

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

Secretariat of the Parliamentary Assembly

Synopsis No 2005/12
2 February 2005

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

- on 24 January 2005 at 2 pm with Mr Lintner (Germany, EPP/CD), in the Chair, as regards:
 - *Draft Convention for the Prevention of Terrorism* (Rapporteur: Mr Bartumeu Cassany, Andorra, SOC): approved a report and unanimously adopted a draft opinion;
 - *Follow-up to Resolution 1359 (2004) on political prisoners in Azerbaijan* (Rapporteur: Mr Bruce, United Kingdom, LDR): took note of an information memorandum submitted by the Rapporteur and authorised him to make a fact-finding visit to Azerbaijan at a date to be decided;
 - *The circumstances surrounding the arrest and prosecution of leading Yukos executives* (Rapporteur: Mrs Leutheusser-Schnarrenberger, Germany, LDR): approved an addendum to the report.

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

- on 24 January 2005 at 8.10 pm with Mr McNamara (United Kingdom, SOC), oldest member present, in the Chair, as regards:
 - *Election of the Committee's Bureau*: by acclamation, elected Mr Holovaty (Ukraine, LDR) as Chairperson, Mr Jaskiernia (Poland, SOC) as 1st Vice-Chairperson, Mr Jurgens (Netherlands, SOC) as 2nd Vice-Chairperson and Mr Lintner (Germany, EPP/CD) as 3rd Vice-Chairperson;
- on 25 January 2005 at 8.30 am with Mr Holovaty (Ukraine, LDR) in the Chair, as regards:
 - *The circumstances surrounding the arrest and prosecution of leading Yukos executives* (Rapporteur: Mrs Leutheusser-Schnarrenberger, Germany, LDR): took position on the amendments tabled to the draft resolution and the draft recommendation;
 - *Protection of human rights in Kosovo* (Rapporteur: Mr Lloyd, United Kingdom, SOC): took position on the amendments tabled to the draft resolution and the draft recommendation;

- *Appointment of Rapporteurs*: appointed the following rapporteurs:
 - o Member states' duty to co-operate with the European Court of Human Rights: Mr Pourgourides (Cyprus, EPP/CD)
 - o The United States of America and International law: Mr Lloyd (United Kingdom, SOC)
 - o Launching a new inquiry into the murder of the Ukrainian journalist Georgiy Gongadze: Mrs Leutheusser-Schnarrenberger (Germany, LDR)
 - o Europe's interest in the continued economic development of Russia (for opinion): Mr Bruce (United Kingdom, LDR);

- *Appointment of representatives of the Committee*:
 - a. appointed members to represent the Committee at meetings of the following bodies in 2005:
 - o European Commission for Democracy through Law ("Venice Commission"): Mr Jurgens (Netherlands, SOC)
 - o Council for Democratic Elections (of the Venice Commission): Mr Jurgens (Netherlands, SOC) and Mr Pourgourides (Cyprus, EPP/CD) as his alternate
 - o European Commission against Racism and Intolerance (ECRI): Mr Cilevičs (Latvia, SOC)
 - o Group of States against Corruption (GRECO): Mr Bartumeu Cassany (Andorra, SOC);
 - b. appointed Mr Cebeci (Turkey, NR) as its representative at the meetings of the Multidisciplinary Ad-Hoc Committee Experts on the Information Society (CAHSI) (Strasbourg, 3-4 February 2005 and 6-8 April 2005);

- *Reconstitution of sub-committees*: reconstituted its sub-committees as follows:

i. Sub-Committee on Human Rights

<u>Member</u>		<u>Alternate</u>
Mrs Ahlqvist	Sweden	Mr Pehrson
Mr Arabadjiev	Bulgaria	Mr Toshev
Mr Bartumeu Cassany	Andorra	
Mrs Batet	Spain	Mrs Becerril
Mr Bindig	Germany	Mrs Leutheusser-Schnarrenberger
Mr Van den Brande	Belgium	
Mr Brincat	Malta	
Mr Cilevics	Latvia	
Mr Daly	Ireland	Mrs Ormonde
Mr Dreyfus-Schmidt	France	Mr Hunault
Mr Eker	Turkey	
Mrs Err	Luxembourg	
Mr Fedorov	Russia	Mrs Narochitskaya
Mr Frunda	Romania	Mr Olteanu
Mr Gardetto	Monaco	Mrs Fautrier
Mr Huseynov R.	Azerbaijan	
Mr Ivanov	Estonia	
Mr Jaskiernia	Poland	
Mr Jurgens	Netherlands	
Mr Martins	Portugal	Mrs Azevedo
Mr Marty	Switzerland	Mr Gross
Mr McNamara	United Kingdom	Mr Bruce
Mr Piscitello	Italy	
Mr Pourgourides	Cyprus	Mrs Pericleous Papadopoulos
Mr Rustamyan	Armenia	Mr Arsenyan
Mr Sasi	Finland	
Mr Spindelegger	Austria	
Mrs Wohlwend	Liechtenstein	
Mr Holovaty, ex officio	Ukraine	

