



## TO THE MEMBERS OF THE COMMITTEE ON LEGAL AFFAIRS AND HUMAN RIGHTS

### Secretariat of the Parliamentary Assembly

Synopsis No 2003/20  
6 February 2003

**The Committee on Legal Affairs and Human Rights**, meeting in Strasbourg on 27-31 January 2003 with Mr McNamara (United Kingdom, SOC), senior member present, and then Mr Lintner (Germany, EPP) in the Chair, as regards:

- *Election of the Committee's Bureau*: by acclamation, elected Mr Lintner (Germany, EPP) as Chairperson, Mr Marty (Switzerland, LDR) as 1<sup>st</sup> Vice-Chairperson, Mr Jaskiernia (Poland, SOC) as 2<sup>nd</sup> Vice-Chairperson and Mr Jurgens (Netherlands, SOC) as 3<sup>rd</sup> Vice-Chairperson;

and resuming its meeting on 28 January 2003 at 8h30 and 14h, with Mr Lintner in the Chair, as regards:

- *The Council of Europe's contribution to the process of drafting a European Union Constitution* (Rapporteur for opinion: Mr Clerfayt, Belgium, LDR): considered a report tabled by the Political Affairs Committee and considered and approved a draft opinion and amendments submitted by the Rapporteur;
- *Reconstitution of sub-committees*: reconstituted its sub-committees as follows:

#### **Sub-Committee on Human Rights:**

<u>Titular member</u>		<u>Alternate member</u>
Mr Arabadjiev	Bulgaria	Mr Toshev
Mr Asciak	Malta	
Mrs Auken	Denmark	
Mr Bindig	Germany	Mrs Leutheusser-Schnarrenberger
Mr Cilevics	Latvia	
Mr Clerfayt	Belgium	Mr Vanoost
Mr Contestabile	Italy	Mr Piscitello
Mr Dimas	Greece	Mr Kontogiannopoulos
Mr Dreyfus-Schmidt	France	Mr Hunault
Mrs Err	Luxembourg	Mrs Delvaux-Stehres
Mr Frunda	Romania	Mr Olteanu
Mr Holovaty	Ukraine	Mr Shybko
Mr Jansson	Finland	
Mr Jaskiernia	Poland	Mr Kroll
Mr Jurgens	Netherlands	
Mr Kelemen	Hungary	Mr Tabajdi
Mrs Lopez Gonzalez	Spain	Mr Sole Tura
Mr McNamara	United Kingdom	Mr Bruce
Mr Mezihorak	Czech Republic	Mrs Filipiova

Mr Mooney	Ireland	Mr Daly
Mrs Nabholz-Haidegger	Switzerland	Mr Marty
Mr Pourgourides	Cyprus	Mrs Pericleous Papadopoulos
Mr Shishlov	Russia	Mr Fedorov
Mr Spindelegger	Austria	Mrs Stoitsits
Mr Stankevič	Lithuania	
Ms Tevdoradze	Georgia	
Mrs Wohlwend	Liechtenstein	

Mr Lintner, *ex officio* Germany

### **Sub-Committee on Penal Law and Criminology:**

#### Titular member

Mr Akçam	Turkey
Mr Bruce	United Kingdom
Mr Chaklein	Russia
Mr Daly	Ireland
Mr Dreyfus-Schmidt	France
Mr Fico	Slovakia
Mr Jaskiernia	Poland
Mr Kroupa	Czech Republic
Mrs Leutheusser-Schnarrenberger	Germany
Mrs Lopez-Gonzales	Spain
Mr Marty	Switzerland
Mr McNamara	United Kingdom
Mr Olteanu	Romania
Mr Pellicini	Italy
Mrs Stoitsits	Austria

Mr Lintner, *ex officio* Germany

#### Alternate member

Mr Marshall D.
Mr Kovalev N.
Mr Mooney
Mr Hunault
Mr Markowski
Mr Ransdorf
Mr Guardans
Mrs Nabholz-Haidegger
Mr Lloyd
Mr Stoica
Mr Manzella
Mrs Wurm

### **Sub-Committee on the election of judges to the European Court of Human Rights:**

#### **Socialist Group**

##### Titular members

Boriss CILEVICS	Latvia
Jerzy JASKIERNIA	Poland
Erik JURGENS	Netherlands
Alberto MARTINS	Portugal
Kevin McNAMARA	United Kingdom

##### Alternate members

Alexander ARABADJIEV	Bulgaria
Rudolf BINDIG	Germany
Jean-Pierre KUCHEIDA	France
Maria José LOPEZ GONZALEZ	Spain
Ionel OLTEANU	Romania

