

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

### Secretariat of the Parliamentary Assembly

Synopsis No 2004/30  
4 February 2004

**The Committee on Legal Affairs and Human Rights**, meeting in Strasbourg on 26-30 January 2004 with Mr McNamara (United Kingdom, SOC), senior member present, and then Mr Marty (Switzerland, LDR) 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 27 January 2004 at 8h30 and 14h, with Mr Marty in the Chair, as regards:

- *Political prisoners in Azerbaijan* (Rapporteur: Mr Bruce, United Kingdom, LDR): considered and took position on amendments;
- *The human rights situation in Kosovo* (Rapporteur: Mr Lloyd, United Kingdom, SOC): approved a draft programme for the seminar to be held in Paris on 16 March 2004;
- *Reconstitution of sub-committees*: reconstituted its sub-committees as follows:

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

##### Titular member

Mrs Ahlqvist  
Mr Arabadjiev  
Mrs Arifi  
  
Mr Bindig  
Mr Cilevics  
Mr Contestabile  
Mr Dimas  
Mr Dreyfus-Schmidt  
Mrs Err  
Mr Fedorov  
Mr Frunda  
Mr Gündüz  
Mr Holovaty  
Mr Huseynov R.  
Mr Jaskiernia  
Mr Jurgens

##### Alternate member

Sweden  
Bulgaria  
"the former Yugoslav  
Republic of Macedonia"  
Germany  
Latvia  
Italy  
Greece  
France  
Luxembourg  
Russia  
Romania  
Turkey  
Ukraine  
Azerbaijan  
Poland  
Netherlands  
  
Mr Pehrson  
Mr Toshev  
  
Mrs Leutheusser-Schnarrenberger  
  
Mr Piscitello  
  
Mr Hunault  
Mrs Delvaux-Stehres  
  
Mr Olteanu  
  
Mr Shybko  
  
Mr Kroll

Mr Kelemen	Hungary	Mr Tabajdi
Mrs Lopez Gonzalez	Spain	Mr Sole Tura
Mr Martins	Portugal	Mrs Azevedo
Mr Marty	Switzerland	Mr Gross
Mr McNamara	United Kingdom	Mr Bruce
Mr Mezihorak	Czech Republic	Mrs Filipiova
Mr Mooney	Ireland	Mr Daly
Mr Pourgourides	Cyprus	Mrs Pericleous Papadopoulos
Mr Spindelegger	Austria	
Mr Stankevič	Lithuania	
Ms Tevdoradze	Georgia	
Mrs Wohlwend	Liechtenstein	
Mr Lintner, <i>ex officio</i>	Germany	

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

#### Titular member

Mr Akçam	Turkey
Mr Arabadjiev	Bulgaria
Mrs Azevedo	Portugal
Mr Attard Montalto	Malta
Mr Bruce	United Kingdom
Mr Daly	Ireland
Mr Dreyfus-Schmidt	France
Mr Fico	Slovakia
Mr Jaskiernia	Poland
Mr Kaufmann	Switzerland
Mr Kroupa	Czech Republic
Mrs Leutheusser-Schnarrenberger	Germany
Mrs Lopez-Gonzalez	Spain
Mr McNamara	United Kingdom
Mr Naro	Italy
Mr Olteanu	Romania
Mr Pellicini	Italy
Mr Rustamyan	Armenia
Mr Takkula	Finland
Mr Lintner, <i>ex officio</i>	Germany

#### Alternate member

Mr Martins
Mr Marshall D.
Mr Mooney
Mr Hunault
Mr Marty
Mr Ransdorf
Mr Guardans
Mr Lloyd
Mr Manzella

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

#### **Socialist Group**

##### Titular members

Mr Cilevics	Latvia
Mr Jaskiernia	Poland
Mr Jurgens	Netherlands
Mr Martins	Portugal
Mr McNamara	United Kingdom

##### Alternate members

Mr Arabadjiev	Bulgaria
Mr Bindig	Germany
Mr Kucheida	France
Mrs Lopez Gonzalez	Spain
Mr Olteanu	Romania

**Group of the European People's Party**Titular members

Mrs Bemelmans-Videc	Netherlands
Mr Pourgourides	Cyprus
Mr Spindelegger	Austria
Mrs Wohlwend	Liechtenstein

Alternate members

Mr Dimas	Greece
Mr Frunda	Romania
Mrs Hajiyeva	Azerbaijan

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

Mr Guardans	Spain
Mr Holovaty	Ukraine

Alternate members

Mr Mooney	Ireland
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**European Democratic Group**Titular members

Mr Malins	United Kingdom
Mr Huseynov A.	Azerbaijan

Alternate members

Mrs Filipiova	Czech Republic
Mr Tkac	Slovakia

**Group of the Unified European Left**Titular member

Mr Ransdorf	Czech Republic
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Alternate member

