State, and Mr Frattini, EU Commissioner responsible for Justice, Freedom and Security to take part in this debate;

c. *Freedom of the media in Russia:* recommended to the Assembly not to hold this debate under urgent procedure and proposed to refer the matter to the Committee on Culture, Science and Education for report;

- d. *Riots in Europeans cities: lessons and Council of Europe response*: recommended to the Assembly not to hold this debate under urgent procedure and proposed to refer the matter to the Committee on Social Health and Family Affairs for report and to the Committee on Migration, Refugees and Population and the Committee on the Environment, Agriculture and Local and Regional Affairs for opinion;
- e. took note of the information by Mr Eörsi that a request concerning the "use of energy supplies as a political tool" is under preparation;
- ii. up-dated the draft order of business;
- iii. took note that the President would hold a meeting with the Chairpersons of the parliamentary national delegations on Tuesday 24 January from 6 pm to 7.30 pm.

D. MEETING OF THE STANDING COMMITTEE (BUCHAREST, 25 NOVEMBER 2005)

7. On 7 October 2005, the Bureau took note of the draft agenda and the draft programme.
8. On 25 November 2005 in Bucharest, the Bureau took note of the updated agenda.
9. On 25 November 2005 in Bucharest, the Standing Committee:
- heard a welcome address by Mr Nicolae Văcăroiu, Speaker of the Senate of Romania;
 - held an exchange of views with Mr Mihai-Răzvan Ungureanu, Minister for Foreign Affairs of Romania and Chairperson of the Committee of Ministers;
 - approved the Statement to mark the International Day for the Elimination of violence against women;
 - ratified the credentials of new members of the Assembly submitted by the delegations of Estonia, Greece, Italy, Norway and Ukraine;
 - ratified the changes in the composition of general Assembly committees in respect of the delegations of Belgium, Bulgaria, Greece, Italy, Hungary, Norway, Turkey, Ukraine;
 - held an exchange of views on the issue of alleged secret detention centres in Council of Europe member States on the basis of a statement by Mr Marty, Chairperson of the Committee on Legal Affairs and Human Rights, and approved the Statement;
 - held an exchange of views on the observation of the parliamentary elections in Azerbaijan (6 November 2005) on the basis of the report of the Ad Hoc Committee of the Bureau, presented by Mr Platvoet;
 - postponed the consideration of the report on "Regrouping of agricultural land and forests in central and eastern Europe" which was not finalised by the Committee on Environment, Agriculture and Local and Regional Affairs;
 - postponed the consideration of the report on "Mechanisms to ensure women's participation in decision-making" which was referred to the Committee on Rules of Procedure and Immunities for opinion;
 - referred back to the Committee on Rules of Procedure and Immunities the report on "Transparency of the work of the Committee of Ministers".

E. MEETING OF THE STANDING COMMITTEE (PARIS, 17 MARCH 2006)

10. On 9 January 2006 in Paris, the Bureau agreed to hold an exchange of views with the Prime Minister of Luxembourg, Mr Juncker.

F. ADOPTED TEXTS

11. On 25 November 2005 in Bucharest, the Standing Committee, on behalf of the Assembly, adopted the following texts:

Resolution 1472 (2005)	on Abolishing the last piece of iron curtain in Central Europe;
Resolution 1473 (2005)	on European waterways: focus on the Danube-Oder-Elbe Canal project;
Resolution 1474 (2005)	on Activities of the United Nations High Commissioner for Refugees (UNHCR);
Resolution 1475 (2005)	on the 50th Anniversary of the Europe Prize – Stocktaking and Outlook;
Recommendation 1728 (2005)	on Budgetary powers of the Parliamentary Assembly of the Council of Europe;
Recommendation 1729 (2005)	on Activities of the United Nations High Commissioner for Refugees (UNHCR);
Recommendation 1730 (2005)	on the Private Management of cultural property;

G. REFERENCES AND TRANSMISSIONS TO COMMITTEES

12. On 7 October 2005, the Bureau approved the following proposals which were ratified by the Assembly later that day:

- **Doc. 10536**
Motion for a resolution presented by Mr Torosyan and others
Imvros and Tenedos, resume consideration of this motion at its future meetings;
- **Doc. 10538**
Motion for a recommendation presented by Mrs Petrova-Mitevaska and others
Provisional name of the Republic of Macedonia in the Council of Europe, resume consideration of this motion at its future meetings;
- **Doc. 10697**
Motion for a recommendation presented by Mr Schmied and others
Preserving the environment by energy savings within the public sector and the Council of Europe, resume consideration of this motion at the Bureau meeting of January 2006;
- **Doc. 10698**
Motion for a recommendation presented by Mr Toshev and others
Need to investigate the exported financial resources by the states of Central and Eastern Europe on the end of communist totalitarianism, to the Committee on Legal Affairs and Human Rights for information;
- **Doc. 10701**
Motion for a resolution presented by Mr Jakavonis and others
Potential threats to the ecosystem of the Baltic Sea arising from the chemical munitions buried in its seabed during the Second World War, resume consideration of this motion at the Bureau meeting of January 2006;
- **Doc. 10703**
Motion for a resolution presented by Mr Eörsi and others

The need for recognition of the Republic of Cyprus by Turkey, to the Political Affairs Committee to be taken into account in the preparation of the report on "the situation in Cyprus";

➤ **Doc. 10705**

Motion for a recommendation presented by Mr Eörsi and others

European Muslim communities confronted with extremism, to the Political Affairs Committee *for report* and to the Committee on Migration, Refugees and Population and to the Committee on Culture, Science and Education, *for opinion*;

➤ **Letter from the Chairman of the Committee on Rules of procedure and immunities**

Co-operation with the European Parliament, to the Committee on Rules of Procedure and Immunities *for report* on the modification of the Rules of Procedure concerning the co-operation with the European Parliament;

a. modification of references

➤ **Doc.10619**

Motion for a resolution presented by Mr Pourgourides and others

Abuse of the criminal justice system in Belarus

Ref. 3119 of 1 September 2005, resume consideration of the request of the Committee on Legal Affairs and Human Rights at its future meetings.

13. On 25 November 2005 in Bucharest, the Standing Committee ratified the following references and modifications of references proposed by the Bureau:

a. references to committees:

Reference No. 3147

Doc. 10715

Motion for a resolution presented by Mr Van den Brande and others

Precarious situation of national minorities in the Voivodina province of Serbia and Montenegro
and

Doc. 10726

Motion for a resolution presented by Mr Cubreacov and others

Violation of the human rights of the Romanian ethnic minority in Serbia to the Committee on Legal Affairs and Human Rights *for a single report*

Reference No. 3148

Doc. 10717

Motion for a recommendation presented by Mrs Cortajarena and others

Immigration from Subsaharian Africa to the Committee on Migration, Refugees and Population *for report*

Reference No. 3149

Doc. 10721

Motion for a resolution presented by Mr Christodoulides and others

Exploring ways of a closer association between the Republic of Kazakhstan and the Council of Europe, to the Political Affairs Committee *to be taken into account in the preparation of the report on "the situation in Kazakhstan"*

Reference No. 3150

Doc. 10722

Motion for a recommendation presented by Mr Flynn and others

Representation of patient views in Europe, to the Social, Health and Family Affairs Committee *for information*

Reference No. 3151

Doc. 10723

Motion for a resolution presented by Mr Lloyd and others

Launch of a European and national debate on realising both economic growth and social protection in an era of globalisation, to the Committee on Economic Affairs and Development *for report* and to the Social, Health and Family Affairs Committee *for opinion*

Reference No. 3152 **Doc. 10727**
Motion for a resolution presented by Mr Grignon and others
The need to harmonise the European patenting system in a globalised world, to the Committee for Economic Affairs and Development *for information*

Reference No. 3153 **Doc. 10748**
Motion for a resolution presented by Mr Marty and others
Alleged secret detention centres in Council of Europe member states, to the Committee on Legal Affairs and Human Rights *for report* and to the Political Affairs Committee *for opinion*;

b. modifications of references

Reference No. 3155 **Doc.10619**
Motion for a resolution presented by Mr Pourgourides and others
Abuse of the criminal justice system in Belarus
Ref. 3119 of 1 September 2005, to the Committee on Legal Affairs and Human Rights *for report*

Reference No. 3156 **Doc. 10636**
Motion for a recommendation presented by Mr Čekuolis and others
Possibilities of co-operation between the Council of Europe and Lebanon
Ref. 3132 of 1 September 2005, to the Political Affairs Committee *for report*

Reference No. 3157 **Doc. 10106 rev.**
Motion for a resolution presented by Mr Holovaty and others
The institutional balance at the Council of Europe
Ref. 2946 of 26 April 2004, to the Committee on Rules of Procedure and Immunities *for report* and to the Political Affairs Committee *for opinion*

Reference No. 3158 **Docs. 9865 and 9866**
Motion for resolution presented by Mrs Err and others
Mechanisms to promote gender equality in practice, and
Motion for a recommendation presented by Mrs Cliveti and others
Women's participation in decision-making
Modification of Ref. 2861 of 8 September 2003 (extended on 6 June 2005)
(References merged under the title "mechanisms to ensure women's participation in decision-making") to the Committee on Equal Opportunities for Women and Men *for report* and to the Committee on Rules of Procedure and Immunities *for opinion*

Reference No. 3159 **Doc. 10698**
Motion for a recommendation by Mr Toshev and others
Need to investigate the financial resources exported by the states of Central and Eastern Europe on the end of communist totalitarianism
Ref. 3143 of 7 October 2005, to the Committee on Economic Affairs and Development *for information*

c. requests to extend references

Reference No. 2895 **Motion for a recommendation presented by Mr Bindig and others**
Human Rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns (Doc. 9970)
Ref. no. 2895 of 25 November 2003 – Validity: 25 November 2005
Extension until 31 January 2006

Reference No. 2826 **Motion for a resolution presented by Mr Iwiński and others**
Situation in Kazakhstan (Doc. 9775)
Ref. 2826 of 27 May 2003 extended on 29 April 2005 – Validity: 31 December 2005
Extension until 30 June 2006

Reference No. 2889 **Motion for a recommendation presented by Mr Martínez Casañ and others**
The promotion of local self-government along Council of Europe borders
(Doc. 9964)
Ref. 2889 of 25 November 2003 – Validity: 25 November 2005
Extension until 25 May 2006

Reference No. 2902 **Motion for a recommendation presented by Mr Nazaré Pereira and others**
Forest fires: the consequences for the environment and the effect of
spatial planning (Doc. 9993)
Ref. 2902 of 25 November 2003 – Validity: 25 November 2005
Extension until 25 May 2006

d. follow-up after consultation

Reference No. 3154 **Motion for a recommendation presented by Mrs Hajiyeva and others**
Missing persons in Azerbaijan (Doc. 10631) to the Committee on Migration,
Refugees and Population *for report on "Missing persons in Armenia, Azerbaijan*
and Georgia".

- took note of the decisions of the Bureau concerning:

* Motion for a resolution presented by Mr Torosyan and others on Imvros and Tenedos (Doc. 10536), to resume consideration at its meeting on 9 January 2006;

* Motion for a recommendation presented by Mrs Petrova-Mitevaska and others on the Provisional name of the Republic of Macedonia in the Council of Europe (Doc. 10538), to consult the Political Affairs Committee on a possible follow-up to be given;

* Motion for a resolution presented by Mr Pourgourides and others on Freedom of religion and other human rights for non-Muslim minorities in Turkey (Doc. 10714), and

* Motion for a resolution presented by Mr Mercan and others on the plight of the Turkish Muslim Minority in Western Thrace, Greece (Doc. 10724); to consult the Committee on Legal Affairs and Human Rights on the possibility of preparing a single report;

* Motion for a resolution presented by Mrs Vermot-Mangold and others on Femicides (Doc. 10718), to consult the Committee on Legal Affairs and Human Rights on a possible study of the concept of "femicide";

* Motion for a resolution presented by Mr Padilla and others on the Method for the amendment of the Council of Europe Assembly's Rules of Procedure (Doc. 10725), to postpone consideration of the Motion;

* Motion for a resolution presented by Lord Russell-Johnston and others on the Judgment of the European Court of Human Rights in the case of Abdullah Öcalan (Doc. 10744), to postpone consideration of the Motion until the end of May 2006;

* Motion for a resolution presented by Mr Wodarg and others on Embryonic, foetal and post-natal animal-human mixtures (Doc. 10716), to postpone the decision to January 2006

* Motion for a recommendation presented by Mr Çavuşoğlu and others) on Migration and mobility in the Eurasian Region – Prospects for the future (Doc. 10719), to postpone the decision to January 2006.

14. On 12 December 2005 in Paris, the Bureau approved the following proposals:
- a. references
 1. **Doc. 10681**
Motion for a resolution presented by Mr Arabadjiev and others
Council of Europe Commissioner for Human Rights – stock-taking and perspectives, to the Committee on Legal Affairs and Human Rights *for report*
 2. **Doc. 10753**
Motion for a resolution presented by Mrs Bousakla and others
Abduction and “re-education” of Muslim women and children who have become too “Western-minded”, postponed to January 2006
 - b. request to modify a reference
 1. **Doc. 10089**
Motion for a recommendation presented by Lord Russell-Johnston and others
The cultural situation of the Kurds
Ref. no 2958 of 26 April 2004 – Validity: 26 April 2006, extended the validity until 30 June 2006
 - c. took note of the letter from Ms Papadimitriou concerning the motions on “the Plight of the Turkish Muslim Minority in Western Thrace, Greece”, “Freedom of religion and other human rights for non-Muslim minorities in Turkey” and the “Provisional name of the Republic of Macedonia in the Council of Europe”, and invited the Chairpersons of the Political Affairs Committee and the Committee on Legal Affairs and Human Rights to take this letter into consideration in the respective work of their committees on these issues.
15. On 9 January 2006 in Paris, the Bureau approved the following proposals:
1. **Doc. 10536**
Motion for a resolution presented by Mr Torosyan and others
Imvros and Tenedos, resume consideration of this motion on 23 January 2006 on the basis of a proposal by the Chairpersons of the Greek and the Turkish parliamentary delegations;
 2. **Doc. 10538**
Motion for a recommendation presented by Mrs Petrova-Mitevaska and others
The provisional name of the Republic of Macedonia in the Council of Europe, to the Political Affairs Committee *for report* taking into account the ongoing negotiations on the issue in the United Nations;
 3. **Doc. 10596**
Motion for a recommendation presented by Mr Margelov and others
Political and statutory role of the Parliamentary Assembly within the Council of Europe, to the Committee on Rules of Procedure and Immunities to take it into account in the preparation of the report on “The institutional balance at the Council of Europe”;
 4. **Doc. 10768**
Motion for a resolution presented by Mr Kosachev and others
Implementation of the decisions of the Third Summit of the Council of Europe, to the Political Affairs Committee *for report*;
 5. **Doc. 10769**
Motion for a resolution presented by Mr Meale and others
Protection of the environment in the Arctic region, postponed to end of January 2006;
 6. **Doc. 10773**
Motion for a recommendation presented by Mr Marquet and others

Child and teenage suicide in Europe: a serious public health issue, to the Social, Health and Family Affairs Committee *for report*;

7. **Doc. 10775**

Motion for a recommendation presented by Mr Rigoni and others
Palliative care, postponed to end of January 2006;

8. **Doc. 10781**

Letter from Mrs Bargholtz and Mr Lindblad
Freedom of the media in Russia, to the Committee on Culture, Science and Education *for report*;

9. **Doc. 10782**

Letter from Mr Mercan
Riots in European Cities: lessons and Council of Europe response, to the Committee on Social Health and Family Affairs *for report* and to the Committee on Migration, Refugees and Population and the Committee on the Environment, Agriculture and Local and Regional Affairs *for opinion*;

10. **Doc. 10783**

Letter from the Chairman of the Committee on Rules of Procedure and Immunities (Rule 65.2 of the Rules of Procedure)
Procedure for decisions by committees relating to candidates eligible for election by the Assembly, to the Committee on the Rules of Procedure and Immunities *for report*;

H. FOLLOW-UP TO THE THIRD SUMMIT

16. On 25 November 2005 in Bucharest, the Bureau:

i. took note of the report by the President and Mr Gross on their participation in the Launching meeting of the Council of Europe Forum on the Future of Democracy which took place in Warsaw on 3-4 November 2005 and of the conclusions of this meeting;

ii. took note of the report by Mr van den Brande on his participation in the meetings of the CM-Suivi 3 on 25 October and 9 November 2005 and of the report from the Ministers' Deputies on "Follow-up to the Third Summit".

I. POST-MONITORING DIALOGUE WITH SLOVAKIA AND LATVIA

17. On 9 January 2006 in Paris, the Bureau:

i. took note and declassified the memoranda approved by the Monitoring Committee;

ii. with regard to Slovakia: decided to recommend to the Assembly to conclude the post-monitoring dialogue and to append the memorandum to the Progress Report of the Bureau;

iii. with regard to Latvia:

a. asked the President to write a letter to the Chairman of the parliamentary delegation of Latvia asking him to inform the Bureau, before the June part-session 2006 at the latest, about actions to be taken by the Latvian authorities on the specific recommendations contained in paragraphs 54 to 57 of the memorandum;

b. agreed to come back to this matter in the light of this reply.

J. RECOMMENDATION 1726 (2005) ON "SERIOUS HUMAN RIGHTS VIOLATIONS IN LIBYA – INHUMAN TREATMENT OF BULGARIAN MEDICAL STAFF"

18. On 12 December in Paris, the Bureau authorised Mr Lloyd and Mrs Durrieu to visit Libya.

K. COMMUNICATION POLICY OF THE PARLIAMENTARY ASSEMBLY

19. On 7 October 2005, the Bureau :

- i. endorsed the main principles for the Assembly's communication, as formulated by the President of the Assembly, on the basis of the memorandum of the Secretary General of the Assembly [AS/Bur (2005) 83 rev] ;
- ii. invited the Secretary General of the Council of Europe to take the necessary steps to ensure the creation of a direct link to the Assembly's website in a prominent position on the front page of the Council of Europe website.

L. PRIORITIES FOR THE WORK OF THE COMMITTEES FOR 2006

20. On 9 January 2006 in Paris, the Bureau:

- i. took note of the committee's replies to the President's letter of 13 October 2005 and of the preliminary analysis of the replies by the President;
- ii. asked the Secretariat to prepare a detailed analysis of these replies and decided to come back to this matter at its meeting on 27 January 2006.

M. PACE INTER-PARLIAMENTARY COOPERATION AND ASSISTANCE PROGRAMME

21. On 12 December 2005 in Paris, the Bureau took note of the memorandum prepared by the Secretary General of the Parliamentary Assembly.

N. COMPOSITION OF THE MONITORING COMMITTEE

22. On 7 October 2005, the Bureau approved new members as proposed by the political groups for ratification by the Assembly i.e. Mr Lloyd (United Kingdom, SOC), Mr Mota Amaral (Portugal, EPP/CD) and Mr Vareikis (Lithuania, EPP/CD).

23. On 25 November 2005 in Bucharest, the Bureau approved new members as proposed by the political groups for ratification by the Assembly: Mr Marquet (Monaco, ALDE); Mrs Christoffersen (Norway, SOC) and Mr Vera Jardim (Portugal, SOC).

O. INSTITUTIONAL REPRESENTATION OF THE ASSEMBLY

24. On 12 December 2005 in Paris, the Bureau appointed Mr Zingeris (EDG) as an alternate representative on the Council for Democratic Elections of the Venice Commission on behalf of the Monitoring Committee instead of Mr Kvakkestad (EDG), who is no longer a member of the Assembly.

P. APPOINTMENTS OF ASSEMBLY REPRESENTATIVES FOR OFFICIAL ACTIVITIES

25. On 7 October 2005, the Bureau took the following decisions on the Assembly representatives at different events:

- OSCE, 2005 Parliamentary Assembly Fall Meetings (Sveti-Stefan, 7-9 October 2005): Mr Gardetto (Monaco, EPP/CD);
- PACE/CLRAE conference on water management, (Strasbourg, 20-21 October 2005): Ms Papadimitriou (Greece, EPP/CD);
- 6th Annual conference of Parliamentary Network on the World Bank, (Helsinki, 21-23 October 2005): Mr Jonas (Germany, SOC);
- Meeting of the Follow-up Committee on the Third Summit (CM-SUIVI 3): (Strasbourg, 25 October 2005): Mr Van den Brande (Belgium, EPP/CD);
- Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers, meeting at the United Nations, (New York, 27 October 2005): Lord Russell-Johnston (United Kingdom, ALDE); Mr Gross (Switzerland, SOC);

- Annual Forum of the European Investment Bank (EIB), (Helsinki, 27-28 October 2005): asked the Committee on Economic Affairs and Development to appoint a representative;
- 15th Anniversary of the establishment of the Parliament of the Republic of Armenia, (Yerevan, 1 November 2005): Mr Schreiner (France, EPP/CD);
- Meeting of the Parliamentary Initiative of the Central European Initiative, (Bratislava, 3-5 November 2005): Mrs Brestenská (Slovakia, ALDE);
- 51st Annual Session of NATO Parliamentary Assembly (Copenhagen, 12-15 November 2005): Mrs Severinsen (Denmark, ALDE);
- Tunis phase of World Summit on the Information Society (WSIS), (Tunis, 16-18 November 2005): Mr Walter (United Kingdom, EDG);
- International Scientific Practical Conference on Problems of International Cooperation in Combating Drug Abuse and Trafficking in Drugs, (St Petersburg, 17 November 2005): Mr Flynn (United Kingdom, SOC);
- 26th Plenary Session of CIS Interparliamentary Assembly, (St Petersburg, 18 November 2005): Mr Iwinski (Poland, SOC);
- PABSEC, General Assembly, 26th session, (Tirana, 22-24 November 2005): asked the Committee on Migration, Refugees and Population to appoint a representative;
- International Parliamentary Conference on Jerusalem, (Ramallah, 29-30 November 2005): asked the Political Affairs Committee to appoint a representative;
- International Leadership Conference on Human Rights and the Death Penalty, (Tokyo, 6-7 December 2005): asked the Committee on Legal Affairs and Human Rights to appoint a representative;
- Eleventh session of the conference of the Parties to the Climate Change Convention, (Montreal, 7-9 December 2005): Bureau of the Committee on the Environment, Agriculture and Local and Regional Affairs;

26. On 25 November 2005 in Bucharest, the Bureau took the following decisions on the Assembly representatives at different events:

- 10th anniversary of the accession of Ukraine to the Council of Europe (Kyiv, 30 November 2005): Mrs Severinsen (Denmark, ALDE);
- 2nd Arab Parliamentary Symposium on Disability Legislation (Beirut, 1-2 December 2005): Mr Dees (Netherlands, ALDE);
- Eleventh session of the conference of the Parties to the Climate Change Convention, (Montreal, 7-9 December 2005): authorised Mr Etherington (United Kingdom, SOC) to join the Bureau of the Committee on the Environment, Agriculture and Local and Regional Affairs to participate in this session;
- 6th Forum of Cities and Regions of South-East Europe (Sinaia, Romania, 8-9 December 2005): Mr Doric (Croatia, ALDE);
- Opening exhibition "The Holocaust against the Roma and Sinti and present day racism in Europe" (Strasbourg, 17 January 2006): Mr Schreiner (France, EPP/CD);
- 2006 Winter meeting of the OSCE PA (Vienna, 23-24 February 2006): Mr Gardetto (Monaco, EPP/CD);

27. On 12 December 2005 in Paris, the Bureau left it up to the President to appoint a representative for the Opening ceremony on the occasion of the first Plenary Assembly of the European Roma and Travellers Forum to be held in Strasbourg on 13th December 2005.