#### **Group of the European People's Party**

##### Titular members

György FRUNDA	Romania
Rosa POSADA	Spain
Michael SPINDELEGGGER	Austria
Renate WOHLWEND	Liechtenstein

##### Alternate members

Stavros DIMAS	Greece
Gultakin HAJIYEVA	Azerbaijan

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**Liberal, Democratic and Reformers' Group**Titular members

Ignasi GUARDANS	Spain
Lili NABHOLZ-HAIDEGGER	Switzerland

Alternate members

Serhiy HOLOVATY	Ukraine
Ivo SKRABALO	Croatia

**European Democratic Group**Titular members

Humfrey MALINS	United Kingdom
Ali HUSEYNOV	Azerbaijan

Alternate members

Michel HUNAULT	France
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**Group of the Unified European Left**Titular members

Nickolay CHAKLEIN	Russia
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Alternate member

Margrete AUKEN	Denmark
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Mr Lintner, <i>ex officio</i>	Germany
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**Ad hoc Sub-Committee to clarify the circumstances of disappearances for allegedly political reasons in Belarus:**

Mr Bruce	United Kingdom
Mr Cilevics	Latvia
Mr Clerfayt	Belgium
Mrs Hoffmann	Germany
Mr Kovalev S	Russia
Mr Kucheida	France
Mr Naro	Italy
Mr McNamara	United Kingdom
Mr Pourgourides	Cyprus
Mr Salles	France
Mr Shybko	Ukraine
Mr Stankevic	Lithuania

**Ad Hoc Sub-Committee to implement Resolution 1272 (2002) on Political Prisoners in Azerbaijan:**

Mr Clerfayt	Belgium
Mr Hunault	France

- *Preferential treatment of national minorities by the kin-state: the case of the Hungarian law of 19 June 2001 on Hungarians living in neighbouring countries ("Magyars")* (Rapporteur: Mr Jurgens, Netherlands, SOC): decided to consider a revised draft report at its meeting on 30 January 2003;
- *Areas where the European Convention on Human Rights cannot be implemented:* appointed Mr Pourgourides (Cyprus, EPP) Rapporteur;
- *The conflict in the Chechen Republic* (Rapporteur for opinion: Mr Bindig, Germany, SOC): approved a draft opinion and seven amendments submitted by the Rapporteur;
- *Globalisation and sustainable development* (Rapporteur for opinion: Mr Jurgens, Netherlands, SOC): approved a draft opinion and four amendments submitted by the Rapporteur;

- *Appointment of representatives:*
  - Seminar on "The protection and promotion of the human rights of persons with mental disabilities", organised by the Council of Europe Commissioner for Human Rights in cooperation with the World Health Organization (WHO) (Copenhagen (Denmark), 6-7 February 2003): Mr Dees (Netherlands, LDR);
  - Venice Commission (Venice, 13-15 March 2003); Mr Jurgens (Netherlands, SOC);
  - Reflection Group on the reinforcement of the Human Rights protection mechanism (CDDH-GDR) (Strasbourg, 5-7 February, 19-21 February, 17 and 20 March and 1-4 April 2003): Mr Clerfayt (Belgium, LDR), Mr Jurgens (Netherlands, SOC) and Mr McNamara (United Kingdom, SOC);
  - 1<sup>st</sup> meeting of the European Commission for the efficiency of justice (CEPEJ) (Strasbourg, 5-7 February 2003): Mrs Nabholz-Haidegger (Switzerland, LDR);
  - Colloquy on "New global challenges for human rights and democracy" organised by the Secretary General of the Council of Europe in association with the European Democracy Forum (Strasbourg, 24-25 April 2003): Mrs Wohlwend (Liechtenstein, EPP);
  - Meeting of ECRI (Strasbourg 18-20 March 2003) and Joint Round Table on "Local solutions to combat racism", organised by ECRI and the European Monitoring Centre on Racism and Xenophobia (Strasbourg, 21 March 2003): Mr McNamara (United Kingdom, SOC);

and resuming its meeting on 30 January 2003 at 8h30, with Mr Lintner followed by Mr Marty in the Chair, as regards:

- *International Criminal Court*: heard a statement by Mr Richard Dicker, Director of the International Justice Programme of Human Rights Watch;
- *Rights and fundamental freedoms of the Greek Cypriots and the Maronites living in the Northern area of Cyprus* (Rapporteur: Mr Marty, Switzerland, LDR): adopted a draft resolution submitted by the Rapporteur;
- *Preferential treatment of national minorities by the kin-state: the case of the Hungarian law of 19 June 2001 on Hungarians living in neighbouring countries ("Magyars")* (Rapporteur: Mr Jurgens, Netherlands, SOC): considered a revised draft report submitted by the Rapporteur, and decided to return to the matter at its meeting on 3 March 2003 in Paris;

and resuming its meeting on 31 January 2003 at 8h, with Mr Lintner in the Chair, as regards:

