



Committee on Legal Affairs and Human Rights
Commission des questions juridiques et des droits de l'homme

SECRETARIAT

11 October 2010
Synopsis AS/Jur No. 2010/ 07

To the Members of the Committee on Legal Affairs and Human Rights

Synopsis of the meeting held in Strasbourg (Palais de l'Europe) on 5 and 7 October 2010

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg

- on 5 October 2010 at 8h30 with Mr Christos Pourgourides (Cyprus, EPP/CD) in the Chair, as regards:
 - **The need to avoid duplication of the work of the Council of Europe by the European Union Agency for Fundamental Rights** (*Rapporteur: Mr Boris Cilevičs, Latvia, SOC*): took position on the amendments to the draft resolution and the draft recommendation;
 - **Recent rise in national security discourse in Europe: the case of Roma** appointed Mr Adrian Nastase, Romania, SOC, as rapporteur;
 - **National procedures for the selection of candidates for the European Court of Human rights** (*Rapporteur : Mrs Renate Wohlwend, Liechtenstein, EPP/CD*): held an exchange of views with Mr Erik Fribergh, Registrar of the European Court of Human Rights and considered and approved the draft report and adopted a draft resolution;
 - **Other business:**
 - **Appointment of members of the Sub-committees:** appointed Mrs VÁHALOVÁ Dana (Czech Republic) as a member of the Sub-committee on Crime Problems and the Fight against Terrorism and Mr LOUTFI Younal (Bulgaria) as a member of the Sub-committee on Rights of Minorities;
 - **National sovereignty and statehood in contemporary international law: the need for clarification :** appointed Mr Holger Haibach, Germany, EPP/CD, as rapporteur;
- on 5 October 2010 at 14h00 with Mr Christos Pourgourides (Cyprus, EPP/CD) in the Chair, as regards:
 - **Human rights and business** (*Rapporteur: Mr Holger Haibach, Germany, EPP/CD*): took position on the amendments to the draft resolution and the draft recommendation;
 - **Recent rise in national security discourse in Europe: the case of Roma** (*Rapporteur for opinion: Adrian Nastase, Romania, SOC*): considered a draft report tabled by the Political Affairs Committee; considered and approved the Committee's opinion;

- **Appointment of rapporteurs:**

- **Accession of the European Union to the European Convention on Human Rights:** Election of judges: Mr Serhiy Holovaty, Ukraine, ALDE;
- **Reaffirming the universal nature of human rights:** postponed until a forthcoming meeting;

- **State of Human rights in Europe**

Preparation of the Assembly's 2011 debate: agreed on a working title - "National Parliaments – Guarantors of Human Rights in Europe".

- **on 7 October 2010 at 14h00** with Mr Christos Pourgourides (Cyprus, EPP/CD) in the Chair, as regards:

- **National procedures for the selection of candidates for the European Court of Human rights** (*Rapporteur: Mrs Renate Wohlwend, Liechtenstein, EPP/CD*): noted that no amendments had been tabled;

- **Preventing harm to refugees and migrants in extradition and expulsion cases: Rule 39 indications by the European Court of Human Rights** (*Rapporteur for opinion: Mrs Anna Ntalara, Greece, SOC*): in the absence of the Rapporteur, postponed consideration of the matter until a forthcoming meeting; and invited the Chairman to ask the Bureau to take the report off the agenda of the Standing Committee meeting in Antalya in order to permit the Committee to submit its opinion in due course.

- **Sub-Committee on Human Rights** (*Chairperson: Mrs Marie-Louise Bemelmans-Videc, Netherlands, EPP/CD*): heard a report on the meeting held in Strasbourg on 5 October 2010;

- **Participation of members in conferences, meetings, seminars, etc.:** heard a report by the following representative:

- Conference "Strengthening subsidiarity: integrating the Court's case-law into national law and judicial practice": Skopje ("the former Yugoslav Republic of Macedonia"), 1-2 October 2010: Mr Christos Pourgourides (Cyprus, EPP/CD);

- **Presentation of the Council of Europe's Human Rights Trust Fund:** heard a presentation by Mr Michael Roeskau, Central Directorate for Legal Affairs and Prospective Analysis, Council of Europe Development Bank (CEB) and Mr Christos Giakoumopoulos, Director of Monitoring, DGHL, Council of Europe;

- **Rule of law: is it implemented in the right way?:** decided to advise the Bureau that the motion should be submitted to the Committee for information.

- **Other business:** authorised Mr Dick Marty, Switzerland, ALDE, to submit a third party intervention on behalf of the Committee before the European Court of Human Rights in the case of *Nada v. Switzerland*, concerning the issue of the compatibility of UN Security Council terrorist Black Lists with European Convention on Human Rights requirements.

- **Next meetings:**

Plenary Committee:

- Paris, Wednesday 17 November 2010 at 9 h (Council of Europe Office)
- Paris, Thursday 16 December 2010 at 9 h (Council of Europe Office)
- Strasbourg, during the 1st Part-session of the Assembly of 2011 (24-28 January 2011)

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 5 October 2010 at 14h30, with Mrs Bemelmans-Videc, in the Chair, as regards :

European Committee for the Prevention of Torture (CPT): decided to postpone the discussion on the list of candidates to the CPT in respect of Spain; invited the delegations of Bosnia and Herzegovina and Moldova to submit lists of candidates as soon as possible; and had an exchange of view with the head of delegation of Luxembourg on the current situation of the Luxembourg member of the CPT;

Other business: took note of the CPT's report on its visit to Imrali/Turkey in January 2010 published with the agreement of Turkey in July 2010 and of the Turkish response to the CPT's recommendations concerning the conditions of detention of Mr. Öcalan;

Next meeting: left it to the Chairperson to convene the next meeting.

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, Roland Klages, Grégory Thuan

cc. Secretary General of the Assembly
 Director General, Directors and all staff of the Secretariat of the Assembly
 Secretaries of National Delegations to the Assembly
 Secretaries of Political Groups of the Assembly
 Observers to the Assembly

Secretary General of the Congress
 Secretary to the Committee of Ministers
 Directors General
 Special Representative of the Secretary General of the Council of Europe for Organisational Development and Reform
 Director of the Private Office of the Secretary General of the Council of Europe
 Director of the Office of the Commissioner for Human Rights
 Director of Communication

Permanent Representations to the Council of Europe