28. On 9 January 2006 in Paris the Bureau took the following decisions on the Assembly representatives at different events:

a. Unite against racism conference organised by the UEFA, Barcelona, 1 February 2006: Mr de Puig (Spain, SOC);

b. Parliamentary meeting organised by the European Parliament on « national parliaments on the way to Lisbon », Brussels, 31 January-1 February 2006: Mr Kirilov (Bulgaria, SOC).

Q. REPORTS BY ASSEMBLY REPRESENTATIVES ON THEIR PARTICIPATION AT OFFICIAL ACTIVITIES

29. On 25 November 2005 in Bucharest, the Bureau:

a. took note of the reports by:

- Mr Gross on the 113th session of the Inter-Parliamentary Union, Geneva, 17-19 October 2005 ;
- Ms Muttonen on the 6th Annual Conference of the Parliamentary Network on the World Bank, Helsinki, 21-23 October 2005 ;
- Mr Sasi on the European Investment Bank (EIB) Forum 2005, Helsinki, 27-28 October 2005 ;
- Mr Schreiner on the ceremony for the 15th Anniversary of the Parliament of the Third Republic of Armenia, Yerevan, 1 November 2005 ;
- Mrs Severinsen on the 51st Annual Session of the NATO Parliamentary Assembly, Copenhagen, 12-15 November 2005 ;
- .Mr Azzolini on the Extraordinary Session of the Euro-Mediterranean Assembly (EMPA), Rabat, 21 November 2005.

b. decided to forward these reports to the competent committees.

30. On 12 December 2005 in Paris the Bureau took note of the report by Mr Farkas on the 8th Central European Initiative (CEI) Summit Economic Forum (SEF) and Roundtable of Ministers of Economy, Bratislava, 23-24 November 2005.

31. On 9 January 2006 in Paris, the Bureau:

a. took note of the following reports:

- report by Mr Dick Dees, Chair of the Sub-Committee on Health on his participation in the Second Arab Parliamentary Symposium on Disability Legislation in Beirut on 1-2 December 2005;
- report by Mr Sasi on his participation in the meeting of the Executive Council of Europe's North-South Centre in Lisbon on 20 November 2005;

b. decided to transmit these reports to the competent committees for follow-up.

R. MEETINGS ELSEWHERE THAN IN STRASBOURG OR PARIS

32. On 7 October 2005, the Bureau authorised the following meetings:

- Committee on Migration, Refugees and Population: Geneva, 3-4 November 2005;
- Committee on Economic Affairs and Development: London; 19-20 January 2006.

33. On 9 January 2006 in Paris, the Bureau authorised the following meetings:

- Sub-Committee on Violence against Women of the Committee on Equal Opportunities for Women and Men: Stockholm (Sweden), 30 March 2006;
- Committee on Economic Affairs and Development: Moscow and Irkutsk (Russian Federation), 22-24 May 2006.

3. RELATIONS WITH OTHER BODIES OF THE COUNCIL OF EUROPE

A. **COMMITTEE OF MINISTERS**

34. On 7 October 2005, the Bureau took note of the state of preparation of the working breakfast between the Assembly's Presidential committee and the Bureau of the Committee of Ministers (Strasbourg, 17 November 2005).

35. On 25 November 2005 in Bucharest, the Bureau:

- i. took note of the report by the President on his participation in the 115th Session of the Committee of Ministers (16-17 November 2005) as well as of the communique of the Session and the conclusions of the Chair;
- ii. took note of the document transmitted by the Committee of Ministers concerning the Review of action taken by the Committee of Ministers on Parliamentary Assembly recommendations.

B. **EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN AND DEGRADING TREATMENT OR PUNISHMENT (CPT)**

36. On 7 October 2005, the Bureau drew up the lists of the candidates for the CPT in the following order:

i. Candidates in respect of Denmark:

- 1/ Mr Jørgen Worsøe RASMUSSEN
- 2/ Mr Ole Vedel RASMUSSEN
- 3/ Mr Julio ARENAS

ii. Candidates in respect of Georgia:

- 1/ Mr George TUGUSHI
- 2/ Mr Konstantin KORKELIA
- 3/ Mr Erik SVANIDZE

iii. Candidates in respect of Greece:

- 1/ Ms Haritini DIPLA
- 2/ Ms Christina PAPADOPOULOU
- 3/ Mr Athanasios THEODORIDIS

iv. Candidates in respect of United Kingdom:

- 1/ Mrs Silvia CASALE
- 2/ Ms Julie HOLLYMAN
- 3/ Mr Andrew McLELLAN

37. On 25 November 2005 in Bucharest, the Bureau drew up the list of candidates for the CPT in the following order:

i. Candidates in respect of Norway:

- 1/ Mrs Birgit LIE
- 2/ Mrs Sidsel ROGDE
- 3/ Mrs Jorunn RINGSTAD

C. TASK FORCE OF THE COUNCIL OF EUROPE TO COMBAT VIOLENCE AGAINST WOMEN

38. On 7 October 2005, the Bureau, following the proposal of the Committee on Equal Opportunities for Women and Men, appointed Ms Hilary Fisher, Director of Amnesty International's campaign "Stop Violence against Women", as an expert of the Assembly to this Task Force.

D. NORTH-SOUTH PRIZE OF THE COUNCIL OF EUROPE

39. On 25 November 2005 in Bucharest, the Bureau took note that the Prize was awarded to Mrs Bogaletch Gebre (Ethiopia) and Mr Bob Geldof (Ireland).

4. RELATIONS WITH OTHER INTERNATIONAL ORGANISATIONS

A. COOPERATION BETWEEN THE ASSEMBLY AND THE EUROPEAN PARLIAMENT

40. On 7 October 2005, took note of the two memoranda prepared by the Secretary General of the Assembly as well as the proposals of the President following the meeting with Mr Daul, Chairman of the Conference of Committee Chairmen of the European Parliament;

41. On 25 November 2005 in Bucharest, the Bureau took note of the conclusions of the Joint meeting of the Presidential Committee and the Conference of Presidents of the European Parliament which took place on 20 October 2005 in Brussels and agreed to send them to the Assembly committees for a follow-up.

B. RELATIONS BETWEEN THE COUNCIL OF EUROPE AND THE EUROPEAN UNION

❖ ***Mr Juncker's report/"memorandum of understanding" on relations between the Council of Europe and the European Union***

42. On 25 November 2005 in Bucharest, the Bureau was informed that the President has addressed letters to the Chairman of the Committee of Ministers, to the President of the European Commission and to the UK Secretary of State:

- urging them to ensure that the process of preparing a "memorandum of understanding" on relations between the Council of Europe and the European Union undertaken by the United Kingdom Presidency of the European Union, in collaboration with the European Commission, does not prejudice the outcome of Mr Juncker's report on "the relations between the European Union and the Council of Europe", expected by the first half of 2006;
- stressing that negotiations on the agreement between the Council of Europe and the European Union should be deferred until his final report has been presented;
- asking the Committee of Ministers to consult the Assembly prior to the conclusion of any agreement.

43. On 9 January 2006 in Paris the Bureau took note of the reply of Mr Alexander, UK Minister for Europe, and agreed that the President should ask the Chairman-in-office of the Council of Europe Committee of Ministers to transmit to the Assembly the draft memorandum of understanding between the Council of Europe and the European Union prepared by the UK Foreign Office.

C. COOPERATION AGREEMENT WITH THE NATO PARLIAMENTARY ASSEMBLY

44. On 7 October 2005, the Bureau approved a draft Cooperation agreement.

D. CONFERENCE ON "100TH ANNIVERSARY OF THE ESTABLISHMENT OF THE STATE DUMA OF RUSSIA AND EUROPEAN PARLIAMENTARIANISM: HISTORY AND THE PRESENT" (ST PETERSBURG, 28 APRIL 2006)

45. On 12 December 2005 in Paris the Bureau:

- i. agreed to co-organise this conference with the Inter Parliamentary Assembly of the Commonwealth of Independent States (IPA CIS) provided that the Assembly takes equal part in its preparation;
- ii. decided to set-up an ad hoc committee to participate in this conference;
- iii. proposed to the IPA CIS the following title "Conference on European parliamentarianism: History and the Present (held on the occasion of the centenary of the establishment of the Russian State Duma)".

5. ELECTIONS

A. PARLIAMENTARY ELECTIONS IN AZERBAIJAN (6 NOVEMBER 2005)

46. On 25 November 2005 in Bucharest, the Bureau:

- a. approved and declassified the report of the Ad Hoc Committee on the observation of the parliamentary elections in Azerbaijan;
- b. noted that the co-rapporteurs of the Monitoring Committee on Azerbaijan should visit the country as soon as possible and asked Mr Platvoet to accompany them in his capacity of Chairman of the Ad Hoc Committee to observe the parliamentary elections;

47. On 12 December 2005 in Paris, the Bureau:

- a. heard an oral report on the post-electoral visit of the co-rapporteurs of the Monitoring Committee and the Chairman of the Ad Hoc committee on the observation of the parliamentary elections;
- b. agreed that they should visit the country again before the partial re-run of the elections;
- c. decided to observe the partial re-run of the elections;
- d. took note of the intention of the President to address a letter to the President of Azerbaijan and the Speaker of parliament;
- e. invited the Ad Hoc committee which observed the elections to organise a hearing on this issue during the January 2006 part-session, including representatives of the opposition;
- f. invited the Monitoring Committee to consider measures which could be taken as follow-up to the parliamentary elections, in the framework of the monitoring procedure;
- g. expressed its full support to the co-rapporteurs and stressed that any pressure on them is unacceptable;
- h. decided to come back to this matter at its next meeting.

48. On 9 January 2006 in Paris, the Bureau :

- a. took note of the letters from the President to the President of Azerbaijan and the Speaker of the Parliament;
- b. took note of the letter from the Speaker of the Parliament concerning the new composition of the delegation of Azerbaijan to the Assembly;

c. took note of the letter from the Deputy Chairman and executive secretary of the New Azerbaijan Party transmitting a declaration of 724 candidates taking part in the parliamentary elections in Azerbaijan;

d. was informed by Mr Gross that the members of the delegation which carried-out the post-election visit in Azerbaijan last December, were in favour of challenging the credentials of the delegation of Azerbaijan.

B. CONSTITUTIONAL REFERENDUM IN ARMENIA (27 NOVEMBER 2005)

49. On 7 October 2005, the Bureau:

a. took note of the letter from the President of the Parliament of Armenia, Mr Baghdasaryan, stating that the referendum on constitutional reforms in Armenia will be held on 27 November 2005;

b. called on the political groups to appoint members (3 SOC, 2 EPP/CD, 2 ALDE, 2 EDG, 1 UEL) to observe this referendum and authorised the President to approve the proposals submitted by the political groups and to appoint the Chairperson of the Ad Hoc Committee.

50. On 25 November 2005 in Bucharest, the Bureau took note of the composition of the Ad Hoc Committee and of the appointment by the President of Mr Jirsa (Czech Republic, EDG) as Chairperson.

51. On 12 December 2005 in Paris, the Bureau:

a. approved and declassified the report of the Ad Hoc Committee which observed the constitutional referendum;

b. invited the Monitoring Committee to consider follow-up to be given to the referendum in the framework of the monitoring procedure.

C. ELECTIONS IN THE CHECHEN REPUBLIC (27 NOVEMBER 2005)

52. On 7 October 2005 the Bureau approved the composition of the delegation which will be present on the occasion of these elections as follows: Mr Bindig (Germany, SOC), Mr Mihkelson (Estonia, EPP/CD), Mr Messerschmidt (Denmark, EDG), Mr Christodoulides (Cyprus, UEL), Mr Gross (Switzerland, SOC) Chairman of the Ad Hoc Sub-Committee for the organisation of the Round Table on the political situation in the Chechen Republic and Mr Iwinski (Poland, SOC) former rapporteur on the Committee on Migration, Refugees and Population on the "humanitarian situation of the Chechen displaced population".

53. On 12 December 2005 in Paris, the Bureau heard oral reports by Messrs Bindig, Gross and Iwinski on their presence in the Chechen Republic on the occasion of these elections.

D. PRESIDENTIAL ELECTION IN KAZAKHSTAN (4 DECEMBER 2005)

54. On 7 October 2005 the Bureau :

a. decided to set up an ad hoc committee to observe this election composed of 5 members (one for each political group);

b. authorised the President to approve the proposals submitted by the political groups and to appoint the Chairperson of the Ad Hoc Committee;

c. authorised the President to cancel this observation mission in case of real obstacles occurring before the election.

55. On 25 November 2005 in Bucharest, the Bureau took note of the composition the Ad Hoc Committee and of the appointment by the President of Mr Iwinski (Poland, SOC) as Chairperson.

56. On 12 December 2005 in Paris, the Bureau heard an oral report by Mr Iwinski who chaired the Ad Hoc committee which observed the election .

E. ELECTION IN TRANSNISTRIA (11 DECEMBER 2005)

57. On 25 November 2005 in Bucharest, the Bureau decided not to observe this election.

F. ELECTIONS TO THE PALESTINIAN LEGISLATIVE COUNCIL (25 JANUARY 2006)

58. On 25 November 2005 in Bucharest, the Bureau took note that the pre-electoral mission foreseen from 10 to 14 December 2005 has been postponed until January .

59. On 12 December 2005 in Paris, the Bureau was informed that the list of members of the Ad Hoc Committee was not yet available and urged the political groups to appoint their representatives.

60. On 9 January 2006 in Paris, the Bureau:

a. Pre-electoral mission:

- agreed with the proposal of the Chairman of the Ad Hoc Committee suggesting that instead of a pre-electoral mission, the ad hoc committee could start its work a day earlier to allow for a more in depth fact-finding and briefing period before the elections;
- decided that the observation mission will take place from 21 to 26 January 2006;

b. approved the list of members of the Ad Hoc Committee.

G. PARLIAMENTARY ELECTIONS IN BELARUS (19 MARCH 2006)

61. On 9 January 2006 in Paris, the Bureau:

a. took note that the presidential election in Belarus will take place on 19 March 2006;

b. took note of the letter from Mr Lebedko, Chairman of the United civil party, Mr Vecherko, Chairman of the BFP Party, and Mr Kaljakin, First Secretary of the Central Committee of PKB of Belarus, asking the President to address the Venice Commission with the request to give an opinion about the illegality (or legality) of Mr Lukashenko's participation in the next presidential election;

c. was informed by the President about his proposal to hold a conference in Prague, possibly in February 2006.

H. PARLIAMENTARY ELECTIONS IN UKRAINE (26 MARCH 2006)

62. On 12 December 2005 in Paris, the Bureau decided to set up an Ad Hoc Committee to observe these elections composed of 40 members (SOC: 14; EPP/CD: 12; ALDE: 7; EDG: 5; UEL: 2).

I. REQUEST BY THE UNITED NATIONS ELECTORAL ASSISTANCE DIVISION (UNEAD), THE NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS (NDI) AND THE CARTER CENTER (TCC) FOR ENDORSEMENT OF A DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION AND A CODE ON GOOD CONDUCT FOR INTERNATIONAL ELECTION OBSERVERS

63. On 7 October 2005, the Bureau endorsed the Declaration and the Code on Good Conduct.

J. PROPOSED UPDATE TO THE GUIDELINES FOR THE OBSERVATION OF ELECTIONS BY THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE

64. On 7 October 2005, the Bureau approved the update the document [AS/Bur (2005)115].

6. BUDGETARY AND ADMINISTRATIVE QUESTIONS

65. On 9 January 2006 in Paris, the Bureau:

i. Budget of the Assembly for 2006: took note of the memorandum prepared by the Secretariat;

- ii. Proposal for the apportionment of the allocation to the political groups for 2006: took note of the memorandum prepared by the Secretariat and approved the apportionment of the allocation to the political groups for 2006.

7. OTHER MATTERS

A. USE OF ARTICLE 52 OF THE ECHR

66. On 25 November 2005 in Bucharest, the Bureau took note that the Secretary General of the Council of Europe requested, in accordance with article 52 of the ECHR, information from all forty-five governments of the High Contracting Parties on reports suggesting that terrorist suspects may have been secretly detained in or transported through a number of Council of Europe member states with the possible involvement of foreign agencies.

B. ALLEGED SECRET DETENTIONS IN COUNCIL OF EUROPE MEMBER STATES

67. On 12 December 2005 in Paris the Bureau:

- a. took note that the President will send an open letter to the U.S. Congress;
- b. took note of the intention of Mr Marty, rapporteur of the Committee on Legal Affairs and Human Rights, to propose to the committee to present a first report on this subject to the Assembly during the January 2006 part-session under urgent procedure;
- c. invited the national parliaments to cooperate fully with Mr Marty in the preparation of his report.

68. On 9 January 2006 in Paris, on the President's proposals, the Bureau invited the Committee on Legal Affairs and Human Rights to organise a hearing on this matter with those who can provide useful information (in particular NGO's representatives, journalists, witnesses...) during the January part-session 2006 and to inform the Bureau on its action.

C. EUROPEAN CONFERENCE OF PRESIDENTS OF PARLIAMENT, TALLINN/HELSINKI (30 MAY – 1 JUNE 2006)

69. On 7 October 2005 agreed on the two main themes to be addressed: "Bridge-building through Parliamentary Diplomacy" and "Role of Parliaments in promoting pluralistic democracy at home and abroad".

70. On 25 November 2005 in Bucharest, the Bureau took note of the state of preparations;

D. HEARING ON THE CULTURAL SITUATION OF THE KURDS IN IRAN, IRAQ, SYRIA AND THE DIASPORA

71. On 25 November 2005 in Bucharest, the Bureau following a discussion on the Hearing on cultural situation of the Kurds foreseen by the Committee on Science, Culture and Education in Paris on 30 November 2005, invited the Chairman of this Committee to postpone it in order that the Committee could re-consider the list of the invited personalities with a view to having a more appropriate balance.

72. On 12 December 2005 in Paris, the Bureau :

- i. took note of the letters from the Chairman of the Committee on Culture, Science and Education and from the Chairman of the Turkish parliamentary delegation;
- ii. confirmed that it was the responsibility of the Committee on Culture, Science and Education to establish the list of persons invited to this hearing;
- iii. invited the Chairman of the Committee on Culture, Science and Education to take into account the discussion in the Bureau when finalising the list of persons invited.

73. On 9 January 2006 in Paris, the Bureau was informed by the Chairman of the Committee on Culture, Science and Education that the three persons proposed by the Chairman of the Turkish delegation will be invited in the hearing.

E. COMMUNICATIONS

74. On 25 November 2005 in Bucharest, the Bureau took note of the written communications by the President; the Secretary General and the Deputy Secretary General of the Council of Europe; and the Secretary General of the Parliamentary Assembly.

75. On 12 December 2005 in Paris, the Bureau took note of the communications by the President, the Secretary General of the Council of Europe and the Secretary General of the Parliamentary Assembly.

76. On 9 January 2006 in Paris, the Bureau took note of the communications of the President, the Secretary General and the Deputy Secretary General of the Council of Europe, as well as the Secretary General of the Parliamentary Assembly.

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5 December 2005
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**COMMITTEE ON THE HONOURING OF OBLIGATIONS AND COMMITMENTS BY MEMBER STATES
OF THE COUNCIL OF EUROPE (MONITORING COMMITTEE)**

Post-monitoring dialogue with Slovakia

**Memorandum prepared by Mrs Hanne Severinsen, 1st Vice-Chair, following her visit from 21 to 24
September 2005**

I. INTRODUCTION

1. The Republic of Slovakia joined the Council of Europe on 30 June 1993, pursuant to the Assembly Opinion No. 175 (1993) and to Committee of Ministers resolution (93) 33. A monitoring procedure was opened in June 1995 on the basis of Order No. 508. Three fact-finding visits were carried out in this context in between 1996 and 1999, resulting in two interim reports. On 21 September 1999, the Assembly adopted Resolution 1196 (1999) and Recommendation 1419 (1999), which closed the monitoring procedure. At the same time, it resolved to pursue its dialogue with the Slovak authorities on a number of issues referred to in paragraph 5 of the Resolution, or on other issues arising from the obligations of the Slovak Republic as a member State of the Council of Europe.

2. At its meeting on 19 December 2000, the Monitoring Committee agreed to start implementing the post-monitoring dialogue in respect of Slovakia. Accordingly, the Slovak authorities were invited to provide written comments on the follow-up to the recommendations on the specific issues stipulated in Resolution 1196 (1999). On 19 June 2002, Mr Peter Weiss, the then Chair of the Slovak delegation to PACE, submitted an information paper on fulfilling the recommendations [AS/Mon (2002) 37].

3. At its meeting on 15 December 2004, the Monitoring Committee authorised its then Chair, Mrs Durrieu, to make a fact-finding visit in January 2005 in order to obtain supplementary information and observe the progress in implementation of paragraph 5 of Resolution 1196 (1999). Due to the change in chairmanship, however, this visit had to be postponed. Finally, at its meeting on 1 June 2005, the Monitoring Committee authorised me, in my capacity as Vice-Chair of the Committee, to carry out this fact-finding visit to Slovakia from 21 to 24 September 2005 with a view to examining the possibility of terminating the post-monitoring dialogue with the Slovak authorities.

4. During my visit, I met with the Vice-Chairman of the Government, the Ministers of Foreign Affairs, Education and Construction and Regional Development, the President of the National Council (Parliament), the chairs of the political parties and members of the PACE delegation, the State Secretary of the Ministry of Justice, the Chairmen of the Constitutional and Supreme Courts, the Ombudsman (Public Defender of Rights), the President of the Council for Broadcast and Retransmission, the Vice-Chair of the Slovak Bar Association, the Mayors of Košice and Spišská Nová Ves, representatives of human rights organisations and the Roma and Hungarian communities (see the attached programme). I am most grateful for the co-operation and valuable information that I received, which have fed into this memorandum. I appreciated the openness as well as critical and self-critical attitude towards carrying out the necessary reforms that I encountered during the meetings that I held with government officials and various state institutions.