- *Participation of members in conferences, meetings, seminars, etc.:* heard a report on:
  - Group of Specialists on freedom of expression and other fundamental rights (MM-S-FR) (Strasbourg, 20-22 January 2003): Mr Olteanu (Romania, SOC)
- *Sub-Committee on Human Rights* (Chairperson: Mrs Wohlwend, Liechtenstein, EPP): heard a statement by the Chairperson on the meeting held on 29 January 2003;

- *European Federation of Research and Information Centres on Sectarism (FECRIS) (Request for consultative status with the Council of Europe)* (Rapporteur: Mrs Hajiyeva, Azerbaijan, EPP): considered a letter from Dr Vis and decided to send the material received from the three parliamentarians to FECRIS for their comments;
- *Draft Protocol amending the European Convention on the Suppression of Terrorism* (Rapporteur: Mrs Alvarez-Arenas, Spain, EPP): took position on amendments to the draft opinion;
- Agreed upon the *reports to be presented to the April 2003 part-session*;
- *Seminar on the abolition of the death penalty in the United States of America*: was informed of the proposed dates for the seminar to be held by the Sub-committee on Human Rights;
- *Next meetings*:
  - . Paris, Monday 3 March 2003 at 9 h 30 (Council of Europe Office)
  - . Strasbourg, during the Assembly's April 2003 part-session
  - . Berlin (Germany), Tuesday 29 April 2003

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 29 January 2003 with Mr McNamara (United Kingdom, SOC), senior member present, and then Mrs Wohlwend (Liechtenstein, EPP) in the Chair, as regards:

- *Election of the Sub-Committee's Bureau*: by acclamation, elected Mrs Wohlwend (Liechtenstein, EPP) Chairperson, and Mrs Nabholz-Haidegger (Switzerland, LDR) as Vice-Chairperson;
- *Reform of the European Court of Human Rights*: held an exchange of views with the Director of the Directorate General of Human Rights, Mrs Dinsdale;
- *Implementation of decisions of the European Court of Human Rights*: considered a list of decisions on which letters would be sent to the governments of the States concerned;
- *European Committee for the Prevention of Torture (CPT)*: considered candidatures to the CPT in respect of Armenia, San Marino, Sweden and Liechtenstein, recommended to the Bureau its order of preference of candidates in respect of San Marino, Sweden and Liechtenstein, decided to postpone to its next meeting a recommendation to the Bureau in respect of the Armenian list, to invite the Armenian parliamentary delegation on that occasion, and to invite the parliamentary delegation(s) of the country(ies) concerned to its future meetings whenever the consideration of (a) national list(s) of candidates to the CPT is on the agenda;
- *Abolition of the death penalty in Council of Europe observer States* (Rapporteur: Mrs Wohlwend, Liechtenstein, EPP): heard a report on the preparation of the Seminar on the death penalty in the United States of America;
- *Next meetings*:
  - . United States of America (week of 17-21 March or the week of 7-11 April 2003) (subject to authorisation of the Bureau)
  - . Strasbourg, during the Assembly's April 2003 part-session

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**The ad hoc Sub-Committee to clarify the circumstances of disappearances for allegedly political reasons in Belarus** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 30 January 2003 with Mr Kovalev (Russia, LDR), senior member present, in the Chair, as regards:

- *Election of the Sub-Committee's Bureau:* by acclamation, elected Mr Kovalev (Russia, LDR) Chairperson, and Mr Pourgourides (Cyprus, EPP) as Vice-Chairperson;
- *held an exchange of views with:*
  - Mrs Olga Zakharenko, wife of disappeared former Minister of the Interior, Yuri Zakharenko
  - Mrs Irina Krasovskaya, wife of disappeared businessman Anatoly Krasovsky
  - Mr Oleg Alkayev, former Head of Minsk pre-trial detention centre No 1
  - Mr Hans-Georg Wieck, former Head of the OSCE Advisory and Monitoring Group in Belarus (1997-2001)
  - Mrs Ljudmila Karpenko, wife of the late Gennadii Karpenko, former opposition leader;
- *Next meeting:*
  - . Strasbourg, during the Assembly's April 2003 part-session

Danielle Coin, Tanja Kleinsorge, David Čupina, David Milner

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cc: Secretary General of the Assembly  
 Director General to the Assembly  
 Director and staff of the Secretariat of the Assembly  
 Secretaries of National Delegations to the Assembly  
 Secretaries of Political Groups of the Assembly

Directors General  
 Director of the Private Office of the Secretary General  
 Secretary to the Committee of Ministers  
 Director of Communication and Research  
 Permanent Representations to the Council of Europe