ii. Sub-Committee on Penal Law and Criminology

<u>Member</u>		<u>Alternate</u>
Mr	Arabadjiev	Bulgaria
Mrs	Azevedo	Portugal
Mr	Bruce	United Kingdom
Mr	Cebeci	Turkey
Mr	Cortés	Spain
Mr	Dendias	Greece
Mr	Dreyfus-Schmidt	France
Mr	Fico	Slovakia
Mr	Jaskiernia	Poland
Mr	Kaufmann	Switzerland
Mrs	Leutheusser-Schnarrenberger	Germany
Mr	McNamara	United Kingdom
Mr	Naro	Italy
Mr	Olteanu	Romania
Mrs	Ormonde	Ireland
Mr	Pellicini	Italy
Mr	Pozzo di Borgo	France
Mr	Rustamyan	Armenia
Mr	Sharandin	Russia
Mrs	Wohlwend	Liechtenstein
Mr	Holovaty, ex officio	Ukraine

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

Socialist Group (SOC)

Members

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

Alternates

Mr	Arabadjiev	Bulgaria
Mrs	Batet	Spain
Mr	Bindig	Germany
Mr	Kuceida	France
Mr	Olteanu	Romania

Group of the European People's Party (EPP/CD)

Members

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

Alternates

Mr	Arias	Spain
Mr	Fruna	Romania
Ms	Hajiyeva	Azerbaijan
Mr	Gardetto	Monaco

Liberal, Democratic and Reformers' Group (LDR)

Members

Mr	Bruce	United Kingdom
Mr	Marty	Switzerland

Alternates

Mrs	Leutheusser-Schnarrenberger	Germany
Mr	Masi	San Marino

*European Democratic Group (EDG)*Members

Mr Malins	United Kingdom
Mr Huseynov A.	Azerbaijan

Alternates

Ms Filipiova	Czech Republic
Mr Hunault	France

*Group of the Unified European Left (UEL)*Member

Mrs Garsdal	Denmark
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Alternate

Mr Exner	Czech Republic
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Mr Holovaty, <i>ex officio</i>	Ukraine
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- on 25 January 2005 at 2 pm with Mr Lintner (Germany, EPP/CD), 3rd Vice-Chairperson, in the Chair, as regards:
 - *Draft Council of Europe Convention on Action against Trafficking in Human Beings* (Rapporteur for opinion: Mr McNamara, United Kingdom, SOC): considered a report tabled by the Committee on Equal Opportunities for Women and Men, considered and unanimously approved an opinion containing eleven amendments to the draft opinion;
 - *Participation of members in conferences, meetings, seminars, etc*: heard a report by Mr Jurgens (Netherlands, SOC) on the meetings of the European Commission for Democracy through Law (Venice Commission) and the Council for Democratic Elections (Venice, 2-4 December 2004);
- on 27 January 2005 at 8.30 am with Mr Holovaty in the Chair, as regards:
 - *Sub-Committee on Human Rights* (Chairperson: Mr Pourgourides, Cyprus, EPP/CD): heard a report by the Chairperson of the Sub-Committee on the meeting held in Strasbourg on 26 January 2005, endorsed the proposals of the Sub-Committee concerning the candidates for the European Committee for the Prevention of Torture (CPT) submitted by the parliamentary delegations of the Czech Republic and Latvia, approved the Sub-Committee's initiative to propose that the Committee's Chairperson address a letter to Chairpersons of national parliamentary delegations on the need for early ratification of Protocol No 14 to the European Convention on Human Rights, and approved a public declaration on the situation in Chechnya prepared by the Sub-Committee concerning recent events in the Chechen Republic;
 - *Draft Convention for the Prevention of Terrorism* (Rapporteur: Mr Bartumeu Cassany, Andorra, SOC): took position on the amendments tabled to the draft opinion;
 - *Exchange of views with Mr John G. Williams, MP (Canada), Chairperson of the Global Organisation of Parliamentarians against Corruption (GOPAC)*: heard a presentation of GOPAC activities and held an exchange of views;
 - *Draft Convention against money laundering and the financing of terrorism* (Rapporteur: Mr Bartumeu Cassany, Andorra, SOC): took position on the amendments tabled to the draft opinion;