5. Having been rapporteur for the first Opinion concerning the accession of the Slovak Republic back in 1993, the various concrete steps taken and in particular the real legislative marathon, are obvious proof of the substantial progress achieved since accession to the Council of Europe. The accession to the European Union on 1 May 2004 has further opened a new and promising phase in the country's development as a fully-fledged democracy that guarantees all its residents their rights and dignity.

6. I sincerely thank Mrs Brestenská, Head of the Slovakian delegation to the PACE, and the Slovak parliamentary delegation secretariat as well as the Council of Europe Information Centre in Bratislava who made a great effort to accommodate my requests, including the extension of the visit to meet the Roma Community in the region of Spiš and the Hungarian minority in Košice. I am grateful for the co-operation I received from the Slovak authorities, the Slovak parliamentary delegation to the PACE, the diplomatic representatives in Bratislava and the different NGOs alike.

II. ISSUES REFERRED TO IN PARAGRAPH 5 OF RECOMMENDATION 1196 (1999)

7. The post-monitoring dialogue with the Slovak authorities has concentrated on the following issues that remained pending since Resolution 1196 (1999):

- i. the **rights of the opposition**, notably its participation in the parliamentary committees which oversee the activities of the intelligence services (control committees);
- ii. the **independence of the judiciary**, notably the procedures for the election of judges and the appointment of presidents and vice-presidents of courts, the case-load of courts, the implementation of decisions of the Constitutional Court, amnesty issues and the creation of the institution of Ombudsman;
- iii. **administrative reform of the local and regional self government**;
- iv. **independence of the media**, including during electoral campaigns;
- v. **protection of minorities**, notably the consequences of the law on state language and the need for a law on the use of minority languages;
- vi. measures to address the problems of **the Roma population**.

8. The chapters below will strive to evaluate whether the steps taken in the follow-up to these issues have been such that they warrant envisaging the termination of the post-monitoring dialogue. They will concentrate on the developments between December 2000 and 24 September 2005. Any development subsequent to that date is not covered in the following paragraphs nor taken into account in the conclusions and recommendations of this memorandum.

i. **The rights of the opposition, notably its participation in the parliamentary committees which oversee the activities of the intelligence services (control committees)**

9. Already at the time of the adoption of Resolution 1196 (1999) the Assembly maintained that, after the 1998 elections, the opposition had become sufficiently represented in the parliamentary control committees and had the chair of one of them. Today, two out of three Special Control Committees of the National Council (the Special Control Committee for the Control of Activities of the National Security Authority and the Special Control Committee for the Supervision of Activities of the Military Intelligence Service) are chaired by an opposition MP.

10. It is also noteworthy that the current government of Slovakia is in a minority position, with four opposition parties¹ comprising 63 seats of the 150-MP Parliament and another 20 MPs acting as independents. Despite its minority position, the current ruling coalition in power since 2002 has managed to push through a rather bold and coherent reform package, which has been helped by the formerly authoritarian HZDS party (one of the major opposition parties) having changed its focus and backing Slovakia's EU and NATO membership in 2004.

11. My visit to Bratislava coincided with the end of a nine-day political crisis brought about by Slovakia's minority cabinet having failed to secure enough votes to open a regular autumn session of parliament days after expelling the pro-business ANO party from its ruling coalition. I was pleased to observe in general the calm atmosphere of common sense that reigned in the Parliament even in these circumstances, which I consider as a good indication of the maturity of the political forces in the country.

ii. **Independence of the judiciary, notably the procedures for the election of judges and the appointment of presidents and vice-presidents of courts, the implementation of decisions of the Constitutional Court, the case-load of courts, amnesty issues and the creation of the institution of Ombudsman**

12. Since the opening of the post-monitoring dialogue, Slovakia has made substantial progress in bringing its legislation into harmony with its international obligations. I sincerely welcome the modification of Article 11 of the Slovak Constitution, according to which all international instruments on human rights

¹ SMER - 27, Movement for Democratic Slovakia (HZDS) - 23, Communist Party (KSS) - 9, New Citizen's Alliance (ANO) - 4.

and freedoms ratified by the Slovak Republic after taking effect of the Constitutional Act No. 90/2001 Coll. and promulgated under statutory requirements have taken precedence over national laws.

13. Constitutional amendments in 2001¹ closed several loopholes which had previously enabled authoritarian forces to weaken the separation of powers in their favour. It also considerably strengthened the independence of the judges and the transparency of their election process. Several new institutions were created, including an ombudsman for human rights (Public Defender of Rights) and the Judicial Council. The position of the Constitutional Court was strengthened, and a second self-governing administrative level was created. The Slovak system of checks and balances thus became similar to those systems found in developed democracies.

14. The judicial reforms have continued in May 2005 when the penal code was amended. The new law strengthens the rights of citizens, replacing Slovakia's outdated criminal statutes of 1961. A special court and prosecution office were established to prosecute corruption and organized crime. In addition, the civil code was amended in order to reduce the length of proceedings.

15. Despite this progress, there have been frequent complaints of corruption in the administration and in the courts. This corruption is widespread, according to various reports.

a) Independence of the judiciary

16. As regards the **independence of the judges** and the transparency of their election, under Article 6 of the Act No. 385/2000 Coll. on Judges and Lay Judges and on the amendment of certain acts, the so-called four-year "trial" period was removed and replaced by appointment of judges for an unlimited period. Whilst earlier the judges were elected by the Parliament upon proposal from the Government, now the judges are appointed by the President based on the proposal by the newly created Judicial Council of the Slovak Republic, an independent 18-member body² presided by the President of the Supreme Court³.

17. The constitutional amendments have also enhanced the independence of the judges of the Constitutional Court through the extension of the term of office to 12 years and through making it impossible to be re-elected⁴.

18. At the time of adoption of Resolution 1196 (1999), the presidents and vice-presidents of district and regional courts were appointed, replaced and dismissed by the Minister of Justice, which was seen as an interference with the independence of the judges, in particular because the president of the courts used to distribute cases to the judges⁵. Moreover, the disciplinary panels of judges were also appointed by the president of the court.

19. According to the reformed system, the presidents and vice-presidents of the courts are elected from among the members of the council of judges established at all levels of courts, which themselves are elected by the assembly of the respective court from their ranks in a secret ballot. The President and the Vice-President of the Supreme Court are appointed by the President of the Slovak Republic on the basis of a proposal of the Judicial Council of the Slovak Republic for a 5-year term and for not more than two consecutive terms (Article 145 (3) of the Constitution). Moreover, all cases at all levels of the court system are now distributed by a new electronic random computerized system, which has been operational since April 2005. Special courts were set up by Act No. 458.2003 Comm. to deal with disciplinary cases of the judges of district and regional courts and judges of the Constitutional Court.

¹ The Constitutional Statute No. 90/2001 was adopted by the National Council on 23 February 2001 and came into effect as of 1 July 2001 (some provisions as of 1 January 2002).

² 8 members of which are nominated by the judges and 3 each by the president, parliament and the government.

³ the competencies of the Judicial Council of the Slovak Republic include the right to submit to the president proposals of appointing or recalling judges, decisions about assignment and transfer of judges, and the right to comment on draft budgets of courts.

⁴ The number of judges of the Constitutional Court has been raised from 10 to 13. They are appointed by the President of the Republic from among 26 candidates elected by the National Council.

⁵ PACE Doc. 8496 of 6 September 1999, Monitoring Committee report on the Honouring of obligations and commitments by Slovakia by MM Magnusson (SOC, Sweden) and Sinka (EDG, Latvia), p. 19.

20. I fully acknowledge the success of the legislative and administrative reforms, which have significantly improved the independence of the judiciary. On the other hand, during my visit to Bratislava, my attention was drawn to some new discrepancies which I believe to have been created by the over-eagerness by the legislators to combat excessive delays in courts or to prevent any possibility of solidarity-based corruption among the judges in disciplinary courts. The latter concerns the introduction of some legislative changes affecting the position of judges, which could possibly pose a threat to the independence of the judiciary. For example, the new Act on Liability for Loss Caused by Public Power makes it possible for the State of Slovakia to require a judge to reimburse in full the compensation paid by the State to a citizen because of damage caused by the judge due to unnecessary procedural delays. This seems contrary to Opinion 3 of the Consultative Council of Judges to the Council of Europe (CCJE) on the principles and the Council of Europe rules governing judges' conduct, in particular ethics, incompatible behaviour and impartiality¹. This is also contrary to Article 16 of the UN Basic Principles on the Independence of the Judiciary², stating that "*without prejudice to any disciplinary procedure or to any right of appeal or to compensation from the State in accordance with national law, judges should enjoy personal immunity from civil suits for monetary damages for improper acts or omissions in the exercise of their judicial functions*". The Prosecutor General has submitted an appeal against this provision to the Constitutional Court.

21. The new Slovak legislation also includes a way of creating disciplinary senates according to which a person other than a judge may be elected as a member of a disciplinary senate and representatives of the executive and legislative powers may propose a decisive number of the disciplinary senate members, thus creating an area for direct or indirect actual influence of the other two state powers on the performance of judges.

22. Furthermore, several provisions of the new Act on Judges and Lay Judges concerning wages of judges and aiming at better reflecting the differences in responsibilities have been delayed till now, thus creating a negative impact as regards the material guarantees for the independence of judges³.

23. Finally, despite the Act on Judges and Lay Judges of 2000 having strengthened the status of the judiciary by enshrining the principle of the non-transferability of judges, the recent Act on New Venues and Districts of Courts introduces a possibility to transfer a judge to another court without his/her consent⁴.

b) New competencies of the Constitutional Court

24. The competencies and independence of the Constitutional Court have been considerably strengthened, including also the enforceability of its rulings and a higher level of protection of fundamental rights and freedoms⁵. The new Section 7 of Article 129 makes the decisions of the Constitutional Court binding for all relevant public authorities, natural or legal persons. The relevant public authority is thus obliged to ensure implementation of the decisions of the Constitutional Court without any delay.

25. New competencies of the Constitutional Court include the assessment of constitutionality of international contracts and questions to be subject of referendum, and a possibility to suspend the effect of legal regulations, parts thereof or some of their provisions once the Constitutional Court has accepted a motion to start proceedings, provided that their further application would jeopardize fundamental rights and freedoms, or that considerable economic damage or any other irreparable situation could result.

¹ Resolution of the European Association of Judges adopted at the meeting of the European Association of Judges held in Valle de Bravo, Mexico, on 4th November 2004, <http://xoomer.virgilio.it/goberto/valledebravoen.htm>.

² endorsed by General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985.

³ The basic remuneration of judges amounts to three times the average wage, which is calculated on the same basis as the wages of the members of the National Council. The difference in wages of judges of different instance courts is 5 per cent (incl. between regional courts and the Supreme Court), which is not considerable giving the differences in living standards in Bratislava and the regions.

⁴ This change was required because of the entering into force on 1 January 2005 of the Act on residences and districts of the courts in the Slovak Republic which reduced the number of district courts from 55 to 45. The case-load and judges of the ten abolished courts were relocated to other existing courts.

⁵ Bröstl, A., Klučka, J., Mazák, J., Constitutional Court of the Slovak Republic (Organisation, Process, Doctrine), published by Constitutional Court of the Slovak Republic, 2001, p. 169.

26. Access to justice has also been considerably strengthened, enabling the Constitutional Court to decide on complaints lodged by natural persons who allege violations of their constitutional rights or of their human rights and fundamental freedoms resulting from an international treaty ratified by the Slovak Republic. In deciding in the case of a complaint when any basic rights or freedoms are breached, the Constitutional Court may award appropriate financial compensation.

27. The constitutional amendments have thus created an effective domestic tool of protection of fundamental rights and freedoms, which will in the long run also alleviate the case-load of the European Court of Human Rights in Strasbourg.

c) handling of the case-load of courts

28. The fundamental right of every person to have his or her case tried without undue delay as guaranteed by Article 48 paragraph 2 of the Slovak Constitution, and the right to a fair hearing within a reasonable time as guaranteed by Article 6 paragraph 1 of the European Convention of Human rights are the most frequently violated rights in the Slovak Republic. More than 95% of the total number of decisions of the Constitutional Court of the Slovak Republic on constitutional complaints by individual applicants, concern violation of these rights. Similarly, most of the judgements of the European Court of Human Rights against Slovakia relate to violation of the right to a fair hearing within a reasonable time¹. Despite various efforts made over the years to reduce the courts' backlog and eliminate delays of proceedings, the case load still remains excessive for a variety of reasons².

29. In order to combat this problem more effectively, a position of senior judicial officers was created in 2002 to handle simple cases. According to the Ministry of Justice, about 800 such senior judicial officers have been recruited, which should be welcomed. Unfortunately no statistics seem to be available on the real impact of the creation of this position.

30. In 2004, several laws were further adopted with a view to reducing undue delays in court proceedings: the new Code of Civil Procedure Amendment set a time limit of nine months after the filing of a motion to court before the first hearing; the Act on Mediation and the Act on Probation and Mediation Officers introduced the use of mediation respectively in civil and criminal matters as a form of out of court settlement between the parties.

31. Notwithstanding all these positive developments, a cause for concern is the recent adoption in May 2005 of the new Criminal Code and the Code of Criminal Procedure, which upon the motion submitted by the Minister of Justice, will bring the Slovak Police Force back under military jurisdiction as from January 2006. I regret not having been aware of these provisions to re-militarise the Slovak police at the time of my visit to Bratislava, for it seems clear to me that any attempt to include the police officers under the jurisdiction of military courts and their militarization is not in compliance with the resolutions and recommendations of the Council of Europe, the Geneva Convention or the *acquis communautaire* of the European Union. As was explained to me by the Chair of the Slovak Police Trade Union at a later meeting in Strasbourg, this decision had been justified by the fact that, with the professionalisation and reduction of the Armed Forces, the military courts would be able to hold court proceedings in an accelerated manner. Such reasoning, however, is unacceptable and finds no support in any European police-related law or in the Council of Europe resolutions and recommendations as stated above.

d) Amnesty issues

32. Another concern raised in Resolution 1196 (1999) was the possibility offered by Slovakian law of granting an amnesty during an investigation, and even before it has begun, which is not compatible with the requirements of the rule of law. I have received a confirmation from the Slovak authorities that this possibility has been repealed by the constitutional amendments of 2001.

e) Establishment of the institute of Ombudsman (Public Defender of Rights)

33. The institution of Ombudsman (Public Defender of Rights) was set up in March 2002 with the election by the National Council of the first Slovakian Ombudsman, who was elected from within the oppositional party Movement for a Democratic Slovakia (HZDS).

¹ EU Network of Independent Experts on Fundamental Rights report on the Slovak Republic, CFC-CDF/RepSK/2004, p. 90.

² 2004 Annual Report of the Public Defender of Rights, p. 10.

34. By law, the Office of the Ombudsman, being an independent body¹, participates in the protection of basic rights and freedoms of both natural and legal entities in case of action, decision-making or inactivity of bodies of public administration provided that their action, decision-making or inactivity run against the legal regulations or principles of a democratic state of law. The Ombudsman can receive complaints from individuals or can act on his/her own initiative. He does not provide private individuals with a legal remedy against discriminatory establishments, but his Office can provide independent legal services to victims. Regrettably the office's usefulness is seriously curtailed by its lack of direct sanctioning authority and by a relatively narrow scope of manoeuvre, having persuasion, notification of superior bodies and the media as the only instruments at hand. Although frequently present in all eight regions of the country, the fact that the Ombudsman does not have regional branches or the resources to effectively cover the whole territory diminishes further the control that this body can exert upon local authorities.

35. Nevertheless, this new institution seems to have established itself well in the Slovak legal and administrative framework. It currently comprises a staff of 39 persons. In its three years of functioning, the office has received approximately 7,800 applications, of which 93% have been processed. It has further provided legal counsel and advice in 12,000 cases. According to the Ombudsman, less than 300 applications concerned constitutional breaches of human rights regarding undue delays of procedures, violation of the right to information, to permanent residence or to health care. The largest number of complaints has been filed against state administration, social insurance and public health authorities.

iii. Administrative reform of Local and Regional self government

36. In its Resolution 1196 (1999), the Assembly called upon the Slovak authorities to promote decentralisation and the restructuring of the administration by increasing the powers of local self-government authorities, introducing regional self-government and carrying out elections to regional councils by 2001. It also urged the state authorities to ratify the European Charter of Local Self-Government.

37. The National Council of the Slovak Republic ratified the European Charter of Local Self-Government by its Resolution No. 516 on 26 October 1999. The Charter came into effect on 1 June 2000.

38. Local and regional democracy in the Slovak Republic have undergone a radical change since then, the country having evolved from a strong unitary system to a fully decentralised one. The reform has been conducted on a comprehensive basis, developing at the same time the local and the regional layers of government². Along with the ratification of the European Charter, the government in power in 2000 published a strategic political document called the "Concept for decentralisation and modernisation of public administration" (No. 230, of 11 April 2000). Most of the developments that have taken place afterwards have been anchored in that strategy with the final aim of creating a streamlined government territorially divided in three layers: a) State administration, b) regional authorities and c) local authorities.

39. The Constitutional amendments of 2001 provided the prerequisites for carrying out this reform. In addition, on 4 July 2001, the National Council approved the Act No. 303 on Self-government of Higher Territorial Units (Act on Self-Governing Regions), which set up eight self-governing regions³ and called for elections to those bodies. In the same year the transfer of a number of competencies in various areas

¹ though not financially independent, being entirely financed from the state budget.

² in fact, the decentralisation of power at municipal level started from the 1990s already. Compared to the regionalisation process in the last four years, the transfer of state power to local level has been slower, with the municipalities having taken longer to actually start exercising their newly acquired competences. Also, often new powers did not go along with sufficient financing. Gradually, however, municipalities are learning how to apply their powers in managing primary schools and some hospitals.

³ Using the same territorial basis as the governmental regional offices created in 1996. In general, as pointed out in a draft paper currently in preparation by the CLRAE, the number, size and capital of several regions were largely the most critical issue for political discussion during the process of establishing the regions. The debate was constantly pervaded by technical terminology or by political questions, especially the possibility or political willingness to have a region along the territory of the Hungarian minority. These features rendered the whole regionalisation process somewhat technocratic and cold. The final decision seems to have been the result of a compromise between historical and economic considerations. The fears of the Hungarian minority that they could be somehow dissolved in the resulting territorial picture of the regions were largely dissipated by the very good electoral results of that minority in the regional elections of 2002.

of public administration from the bodies of local governments to regional governments was approved as well.

40. The first regional elections in Slovakia's history took place on 1 December 2001¹, after which the governing bodies of the Regions were established. The autonomous regions started their activities in 2002 with a transitional period until the end of 2003. During that period, a number of acts and amendments to existing legislation were passed² with a view to establishing a full and comprehensive statutory framework for the regions. Also, during the same period the state transferred many powers and jurisdictions from the state level to the regional one, for instance in education, health care, social services, environmental matters and even local taxes. Many former state administration powers such as the state welfare system, issuance of building permits, management of construction proceedings, etc. have been transferred to the municipalities. January 2004 marked the beginning of the full life of the regions, which has improved the overall level of democracy in Slovakia.

41. The regional democratisation process has also become more dynamic after Slovakia's accession to the EU, which is supporting regional development policy of the member states by offering them different instruments. On the other hand, it would be wishful thinking to expect that such a complex and radical reform would not be accompanied by some problems, even if the Slovakian authorities truly deserve recognition for the fact that no serious failures have occurred during the transition process. Although the regions are functioning relatively well³, thought should be given to ways of improving their efficiency, particularly in political and economic terms.

42. The funding of the regions has evolved in the last three years. In 2002 – 2004, the regions were mainly financed by direct subsidies from the central administration in order to fund their operating expenses. However, the financial system of the regions has been completely renovated as from 1 January 2005, following some new legislative amendments approved in 2004. In the new system, the regions have a new financing system, in which they levy their own tax, and get a share of income tax. While under the old system, the regions received 98% of their revenues via subsidies, under the new system this share is less than 50% from this source and around 50% from the regional tax. Nonetheless, it seems that the current system only covers the operating costs of the regions, but that it has not solved yet the problem of investment costs. To this end, it would be desirable to reinforce the process of fiscal decentralisation and to increase the financial autonomy of the regions so that they would be able to perform a comprehensive programme of investments in order to boost the quality of life and regional competitiveness.

43. Another issue brought to my attention by the Mayor of Košice is the regrettable fact that while the regions have been vested with the primary task of regional development, the management of the European Union structural funds is entrusted to the central administration (this being linked to the insufficient size of the regions). As also pointed out in the final statement of the recently held colloquy on the "Regional Democracy in the Slovak Republic and the Process of Strengthening Regional Authorities"⁴, the self-governing regions would like to have more intensive participation in the complex management and implementation procedures of the EU structural funds, especially in the programming period which is now under preparation for the years 2007-2013 in the National strategy reference framework.

¹ Separate elections for regional and local municipal governments are held every four years. Both active and passive voting rights for the bodies of self-government of municipalities and self-governing regions have been granted to all citizens having permanent residency within the territory of a given municipality or self-governing region, i.e. in addition to the citizens of the Slovak Republic also to foreigners.

² An act on elections for self-governing regions; an amendment to the act on municipal structure; an amendment to the act on elections for the self-governing bodies of municipalities; an act on the property of self-governing regions, an amendment to the act on municipal property and an act on transfer of some powers from the state administration bodies to municipalities and higher territorial units. Moreover, an act on supporting regional development, approved on 18 October 2001, was passed. This act governs conditions of support for regional development in economically weak regions and in regions where some industries and manufacturing companies are in decline.

³ Which has been recognised in the conclusions of a recent colloquy "Regional Democracy in the Slovak Republic and the Process of Strengthening Regional Authorities" jointly organised by the Council of Europe Congress of Local and Regional authorities and the Self-Governing Region of Trenčín in Trenčín, 20-21 June 2005.

⁴ Idem.

44. Unfortunately the public administration reform does not seem to have triggered much popular support so far. I had a feeling that many people simply still do not fully understand the role of the regions in the new decentralised society. This is probably also one of the reasons that explains the low participation rate in the last regional elections. New regional elections are scheduled to take place on 26 November 2005. Barely two months before the forthcoming elections, I was surprised during my stay not to find any sign of political campaigning for these elections. It remains to be seen whether the electoral turnout will improve with this election, but there seems to be a serious need for helping Slovak citizens getting "connected" with their regional authorities.

