



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

Secretariat of the Parliamentary Assembly

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The Committee on Legal Affairs and Human Rights, meeting in Paris on 18 November 2004 with first Mr Jaskiernia (Poland, SOC), 2nd Vice-Chairperson, then Mr Lintner (Germany, EPP/CD), in the Chair, as regards:

- *The circumstances surrounding the arrest and prosecution of leading Yukos executives* (Rapporteur: Mrs Leutheusser-Schnarrenberger, Germany, LDR): approved a draft report, amended and adopted a draft resolution and a draft recommendation, to be presented to the Assembly at the January 2005 part-session, and took note that a dissenting opinion presented by three members of the Committee would be appended to the explanatory memorandum, in accordance with Rule 49.4 of the Assembly's Rules of Procedure;
- *Protection of human rights in Kosovo* (Rapporteur: Mr Lloyd, United Kingdom, SOC): considered a preliminary draft report, decided to consider at its next meeting, with a view to its adoption, a draft report containing a draft resolution and a draft recommendation, to be presented at the Assembly's January 2005 part-session, and decided to propose to the Bureau that the Ombudsperson in Kosovo be invited to address the Assembly on that occasion;
- *Human rights of conscript soldiers* (Rapporteur: Mr Arabadjiev, Bulgaria, SOC): considered an introductory memorandum, decided to change the title of the future report to "human rights of members of the armed forces" and to hold a hearing during the first half of 2005;
- *Lawfulness of detentions by the United States in Guantánamo Bay* (Rapporteur: Mr McNamara, United Kingdom, SOC): approved the programme of the hearing to be held in Paris on 17 December 2004;
- *Follow-up to Resolution 1359 (2004) on political prisoners in Azerbaijan* (Rapporteur: Mr Bruce, United Kingdom, LDR): in the absence of the Rapporteur, decided to return to the matter at its next meeting, taking into account any developments by that time;
- *Appointment of Rapporteurs*: appointed the following rapporteurs:
 - *Ratification of the Framework Convention for the Protection of National Minorities by the Council of Europe member states*: Mr Cilevičs (Latvia, SOC)
 - *Enforced disappearances*: Mr Pourgourides (Cyprus, EPP/CD)
 - *The Third Summit* (for opinion): Mr Bruce (United Kingdom, LDR)
 - *Opinion on the Draft Convention against money laundering and the financing of terrorism* (subject to referral by the Standing Committee on 23 November 2004): Mr Bartumeu Cassany (Andorra, SOC);

- *Opinion on the Draft instrument on the prevention of terrorism*: subject to the Assembly being seized for opinion and subsequent referral to the Committee, appointed Mr Bartumeu Cassany (Andorra, SOC) Rapporteur, decided to invite Mrs Kabelka, Chairperson of the Committee of Experts on Terrorism (CODEXTER), to participate in the Committee's meeting on 16 December 2004, to present the activities of her Committee and the draft instrument currently being drafted, asked its Rapporteur to attend the 6th meeting of CODEXTER in Strasbourg on 13-15 December 2004, and decided to ask the Bureau for a derogation from the Rule concerning the deadline for the adoption of draft texts, in order that the Committee could adopt its draft opinion on the matter on Monday 24 January 2005;
- *Appointment of representatives*: appointed the following representatives:
 - o Group of States against corruption (GRECO) (Strasbourg, 29 November - 2 December 2004): Mr Bartumeu Cassany (Andorra, SOC)
 - o European Commission for Democracy through Law (Venice Commission) and the Council for Democratic Elections (Venice, 2-4 December 2004): Mr Jurgens (Netherlands, SOC)
 - o European Commission against Racism and Intolerance (ECRI) (Strasbourg, 14-15 December 2004): Mr McNamara (United Kingdom, SOC)
 - o Ad Hoc Conference of Directors of Prison Administration and representatives of Probation Services (Rome, 25-26 November 2004): Mr Hunault (France, EDG);
- *Participation of members in conferences, meetings, seminars, etc.*: heard reports on the following meetings:
 - o Group of States against Corruption (GRECO) (Strasbourg, 27 September – 1 October 2004): Mr Bartumeu Cassany (Andorra, SOC)
 - o Steering Committee on the Mass Media (CDMM) (Strasbourg, 2-5 November 2004): Mr Manzella (Italy, SOC);
- *Petition on the effects of the non-ratification by Belgium of the Council of Europe Framework Convention on the Protection of National Minorities* (Rapporteur: Mr Cilevičs, Latvia, SOC): heard a statement by the Rapporteur and decided to propose to the Bureau that the main question raised in the petition be referred to the Committee to be dealt with in its report on the *ratification of the Framework Convention for the Protection of National Minorities by the Council of Europe member states* and to inform the Bureau that it was of the opinion that the petition was not admissible as regards the division of an electoral constituency;
- *Repayment of the deposits of foreign exchange made in the offices of the Ljubljanska Banka not on the territory of Slovenia, 1977-1991* (Rapporteur: Mr Jurgens, Netherlands, SOC): took note of an amendment which the Rapporteur intended to table at the Standing Committee on 23 November 2004;
- *European Federation of Research and Information Centres on Sectarism (FECRIS) (request for consultative status with the Council of Europe)* (Rapporteur: Mr Marty, Switzerland, SOC): asked its Chairperson, at the next Bureau meeting, to raise the question of the state of preparation of the opinion of the Committee on Rules of Procedure and Immunities on the procedure followed by the Committee on Legal Affairs and Human Rights concerning this report;

- *Next meetings:*

Plenary Committee:

- Paris, Thursday 16 December 2004 at 9 h 30 (ordinary meeting) (Council of Europe Office)
- Paris, Friday 17 December 2004, 10 h – 13 h (Hearing on the lawfulness of detentions by the United States in Guantánamo Bay) (French National Assembly)
- Strasbourg, during the Assembly's January 2005 part-session (24-28 January 2005) NB: At the stage, it is foreseen to hold the first meeting during the part-session on Monday 24 January at 14 h

Sub-Committee on Human Rights:

- Paris, Friday 17 December 2004, 9 h - 10 h (French National Assembly)

Sub-Committee on the Election of Judges to the European Court of Human Rights:

- Paris, Thursday 16 December 2004 at 17 h 30 (Council of Europe Office).

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