Mrs Garsdal	Denmark
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Mr Lintner, <i>ex officio</i>	Germany
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- *Disappeared persons in Belarus* (Rapporteur: Mr Pourgourides, Cyprus, EPP): considered and adopted a draft resolution and a draft recommendation;
- *Council for Democratic Elections (Venice Commission)*: appointed Mr Jurgens (Netherlands, SOC) as the Committee's representative and Mr Pourgourides (Cyprus, EPP) as an alternate;
- *Terrorism: a threat to democracies* (Rapporteur for opinion: Mr Bartumeu Cassany, Andorra, SOC): considered a report tabled by the Political Affairs Committee, adopted an amendment and decided to propose the referral of the report back to the Committee;

and resuming its meeting on 29 January 2004 at 8h30, with Mr Marty in the Chair, as regards:

- *Communication by the Secretary General of the Council of Europe, Mr Walter Schwimmer*: heard a communication by the Secretary General of the Council of Europe and held an exchange of views with him;
- *Ministers' Deputies' Ad Hoc Working Party with the task of examining the question of a possible forum for Roma and Travellers*: held an exchange of views with the Chairperson of Working Party, Ambassador Ann-Marie Nyroos, Permanent Representative of Finland;
- *Sub-Committee on Human Rights*: heard a report by the Chairperson of the Sub-Committee, Mr Pourgourides, on the meeting held in Strasbourg on 28 January 2004 at which the Sub-Committee had considered the lists of candidates for the European Committee for the Prevention of Torture submitted by the parliamentary delegations of Andorra and Malta and endorsed the proposals of the Sub-Committee;
- *Concept of "nation"* (Rapporteur: Mr Frunda, Romania, EPP): heard a statement by the Rapporteur, considered a draft questionnaire, asked the Rapporteur to revise it and decided to hold a hearing on the subject at a date to be determined;
- *The human rights situation in Kosovo* (Rapporteur: Mr Lloyd, United Kingdom, SOC): decided to invite the Venice Commission, after the hearing to be held in Paris on 16 March 2004, to prepare an opinion.

and resuming its meeting on 30 January 2004 at 8h00, with Mr Marty in the Chair, as regards:

- *Consequences of European Union enlargement for freedom of movement between Council of Europe member states* (Rapporteur: Mr Shybko, Ukraine, SOC): considered and took position on amendments;
- *The human rights situation in Kosovo* (Rapporteur: Mr Lloyd, United Kingdom, SOC): decided to invite an observer delegation of representatives of the federal government of Serbia and Montenegro to the hearing to be held in Paris on 16 March 2004;
- *Candidates to the European Court of Human Rights* (Rapporteur: Mr McNamara, United Kingdom, SOC): considered and took position on amendments;
- *Appointment of representatives*:
  - . European Commission against Racism and Intolerance (ECRI): Mr McNamara (United Kingdom, SOC)
  - . European Commission for Democracy through Law ("Venice Commission"): Mr Jurgens (Netherlands, SOC);
  - . Conference on the "Future of Democracy beyond the Baltics" (Riga, 5-6 February 2004): Mr Pourgourides (Cyprus, EPP)
- *Next meetings*:
  - . Paris, Monday 15 (ordinary meeting) at 9 h 30 and Tuesday 16 March 2004 at 9 h (Hearing on the human rights situation in Kosovo) (Council of Europe Office)
  - . Paris, Wednesday 21 April 2004 (Council of Europe Office) (subject to receipt of a request for an opinion on the reform of the European Court of Human Rights from the Committee of Ministers)
  - . Strasbourg, during the Assembly's April 2004 part-session

**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 28 January 2003 with Mr McNamara (United Kingdom, SOC), senior member present, and then Mr Pourgourides (Cyprus, EPP) in the Chair, as regards:

- *Election of the Sub-Committee's Bureau:* by acclamation, elected Mr Pourgourides (Cyprus, EPP) Chairperson, and Mr Mooney (Ireland, LDR) Vice-Chairperson;
- *European Committee for the Prevention of Torture (CPT):* considered and agreed on recommendations for candidatures to the CPT in respect of Andorra and Malta;
- *Abolition of the death penalty in Council of Europe observer States* (Rapporteur: Mrs Wohlwend, Liechtenstein, EPP): declassified the report of the conference held in Springfield and Washington (USA) on 9-11 April 2003, heard a report on the preparation of the seminars on the death penalty in the United States of America and Japan, and on the parliamentary conference on effective criminal justice to be held in Paris after these seminars have taken place;
- *Next meetings:*
  - . Strasbourg, Thursday 18 and Friday 19 March 2004 (on the occasion of the 10<sup>th</sup> Anniversary of ECRI)

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**The ad hoc Sub-Committee on the election of judges to the European Court of Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 29 January 2004 with Mr McNamara (United Kingdom, SOC), senior member present, in the Chair, as regards:

- *Election of the Sub-Committee's Bureau:* elected Mr McNamara (United Kingdom, SOC), Chairperson by acclamation and deferred the election of a Vice-Chairperson until its next meeting;
- *Timetable of hearings for the partial renewal of the Court in 2004:* considered possible dates for future meetings of the Sub-Committee, and decided to send a questionnaire to all members of the Sub-Committee enquiring about their availability;
- *Next meeting:* left it to its Chairperson to convene its next meeting.

Danielle Coin, Günter Schirmer, David Čupina, David Milner

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cc: Secretary General and 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 of the Council of Europe  
Secretary to the Committee of Ministers  
Director of Communication and Research

Permanent Representations to the Council of Europe