45. Finally, the various new competences of local and regional authorities, such as the sale of municipally-owned real estate, the allocation of flats or public procurement to name but a few, are tempting sources for corruption and misuse of public resources. With this danger in mind, proper supervising and independent monitoring mechanisms would need to be set up. The recent creation of special courts to deal with corruption cases of public officials is the first positive step in this direction.

iv. Independence of the media, including during election campaigns

46. The Slovak Republic has been listed among the top eight countries with the greatest press freedom in the third annual worldwide index of press freedom announced by the Reporters without Borders for the year 2004¹.

47. The independence of the media in the Slovak Republic is safeguarded through the freedom of expression, the right to information and the right to express opinion guaranteed in Article 26 of the Slovak Constitution and other laws regulating press publishing and broadcasting (the Act of Periodic Press and the Act of Broadcasting and Retransmission). There is an undeniably high degree of pluralism in the press and the electronic media as witnessed by the great number of printed press and electronic media channels – both public and private (e.g. there are currently 83 licensed TV broadcasters, four of whom nation-wide). The only restriction is applied to foreigners who need to apply for an approval of a competent state authority in order to be granted access to press publishing, which seems to be in contradiction with Article 26 paragraph 2 of the Slovak Constitution guaranteeing that "everyone" has the right to express opinion in print and that no approval is required for press publishing.

48. The previous Monitoring Committee report on Honouring the Obligations and Commitments by Slovakia (Assembly Doc. 8496 of 6 September 1999) criticised the composition and status of the Broadcasting and Retransmission Council, which was at the time not compatible with the independent nature of this institution. In the year 2000, new Acts on the Radio and Television Broadcasting and on the Broadcasting and Retransmission Council were adopted, which created a dual system of public media and private media broadcasting and strengthened the independence of the Broadcasting and Retransmission Council as the regulatory authority. The latter is now funded 90 per cent from subscription fees and advertising, the share of state subsidies having decreased to a mere 10 per cent (the percentage is supposed to drop even further). The nine members of the Board of the Broadcasting and Retransmission Council are now elected by the Parliament for a period of six years, renewable once. In order to ensure objectivity and guarantee continuity, every other year three of the nine members rotate. Nonetheless, as was pointed out by Mr Csáky, Deputy Prime Minister of the Slovak Republic for European Affairs, Human Rights and Minorities, as well as by the President of the Broadcasting and Retransmission Council, the new system of appointment of members of the Council's board is still not entirely free of political influences and interests of different party groups.

49. In early 2004, the new Acts on the Slovak Television and Slovak Radio came into force which turned them into proper public service broadcasters based on public funding, functioning for public service under public supervision. While earlier the CEOs and Directors of the Slovak TV and the Slovak Radio were nominated by the parliament, the new Acts foresee that these nominations are made by the Board of the Broadcasting and Retransmission Council.

50. Participation of private electronic media in election campaigns has been for a long time fully guaranteed in the case of presidential election campaign and municipal self-administration election campaign. Until lately the participation of private media was not governed by the Act on elections for bodies of self-governing regions nor by the Act on elections to the National Council since the Act on broadcasting and retransmission, adopted in September 2000, prohibited political advertising in radio and

¹ http://www.rsf.org/article.php3?id_article=11715

television broadcasting unless provided differently by a special regulation. I received, however, confirmation from different sources that these problems have now been solved.

v. Protection of minorities, notably the consequences of the law on state language and the need for a law on the use of minority languages

51. Ethnic Slovaks form about 85.8% of the country's multi-ethnic population representing 12 national minorities spread throughout the country: Hungarians 9.7%, Roma/Gypsies 1.7%, Ruthenians 0.4%, Ukrainians 0.2%, Germans 0.1%, Moravians and Silesians 0.1%, Croatians 0.02%, Jews 0.04%, Polish 0.06%, Bulgarians 0.02% and Czechs 0.8%. Geographically speaking, none of them occupies a whole region.

52. In general, Slovakia may be regarded as exemplary in Europe in providing its minorities their cultural rights to promote their language and culture. It has ratified most of the major Council of Europe instruments on the protection of national minorities: the Framework Convention for the Protection of National Minorities (1998), the European Convention on Nationality (2000) and the European Charter for Regional or Minority Languages (2001). It has also signed – though not yet ratified - Protocol 12 to the European Convention on Human Rights.

53. At national level, the legislative framework for minority protection has also been considerably improved in the past years. The ratification of the European Charter of Regional and Minority languages has called for new amendments to the existing domestic legislation. Currently, as was pointed out to me by the Deputy Prime Minister for EU Integration Mr Csáky, some provisions of the State Language Law are still in contradiction with the Charter. In order to implement the Charter properly, as many as eight domestic acts would need to be amended in the nearest future. New draft laws on national minorities and on the funding of minority cultures, based on the government resolution No. 278 of 23 April 2003, are also currently being prepared.

54. The Law on the Use of National Minority Languages (Minority Language Act, No. 184/1999 Coll.), which came into force in September 1999, grants members of a national minority, which constitute at least 20% of the population of a municipality, the right to use their language in official communications with the authorities. The law also provides for street names and other local geographical signs to be written in that language. Some minority groups, particularly the Hungarians, are making use of the possibility of using their own language in contacts with local authorities. However, as regards especially the Roma community, the Law is underused in the 54 municipalities that exceed the required percentage¹. One barrier to its implementation is that the official figures for persons who have identified themselves as Roma in the last census in 2001 widely under-estimate the real size of the Roma population (see more below); another is that the Romany language, which exists in a number of dialects in Slovakia, is not codified and is not spoken by all Roma². Also, some of the Ruthenian communities (in about 20 municipalities) are limited in their right to use their minority language in official communication for the reason that the government has still not adopted an updated list of municipalities in which members of the national minority represent at least 20 per cent of its total population after the 2001 census.

55. According to Article 34 of the Slovak constitution, persons belonging to national minorities and ethnic groups have the right, under the conditions laid down by a law, to be educated in their language. Citizens of Czech, Hungarian, German, Polish and Ruthenian nationality are ensured the right to education in their own language to an extent proportional to the interests of their national development. Thus minority schools exist not only at primary level but also at secondary level. The first public University offering education of students mainly in Hungarian was recently opened in Komárno. The preferential treatment agreement concluded in 2003 between the Slovakian and Hungarian governments on the mutual support for national minorities in the field of education and culture has further strengthened the rights and protection of the largest minority group – the Hungarians. The latter community is also represented in the government coalition by the Ethnic-Hungarian Coalition that occupies 20 seats of the 150-member National Council.

¹ Comments by the government of Slovakia to the United Nations Human Rights Committee Concluding Observations on Slovakia, CCPR/CO/78/SVK/Add.1 of 27 January 2005, paragraph 39.

² Third ECRI report on Slovakia, adopted on 27 June 2003, CRI (2004) 4, p. 8.

56. The legislative framework for combating discrimination has also been considerably improved and is generally in line with European norms in this area. The implementation of the EU anti-discrimination Directives 2000/43/EC and 2000/78/EC has further enhanced minority protection. The key achievement in this area, however, has been the adoption of the comprehensive "Law on Equal Treatment in Some Fields and on Protection against Discrimination" (generally referred to as the Anti-Discrimination Law) in May 2004, which provides protection against any form of discrimination and guarantees the victims a possibility to claim for an adequate and efficient protection by the court, including compensation of damages and non-pecuniary loss. The entry into force of some of its provisions related to positive (affirmative) action has been delayed by the fact that the Slovak Government has recently challenged their compatibility with the Constitution. The outcome of the Constitutional Court ruling on this issue will be of great significance to the future development of the Roma communities in Slovakia as it is difficult to imagine the possibility of reducing or eradicating *de facto* discrimination against the Roma minority without these measures.

57. Another positive step has been the extension by the Anti-Discrimination Act of the role of the Slovak National Human Rights Centre, which has been vested with the task of promoting equal treatment and combating all forms of discrimination. The Centre has thus become the main body for monitoring and collecting complaints against discrimination on the labour market and providing legal assistance to the victims of discrimination.

58. In addition, I note with appreciation the setting up of a special commission to deal with racially motivated violence and of the Racism and Xenophobia Monitoring Centre¹, which further manifest the continuous efforts undertaken to combat racial discrimination and related violence. Nevertheless, I share the concern of several other international institutions and NGOs about the occurrence of racially motivated crimes and incidents in the country.

vi. Roma issues

59. The situation of the Roma community remains probably one of the most serious problems in the Slovak society. The scope of this report does not permit comprehensive elaboration on all the problems related to the Roma society in Slovakia; therefore I will limit the discussion on a few key issues that I regard as the most relevant ones for the purpose of this report, namely

- a) priorities of the state for improving the situation
- b) lack of statistical data with regard to the situation of Roma
- c) discrimination in areas of social services, housing, education and employment
- d) discriminatory attitudes and racially motivated crimes

60. My observations during the visit to Slovakia as regards the Roma community largely fall in line with the recommendations presented in various other recent reports dealing with the Roma issues, such as the United Nations Concluding Observations of the Committee on the Elimination of Racial Discrimination on Slovakia, the reports of the EU Network of Independent Experts on Fundamental Rights, the third ECRI report on Slovakia, the report by Mr Alvaro Gil-Robles, Commissioner for Human Rights on his visit to the Slovak Republic in 2001, and many others.

a) priorities of the state for improving the situation

61. The Government of the Slovak Republic has stated that the situation of the Roma is their short and long-term priority. It has focused its policy and invested considerable sums on eliminating the poverty in Roma settlements and mitigating the results of social exclusion of the Roma, especially by solving their housing situation, reducing unemployment, developing education projects and improving their access to main social institutions. The overarching priorities in these areas have been set out in the *Priorities of the Slovak Government in respect of Integration of Romany Communities for 2004*. These priorities are reflected in the Slovak Republic's first *National Action Plan* against poverty and social exclusion which were submitted in 2004.

¹ EU Network of Independent Experts on Fundamental Rights report on the Situation of Fundamental Rights in the Slovak Republic in 2004, ref. CFR-CDF/SK/2004, p. 50.

62. The governmental policy has also included some institutional changes. In October 2001, a detached office of the Government Plenipotentiary for Roma Communities was opened in Prešov with the purpose to collect information, coordinate activities and monitor effectiveness of particular governmental measures related to Roma communities. This office was restructured in 2004 and provided with more staff and increased budget allowing its activity to expand and five regional branches to be set up.

63. Another institutional measure has been the establishing of a Multi-Sector Commission for Issues of Roma Communities, a consulting, initiating and coordinating body of the Government for issues related to the position of the Roma in the Slovak Republic.

64. At the end of 2001, the Secretariat of the Government Plenipotentiary for Roma Communities launched a campaign under the title *We Are All Citizens of the Slovak Republic – Solution to the Relations between the Roma And the Non-Roma lies in Cooperation*, supported by a grant from the World Bank. Activities of the campaign are directed to state and public employees, media and the general public. It is the ambition of the campaign to start up a process of gradual changes, to change attitudes of the majority society towards the Roma, to improve communication between the Roma and the Non-Roma, and to make the Roma visible positively.

65. According to the Slovak Intelligence Service's report published in May 2004, an increased amount of funds, both EU funds (PHARE) and from the budget of the Slovak Government, has been invested to deal with the Roma issues very year. Yet it voices strong criticism over the fact that the lack of project co-ordination and transparency in activities of entities involved, vague objectives of the projects and especially insufficient control, have resulted in ineffective spending or sometimes misuse of these funds¹.

b) lack of statistical data with regard to the situation of Roma

66. One of the fundamental problems, which remain the basis for many other inadequately tackled problems, is the general lack of reliable and solid data about the Roma community in Slovakia. Even the number of the Roma living in the Slovak territory is very difficult to establish. In the last national census in May 2001, 89 920 citizens of the Slovak Republic professed the Roma nationality, which accounts for 1.7% of the population of the Slovak Republic. However, different estimates put the current population of Roma origin in Slovakia between 320,000 and 450,000.

67. In view of the need for more precise information on the Roma population in Slovakia, the Office of the Government's Plenipotentiary for Roma Communities ordered a *Socio-graphic Mapping of Romany communities in Slovakia* in 2003-2004, which concluded that Roma lived in 1,575 settlements of various types, of which about 60 per cent (in 722 settlements) live in an integrated manner, dispersed among the majority population.

68. Most of the Roma NGOs and representatives that I met in Bratislava and Spišská Nová Ves were very critical about the government and political parties not being sufficiently interested in dealing with the Roma issues. However, I found it very difficult to synthesise any credible information from the complaints that mention concrete percentages yet not agreeing on whether it applied to a community of 300,000 or 500,000. In this regard, I am convinced that many of the specific Roma problems could be tackled with much wider-scale attention at national level if the Roma community was more organised and manifesting its identity. Given the dispersed nature of the different Roma communities around the country, as well as the almost non-existent representation of the Roma in state, regional and municipal institutions, active Roma representatives should be encouraged to integrate into existing political structures in different regions where their concentration among local population is high.

c) Discrimination in areas of social services, housing, education and employment

69. Despite serious improvements in all areas concerning the Roma situation and numerous programmes and policies, progress remains slow and somewhat intangible. Poverty persists in Roma communities and consequently access to appropriate housing, employment and education, social, health and financial services remains severely limited.

¹ CRF-CDF/RepSK/2004, p. 55.

70. **Housing** remains a mayor concern, with large numbers of Roma living in segregated settlements lacking such basic amenities as water, sanitation and electricity¹. Many Roma live in extremely substandard, racially segregated slum settlements. Most such slum settlements are characterised by extremely substandard housing, ghetto-like neighbourhoods, a prevalence of environmental hazards including toxic waste, rubbish tips, etc., lack of formal infrastructure such as paved roads, electricity, heating, sewage removal and are frequently excluded from other public services, such as bus or the post². Roma remain particularly vulnerable to eviction from housing. Discrimination in the allocation of social and other public housing has also been frequently reported in the Slovak Republic. Municipalities often tailor ostensibly neutral criteria for housing, such as requirements for employment, permanent residence, or "moral credit", in such a way as to disadvantage Roma as much as possible. Municipal administrations are also reported to exploit Roma in order to force them to move. Together with housing companies and gas and electricity firms, they impose exorbitant fines on poor families when they are late in paying services.

71. Ensuring access to **education** is still a serious challenge, and a form of segregation. Despite the formal guarantee of non-discrimination in education under Articles 12 paragraph 2 and 42 of the Slovak Constitution, segregation of Roma children in special schools continues. Though various programmes have been introduced focusing on improving the educational opportunities of the Roma children such as pre-school grades at elementary schools, the inclusion of the Romany language education, the preparation classes in elementary schools and positions of teacher's assistants for Roma pupils, there is still a disproportionately high representation of Roma children in the special (mentally disabled) schools on the Slovak territory³. It is believed by some of the Roma NGOs I met that in some schools for the mentally disabled, 95 per cent of the children are of Roma community. According to more official data of the Slovak National Centre for Human Rights, 7,000 out of the total number of 32,244 children attending special schools were of Roma minority.

72. In March 2004 a PHARE project on the *Reintegration of Socially Disadvantaged Children from Special Schools to Standard Elementary Schools* concluded that the current diagnostic tests that all children at school-entry age have to undergo fail to take account of the cultural and social differences between children, upon which the Ministry of Education has undertaken to prepare differential diagnostics for Roma children from a socially disadvantaged environment⁴.

73. The 2001 PHARE project *Support of the Roma Minority in the Educational Field*, which aims to improve the educational level of the Roma children through involving mothers in pre-school establishments, introducing whole-day education, etc. is also at the implementation stage⁵. In May 2004, the government approved the concept for the Integrated Education of Roma Children and Youth with the aim of creating conditions for the integrated education of the Roma children and youth. Initiatives have also been launched to train Roma language and literature teachers for primary and secondary schools.

74. The United Nations Committee on the Elimination of Racial Discrimination in its concluding observations⁶ recognises the efforts made in the field of **employment**, including the recent adoption of the amended Labour Code which prohibits discrimination in its section 13. However, the *de facto* discrimination against Roma and the over 90 per cent unemployment rate among the Roma community (compared to 17.5% nationwide) remains an alarming fact. Racial discrimination in employment is often disguised by the fact that the Roma are less educated, and, thus, are not qualified for employment. Despite the recent amendment to the Labour Law, which has made such practices illegal, discrimination in employment (both in direct and indirect forms) remains widespread.

¹ According to the recent survey of the Government's Plenipotentiary, out of all the settlements, 149 settlements, which are located on the outskirts or outside a municipality, do not have water supply and where the proportion of illegal homes exceeds 20 per cent, can be considered segregated. Forty-six settlements, where more than 7,000 people have permanent residence status, are in a critical situation.

² EU Network of Independent Experts on fundamental Rights thematic comment N° 3 on *The Protection of Minorities in the European Union*, CFR-CDF.ThemComm2005.en, p.49.

³ A large proportion of Roma pupils are placed in special schools not because of being mentally retarded but because of being unable to pass the school entry diagnostic tests. They often come to school without any pre-school education and sufficient knowledge of Slovak, lack basic hygiene and cultural and working skills, have limited concentration, patience and perseverance, etc.

⁴ CCPR/CO/78/SVK/Add.1, paragraph 61.

⁵ *Idem*, paragraph 65.

⁶ CERD/C/65/CO/7, point 9.

75. I am convinced that only co-ordinated efforts carried out in the context of an overall plan and addressing comprehensively the multiple problems of access to employment, housing and education will make it possible to break out of the relentless spiral in which the Roma community has been trapped all too long. It is therefore indispensable that the authorities realise the specificity of this community's needs and cater for them by allocating the necessary resources.

d) discriminatory attitudes and racially motivated crimes

76. Discriminatory attitudes and feelings of hostility towards members of the Roma community are deep-rooted and widespread throughout the country¹. Racially motivated violence against the Roma continues to be a significant problem in the Slovak Republic. The response of the police to such crimes has considerably improved owing to the establishment of the Commission for Co-ordinating Actions to Eliminate Racially Motivated Crimes, a body tasked with exchanging information on racially motivated crime and co-ordinating action in eliminating all forms of racial discrimination, including offences committed by police officers, and its extension to regional branches at the level of directorates of the Police Corps. In 2004, a commission focused on the acquisition and exchange of information on the occurrence of all forms of intolerance, xenophobia and expression of all forms of extremism and racism was set up by the Ministry of the Interior. Furthermore, within the framework of the reorganisation of the Police Force, an unit to combat racism and extremism was created on 1 January 2004 in the department for the fight against terrorism at the office for the fight against organised crime of the Police Force Presidium. In addition to the above, police force officers take part in seminars and conferences organised by bodies active in the area of Roma national minority issues². While the presence of Roma in the police force is still very low, the Minister of the Interior has recently announced the proposal to establish twenty police specialists for Roma communities by 2007. These specialists will be expected to be fluent in the Romany language and have a thorough knowledge of the community.

77. Nevertheless, the continuing alleged incidents of police brutality against the Roma and other vulnerable groups, harassment and ill-treatment during police investigations indicate a need to remain vigilant in this area. Because of prevalent stereotypes and biased attitudes towards the Roma, the latter are extremely vulnerable to degrading and inhumane treatment at the hands of police and prison staff. As reported by ECRJ as well as by several NGOs, the investigation of crimes of torture committed by police or prison authorities continue not to be properly investigated, and perpetrators are hardly ever brought to justice. The victims of such crimes often continue to be treated as the perpetrators of crimes with little credibility given to their testimony. Regrettably, police investigators are often insufficiently trained in identifying racially-motivated crimes based on other factors besides the use of racist language during the course of the crime, resulting in racially-motivated crimes being underreported.

78. While acknowledging the many initiatives taken by the Slovak authorities in the field of training and education of the police, these efforts should be stepped up so as to put an end to discriminatory practices. Prompt and impartial investigation is paramount in countering discriminatory attitudes and practices. As long as similar practices persist among the law-enforcement bodies, there is little hope that stereotype attitudes would change among the mainstream population or any confidence could be built up between the police and the marginalised communities.

79. In addition, adequate mechanisms should be put in place to encourage victims of racial ill-treatment to lodge complaints. Such mechanisms could include independent contact points, recruiting police officers from minority or other vulnerable groups or appointing members of these groups as advisors or liaison officers to the police at local level.

80. It is also recommended that the investigation of complaints in respect of the police be conducted and overseen by a body independent of the police and the Ministry of the Interior.

81. Furthermore, effective legal protection and remedies are generally lacking for victims of discrimination, notably for the Roma community, which makes it extremely difficult for them either to defend themselves against criminal charges or to seek to vindicate their rights through the judicial system. Although formal legal representation is given to every defendant for whom such representation is legally required, the quality of this legal assistance is highly variable. It is therefore recommendable to

¹ CERD/C/65/CO/7, point 6.

² CCPR/CO/78/SVK/Add.1, paragraph 63 – 65.

diversify targeted training programmes for judges and other public officials working with the Roma and other vulnerable groups.

III. CONCLUSIONS AND RECOMMENDATIONS

82. The Slovak Republic has formally fulfilled its commitments undertaken in Opinion 175 (1993) upon accession to the Council of Europe as well as the major bulk of the recommendations listed in Resolution 1196 (1999) which closed the monitoring procedure and opened a post-monitoring dialogue.

83. The country has made outstanding progress in a very short time in remodelling its politics, economy and society and carrying out important judicial and administrative reforms. I commend the Slovak authorities for the recent Constitutional amendments and other legislative reforms which have significantly strengthened the independence of the judiciary, allowed access for natural persons to constitutional complaints, facilitated speeding up the court proceedings and fight against corruption in courts. The country has also successfully carried out its administrative reform. Furthermore, I particularly welcome the establishment of the offices of the Ombudsman (Public Protector of Rights) and the Government Plenipotentiary for Roma Communities.

84. Nevertheless, some important shortcomings still persist in areas referred to in the various paragraphs of this memorandum, which are not denied by state authorities. Although various different measures and strategies have been conceived over recent years to improve the situation of the Roma minority in Slovakia, it is evident that this community still continues to be gravely disadvantaged in most key areas of life and that their situation requires serious attention as the social and economic precariousness of this community embodies a crucial obstacle to a homogenous and equitable development of the country's population as a whole. There is also justified concern about the increase of racially motivated violence and allegations of discriminatory behaviour by the police and other law-enforcement bodies towards members of minority groups, particularly Roma, including acts of ill-treatment and violence. Although anti-discrimination laws are generally in place, real, widespread and sustainable improvements coupled with adequate resources are needed for the adequate application of the legislation. I appreciated the openness as well as critical and self-critical attitude towards tackling the above problem issues that I encountered during my meetings with government officials and various state institutions in Bratislava. These exchanges of views have convinced me that the authorities truly seek to improve and to implement legislation regarding the above fields.

85. Also, as most of the issues pertaining to racism and discrimination are to a large extent similar to problems faced elsewhere in western and central Europe, I am convinced that they will continue to be tackled through the EU directives and programmes as well as through specific international instruments that the Slovak Republic has adhered to, which are closely monitored by various competent organisations: EU, UN, OSCE, Council of Europe.