- on 27 January 2005 at 2 pm with Mr Holovaty in the Chair, as regards:
 - *Candidates for the European Court of Human Rights* (Rapporteur: Mr McNamara, United Kingdom, SOC): considered and approved a report and unanimously adopted a draft resolution, with a view to its presentation to the Standing Committee on 18 March 2005;
 - *Serious human rights violations in Libya – inhuman treatment of Bulgarian medical staff* (Rapporteur: Mr Lloyd, United Kingdom, SOC): considered an information memorandum and authorised the rapporteur to carry out fact-finding visits to Bulgaria and, subject to the authorisation of the Bureau, to Libya;
 - *Plans to set up a Fundamental Rights Agency for the European Union* (Rapporteur: Mr McNamara, United Kingdom, SOC): considered and approved a report and unanimously adopted a draft resolution and a draft recommendation, with a view to their presentation to the Standing Committee on 18 March 2005;
 - *Ratification of the Framework Convention for the protection of national minorities by the Council of Europe member states* (Rapporteur: Mr Cilevičs, Latvia, SOC): considered and approved a questionnaire to be sent to the chairpersons of parliamentary delegations concerned, for reply before 4 April 2005;
 - *Lawfulness of detentions by the United States in Guantánamo Bay* (Rapporteur: Mr McNamara, United Kingdom, SOC): considered and approved a questionnaire to be sent to the chairpersons of parliamentary delegations, for reply before 18 March 2005, and took note of the fact that the rapporteur will make a visit to the ICRC in Geneva on 22 February 2005;
 - *European Prisons Charter* (Rapporteur: Mr Hunault, France, EPP/CD): heard a statement by the Rapporteur;
 - *The case of Igor Sutiagin* (Rapporteur: Mr Pourgourides, Cyprus, EPP/CD): heard a statement by the Rapporteur;
 - *26th Conference of European Ministers of Justice* (Helsinki, 7-8 April 2005): appointed Mr Holovaty (Ukraine, LDR), Chairperson, and Mr Hunault (France, EPP/CD) as members of an ad hoc Sub-Committee to attend the Conference (*subject to the authorisation of the Bureau*);
 - *Appointment of representatives of the Committee*: appointed the following representatives:
 - European Committee on Crime Problems (CDPC) (Strasbourg, 8-11 March 2005): Mr Bartumeu Cassany (Andorra, SOC);
 - 7th European Ministerial Conference on mass media policy (Kiev, 9-11 March 2005): Mr Manzella (Italy, SOC);
 - International Day for the Elimination of Racial Discrimination (organised by ECRI) (Paris, 21 March 2005): Mr Cilevičs (Latvia, SOC), as member of the ad hoc Committee of the Bureau to attend this event;
 - *Next meetings*:
 - . Paris, Thursday 3 March 2005 at 9 h 30 (Council of Europe Office)
 - . Paris, Wednesday 6 April 2005 at 9 h 30 (Council of Europe Office)
 - . Strasbourg, during the Assembly's 2nd part-session (25-29 April 2005)
 - . Cyprus, Monday 23 and Tuesday 24 May 2005
 - . Strasbourg, during the Assembly's 3rd part-session (20-24 June 2005).

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 26 January 2005 at 2 pm with first Mr McNamara (United Kingdom, SOC) then Mr Pourgourides (Cyprus, EPP/CD) in the Chair, as regards:

- *Election of the Bureau of the Sub-Committee* : by acclamation, elected Mr Pourgourides (Cyprus, EPP/CD) Chairperson, and Mr Bartumeu Cassany (Andorra, SOC) Vice-Chairperson;
- *Implementation of the reform of the European Convention on Human Rights at the national level – Role of the Parliamentary Assembly*: held an exchange of views with Mr Pierre-Henri Imbert, Director General of Human Rights of the Council of Europe, and decided to continue following closely the implementation of the reform and as a first step, to propose to the Committee that it invite its Chairperson to address a letter to Chairpersons of national parliamentary delegations on the need for early ratification of Protocol No 14 to the European Convention on Human Rights;
- *European Committee for the Prevention of Torture (CPT)*: considered and agreed on recommendations for candidatures to the CPT with respect to the Czech Republic and Latvia;
- *Situation in the Chechen Republic and recent cases of disappearances and hostage-taking*: held an exchange of views with Mr Alexander Cherkassov (Memorial, Moscow) and Mrs Karinna Moskalenko (Centre for International Legal Protection, Moscow), and approved a draft public declaration concerning recent events in the Chechen Republic;
- *Next meeting*:
 - . Paris, Wednesday 2 March 2005 at 4 pm (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