

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

Secretariat of the Parliamentary Assembly

Synopsis No 2004/97
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The Committee on Legal Affairs and Human Rights, meeting in Paris on 16 September 2004 with Mr Lintner (Germany, EPP/CD) in the Chair, as regards:

- *Follow-up to Resolution 1359 (2004) on political prisoners in Azerbaijan* (Rapporteur: Mr Bruce, United Kingdom, LDR): considered an information note presented by the Rapporteur and decided to come back to the matter at its next meeting;
- *Human rights situation in the Chechen Republic* (Rapporteur: Mr Bindig, Germany, SOC): considered a draft rapport and amended and adopted a draft resolution and a draft recommendation, with a view to their presentation at the Assembly's autumn 2004 part-session;
- *Implementation of decisions of the European Court of Human Rights* (Rapporteur: Mr Jurgens, Netherlands, SOC): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
- *Human Rights situation in Kosovo* (Rapporteur: Mr Lloyd, United Kingdom, SOC): heard a communication from the Rapporteur and took note of his intention to present a preliminary draft report at the meeting on 16 December 2004;
- *Sub-Committee on Human Rights*: heard a report by the Chairperson of the Sub-Committee, Mr Pourgourides, on the meeting held in Strasbourg on 23 June 2004;
- *Legality of detentions by the United States in Guantánamo Bay* (Rapporteur: Mr McNamara, United Kingdom, SOC): considered an introductory memorandum presented by the Rapporteur and decided to change the English title to "Lawfulness of detentions by the United States in Guantánamo Bay" and to continue discussion at its next meeting;
- *Replies from the Committee of Ministers to recommendations emanating from the Committee*: took note of replies to the following recommendations:
 - o Recommendation 1615 (2003) on the institution of Ombudsman;
 - o Recommendation 1598 (2003) on the protection of sign languages in the member States of the Council of Europe;
 - o Recommendation 1648 (2004) on the consequences of European enlargement for freedom of movement between Council of Europe member States;
 - o Recommendation 1656 (2004) on the situation of European prisons and pre-trial detention centres;

- *Petition concerning the effects of the non-ratification by Belgium of the Council of Europe Framework Convention for the protection of national minorities*: appointed Mr Cilevičs (Latvia, SOC) Rapporteur to prepare an opinion for the attention of the Bureau on the appropriate follow-up to this petition;
- *Restriction of the use of firearms in peacetime within the member States of the Council of Europe*: expressed the wish that the motion for a resolution contained in Doc 10234 be referred to it for report and instructed its Chairperson to inform the Bureau accordingly;
- *Request for an urgent debate on the challenge to terrorism in Council of Europe member states*: appointed its Chairperson as Rapporteur for oral opinion (subject to a decision of the Assembly to hold a debate under urgent procedure on this matter) and asked him to present, at its next meeting, written elements to serve as a basis for the preparation of this opinion;
- *Appointment of rapporteurs*:
 - o *Avoiding unnecessary duplication of activities between international mechanisms for the protection of human rights in Europe*: Mr McNamara (United Kingdom, SOC);
 - o *Respect for human rights in the fight against terrorism*: Mr Grebennikov (Russia, EDG);
 - o *4th Annual Report on the activities of the Council of Europe Commissioner for Human Rights (1 January – 31 December 2003)*: Mr Bindig (Germany, SOC);
 - o *Principle of the rule of law*: Mr Holovaty (Ukraine, LDR);
- *Participation of members in conferences, meetings, seminars, etc.*: heard reports on the following meetings:
 - o International Public Hearings: International and domestic mechanisms of protections of forced "disappearance" victims: Republic of Belarus, Russian Federation and Ukraine (Kyiv, 17-18 June 2004): Mr Pourgourides;
 - o Venice Commission (Venice, 18-19 June 2004): Mr Holovaty;
 - o European Commission against Racism and Intolerance (ECRI) (Strasbourg, 21-25 June 2004): Mr McNamara;
- *Appointment of representatives*: appointed the following representatives:
 - o Group of States against corruption (GRECO) (Strasbourg, 27 September – 1 October 2004): Mr Bartumeu Cassany (Andorra, SOC);
 - o European Commission for Democracy through Law (Venice Commission) (Venice, 8-9 October 2004): Mr Jurgens (Netherlands, SOC);
 - o Conference of the Parliamentary Troika on the Stability Pact: "Fight against organised crime in South Eastern Europe" (Sofia, 11-12 November 2004): took note of the Bureau's decision to set up an ad hoc committee to ensure the Assembly's contribution and participation in the Conference, including five representatives of the Committee, and accordingly appointed Mrs Err (Luxembourg, SOC), Mr Hunault (France, EPP/CD), Mr Lloyd (United Kingdom, SOC), Mr Pavlov (Bulgaria, LDR) and its Chairperson;
- *Motion for a resolution on enforced disappearances*: instructed its Chairperson to write to the President of the Assembly requesting that this motion be referred to it for report instead of for information;

- *Follow-up to Resolution 1371 (2004) and to Recommendation 1657 (2004) on disappeared persons in Belarus:* heard a statement by Mr Pourgourides, approved a public declaration on the arrest in Minsk of two human rights activists and invited its Chairperson to write to the President of the Assembly congratulating him on his declaration on the planned referendum, asking him to intervene with the Committee of Ministers with a view to preventing the Minister of Sport of Belarus from participating in the European Conference of Ministers of Sport (Budapest, 14-15 October 2004) and requesting that the situation in Belarus be put on the Bureau's agenda during the October part-session;
- *Concept of nation:* (Rapporteur: Mr Frunda, Romania, EPP/CD): approved and declassified the minutes of the hearing held in Berlin on 8 June 2004;
- *Cooperation with the Steering Committee for Human Rights (CDDH):* took note of a letter from the Chairperson of the CDDH to the President of the Assembly concerning the strengthening of cooperation with the Assembly and instructed its Chairperson to inform the President of the Assembly of the Committee's point of view regarding the means of improving the exchange of information;
- *Next meetings:*
 - . Strasbourg, during the Assembly's 4th part-session (4-8 October 2004)
 - . Paris, Thursday 16 December 2004 at 9 h 30 (Council of Europe Office)
 - . Strasbourg, during the Assembly's 1st part-session (24-28 January 2005).

Jeroen Schokkenbroek, Günter Schirmer, Valérie Clamer, David Milner

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