86. With regard to the fulfilment of its obligations and the remaining commitments as member state of the Council of Europe, the Slovak authorities should continue to work towards short and long-term improvements in the various areas underlined in the above chapters of this memorandum as well as in the recent reports by different international inter-governmental and non-governmental organisations. To this end, they are called upon to:

- i. continue the efforts in combating excessive delays in court proceedings and fighting corruption in public services, without any prejudice to the independence of the judiciary or financial liability of the judges;
- ii. examine the possibility of extending the direct sanctioning authority as well as the resources of the Office of the Ombudsman and setting up fully-functioning regional offices in the country;
- iii. step up bringing national laws in line with the Charter of Regional and Minority Languages; examine the possibility of ratifying Protocol No. 12 to the European Convention of Human Rights;
- iv. exert additional efforts to combat racial intolerance and xenophobia by efficiently implementing the Anti-Discrimination Law and providing for the necessary structures and means for the functioning of the Slovak National Centre for Human Rights as the monitoring authority in discrimination matters;

- v. intensify co-ordinated efforts under a comprehensive plan for access of Roma to housing, employment, mainstream education and financial services with a view to combating their exclusion and social marginalisation. Make full use of the resources offered by the EU for that purpose;
- vi. fully implement in practice the legislation prohibiting discrimination in employment and all discriminatory practices in the labour market; take further measures to focus on professional training of the Roma in order to reduce unemployment among this community; to this end, consider the introduction of some elements of positive (affirmative) action into legislation concerning education, training and employment;
- vii. continue monitoring all tendencies that may give rise to racist and xenophobic behaviour and to combat the negative consequences of such tendencies; take all necessary measures to combat racial violence and incitement, provide proper protection to Roma, and establish effective, reliable and independent mechanisms to receive complaints from victims and ensure prompt and impartial investigation and prosecution of cases of racial violence and incitement of racial hatred; make adequate provisions for compensation and rehabilitation of victims of torture and ill-treatment;
- viii. set up an independent monitoring mechanism to investigate allegations of police abuse;
- ix. enhance the efforts to offer targeted training to the police, the judiciary and public officials pertaining to the issues of human rights and in particular implementation of legislation concerning racial discrimination.

87. I have confidence in the Slovak authorities' will and capacity to continue to take action on the above as well as on the further recommendations by different organisations, including the various specialised Council of Europe bodies such as the ECRI, the CPT, the CLRAE, the Advisory Committee of the Framework Convention of Protection of National Minorities and the Office of the Commissioner of Human Rights. In this belief, I deem it timely and appropriate to propose to the Bureau of the Assembly to conclude this post-monitoring dialogue with the Slovak authorities.

**Programme
of the visit of the 1st Vice-Chairman of the Committee on the Honouring of Obligations and
Commitments by Member States of the Council of Europe
(Monitoring Committee)**

**of the Parliamentary Assembly of the Council of Europe
to the Slovak Republic**

September 21-24, 2005

21 September 2005 – Wednesday

- 11.25 Arrival of Mrs Hanne Severinsen (Denmark, ALDE) and Mrs Ivi-Triin Odrats, Co-secretary, Monitoring Committee in Bratislava by Slovak Airlines flight 6Q 321 from Brussels
Accommodation in Hotel Perugia, Bratislava
(*Zelená ulica 7, Bratislava*)
- 13.55 Departure for the Government of the Slovak Republic
- 14.00 –15.00 Meeting with **Mr Pál CSÁKY**, Deputy Prime Minister of the Slovak Republic for European Affairs, Human Rights and Minorities
(*Office of the Government of the Slovak Republic, Námestie slobody 1, Bratislava*)
- 15.05 Departure from the Office of the Government of the Slovak Republic
- 15.10 – 15.30 Meeting with **Mr Viliam FIGUSCH**, Director of Information Office of the Council of Europe and representatives of the Slovak Society for the Foreign Policy
(*Information Office of the Council of Europe, Klariská 5, Bratislava*)
- 15.30 – 17.30 Meeting with NGO representatives
- 19.00 Dinner hosted by **H.E. Jørgen Munk RASMUSSEN**, Danish Ambassador, other ambassadors invited: Mrs Judith MACGREGOR (United Kingdom), Mrs Cecilia JULIN (Sweden), Mrs Brit LØVSETH (Norway);
Mr Carsten KRABBE, Vice-Consul of Denmark
(*Hotel SAS Radisson*)

22 September 2005 - Thursday

- 8.50 Departure for the Ministry of Foreign Affairs of the Slovak Republic
- 9.00 – 9.30 Meeting with **Mr Eduard KUKAN**, Minister of Foreign Affairs of the Slovak Republic
(*Hlboká Street 2, Bratislava*)
- 9.30 – 10.30 Meeting with **Mr Pavol HRUŠOVSKÝ**, President of the National Council of the Slovak Republic (tbc.)
- Visit of the building of the National Council of the Slovak Republic
- 12.00 – 13.30 Lunch hosted by **Mr Vojtech TKÁČ**, member (former Head) of the Slovak delegation to the PACE
(*Hradná vináreň, Bratislava*)
- Also present:
Mrs. B. BRESTENSKÁ, Head of the Slovak delegation to the PACE,
Mrs. E. HARINEKOVÁ
Interpreter

- 13.45 – 14.55 Meeting with the **Chairmen of the political parties**
(National Council of the Slovak republic, Námestie A. Dubčeka 1, Bratislava)
- 15.00 – 15.50 Meeting with **Mrs Darina MICHALKOVÁ**, Vice-Chairman of the Bar Association
(Kollárska 4, Bratislava)
- 16.00 – 16.45 Meeting with **Mrs Valéria AGOCS**, President of the Council for broadcast and retransmission
(Námestie SNP č. 12, Bratislava)
- 17.00 – 18.00 Meeting with **Mr Pavel KANDRÁČ**, Ombudsman
(Nevádzova 5, Bratislava)
- 19.00 Dinner with the Members of the Permanent delegation of the NC SR to the PA CE
(Woch Restaurant, Františkánske námestie 7, Bratislava)

23 September 2005 - Friday

- 8.30 Departure for the Ministry of Justice of the Slovak Republic
(Župné námestie 13, Bratislava)
- 8.40 - 9.15 Meeting with **Mrs Lucia ŽITŇANSKÁ**, State Secretary of the Ministry of Justice of the Slovak Republic
- 9.15 Departure for the Supreme Court of the Slovak Republic
- 9.20 – 10.00 Meeting with **Mr Milan KARABÍN**, Chairman of the Supreme Court of the Slovak Republic and **Mr Juraj MAJCHRÁK**, Chairman of the Association of Judges of the Slovak Republic
(Župné námestie 13, Bratislava)
- 10.00 Departure for the Ministry of Education of the Slovak Republic
(Stromová 1, Bratislava)
- 10.15 – 10.55 Meeting with **Mr Martin FRONC**, Minister of Education of the Slovak Republic
- 11.00 Departure for the Ministry of Interior of the Slovak Republic
(Pribinova 2, Bratislava)
- 11.15 – 11.50 Meeting with **Mr Vladimír PALKO**, Minister of Interior of the Slovak Republic
- 11.55 Departure from the Ministry of Interior of the Slovak Republic to the Ministry of Construction and Regional Development of the Slovak Republic
(Prievozská 2, Bratislava)
- 12.05 – 12.45 Meeting with **Mr László GYUROVSZKY**, Minister of Construction and Regional Development of the Slovak Republic
- 12.45 Departure for the lunch
- 13.00 – 14.10 Lunch hosted by **Mrs Beáta BRESTENSKÁ**, Head of the Permanent delegation of the NC SR to the PACE
- 14.20 Departure for Košice
- 17.30 – 18.00 Meeting with **Mrs Anna FEDOROVA**, Mayor of Spišská Nová Ves and visit of the Roma community in the region of Spiš
- 19.30 Arrival to Košice
Accommodation in the Hotel Slovan
(Hlavná 1, Košice)

24 September 2005 – Saturday

- 8.30 breakfast at the hotel
- 9.00 – 9.30 Meeting with **Mr Ján Mazák**, Chairman of the Constitutional Court of the Slovak Republic
Hlavná 72, Košice
- 9.45 – 10.15 Meeting with **Mr Zdenko Trebuľa**, Mayor of Košice
Hlavná 59, Košice
- 11.00 – 11.45 Visit of the Hungarian minority
Visit of the Room of honour of Mr Sándor MÁRAI, writer
Representative: Mr Jozef FILIPKO
Klub národnostných menšín alebo budova Csemadoku – Kováčska 38, Košice
- 12.00 – 13.00 Lunch hosted by **Mrs Beáta Brestenská**, Head of the Permanent delegation of the NC SR to the PACE
- 13.00 Departure for the airport
- 13.10 Arrival to the airport of Košice
- 14.25 Departure for Prague

Composition of the delegation:

1. Mrs Hanne SEVERINSEN, The first Vice-Chairman of the Committee on the Honouring of Obligations and Commitments by member states of the Council of Europe (Monitoring Committee)
2. Mrs Ivi-Triin ODRATS, Co-Secretary
3. Mrs Beáta BRESTENSKÁ, head of the Slovak Delegation to the PACE
4. Mrs Eleonóra HARINEKOVÁ, Secretary of the Permanent Delegation of the NC SR to the PACE
5. Interpreters: Mrs Mária ŠVECOVÁ and Mr Ivan VLACIHA

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Part II

1. INTRODUCTION

1. The Bureau met on 23 January 2006 in Strasbourg.

2. FUNCTIONING OF THE ASSEMBLY

A. PROGRESS REPORT OF THE BUREAU OF THE ASSEMBLY AND OF THE STANDING COMMITTEE (7 OCTOBER 2005 – 23 JANUARY 2006)

2. On 23 January 2006, the Bureau approved the Progress report.

B. 1st PART OF THE 2006 ORDINARY SESSION (23-27 JANUARY 2006)

3. On 23 January 2006, the Bureau:

- i. Request for debate under urgent procedure:

- *Peril of using energy supply as an instrument of political pressure*: recommended to the Assembly not to hold this debate under urgent procedure and proposed to refer the matter to the Political Affairs Committee for report and the Committee on Economic Affairs and Development for opinion;

- ii. up-dated the draft order of business;

- iii. agreed to give the floor to the Secretary General of the Assembly in the context of the Progress report of the Bureau and the Standing Committee;

- iv. meeting with the Chairpersons of the parliamentary national delegations (Tuesday 24 January 2006, from 6 pm to 7.30 pm): took note of the draft agenda;

- v. Credentials of the parliamentary delegation of Azerbaijan: in case of challenge, recommended to the Assembly to refer this matter to the Monitoring Committee for report and to the Committee on Rules of Procedure and Immunities for opinion.

- vi. Urgent debate on the "Situation in Belarus on the eve of the presidential election": took note of the participation of Mr Milinkievic (Belarus opposition) and agreed that only the Speaker or the first deputy speaker of the Belarus parliament would be entitled to take part in this debate.

C. REFERENCES AND TRANSMISSIONS TO COMMITTEES

4. On 23 January 2006, the Bureau approved the following proposals, subject to ratification by the Assembly:

- a. references:

1. **Doc. 10536**

Motion for a resolution presented by Mr Torosyan and others

Invros and Tenedos, decided to resume consideration at its meetings on 27 January 2006, on the basis on a joint proposal by the Chairpersons of the Greek and the Turkish parliamentary delegations;

2. **Doc. 10782**

Letter from Mr Eörsi

Peril of using energy supply as an instrument of political pressure: to the Political Affairs Committee for report and the Committee on Economic Affairs and Development for opinion;

- b. request to extend references:

1. **Doc. 10081**
Motion for a recommendation presented by Mr Jurgens and others
Human rights of conscript soldiers
Reference No 2929 of 2 March 2004 – Validity: 2 March 2006, extended the reference until 30 April 2006.

D. AD HOC COMMITTEE ON THE IMPLEMENTATION OF PARAGRAPH 5 OF RESOLUTION 1416 (2005) ON THE CONFLICT OVER THE NAGORNO-KARABAKH REGION DEALT WITH BY THE OSCE MINSK CONFERENCE

5. On 23 January 2006, the Bureau decided to postpone the consideration of this matter at its meeting on Friday 27 January 2006.

E. COMPOSITION OF THE MONITORING COMMITTEE

6. On 23 January 2006, the Bureau approved new members as proposed by the political groups for ratification by the Assembly i.e: Mr Seyidov (Azerbaijan, EDG).

3. ELECTIONS

A. ELECTIONS IN THE CHECHEN REPUBLIC (27 NOVEMBER 2005)

7. On 23 January 2006, the Bureau took note of the memorandum prepared by the delegation present in the Chechen Republic on the occasion of the elections and declassified it.

B. PRESIDENTIAL ELECTION IN KAZAKHSTAN (4 DECEMBER 2005)

8. On 23 January 2006, the Bureau approved the report of the Ah Hoc Committee which observed this election and declassified it.

4. OTHER MATTERS

A. COMMUNICATIONS

9. On 23 January 2006, the Bureau took note of the communications of the President and the Secretary General and the Deputy Secretary General of the Council of Europe.

PACE Delegation to be present on the occasion of the elections in the Chechen Republic

MEMORANDUM

Prepared by the members of the delegation on their visit to the Chechen Republic coinciding with the Parliamentary Elections of 27 November 2005

- (1) On 3 October 2005 the Bureau, while deciding not to observe the Parliamentary Elections in the Chechen Republic, decided to send a delegation to the region to ensure a PACE presence and to collect authentic first-hand impressions of the political situation in the Chechen Republic at the time of the elections.
- (2) The delegation, which visited the Chechen Republic from 26 to 28 November 2005, consisted of Mr Rudolf Bindig (Germany, SOC), Mr Andreas Gross (Switzerland, SOC), Mr Tadeusz Iwinski (Poland, SOC), Mr Morten Messerschmidt (Denmark, EDG) and Mr Marko Mihkelson (Estonia, EPP/CD). At the request of the Congress of Local and Regional Authorities, 3 of its members, Mr Michel Guegan (France), Mr Pascal Mangin (France) and Mr Petru Radu Paun-Jura (Romania), joined the delegation. On behalf of the National Delegation of the Russian Federation to PACE its Vice-Chairperson, Mr Leonid Slutsky, accompanied the delegation.
- (3) During its visit the delegation met, *inter alia*, with President Alu Alkhanov, First Deputy Prime Minister Ramzan Kadyrov and members of the Chechen government, Deputy Presidential Representative for the Southern District Mr Oleg Zhidkov, the Chairman of the Chechen Election Commission, representatives of the political parties participating in these elections, as well as representatives of the Chechen NGO community. Besides Grozny the delegation travelled to Tsenteroy and Achkoy-Martan. The delegation did not issue an official statement at the end of its visit but gave a press conference in Grozny for representatives of the media present in Chechnya during the elections.
- (4) The delegation wishes to thank the Russian authorities, and the State Duma in particular, for the organisation of their visit and support provided to the delegation.
- (5) As stipulated in the Constitution, the Chechen Republic has a bi-cameral parliament. The Council of the Republic, or upper chamber, consists of 18 members elected in 18 administrative-territorial districts. The People's Assembly, or lower chamber, consists of 40 members of whom 20 are elected in single mandate constituencies and 20 from party lists according to a proportional election system with a 5% threshold.
- (6) Eight political parties (United Russia, the People's Will Party, Yabloko, the Euro-Asian Union, Rodina, the Russian Communist Party, the Union of Right-Wing Forces and the Russian Liberal Democratic Party) set up local branches in Chechnya and participated in these elections. In addition several independent candidates participated in the single mandate constituency elections. In total 353 candidates were registered for these elections. This should however not automatically be seen as a sign of plurality during these elections. Many interlocutors indicated that all candidates had been vetted by the authorities in Moscow and the majority were followers of Deputy Prime Minister Kadyrov, or at least under his control.
- (7) No representatives of, or people close to, the moderate separatist forces in the Chechen Republic participated in these elections. Two former separatist leaders, who now recognise Chechnya as part of the Russian Federation, were candidates in these elections. However it

can be questioned if either of them can be seen as a truly independent candidate. The possibility for the newly elected parliament to play an active role in the process of reconciliation between the different political factions in the Chechen Republic seems therefore to be rather limited.

- (8) Approximately 586,000 voters were registered for these elections, including around 34,000 Russian servicemen, and their relatives, who are permanently stationed in the Chechen Republic. Contrary to the Presidential elections in 2005, no special measures were taken to facilitate the voting of Chechen refugees in neighbouring republics.
- (9) The parliamentary elections took place in a far less tense security situation than the presidential elections of 2004. This was largely the result of the absence of large scale attacks and military conflict between the separatist and pro-Moscow forces in the Chechen Republic in the run-up to these elections.
- (10) The period since the presidential elections of 2004 has seen a reinforcement of the power of Deputy Prime Minister Kadyrov, who, as leader of the Chechen security forces and unofficial Chechen militia, can be seen as the *de facto* power in Chechnya. It should be noted that the security forces under his command are alleged to be responsible for the vast majority of human rights abuses, disappearances, unlawful detentions and kidnappings in the Chechen republic. The climate of insecurity due to the conflict has therefore been replaced by a climate of fear and intimidation among the Chechen population.
- (11) This climate of fear and intimidation was clearly present during the meeting of the delegation with candidates and representatives of the NGO community. During this meeting all representatives followed the official line that the situation in Chechnya had stabilised, at times contradicting earlier statements they had made. In private, several representatives informed the delegation that they feared for their safety, or that of their relatives, if they spoke freely and openly to the delegation during the meeting.
- (12) In its meetings with members of the public, the delegation noted a considerable hope among the Chechen people that these elections, and the resulting parliament, would be an instrument for the normalisation of the day-to-day situation in the Chechen Republic. Many of the persons the delegation talked to therefore indicated that they had voted, or were intending to vote, during these elections, despite expressing doubt in the fairness of the election process.
- (13) The official turnout during these elections was approximately 68%. This figure seems to be artificially inflated, especially for some districts where the recorded turnout in the late afternoon was very low.
- (14) In the proportional elections, the Chechen branch of United Russia - controlled by Ramzan Kadyrov, who, although himself not a candidate for parliament, was elected Chairman of the Chechen branch immediately after the elections – gained 60,65 % of the vote. The Union of Right-Wing Forces gained 12.39% and the Communist Party 12.25% of the vote. All other parties failed to reach the 5% threshold for the proportional elections. The landslide victory for United Russia means that it will dominate the newly elected parliament with 24 out of the 40 seats in the People's Assembly, and 9 out of the 18 seats in the Council of the Republic.
- (15) Even from the limited observations of the delegation, it is clear that these elections cannot be considered to comply with Council of Europe standards for democratic elections. This was alluded to by President Alkhanov, who in the official press conference after the elections stated that "elections in line with European standards [were] impossible in present-day Chechnya".
- (16) The climate of fear, intimidation and continued insecurity blocks progress towards genuine democracy and long term normalisation in the Chechen Republic. In order to overcome this climate, the real power in Chechnya, currently in the hands of the leadership of the Chechen security forces and unofficial militia, should be transferred to the legitimate and democratically accountable power as vested in the elected President and Parliament. The

Assembly should work towards this goal. In this respect the possibility for the organisation of a second round table was raised with the delegation.

- (17) The overall assessment of the delegation of these elections is therefore one of ambivalence: on the one hand, it recognises the high expectations of the Chechen people in the newly elected parliament, on the other hand, it is convinced that in the existing climate of fear and insecurity democratic elections, and indeed democratic development, are difficult if not impossible to achieve.
- (18) The view of some of our interlocutors that these elections were a complete farce is not shared by the delegation as it does not seem to be confirmed by the findings of the delegation, does not pay tribute to the expectations of the Chechen people in the new parliament and seems to be politically counter-productive.
- (19) The delegation welcomed the statement by President Alkhanov that he was willing to meet with leaders of the regime of late separatist leader Maskhadov during a future meeting to Brussels, although it regrets that he explicitly excluded meeting Mr Zakaev in that context. The delegation considers that the Assembly should investigate the possibilities for it to mediate in such a meeting.

Part III

Activities of President of the Parliamentary Assembly of the Council of Europe, Mr René van der Linden

January-December 2005

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II. VISITS OF HEADS OF STATES AND OTHER PERSONALITIES IN STRASBOURG

III. SPEECHES

IV. MEDIA COVERAGE

I. VISITS

The President's official and working visits, his speeches and press releases are linked, and contribute to fulfilling the three main priorities of his work as defined when he was elected President of the Parliamentary Assembly of the Council of Europe:

- Strengthening the effectiveness of the Assembly, notably by greater interaction with national parliaments and making its work even more relevant for the citizens;
- Developing relations with partner institutions, the United Nations, the OSCE and in particular the European Union;
- Ensuring the success of the Third Summit and the implementation of its decisions.

The President's visits, have largely contributed to increase the visibility of the Council of Europe and its Parliamentary Assembly. There has been extensive media and press coverage of the President's visits and the opinions he has expressed on a large number of issues of high political importance.

The following is a more detailed account of his official or working visits, the personalities he met and the issues discussed.

1. Official visit to Paris, 23-24 February 2005

During the visit I met:

1. Mr Jean-Louis Debré, Speaker of the National Assembly
2. Mr Christian Poncelet, Speaker of the Senate
3. Ms Claudie Haïgneré, Minister of State for European Affairs
4. Senator Hubert Haenel, Leader of the Senate delegation to the European Union
5. Mr Pierre Lequiller, Leader of the National Assembly delegation to the European Union
6. Mr Edouard Balladur, Chair of the Foreign Affairs Committee
7. Ms Pascale Andreani, Adviser to the Prime Minister
8. Mr Jean-Dominique Giuliani, President of the Robert Schuman Foundation
9. Mr Jacques Delors, Founding President of "Our Europe"

Questions addressed:

1. Preparation of the third Council of Europe Summit:
2. How can the work of PACE be better integrated into the proceedings of national parliaments?
3. Relations with the European Union, in particular:
 - The EU should make better use of the experience, institutions and instruments of the Council of Europe;
 - Accession to the European Convention on Human Rights;
 - Accession to conventions that are open to it (eg Convention on Insider Trading, Civil Law Convention on Corruption, European Convention on the Exercise of Children's Rights, Criminal Law Convention on Corruption);
 - Use the Committee for the Prevention of Torture (CPT) and the European Commission against Racism and Intolerance (ECRI) instead of setting up similar bodies;
 - As a genuinely pan-European Organisation (800 million citizens, 46 countries), the Council of Europe as an ideal partner for dialogue between member states of the European Union and non-member states;
 - The Council of Europe is a framework for devising and implementing the neighbourhood policy.

2. Working visit to Moscow, 10-12 March 2005

The President was very warmly received;
All meetings were characterized by a frank exchange of views;
President met with:

1. Mr Lavrov, Minister for Foreign Affairs of the Russian Federation
2. Mr Lukin, Human Rights Ombudsman
3. Mr, Prikhodko, President Putin's Foreign Affairs Adviser
4. Mr Gryzlov, Chairman of the State Duma
5. Leaders of the Duma Fractions
6. Mr Mironov, Chairman of the Council of Federation
7. Representatives of 20 major Russian and international NGOs

Issues Discussed:

- Council of Europe Third Summit.
- Cooperation Council of Europe/European Union; CoE/OSCE – There are concerns about increasing interference of EU into CoE activities. The EU Agency for fundamental rights is a worrying example. It risks creating new dividing lines in Europe. CoE is not an instrument of EU – it's an international organisation on its own. The Summit should also address the division of activities between CoE and OSCE, in particular, in the field of human rights.
- Monitoring – Russian authorities consider they have fulfilled practically all their obligations and commitments. Pending ones such as death penalty will require more time. Russian authorities want the CoE to apply standard and unified interpretation with regard to rights and obligations of all its member states.
- Belarus – it was agreed that isolation is not the way forward. Russian authorities want PACE to engage in a dialogue with Belarus.
- Chechnya – All interlocutors hoped the Round Table that would take place in Strasbourg on 21 March 2005 would bring together the broadest possible spectrum of representatives of the Chechen Republic and the Russian Federal authorities and contribute to finding a peaceful solution.
- Meeting with NGOs – There is a feeling among NGO representatives that after parliamentary elections in 2003 in Russia, there has been a set back in political, social and human rights. Particular concerns about the situation of the freedom of press and media – hardly any independent TV channel. Strong control from the government of all press and media. Situation of press and media very worrying at regional level.

3. Working visit to Luxembourg, 23 March 2005

At the invitation of the President of the Chamber of Deputies of Luxembourg Mr Lucien Weiler, I held a speech before the Foreign and European Affairs Committee of the Parliament of Luxembourg, followed by an exchange of views with members of the Committee and a Press Conference.

In my speech, I focused on the 3rd Summit of the Council of Europe and its decisive role for the future of our organization.

I regretted certain EU initiatives to create new institutions and structures which risk duplicating work carried out very successfully by CoE structures, with CoE instruments and mechanisms. The European Union should consider the Council of Europe as the primary framework for its "neighbourhood policy"; should sign up to Council of Europe treaties; and make systematic use of the Council's expertise, experience, institutions and instruments, in particular, the European Court of Human Rights, the Committee for the Prevention of Torture, the Group of States against Corruption (GRECO), the Venice Commission, the European Commission Against Racism and Intolerance (ECRI) and the European Commission for Efficiency of Justice (CEPEJ).

I underlined the increasing role of international parliamentary democracy and the role that PACE, as a unique parliamentary gathering, can play in that context.

Members of the Luxembourg Foreign and European Union Affairs Committee agreed to the need to raise awareness about the risk of duplicating work by international institutions, notably the EU and the CoE. Europe should by no means allow the creation of new dividing lines. They regretted the EU decision to set up the Vienna Agency or the EU policy line with regard to the Council of Europe Convention on Action against Trafficking in Human Beings. EU and CoE should compliment and not duplicate each other's work.

4. Exchange of views with the French Senate's Delegation for the European Union, 30 March 2005, Paris

I took part in a gathering of French parliamentarians in Paris to express support for journalist Florence Aubenas and her guide, Hussein Hanoun al Saadi, held hostage in Iraq, and the three missing Romanian journalists. I expressed the solidarity of our Assembly with the families of the hostages and with the French authorities and parliamentarians, stressing that freedom of the press and freedom of expression were central to the Council of Europe's mission.

In the afternoon, I made a speech before the Senate Delegation for the European Union. In my intervention, I outlined the Council of Europe's role, specifying that the third CoE Summit, to be held in Warsaw on 16 and 17 May 2005, should set priorities for its future work. The Summit should reiterate the Council of Europe's importance for the continent as a whole, define its place in the European institutional landscape, and give the Organisation a precise political mandate for the years ahead. This Third Summit would be an opportunity to issue a call for the unity of a Europe without dividing lines, founded on common values. I stressed that the European Union should make the most of the Council of Europe instruments and experience in defending human rights. With regard to the EU neighbourhood policy I hoped the EU would consider the added value represented by the Council of Europe.

Among others, I underscored two particularly important aspects of the PACE's work: one was "parliamentary diplomacy", for which this body is an ideal medium owing to the dual mandate, national and international, of each of its members. The other stems from the fact that the Assembly is a real "school of democracy", which, among other things, enables parliamentarians from the new European Union member states to familiarise themselves with the day-to-day practice of democracy.

The senators paid tribute to the Council of Europe, which had often played a pioneering role on major issues facing our societies. They welcomed the role played by the Council of Europe in the gradual emergence of a European consciousness. Citing, among other examples, the abolition of capital punishment, the senators noted that, in admitting new members, the Council of Europe had succeeded, thanks to the monitoring procedure, in securing the gradual adoption of high standards in the field of democracy and human rights.

The senators felt that the European Union's achievements should not obscure the major contribution made by the Council of Europe, which had helped to promote democracy, the rule of law and human rights throughout the entire European continent. It was time to formally recognise the institutional role which the European Union could assign to the Council of Europe in this field and to improve the structure of relations between the PACE and the European Parliament.

5. 112th Assembly of the Inter- Parliamentary Union, Manila, 3-8 April 2005

From 3 to 6 April I took part in the 112th Assembly of the IPU held in Manila, Philippines. I used this occasion also to attend the meeting of the Senior Advisory Council of the Association of Asian Parliamentarians for Peace (AAPP), present a statement at the Asian Institute for Management (AIM) and hold a series of bilateral meetings.

112th Assembly of the IPU

The first day of the Conference, I spoke in the general debate on "the impact of domestic and international policies on the situation of women". In my speech, I concentrated on the Council of Europe's action with regard to trafficking in human beings, women's participation in politics and domestic violence against women.

Meeting of the Senior Advisory Council of the Association of Asian

Parliamentarians for Peace (AAPP)

On 5 April 2005, I took part in the meeting of the Senior Advisory Council of the Association of Asian Parliamentarians for Peace (AAPP), including Speakers from the Philippines, Pakistan, Bangladesh, Cambodia, Thailand and Vice-Speaker of the National People's Congress of China. My address was followed by a lively exchange of views.

AAPP was established in 1999 in Dhaka (Bangladesh) by 26 countries from Asia and the Pacific area as a framework for regional parliamentary cooperation to promote peace and strengthen human rights and democracy. Last year, the AAPP decided to establish an Asia Parliamentary Assembly (APA) within five years.

The Senior Advisory Council was very favourable to building the APA on the model of the Parliamentary Assembly of the Council of Europe and accepted my invitation to visit the Assembly during the June part-session to discuss this matter. The Speaker leading that delegation could address the Assembly on this occasion.

The meeting attracted considerable interest of the media in Asia.

Statement at the Asian Institute for Management (AIM)

In my statement at the AIM on 2 April 2004, I underlined that the European experience has showed that respect for the principles of pluralistic democracy, human rights and the rule of law, which the Council of Europe stands for, are the pre-conditions for a long-term growth and prosperity. I also insisted on the need of "good government", which does not only cover the absence of corruption but also well functioning institutions and adequate administrative procedures. My statement was followed by a lively exchange of views with AIM students, as well as with audiences in Djakarta, Jeddah and Colombo via the live video conference link.

Bilateral meetings

The following bilateral meetings deserve to be mentioned in particular:

- Meeting with Mr José de Venecia, Speaker of the Philippine House of Representatives
- Meeting with the delegation of Algeria, led by Mr Amar Saadani, President of the People's National Assembly
- Meeting with the delegation of Libya, led by Mr Suleiman Al-Shahouni, member of the General People's Congress, Secretary for the Foreign Affairs

6. St-Petersburg International Parliamentary Conference dedicated to the 60th anniversary of the victory of the anti-Hitler coalition in World War II, St Petersburg, 15 April 2005

From 13 to 16 April last I was in St Petersburg heading the PACE delegation to the St Petersburg International Parliamentary Conference dedicated to the 60th anniversary of the victory of the anti-Hitler coalition in World War II that was co-organised with the Interparliamentary Assembly of the Commonwealth of Independent States (CIS IPA). On the margins of the Conference I had a series of bilateral meetings, as well as a private dinner with the Speaker of the Federation Council of the Russian Federation Mr Serguei Mironov.

The Conference

I addressed the opening session of the Conference and chaired its closing session. The Conference was structured around three discussion panels: Panel 1 – Consolidation of democratic forces in combating the danger of fascist revival (Chaired by Mr Abdülkadir Ateş (SOC/Turkey); Panel 2 – Combating international terrorism: ways of interaction (Co-Chaired by Mr Adrian Severin (SOC/Romania) and Panel 3 – The importance of interparliamentary cooperation in responding to future

challenges (Co-Chaired by Mr Luc Van den Brande (EPP/CD/Belgium). At the closing session the Conference unanimously adopted its Final Declaration.

Bilateral meetings

The following bilateral meetings deserve to be mentioned in particular:

- Meeting with the Speaker of the National Assembly of Armenia Mr Arthur Bagdasaryan
- Meeting with the Speaker of the Senate of Kazakhstan Mr Nurtai Abykaev
- Meeting with the Chairman of the Council of the Republic of the National Assembly of the Republic of Belarus Mr Guennadi Novitsky

7. Working visit to Brussels, – meetings with Mrs Ferrero-Waldner, Commissioner for External Relations and European Neighbourhood Policy and Mr Josep Borrell, President of the European Parliament, 19-20 April 2005

On the 20th of April, I met with Mrs **Ferrero-Waldner, Commissioner for External Relations and European Neighbourhood Policy**. In my intervention, I stressed the unique role of our Assembly, whose members have a double mandate, a national and a European one. Many members of the Assembly are also members of COSAC. I drew attention to the preparation of the Third Summit; to the fact that duplication of the Council of Europe's work by newly created EU Agencies should be avoided as well as to the issue of the "disconnection clause". I expressed our wish and hope that the EU makes public reference to the Council of Europe's work, notably as regards the Neighbourhood Policy.

Mrs Ferrero-Waldner stressed that she very much appreciated the work of the Council of Europe. At a recent Quadripartite meeting, Mrs Ferrero-Waldner had confirmed that the EU's Neighbourhood Policy needed to take the work of the Council of Europe into account. In addition, she spoke of the value of the Council's work on issues such as Chechnya and Belarus. The Commissioner agreed that complementarity should apply wherever possible. However, according to the Commissioner, the days when the EU would abstain from certain activities because these were already being carried out in the Council of Europe are over. According to her, the Council of Europe's core business is clearly human rights and rule of law.

Pending ratification of the EU Constitutional Treaty, preparatory work for the accession by the EU to the ECHR should already start. She promised to look into the question of the "disconnection clause" which clearly carried political implications. She agreed that the EU Human Rights Agency would be the institution to cover information and provide analysis, and should not just duplicate the work of the Council of Europe. She considered it useful for the Council of Europe to be represented on the Board of the Agency.

In my meeting with **Mr Josep Borrell, President of the European Parliament**, I focused on the 3rd Summit and what it expects from the European Union, in particular regarding the EU Neighbourhood Policy, the mandate of the European Agency of Fundamental Rights and better use of the expertise of Council of Europe mechanisms and instruments. I underlined the fact that there are a great deal of opportunities for cooperation between PACE and EP, social cohesion and intercultural and inter-religious dialogue among others.

President Borrell shared the view that intercultural and inter-religious dialogue is becoming increasingly important and the two institutions should work together. The European Agency of Fundamental Rights appears to be a Commission initiative only. The EP has not been consulted.

I also discussed with President Borrell **relations and cooperation between our two institutions**, notably the Quadripartite meetings and meetings between the PACE Presidential Committee and the Conference of Presidents of the European Parliament. I explained that the current format of 2+2 does not allow for the PACE and EP to be associated with the meeting. Most items discussed are subject of recommendations by our Assembly, therefore, we have recommended that the 3rd Summit propose the inclusion of the PACE and EP in the Quadripartite meetings. In addition, I

proposed regular meetings between the PACE Presidential Committee and the Conference of Presidents of the European Parliament.

President Borrell shared the view that it is important for the two parliamentary institutions to be represented at quadripartite meetings. He will discuss with the EP Conference of Presidents my proposal for a more institutionalised form of cooperation between the two bodies.

We also discussed **Election Observation Missions** and agreed that the two institutions have established very good cooperation in this area. Future cooperation should build on the basis of such good practices.

We also discussed **cooperation at Committee level** and stressed the need for better coordination in the future, in particular with regard to exchange of rapporteurs, reference to work carried out in the Committees of respective parliaments, exchange of information and invitation and participation in meetings, fact-finding missions, conferences and other events. A number of items to be followed up in the future merit to be brought to your attention, in particular:

- A request for official observer status of the PACE in the Euro-Mediterranean Parliamentary Assembly (EMPA);
- An official proposal regarding the modalities of the participation of the PACE and EP in the quadripartite meetings;

8. Official visit to Rome (3-4 May 2005)

I visited Rome on 4 May. The meetings took place in a very constructive and cordial atmosphere. Italian interlocutors expressed their strong support for the 3rd Summit of the Council of Europe and for the role of the PACE.

During the visit, I met with and was officially welcomed in the Italian Senate by the Speaker, Senator Pera. The programme of the visit included meetings with : Pier Ferdinando Casini, Speaker of the Chamber of Deputies, Lamberto Dini, Deputy Speaker of the Senate Gustavo Selva, Chairman of the Foreign Affairs Committee, Chamber of the Deputies, Gianfranco Fini, Foreign Minister, Rocco Buttiglione, Minister for Cultural Heritage, Mario Greco, Chair of the Senate Committee on EU Policy, Fiorello Provera, Chair of the Senate's Foreign Affairs Committee, Father Ghirlanda, Chancellor of the Gregorian University

Our discussions focused on:

Third Summit of the CoE

I outlined the objectives of the 3rd Summit and stressed the need to give the Council of Europe a clear mandate for the years to come and the means to implement the action plan that will come out of the Summit.

The Council of Europe and the European Union

I expressed concern about certain initiatives of the EU Commission, which the Assembly felt are creating parallel institutions that would duplicate work carried out by the Council of Europe, such as the EU decision to set up a number of EU Agencies where other international institutions or organisations have no right to participate, the geographical remit of the EU Agency of Fundamental Rights and the implementation of the EU Neighbourhood Policy.

Italian interlocutors agreed that the CoE should stick to its core business and the EU should make better and more efficient use of the Council of Europe's mechanisms and experience.

Council of Europe and Russia

I underlined the importance to keep Russia involved and engaged. PACE continues to monitor the compliance of Russia with the obligations it has undertaken when it became a member of the Council of Europe.

All Italian interlocutors agreed with the PACE approach to keep Russia engaged and encouraged the continuation of the dialogue initiated by the CoE – PACE Round Table on Chechnya.

COE and PACE work and activities

I highlighted the role of PACE in promoting the core values of the CoE and the increasing importance of parliamentary diplomacy. I stressed that the Assembly has increasingly become a forum par excellence for intercultural and inter-religious dialogue, where the entire Continent's cultures and religions are represented, meet on a regular basis, engage in constructive dialogue and work together to strengthen and advance our common values.

Press

On Tuesday, 4 May 2005, I had a working lunch with 18 Italian journalists from the whole spectrum of Italian Press. Rai TV broadcasted three live interviews and there was broad press coverage of my visit and meetings in Italy.

9. Meeting with Mr Frattini, Vice-President of the European Commission, responsible for Justice, Freedom and Security, (12 May 2005, Brussels)

During this meeting, I concentrated on the following main questions:

EU Fundamental Rights Agency, in particular with regard to the geographical remit of the Agency and the Council of Europe's association with the Agency

I expressed concerns with regard to the idea of enlarging the Agency's mandate beyond the EU frontiers. This would lead to duplications, double-standards and waste of money. I stressed that if the EU has specific requirements towards EU non-member countries in the Council of Europe's field of action, they should be discussed with the Council of Europe and joint programmes could be set up to this effect.

Mr Frattini said that the possibility of enlarging Agency's competencies to the countries in the European Union neighbourhood was under consideration. However, he agreed that whatever the mandate of the Agency, duplications with the Council of Europe's activities should be avoided. He considered that the recommendations of the recent Assembly's report on the Fundamental Rights Agency (adopted on 18 March by the Standing Committee) were very useful and should be followed.

Mr Frattini also said that a draft inter-institutional agreement, now in preparation, was excluding the participation of external institutions in all European Union Agencies. However, he considered that exceptions should be possible to this rule and was strongly in favour of the Council of Europe's involvement with the Agency.

Accession of the EU to ECHR and other Conventions

I stressed, in particular, the need to ensure a common European legal space.

Mr Frattini said that the EU was preparing for its accession to the ECHR. However, there were still some EU countries that considered that the entry into force of the European Constitutional Treaty should not be anticipated and, therefore, these preparations should have rather informal character.

Furthermore, we discussed questions related to the Third Summit, in particular as regards the relations between the European Union and Council of Europe, and the increasing role of the Council of Europe Parliamentary Assembly.

10. Third Summit of the Council of Europe

I took part in the Third Summit, together with the Presidential Committee, Mr Kosachev, rapporteur on the Third Summit, and the Secretary General of the Assembly.

I spoke at the opening of the Summit during the 1st working session on "European Unity: European values" and during the 3rd working session on "European Architecture".

I held bilateral meetings with Presidents of Azerbaijan, Finland and Romania, Prime Ministers of Liechtenstein and Turkey, Minister of Foreign Affairs of Russia and Deputy Minister of Foreign Affairs of Greece. I also had a number of informal meetings and I gave a series of interviews.

I was very pleased that the Bureau of the Committee of Ministers had accepted my proposal for a meeting between the Presidential Committee and the Bureau of the Committee of Ministers. This meeting, which took place on Tuesday 17 May, was very useful and interesting. As a concrete result of this meeting, the President of Poland made the proposal to ask Mr Jean-Claude Juncker, Prime Minister of Luxembourg, to draw up a report on the relationship between the European Union and the Council of Europe.

11. Intervention at the Plenary Session of the Congress of Local and Regional Authorities of the Council of Europe (2 June 2005)

On the 2nd of June, I delivered a speech at the Plenary Session of the Congress of Local and Regional Authorities of the Council of Europe, on the "Third Summit and Priorities of the Council of Europe";

12. Working visit to UEFA Headquarters (Nyon, 3 June 2005)

On the 3rd of June 2005, I visited UEFA at the House of European Football in Nyon, Switzerland. My interlocutors and I see ample opportunities where the two organisations can contribute to each others' activities.

I met with:

1. Lennart Johansson, UEFA President
2. Lars-Christer Olsson, UEFA Chief Executive
3. Mathieu Sprengers, UEFA Treasurer
4. William Gaillard, Director of Communications

We discussed the following issues:

- General Cooperation with UEFA
- Ethics in Sports
- Fight against racism in sport
- Sport as a tool to promote Intercultural Dialogue
- A European Prize for Sport

I focused on the core activities of the Council of Europe and the PACE: human rights, the rule of law, democracy, diversity and social cohesion. Culture and sports are very efficient tools to promote peace, tolerance and diversity.

Areas where CoE/PACE and UEFA could work together include promoting good governance and ethics in sport, fighting racism and promoting intercultural and interreligious dialogue. I invited UEFA to join the Council of Europe campaign against racism, anti-Semitism, islamophobia and discrimination that will be launched in 2006.

13. Meeting with Mr Jaap de Hoop Scheffer, Secretary General of the North Atlantic Treaty Organisation (NATO) (Brussels, 13 June 2005)

This meeting was held in view of the forthcoming visit of Mr de Hoop Scheffer to the Assembly on 23 June 2005. The following main issues were discussed, which were likely to be raised during the exchange of views with Assembly members in Strasbourg:

- possibilities for cooperation between the CoE and NATO in specific regions, in particular the South Caucasus, Republics of Central Asia, Ukraine and Moldova;
- access by the CPT (European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment) to prisons in Kosovo;
- use by NATO of Assembly's report, especially those on monitoring;
- need to bring to justice war criminals in ex-Yugoslavia;
- visit by the President of the Assembly to Washington in September 2005.

14. Meeting with Mr Barroso, President of the European Commission (Brussels, 13 June 2005)

I raised the following main issues during this meeting:

- importance of the conclusions of the Third Summit of the Council of Europe for the relations between the European Union and the Council of Europe;
- role of the Council of Europe in strengthening European unity, especially in the context of the difficulties following the referenda in France and the Netherlands. I stressed that the Assembly can substantially help in this respect, given that its members have a double mandate - European and national;
- new neighbourhood policy of the EU, in particular the need to avoid duplication and waste of money in the respective activities of both institutions and to make full use of the Council of Europe's instruments and mechanisms;
- mandate of the EU Fundamental Rights Agency, in particular the geographical remit of the Agency and the participation of the Council of Europe in the Agency's management board;
- report by Mr Jean-Claude Juncker, Prime Minister of Luxembourg, on the relationship between the Council of Europe and the European Union;
- need to ensure a common legal space in Europe;
- increasing the role of parliamentary bodies in the EU/CoE cooperation and the need to ensure the participation of the Presidents of the Parliamentary Assembly and of the European Parliament in the Quadripartite meetings between the EU and the Council of Europe.

Mr Barroso was very open and constructive. He stressed that the Council of Europe was an important partner for the EU and that the European Commission was ready to work very constructively with the Council of Europe.

The two institutions should use their comparative advantages – the EU being more integrated, the Council of Europe being larger.

He appreciated very much the positions of principle taken by the Council of Europe on many difficult issues.

Last but not least, he stressed that the two institutions shared not only common goals, but also a common flag, which was originally the Council of Europe's flag.

On specific issues, Mr Barroso said:

- with regard to the EU Fundamental Rights Agency, this idea was supported by the European Parliament strongly in a recent report, including the enlargement of the geographical remit to

EU non-members states. The Agency is necessary for the EU, which must strengthen its human rights dimension in order not to be seen as a "free-market tool". However, it would be a complete mistake to waste money and duplicate activities. Therefore, he would be in favour of an agreement between the Agency and the Council of Europe to fix modalities of cooperation. He would carefully consider the question of the geographical remit.

- with regard to the new neighbourhood policy, it was becoming even more important now when the further enlargement of the European Union was being questioned by some. The European Commission will use the instruments and mechanisms of the Council of Europe, including monitoring reports. He agreed that it was important to give more public credit to the Council of Europe for its work. Both institutions should support each other publicly.
- with regard to the report of Mr Juncker, he would be in touch with Mr Juncker on this important matter;
- with regard to the participation of the Presidents of the Parliamentary Assembly and of the European Parliament in the Quadripartite meetings between the EU and the Council of Europe, he was in favour, subject to the agreement of all parties concerned.

15. Meeting with Bureau of the « Assemblée parlementaire de la Francophonie » (Brussels, 4 July 2005)

On the 4 of July, I met with the Bureau of the « Assemblée parlementaire de la Francophonie » in Brussels. I spoke on the work of the Assembly and the Council of Europe in the field of cultural policy, in particular its activities to promote linguistic and cultural diversity and to protect minority languages.

I also focused on the need to promote teaching of several languages at an early stage of education in order to respond to changes and developments in Europe. In this context I mentioned work carried out by the Council of Europe, in particular the European Portfolio of Languages.

16. Visit of the Presidential Committee to Ukraine (5-8 July 2005)

I visited Ukraine together with the Presidential Committee in order to give support for democratic reforms in this country during this crucial period following the change of the "regime" at the end of the last year and before the very important parliamentary elections to be held at the beginning of the next year. This visit was also a response to the appeal for assistance launched by Mr Yushchenko, President of Ukraine, during his address before the Assembly in January 2005.

During the visit, the delegation met Mr Yushchenko, President of Ukraine, Mr Lytvyn, Speaker of Parliament, Mrs Tymoshenko, Prime Minister, Mr Tarasuk, Foreign Minister of Ukraine, representatives of the political groups in the Ukrainian Parliament, members of the Foreign Relations Committee of the Parliament, members of the parliamentary delegation to PACE, Mr Yanukovitch, leader of the party "Regions of Ukraine" (opposition), Mr Medvedchuk, leader of the Social-Democratic Party of Ukraine (United) (opposition) and NGO's representatives. We also met Ambassador Boag, Head of the Delegation of the European Commission to Ukraine and Mr Tchong, First Secretary of the Dutch Embassy in Kyiv. We also visited the museum dedicated to the "Chernobyl" nuclear disaster. I gave a large number of interviews, including on two main TV channels.

In my speech as well as during our bilateral meetings, I raised the main following issues:

- Monitoring
- Ratification of the Council of Europe Conventions
- Parliamentary elections in 2006
- Constitutional reform
- Independence of the judiciary
- Role of the opposition
- Fight against corruption
- Inadmissibility of "double mandates" in the Parliament and the government
- Relations with the EU and Russia

- Transnistrian conflict
- Village of Velke Slemence (Slovakia) / Mali Selmenci (Ukraine)

17. Official visits to the Armenia, Georgia and Azerbaijan (18-23 August 2005)

Between 18 and 23 August, I conducted official visits to the three countries of the South Caucasus, namely Armenia, Georgia and Azerbaijan.

I arrived in **Armenia** at a crucial time in its constitutional reform process, with parliament due to meet in extraordinary session on 29 August in order to adopt amendments which would be put to a referendum in November. I pursued the main points of Resolution 1458, adopted by the Assembly in June, with all those I met, including NGO and media representatives, government and opposition parliamentarians, the ministers for justice and external affairs, the President of the Parliament and President Kocharyan, as well as the Catholicos of All Armenians. Most importantly, I stressed that reform of the constitution was a necessary precondition to Armenia's fulfilment of its obligations and commitments to the Council of Europe.

On the issue of Nagorno-Karabakh, everyone I met agreed that the current situation, in particular the blockades by Turkey and Azerbaijan, was very damaging to Armenia. I consistently argued that the prospects for stability and prosperity of the entire region depended on a peaceful settlement to the conflict, and that the past should not be an obstacle to the future of the young generation. I encouraged use of the opportunities for parliamentary diplomacy open to the Armenian and Azerbaijani delegations to PACE, and was pleased to learn of the widespread, albeit cautious, optimism over the ongoing bilateral diplomacy between the two presidents.

My visit to Georgia was of slightly shorter duration, involving meetings with the Prime Minister, the Deputy Speaker of Parliament, members of the parliamentary opposition and representatives of civil society, as well as the Patriarch of All-Georgia. I applauded the considerable progress made by the authorities since the "Rose Revolution" and welcomed the apparent recovery in the momentum of reform achieved in recent months. Nevertheless, I stressed that the Assembly's deadlines for meeting obligations and commitments towards the Council of Europe would not be extended any further.

On foreign policy matters, the government expressed deep disappointment in the failure by Russia to respond to President Saakashvili's proposals made in the PACE in January. The situation in South Ossetia was seen to be deteriorating, with the Prime Minister claiming that Russian involvement was increasingly overt, for example through the appointment of a Russian Prime Minister from Siberia and a Russian Defence Minister also originating from outside South Ossetia. On the other hand, there was general satisfaction with the agreement on withdrawal of the Russian military bases. I also raised the wider issue of the EU's New Neighbour Policy. In this connection, the Prime Minister expressed some frustration with the progress made in developing trilateral relations, or even simultaneous bilateral cooperation on issues of common interest, between Georgia, Armenia and Azerbaijan, although he hoped that this situation might improve once the Azerbaijani elections were over.

In Azerbaijan I discussed primarily the forthcoming parliamentary elections, in the context of the overall political climate, and the conflict over Nagorno-Karabakh with civil society and media representatives, government and opposition politicians, the ministers of foreign and internal affairs, the prime minister, the Chairman of the Milli Mejlis and the President. I also met Shiekh ul-Islam Haji Allahshukur Pashazade, Head of the Board of Caucasian Muslims, along with leaders of the Jewish and Orthodox religious communities.

Given the proximity of the elections and the detailed recommendations made by the Assembly in Resolution 1456, adopted in June, my discussions in Baku were technically detailed.

I repeatedly emphasised the following issues:

- investigation of electoral fraud committed in 2003;
- media freedom and pluralism; freedom of assembly;
- restoration of the candidacy rights of freed political prisoners;

- the timely introduction of new-style ID cards; allowing foreign-funded NGOs to monitor the elections; marking voters' fingers with indelible ink to prevent multiple voting; investigation of the murder of Elmar Huseynov;
- and the problem of political prisoners.

Whilst I was convinced that many on the government side – including, in particular, President Aliyev, whose May decree amounted to a clear statement of intent – were genuinely interested in ensuring that the elections would be free and fair, there was not unanimity on all points of detail, and I was left with the impression that, for some, their commitment may be greater in principle than in practice.

The issue of Nagorno-Karabakh clearly remained extremely sensitive in Azerbaijan. Almost everyone I met considered that Armenia, as the aggressor and illegally occupying power, should withdraw its forces before negotiations could take place. Nevertheless, everyone agreed that the conflict was an obstacle to regional stability and prosperity, and I again urged all parties to make every effort to find a peaceful settlement. President Aliyev was cautiously optimistic for the prospects of bilateral presidential diplomacy, although he felt that his contacts with President Kocharyan in other settings had not always been so productive. As in Armenia, I stated my willingness to facilitate the opportunities for parliamentary diplomacy open to the two countries' delegations to the PACE.

Overall, my visits came at important stages in the countries' democratic development: for Armenia, in relation to the constitutional reform process; for Georgia, in relation to its deadlines for honouring obligations and commitments to the Council of Europe; and for Azerbaijan, in relation to the November elections. The Assembly's reports and resolutions were well known and appreciated in all three countries, as was the work of the Venice Commission, and the fact that I was accompanied by the Head of Secretariat of the Monitoring Committee usefully reinforced the political importance that the Assembly attaches to its monitoring procedure. I would like to express my gratitude and appreciation to the respective delegations for their assistance in organising my visits and my thanks to all those I met for the invaluable information and insights they provided.

18. Official visit to Washington (7 September 2005) and New York (8-9 September 2005)

The main objective of the visit to Washington was to discuss with the US authorities ways of promoting democracy and human rights in Eastern Europe and the Caucasus, the situation in Belarus, the possible use of Council of Europe expertise in Iraq and the fight against terrorism – including the need to adhere to international human rights and humanitarian law.

With Mr Alcee L. Hastings, President of the OSCE Parliamentary Assembly and US Congressman, we discussed co-operation between the two Assemblies, in particular as regards the observation of elections.

In the US State Department, I met with Mr Glyn Davies, the Acting Assistant Secretary for Democracy, Human Rights and Labor, and Ambassador Daniel Fried, Assistant Secretary for European and Eurasian Affairs. Discussions centered on US policy, as well as the situation in Belarus and in the southern Caucasus. I used this occasion to invite the US Secretary of State, Mrs Condoleezza Rice, to address the Assembly.

I also met Mr John Bruton, the EU Commission's Ambassador to the United States and former Prime Minister of Ireland, as well as representatives of the following human rights NGOs: Open Society Institute, Amnesty International USA, Human Rights First and Human Rights Leadership Coalition.

In New York, I addressed the Second World Conference of Speakers of Parliaments. In my speech, I stressed the need for an increased involvement of parliamentarians in international relations and the importance of parliamentary diplomacy. I underlined that the Parliamentary Assembly, which has been the engine of the Council of Europe and has become a real school of democracy, is now looked at as a source of inspiration for other international assemblies, such as the Pan-African Parliament and the future Asian Parliamentary Assembly.

I held a series of bilateral meetings with Presidents of Parliament attending the Conference to discuss relations between these Parliaments and the Parliamentary Assembly of the Council of Europe. In this connection I met with:

1. Mr Baghdasaryan, Speaker of the National Assembly of Armenia
2. Mr Aleskarov, Chairman of the Milli Mejlis of Azerbaijan
3. Mrs Burjanadze, Speaker of the Parliament of Georgia
4. Mr Wanger, President of the Landtag of Liechtenstein
5. Mrs Ergma, Speaker of the Estonian Parliament
6. Mr Gryzlov, Chairman of the State Duma of the Russian Federation
7. Mr Mukhamejanov, Chairman of the Assembly of Kazakhstan (Mazhilis)
8. Mr Konoplev, Speaker of the Chamber of Representatives of Belarus
9. Mr Dos Santos, Vice-President of the European Parliament

With Mrs Louise Fréchette, Deputy Secretary General of the United Nations, I discussed, in particular, the involvement of parliamentarians in the work of international organisations. In this connection, I invited Mr Eliasson, elected President of the 60th session of the UN General Assembly, to address the Parliamentary Assembly during its January part-session (23-27 January 2006) in the framework of the debate on "parliamentary dimension of the United Nations" (Rapporteur: Mrs de Zulueta, Italy).

On the invitation of Mr de Venecia, Speaker of the House of Representatives of the Philippines, on behalf of the Senior Advisory Council of the "Association of Asian Parliamentarians for Peace" (AAPP), I presented to the AAPP proposals for a "road map" for the establishment of an Asian Parliamentary Assembly. This meeting was attended by Mr Norodom Ranariddh, President of the National Assembly of Cambodia, Mr Bhalakula, Speaker of the House of Representatives of Thailand, Mr Sheng Huaren, Vice-Chairman of the Standing Committee of the National People's Congress of China, as well as by Mr Jean Ping, President of the 59th session of the UN General Assembly, and Mr Casini, President of the Chamber of Deputies, Italy.

19. Working visit of the President to London (9-11 October 2005)

I visited London between Sunday 9 October and Tuesday 11 October. During my visit I met Ian Pearson MP, foreign office minister; Michael Martin MP, the Speaker of the House of Commons; the Joint Committee on Human Rights; Lord Brown, chair of Sub-Committee E of the House of Lords European Union Committee; Sir Trevor Phillips, Chair of the Commission for Racial Equality; Irene Khan, Secretary General of Amnesty International; Sir Iqbal Sacranie, Secretary General of the Muslim Council of Britain; and Silvia Casale, President of the European Committee for the Prevention of Torture. The main themes of our discussions were (i) the UK government's anti-terrorism proposals; (ii) inter-cultural and inter-religious dialogue, including the fight against extremism and the Assembly report on European Muslim communities confronted with extremism; and (iii) the EU Fundamental Rights Agency.

In my meeting with Mr Pearson, I emphasised the Assembly's expectation that all the UK's anti-terrorism measures must respect its human rights obligations, in particular under the European Convention on Human Rights.

Both the Muslim Council of Britain and the Commission for Racial Equality agreed with the need to enhance inter-cultural and inter-religious dialogue, and appreciated the Assembly's attention to the issue. Whilst both bodies welcomed the possibility of enhancing cooperation with the Assembly, the Muslim Council of Britain expressed slight reservations towards the forthcoming report, pointing out that not only Muslim communities were affected by extremism. Nevertheless, the outcome of both meetings was highly positive: I invited both organisations to send any further information to my private office, on the understanding that additional future contacts could be established directly with committees.

I discussed the Fundamental Rights Agency primarily with Mr Pearson, Lord Brown (whose House of Lords sub-committee was responsible for scrutinising the Commission's proposals) and with the JCHR. Whilst all were broadly sympathetic to the Assembly's concerns, the JCHR, in the person of Lord Lester of Herne Hill, added that the Council of Europe would be in a stronger position to oppose an extensive Agency if it first put its own house in order, notably with respect to the effectiveness of the European Court of Human Rights.

Finally, the CPT President and I considered ways in which the Assembly and the CPT could reinforce cooperation, along with issues such as improving the Assembly's procedures in relation to appointment of CPT members. Mrs Casale was very appreciative of the meeting, the first between Presidents of the CPT and PACE.

20. Joint meeting between the Presidential Committee of the Parliamentary Assembly and the Conference of Presidents of the European Parliament in Brussels (Brussels, 20 October 2005)

On Thursday 20 October 2005, the Conference of Presidents of the European Parliament and the Presidential Committee of the Parliamentary Assembly of the Council of Europe held a joint meeting in the European Parliament building in Brussels.

The following issues were discussed:

The Council of Europe and the European Neighbourhood Policy of the European Union

The PACE participants stated that assistance and monitoring of the democratisation process in CE member States covered by the ENP was already being undertaken by the CE. There was no need for new institutional procedures at EU-level in the same field, which would create a risk of double standards and lead to waste of money. For the same reason, there was a clear need for more joint co-operation programmes.

The EP participants considered that the EU and the CE were complementary, with the latter offering expertise in matters such as human rights, social cohesion and democratic stability. Some issues were dealt with by the CE in ways that would be impossible for the EU, particularly given that European countries covered by the Neighbourhood Policy are CE members. Nevertheless, the EU should not rely only on one source for its information. Furthermore, it was inevitable that there would be some overlap; the issue was how this could be managed.

In conclusion, both sides agreed that co-operation between the two organisations, including joint programmes, should be enhanced, in recognition of the CE's expertise and instruments.

The European Union Agency for Fundamental Rights

The PACE participants noted in particular that if the Agency had a mandate extending beyond the borders of the EU, it would duplicate activities of the CE, in particular as regards monitoring procedures. This could undermine the existing developed and effective mechanisms of the CE.

The EP participants discounted fears that the Agency would have adverse consequences for the future of the CE. Practical measures were needed to ensure that these fears did not become reality. Some of them said clearly that the Agency should not be able to report on non-EU Member States and that it would not monitor human rights outside the EU. Instead, it should be limited to the territory of the EU, where it would act like a national human rights institution, in accordance with the Paris Principles.

Whilst perceptions differed as to the extent of any possible threat posed by the Agency to the Council of Europe, there was a consensus on the need for effective provisions to avoid unnecessary duplication.

Participation of the PACE and the EP in the Quadripartite meetings between the Council of Europe and the EU

It was agreed that the two assemblies should participate in the Quadripartite CE-EU meetings, and that a joint letter should be written requesting the introduction of a parliamentary dimension to the meetings.

Co-operation between PACE and EP Committees

Participants endorsed, as an initial concrete step, the proposal that pairs of counterpart committees should identify one issue to form the basis of joint activity, made during an earlier meeting between the Chairman of the EP Conference of Committee Chairmen and the chairpersons of PACE committees.

In addition, EP Committees should institute a practice of inviting PACE rapporteurs to their meetings, to participate in the same way as other experts. The Neighbourhood Policy was a particularly important area for cooperation, especially with rapporteurs of the PACE Monitoring Committee.

Report by Mr Juncker on Relations between the Council of Europe and the EU

Participants agreed that both assemblies should support Mr Juncker and encourage him to produce a visionary, political document.

Belarus

Participants agreed to consider setting up a Troika on Belarus, together with the OSCE Parliamentary Assembly.

Election observation

Participants agreed to continue jointly observing elections.

PACE observer status with the Euro-Mediterranean Assembly

EP participants supported the proposal that PACE have observer status with the Euro-Mediterranean Assembly.

21. Konrad Adenauer Round Table (Brussels, 20 October 2005)

At the invitation of the Konrad Adenauer Stiftung, I pronounced a speech at the Round Table which was followed by a discussion. On this occasion, I proposed that the European Union's unspent resources in the field of democracy and human rights should be pooled in a joint European Union / Council of Europe fund to finance joint programmes intended for the development and consolidation of democracy, the rule of law, human rights and fundamental freedoms in Europe. I suggested to Mr Jean-Claude Juncker, Prime Minister of Luxembourg, to take this proposal into consideration in the preparation of his report on the relations between the Council of Europe and the European Union.

22. Official visit to Albania (23-26 October 2005)

At the invitation of the Speaker of Albanian Parliament Mrs Topalli, I visited Albania from 23-26 October 2005. During my visit I met with the Speaker of Parliament, the Committee on Foreign Affairs, and the Committee on EU Integration. I also delivered a speech before the Parliament (speech enclosed). In addition, I had meetings with the President, the Prime Minister, the Minister of Justice, the Minister of European Integration, the Minister of Education, Mayor of Tirana and Chairman of the Socialist Party, OSCE Head of Presence and the Ombudsman. I also met with NGOs and had an exchange of views with students at the Faculty of Law. The main themes of our discussions were:

- Fight against corruption, organised crime and trafficking in human beings;
- Reform of the electoral process;
- Reform of state administration, media and press;
- The need to strengthen the judiciary and ensure its independence;
- Cooperation between the main political players in Albania;
- Integration of Albania into Euro-Atlantic structures;
- Future status of Kosovo;
- Follow up to the 3rd Summit of the Council of Europe;
- Cooperation between CoE, PACE and Albania;

In all meetings, I urged Albanian interlocutors to fulfil and honour the commitments and obligations towards the Council of Europe. I emphasised the need for the government, political parties

and the judiciary to take strong action to fight corruption, organised crime and trafficking in human beings and continue the process of electoral reform.

I also discussed the need to strengthen the judiciary and ensure its independence. Whilst sympathetic to their concerns on the slow pace of the prosecutor's offices around the country to act on allegations of corruption brought before them, I insisted on the need to act according to the law and encouraged Albanian interlocutors to ask the opinion of the Venice Commission on both issues.

In my discussions I emphasised the importance of cooperation across the spectrum of Albanian politics, in particular on issues of national concern such as integration into European Union and Atlantic structures, reform of the electoral process, the fight against corruption, organised crime and trafficking in human beings. I urged the governing majority to seek always the consensus of the opposition. I also urged the opposition and its new leader to be constructive on issues of national interest.

Finally, we discussed cooperation between Albania the Council of Europe and the Parliamentary Assembly. Council of Europe/PACE input would be welcome in internal administrative reform of the parliament (limiting the immunity of parliamentarians and curbing expenses), electoral reform, reform of the High Council of Justice, review of the law on the career of judges, reorganisation of first instance courts, revision of the law that regulates the functioning of the Prosecutor General Office, liberalisation of higher education and provision of internet links to all schools (including those in the rural areas).

23. Launching of the Forum for Democracy in Warsaw (3 November 2005)

On Thursday 3 and Friday 4 November 2005 I attended the Launching Meeting of the Forum for the Future of Democracy in Warsaw, organised by the Polish government with the theme of "civic participation."

In my speech, I reminded participants that democracy relied on real freedoms and enthusiastic, effective participation. Otherwise, a gap emerged between politicians – who ceased to exercise leadership – and the electorate, resulting in a lack of credibility for the political process. As to the future of the Forum, I suggested that it should become diverse and representative, a bridge between different groups in society; autonomous and pro-active; and flexible and creative.

The launching meeting was, in my opinion, a good beginning. For the future, however, there is a need to encourage spontaneity and creativity. The Forum needs a more varied composition, with greater representation of grass-roots non-governmental organisations, media and political parties. A "bottom-up" rather than a "top-down" approach is preferable, driven by civil society within a space made available by governments, whose representatives would be invited to participate in response to civil society initiatives, rather than vice versa.

The Forum Chairman invited participants to initiate a review paper on the state of civic participation in Europe, which would examine and compare the experience of different Council of Europe member States and develop proposals such as a Code of Good Practice for civic participation. I in turn would invite the Political Affairs Committee, through its Sub-committee, to contribute to this work, perhaps through the preparation of a report.

Whilst in Warsaw, I met Marek Jurek, new speaker of the Sejm, and Bogdan Borusewicz, new speaker of the Senate. Our discussions focussed on Belarus, the EU situation (including the Constitutional Treaty, which the speakers considered to be unpopular amongst Polish citizens, and Turkish accession, which Poland supported), Poland's relations with its neighbours (including the issue of Russia's chairmanship of the Committee of Ministers) and cooperation between the Assembly and the Polish parliament (including the possibility of parliamentary debates on the activities of the Council of Europe).

I also attended a dinner hosted by the Dutch Ambassador, at which Senator Edmund Wittbrodt, Mr Piotr Nowina-Kopnopka, President of the Schuman Foundation Warsaw, Dr Rosa Thun, head of the European Commission delegation and Mr Pawel Swieboda, Director of the Department of the EU and Accession Negotiations of the Polish Ministry of Foreign Affairs, amongst others, were present.

24. Official visit to Turkey (9-13 November 2005)

At the invitation of the Speaker of the Grand National Assembly of Turkey, Mr Bülent Arınç, I visited Turkey (Ankara and Istanbul) from 9 to 13 November 2005.

In Ankara, I meet, in particular, the Speaker, the Prime Minister, Mr Recep Tayyip Erdoğan, the Deputy Prime Minister and Minister of Foreign Affairs, Mr Abdullah Gül, members of the EU Harmonisation Committee of the Parliament, the Chairman of the Republican People's Party, Mr Deniz Baykal, the Chairman of the Motherland Party, Mr Erkan Mumcu, the President of Religious Affairs, Mr Ali Bardakoglu, and NGO representatives (Human Rights Association of Turkey, Mr Yakuz Önen and "Flying Broom" women's association, Ms Halime Güner).

In Istanbul, I met, in particular, Ecumenical Patriarch Bartolomeos, Chief Rabbi Ishak Haleva, the Director General of the Research Centre for Islamic History, Art and Culture (of the Organisation of Islamic Conference), Mr Halit Eren, the Chairman of the Board of the Association of the Turkish Industrialists and Businessmen (TÜSIAD), Mr Ömer Sabancı and the Dean of Koc University, Mr Atilla Askar.

I addressed the Grand National Assembly on 9 November as the first foreign guest this year.

In my speech, I raised, in particular, the following issues, which I further developed during my bilateral meetings:

- the major political and legislative reforms accomplished by Turkey;
- the process of accession to the European Union, stressing that promises must be kept by the EU in order to dismiss any suspicion of double standards vis-à-vis Turkey and proposing to develop a coordinated strategic plan for a dialogue involving both the EU and Turkey to overcome misunderstandings and prejudices;
- the key role to be played by Turkey in intercultural and inter-religious dialogue;
- the integration of Turkish communities living in Western Europe stressing the need for an enhanced participation in public and private life and warning about dangers resulting from lost trust in society and the lack of perspectives;
- the danger of creating a link between religion and social problems caused by exclusion, unemployment and lack of education;
- the need for further progress on the twelve points identified by the Assembly at the closing of the monitoring procedure;
- the inadmissibility of the judicial procedure against the author Mr Orhan Pamuk;
- the need to strictly respect religious freedom, calling for a complete separation between the State and the religion and underlining that freedom of religion and its unrestricted practice must be guaranteed by the state and all obstacles to the full enjoyment of this essential right must be lifted;
- the need to strictly respect the rights of religious minorities, including their property rights, and the rights of minorities in general;
- the need to implement the reforms ensuring equal rights and opportunities for women, including political rights;
- the fight against corruption, reminding that immunity does not mean impunity;
- the role of Turkey as a major actor and stability factor in highly important geopolitical issues such as the South Caucasus, in particular the Nagorno-Karabakh conflict, Iraq, the Middle-East and Central Asia;

- the role of Turkey in the efforts to find a solution to the Cyprus issue, stressing that the international community should be more open and constructive with the Turkish Cypriot community and noting that the recognition of the state of Cyprus is a necessary part of the process of Turkey's accession to the EU.

During the visit, I have made the following proposals:

- fully develop the Council of Europe as a forum for intercultural and inter-religious dialogue. This idea received wide support during my meetings, including from the Speaker of Parliament, the Prime Minister, the Foreign Minister and the religious leaders;
- involve the Council of Europe in the UN initiative on the "Alliance of Civilisations" co-sponsored by Spain and Turkey. I suggested that one of the next meeting in this framework should take place in the Council of Europe in Strasbourg;
- intensify Council of Europe's contribution to the integration of migrants communities living in Western Europe by developing mutual understanding and improving both the image of migrants and their countries of origin. With respect to Turkish migrants, a "Turkish Centre" could be set up in one of the Council of Europe member states concerned. This idea was warmly welcomed by my interlocutors. TÜSIAD (Association of the Turkish Industrialists and Businessmen) also expressed its interest in supporting such a project;
- set up an 'Observatory on urban violence', which has already been proposed by the Assembly in order to make best use of national practices;
- concerning the Cyprus issue, I called for a new initiative to make further steps towards a final settlement and invited the EU to honour promises made after the referendum last year. In this connection, I noted the Prime Minister's proposal to invite Mr Talat to an Assembly part-session;
- on the tragic events of 1915, I insisted that history must not be allowed to obstruct the future and encouraged my interlocutors to approach this matter in a spirit of openness. I noted the offer of the Prime Minister, supported by the Parliament, to set up a joint committee, open to all interested parties, to establish the truth on these events and the willingness of Turkey to open its archives;
- on torture, I called for 0% tolerance and stressed the necessity to prosecute not only the perpetrators, but also their superiors;
- I invited Patriarch Bartolomeos to address the Parliamentary Assembly during one of its forthcoming part-sessions (on the basis of a previous Bureau's decision), and he accepted this invitation;
- on the parliamentary election in Azerbaijan, I stressed that the Assembly will discuss the report of its Ad Hoc Committee in Bucharest on 25 November. I noted that Turkey, despite shortcomings noticed by observers, considers that this election has marked a progress;
- Nagorno-Karabakh, I underlined the availability of the Assembly to contribute to the settlement of the conflict, which is hampering the future of the South Caucasian region.

25. 115th Session of the Committee of Ministers (Strasbourg, 16-17 November 2005)

On 16 November, I took part in the "fireside chat" organised by the Secretary General of the Council of Europe, with the participation of Mr Jean-Claude Juncker, Prime Minister of Luxembourg. I also spoke at the Ceremony of the 50th Anniversary of the European Flag.

On 17 November, I made a statement before the Committee of Ministers (speech enclosed).

On the occasion of the session, I met, in particular:

1. Mr Jean-Claude Juncker, Prime Minister of Luxembourg;
2. Mr Mihai-Răzvan Ungureanu, Minister for Foreign Affairs of Romania;
3. Mr Besnik Mustafaj, Minister for Foreign Affairs of Albania;
4. Mr Borys Tarasyuk, Minister for Foreign Affairs of Ukraine;
5. Mr Vartan Oskanian, Minister for Foreign Affairs of Armenia;
6. Mr Vuk Drašković, Minister for Foreign Affairs of Serbia and Montenegro;
7. Mr Elmar Brok, Chair of the Committee on Foreign Affairs of the European Parliament.

26. Official visit to Romania (23-24 November 2005)

I visited Romania from 23 to 24 November 2005.

I met with (in chronological order):

1. Mr. Dan Mircea GEOANĂ, president of the Social-Democrat Party
2. Members of the Foreign Affairs Committee of the Romanian Parliament
3. Mr. Corneliu Vadim TUDOR, president of the "Greater Romania" Party
4. Mr. Puiu HAȘOTTI – National Liberal Party
5. Mr. Radu-Mircea BERCEANU – Democratic Party
6. Mr. Verestoy ATTILA – Democratic Union of Hungarians in Romania
7. Mr. Dan VOICULESCU – Conservative Party
8. Mr. Nicolae VĂCĂROIU, President of the Senate
9. Mr. Adrian NĂSTASE, President of the Chamber of Deputies
10. His Beatitude TEOCTIST, Patriarch of the Romanian Orthodox Church
11. His Excellency Mr. Traian BĂSESCU, President of Romania
12. Mr. Călin POPESCU-TĂRICEANU, Prime Minister of Romania

I also had an exchange of views with representatives of the main churches in Romania and representatives of democracy and human rights NGOs.

I addressed the National Assembly of Romania on 24 November.

In my speech, I raised, in particular, the following issues, which I further developed during my bilateral meetings:

- Political situation in Romania and the prospects of joining the EU in 2007;
- Priorities of Romanian Chair and cooperation with PACE, in particular:
 - the negotiation of a Memorandum of Understanding between the Council of Europe and the European Union;
 - promotion of democratic reforms in the region;
 - promoting inter-cultural and inter-religious dialogue;
- Cooperation with the upcoming Russian Chair of the Committee of Ministers of the Council of Europe;
- Strengthening the functioning and independence of the judiciary;
- Public administration reform;
- Fight against corruption and trafficking in human beings;
- Integration of Roma;
- Allegations on CIA detention centers in Romania;
- Romania's contribution to peace and stability in the region in particular Transdnistria, Kosovo and other Balkan countries;
- Cooperation between the different political parties;
- Cooperation with civil society

During the visit, I made the following proposals:

1. To the parliament of Romania:

- To launch and Investigation into allegations about CIA detention centers in Romania and fully co-operate with the Council of Europe, the Parliamentary Assembly and other international bodies;
 - To organise once a year a debate in the parliament regarding developments and relations with the Council of Europe and the European Union;
2. To the parliament and Romanian authorities:
- Involve the Council of Europe in the process of democratisation of Transdnistria, in particular participation of the Council of Europe in the negotiating format (together with the US and the EU);
3. To Romanian authorities:
- To work closely with the Committee of Ministers and the Romanian Chair to enhance co-operation between the Council of Europe and the European Union;
 - Undertake joint activities to promote intercultural and inter-religious dialogue;

27. Working visit to Brussels (7-8 December 2005)

I was in Brussels on 7-8 December 2005.

1. In the morning, I attended and addressed the **Forum "Cultural Heritage Counts for Europe" organised by Europa Nostra**

In my speech, I underlined the importance of:

- culture and cultural heritage as means to bring down barriers and build bridges of peace and understanding;
- the importance of the civil society;
- the need to enhance the partnership between parliamentarians and the civil society and work together in important areas such as intercultural and inter-religious dialogue;

In the evening, I addressed the opening speech at the closing dinner of the Forum presided by His Royal Highness the Prince Consort of Denmark, President of Europa Nostra and in the presence of Guests of Honour Jan Figel, European Commissioner responsible for Education, Culture Training and Multilingualism, and Anne-Marie Sigmund, President of the European Economic and Social Committee.

2. I met with **EU Foreign Policy Chief Javier Solana** with whom I discussed cooperation between the Council of Europe and the European Union, in particular:
- The EU Neighbourhood Policy;
 - The Agency of Fundamental Rights;
 - Quadripartite Meetings;
 - Kosovo;
 - Allegations on CIA Detention Centers in CoE/EU Member States

Mr Solana considers the Council of Europe a very important partner of the European Union. The Council of Europe, with instruments like the Venice Commission, can play a very important role in developments in Kosovo and other Western Balkan countries.

With regard to allegations on CIA detention centers in Council of Europe and EU member states, like Vice-President Frattini before him, Mr Solana extended his full support to PACE's enquiry.

3. I had a working lunch with **Mr Mendes de Vigo and Mrs Kinga Gál, members of the European Parliament.**

Mrs Gál is European Parliament Rapporteur on the Agency of Fundamental Rights.

Our discussions focused on the concerns of the Council of Europe and the Parliamentary Assembly with regard to the geographical remit of the Agency and how could we best cooperate and coordinate to avoid duplication by the Agency of work already carried out very efficiently by the Council of Europe.

4. In the afternoon, I had a meeting with **Mr Herman De Croo, President of the Chamber of Deputies of the Belgian Parliament.**

Our discussions focused on the forth-coming Conference of Presidents of Parliaments of the Member States that will take place in Tallinn, Estonia, on 30 and 31 May 2006. Mr De Croo has kindly accepted my proposal to be one of the key note speakers in the Conference, notably on the theme "Bridge-building through Parliamentary Diplomacy".

Belgium will be in the Chair of the OSCE in 2006, and with our colleague De Croo, we discussed cooperation and coordination between the two Assemblies in areas of common interest.

We also discussed cooperation between the Council of Europe and the European Union, in particular the report under preparation by Mr Juncker.

I have received an invitation to address the Committee on European Affairs of the Belgium Chamber of Deputies. The Committee will also have a debate on the activities of the Council of Europe.

5. On the 8 December, I had a long and very fruitful meeting with **Mr Guy Verhofstad, Prime Minister of Belgium**

Our discussions focused on the need for better cooperation and coordination between the Council of Europe and the European Union. Prime Minister Verhofstad is aware of our concerns with regard to the EU Agency of Fundamental Rights and the EU Neighbourhood Policy. He fully supports the approach of the Assembly not to conclude any memorandum of understanding between the two organisations before Mr Juncker has submitted his report and recommendations on the cooperation between our two institutions.

Belgium will be in the Chair of the OSCE in 2006 and we discussed cooperation between the two institutions with regard to Belarus and other Member States. In this context, Prime Minister Verhofstad, has agreed to a preliminary invitation to address the Parliamentary Assembly of the Council of Europe during one of its forth coming sessions (possibly June 2006).

We also discussed allegations on CIA detention centers in European states and agreed on the need to carry out a full inquiry in order to prevent any wrongdoing in the future.

Media activities:

During my visit in Brussels, I had several interviews with regard to the PACE enquiry into allegations of CIA detention centers in Council of Europe and EU Member States.

I spoke to journalists from the Associated Press, to Radio Nederland, NRC Handelsblad, ANP and had an interview for Channel 4 News that was broadcast in its prime time news at 8pm on 7 of December.

II. VISITS OF HEADS OF STATES AND OTHER PERSONALITIES IN STRASBOURG:

During the first year of his term as President of the Parliamentary Assembly, Mr René van der Linden has received the following Heads of States and other personalities (in chronological order):

1. Mr Hastings, President of the OSCE Parliamentary Assembly
2. MM Happert and Michiels, Benelux President and Secretary General
3. Mr Victor Yuschenko, President of Ukraine

4. Mr Mikheil Saakashvili, President of Georgia
5. Mr Stef Goris, President of the Parliamentary Assembly Western European Union
6. Mr Truszczynski, Deputy Minister for Foreign Affairs of Poland, Chairmanship, Committee of Ministers, Poland
7. Mr Barnier, French Minister of Foreign Affairs
8. Mr Krotov, Secretary General of the CIS, St. Petersburg, Russia
9. Mr Svetozar Marovic, President of Serbia and Montenegro
10. Mr Jean-Claude Juncker, Prime Minister Luxembourg
11. Mr Rotfeld, Minister of Foreign Affairs of Poland, Chairmanship of the Committee of Ministers, Poland
12. Pan-African Assembly – MM Saleh, Tijiendero, Turek
13. M. Lemierre, President, European Bank for Reconstruction and Development
14. MM. Hussain & de Venecia, Association of Asian Parliamentarians for Peace (AAPP)
15. Mr Freitas do Amaral, Minister of Foreign Affairs of Portugal, Chairman Committee of Ministers
16. Mr Jaap de Hoop Scheffer, Secretary General of NATO
17. Mr Lupu, President Moldovan Parliament
18. M. Daul, Chairman of the European Parliament Conference of Committee Chairmen
19. Mr Moratinos, Minister of Foreign Affairs of Spain
20. Mr Ekmeleddin Ihsanoglu, Secretary General, Islamic Conference
21. Ms Asma Jahangir, United Nations Special Rapporteur on "Freedom of religion or belief"
22. Mr Donald Johnston, Secretary General, Organisation for Economic Cooperation and Development (OECD)
23. Mr Lytvyn, Speaker, Ukrainian Parliament
24. Mr Fernando d'Oliveira Neves, State Secretary for European Affairs of Portugal, Chairman Committee of Ministers

III. SPEECHES:

The following is a list of the speeches delivered by the President of the Parliamentary Assembly in 2005. They can be consulted at: <http://assembly.coe.int>

1. Speech on the occasion of his election as President of the Council of Europe Parliamentary Assembly (First part of the 2005 Ordinary Session of the Council of Europe Parliamentary Assembly)
2. Speech on the occasion of the Commemoration ceremony of the 60th anniversary of the liberation of Auschwitz, Strasbourg, 25 January 2005
3. Speech during his visit to the Luxembourg Chamber of Deputies, Luxembourg, 23 March 2005
4. Speech during the delegation for the European Union of the French Senate, Paris, 30 mars 2005
5. Speech by before the Senior Advisory Council of the Association of Asian Parliaments for Peace (AAPP), Manila, 5 April 2005
6. Statement at the Conference dedicated to the 60th Anniversary of the Victory of the anti-Hitler coalition in World War-II, St-Petersburg, 15 April 2005
7. Speech at the opening of the 2nd part of the 2005 session, Strasbourg, 25 April 2005
8. Speech on the occasion of the Third Council of Europe Summit, Third Plenary Session: "European Architecture", Warsaw, 17 May 2005
9. Statement before the Plenary Session of the Congress of Local and Regional Authorities of the Council of Europe, Strasbourg, 2 June 2005
10. Opening speech at the 3rd part of the 2005 Assembly's Session, Strasbourg, 20 June 2005
11. Statement in the Verkhovna Rada of Ukraine, Kiev, 7 July 2005

12. Opening statement at the Bureau of the Assembly, Monaco, 1 September 2005,
13. Speech on the occasion of the 2nd World Conference of Speakers of Parliament (United Nations, New York, 8 September 2005)
14. Speech at the Graduation Ceremony of the Masters' Programme of the Maastricht School of Management, 15 September 2005
15. Speech at the Seminar/ Round Table Discussion of EPP/CD Group, Strasbourg, 2 October 2005
16. Opening speech at the 4th part of the 2005 Assembly's Session, Strasbourg, 3 October 2005
17. Speech at the Konrad Adenauer Round Table, Brussels, 20 October 2005
18. Speech before the Albanian Parliament, Tirana, 24 October 2005
19. Opening speech at the Forum for the future of democracy, Warsaw, 3-4 November 2005
20. Speech before the Grand National Assembly of Turkey, Ankara, 9 November 2005
21. Speech on the occasion of the 50th Anniversary Celebrations for the European flag, Strasbourg, 16 November 2005
22. Speech on the occasion of the 115th Session of the Committee of Ministers, Strasbourg, 17 November 2005
23. Speech before the Romanian Parliament, Bucharest, 24 November 2005
24. Opening speech at the Europa Nostra Forum, Brussels, 7 December 2005

IV. MEDIA COVERAGE:

In 2005, the President gave approximately 80 interviews to televisions/radios and written press, among which CNN, Rai Uno, France 3 TV, Associated Press, Dutch TVs, Dutch Radio, Deutsche Welle, Radio France, Itar Tass, OstSee Zeitung, Al Jazeera, BBC Newsnight, ITN news, etc., and was prominently cited in several press articles.

In 2005, the President issued 48 press releases on a number of important subjects, pertinent to the activities of the Council of Europe and its Parliamentary Assembly.

The following is a list of the press releases which can be consulted at: <http://assembly.coe.int>

1. Press release N°705 | 16/12/05 – PACE President welcomes President Bush's acceptance of the Mc Cain amendment
2. Press release N°677 | 08/12/05 – PACE President expresses satisfaction at arrest of Croatian war crimes suspect
3. Press release N°161 | 29/11/05 – Note to Editors : PACE President calls on Azerbaijan Authorities to abstain from using force against demonstrators
4. Press release N°644 | 24/11/05 – PACE President calls on Romania to take tougher action on corruption and human trafficking
5. Press release N°159 | 22/11/05 – Note to Editors: Assembly President calls on Armenians to vote in Constitutional referendum
6. Press release N°629 | 21/11/05 – PACE President to discuss priorities of Committee of Ministers' Romanian chairmanship

7. Press release N°626 | 17/11/05 – Alleged secret CIA detention centres – René van der Linden calls for full co-operation with PACE enquiry
8. Press release N°149 | 14/11/05 – PACE President warns of considerable danger of linking urban violence in France to religion
9. Press release N°147 | 09/11/05 – "The European aspiration of the Turkish people must not be deceived" says President of PACE addressing the Turkish Parliament
10. Press release N°588 | 07/11/05 – PACE President to address Turkish Parliament on reform process
11. Press release N°590 | 04/11/05 – PACE President calls for dialogue as France faces urban violence
12. Media alert | 24/10/05 – PACE President calls on Albanian Parliament to strengthen the fight against corruption
13. Press release N°553 | 20/10/05 – Official visit by PACE President to Albania
14. Press release N°524 | 10/10/05 – World Day Against the Death Penalty: 'The fight is far from being over', says Assembly President
15. Press release N°426 | 16/09/05 – Iran should not bypass 'generous' European offer on nuclear programme, says PACE President
16. Press release N°457 | 09/09/05 – PACE President warns against undermining the judicial independence of the European Court of Human Rights
17. Press release N°446 | 05/09/05 – Council of Europe Parliamentary Assembly President to discuss human rights issues with US authorities and address the Second World Conference of Speakers of Parliament
18. Press release N°435 | 25/08/05 – Reform process in South-Caucasus needs to be boosted, says PACE President
19. Press release N° | 24/08/05 – November elections will be a test case for Azerbaijan, says PACE President
20. Press release N°433 | 23/08/05 – PACE President welcomes completion of Israeli withdrawal from Gaza
21. Press release N° | 22/08/05 – Media alert Georgia: PACE President urges authorities to maintain the momentum of reform
22. Press release N° | 19/08/05 – PACE President urges dialogue between government, opposition and civil society in Armenia
23. Press release N°430 | 17/08/05 – PACE President pays tribute to Frère Roger
24. Press release N°429 | 17/08/05 – PACE President to visit Armenia, Azerbaijan and Georgia to discuss political reforms
25. Press release N°423 | 29/07/05 – PACE President reacts to IRA announcement
26. Press release N°387 | 07/07/05 – Council of Europe Parliamentary Assembly President René van der Linden condemns London terror

27. Press release N°341 | 20/06/05 – PACE President warns that ‘Europe could soon be on the road back to egocentric nationalism’
28. Press release N°322 | 13/06/05 – PACE President condemns executions by the Palestinian Authority
29. Press release N°265 | 17/05/05 – PACE President welcomes preparation of a political report on the relations between the EU and the Council of Europe by Prime Minister Juncker
30. Press release N°261 | 16/05/05 – Council of Europe Third Summit: intercultural and inter-religious dialogue must be strengthened, says PACE President
31. Press release N°243 | 03/05/05 – PACE President on World Press Freedom Day: ‘Security-motivated censorship serves the cause of terrorists’
32. Press release N°235 | 28/04/05 – Council of Europe parliamentarians denounce kidnapping of journalists
33. Press release N°211 | 20/04/05 – PACE President congratulates Pope Benedict XVI on his election
34. Press release N°205 | 19/04/05 – Assistance to patients at end of life and detentions in Guantánamo Bay to be debated at PACE Spring session
35. Press release N°181 | 06/04/05 – PACE President saddened by the death of Prince Rainier of Monaco
36. Press release N°179 | 05/04/05 – “The creation of an Asian Parliamentary Assembly will be a catalyst for political integration in Asia”, says PACE President
37. Press release N°171 | 02/04/05 – PACE President pays tribute to His Holiness Pope John Paul II
38. Press release N°164 | 31/03/05 – PACE President attends parliamentary rally for Florence Aubenas and Hussein Hanoun al Saadi
39. Press release N°163 | 30/03/05 – A French “yes” vote is also a vote for human rights, says René van der Linden
40. Press release N°156 | 24/03/05 – PACE President on Darfur vote: ‘allow the ICC to save lives’
41. Press release N°121 | 11/03/05 – PACE President welcomes voluntary transfers to The Hague Tribunal as a step towards justice
42. Press release N°125 | 11/03/05 – PACE President expresses concern over health of imprisoned Belarus opposition leader and calls for his transfer to hospital
43. Press release N°116 | 09/03/05 – On the eve of his visit to Moscow, PACE President hopes that Aslan Maskhadov’s death will not trigger more violence
44. Press release N°113 | 08/03/05 – PACE President to visit Moscow
45. Press release N°85 | 23/02/05 – PACE President welcomes result of elections in northern part of Cyprus
46. Press release N°70 | 15/02/05 – Entry into force of the Kyoto Protocol: PACE President hails ‘a crucial first step’

47. Press release N°47 | 03/02/05 – 'With the death of the Georgian Prime Minister, PACE has lost a very close friend'
48. Press release N°22 | 24/01/05 – René van der Linden from the Netherlands is new PACE President

