



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

Secretariat of the Parliamentary Assembly

Synopsis No 2005/25
8 March 2005

The Committee on Legal Affairs and Human Rights, meeting in Paris on 3 March 2005 with Mr Holovaty (Ukraine, LDR), in the Chair, as regards:

- **Appointment of Rapporteurs:**
 - o *Abolition of restrictions on the right to vote in general elections*: appointed Mr Eker, Turkey, EPP/CD) to replace Mr Akçam (Turkey, LDR);
 - o *Fair trial issues in criminal cases concerning espionage or divulging state secrets*: appointed Mr Pourgourides (Cyprus, EPP/CD), and authorised him to make a fact-finding visit to Russia and to other countries concerned;
 - o *The OSCE guidelines on the use of minority languages in the broadcast media and the Council of Europe standards: need to enhance cooperation and synergy*: appointed Mr Cilevičs (Latvia, SOC);

- **Appointment of representatives of the Committee:**
 - o *International Day for the Elimination of Racial Discrimination (organised by ECRI) (Paris, 21 March 2005)*: confirmed the appointment of Mr Cilevičs (Latvia, SOC);
 - o *Third High-level multilateral meeting of Ministries of the Interior – Fight against terrorism and organised crime to improve security in Europe (Warsaw, 17-18 March 2005)*: Mr Hunault (France, EDG);
 - o *9th Round Table of European Ombudspersons (Copenhagen, 31 March – 1 April 2005)*: Mrs Hajiyeva (Azerbaijan, EPP/CD);
 - o *Parliamentary hearing on "Media and terrorism", organised by the Committee on Culture, Science and Education (Paris, 17 March 2005)*: Mr Bartumeu Cassany (Andorra, SOC) (subject to availability);

- **Fair trial issues in criminal cases concerning espionage or divulging state secrets and the case of Igor Sutiagin** (Rapporteur for both reports: Mr Pourgourides, Cyprus, EPP/CD): decided to prepare a joint report on these two issues and to inform the Bureau accordingly;

- **European prisons charter** (Rapporteur: Mr Hunault, France, EDG): considered an introductory memorandum;

- **European Federation of Research and Information Centres on Sectarism (FECRIS) (request for consultative status with the Council of Europe)** (Rapporteur: Mr Marty, Switzerland, LDR): considered and unanimously approved the changes to be introduced in the draft recommendation following the opinion given the Committee on Rules of Procedure and Immunities on the procedure followed;

- **Launching a new inquiry into the murder of the Ukrainian journalist Georgiy Gongadze** (Rapporteur: Mrs Leutheusser-Schnarrenberger, Germany, LDR): authorised the Rapporteur to make a fact-finding visit to Kyiv, Ukraine, as soon as possible;
- **Work programme of the Committee:** took note of a document containing the Committee's work programme;
- **Proposal to set up a sub-committee on rights of minorities:** supported in principle the proposal to establish a new sub-committee on rights of minorities, subject to determination of its terms of reference at a subsequent meeting;
- **Assistance to patients at end of life** (Rapporteur for opinion: Mr McNamara, United Kingdom, SOC): held a preliminary discussion and deferred consideration and approval of the opinion to its next meeting;
- **Lawfulness of detentions by the United States in Guantánamo Bay** (Rapporteur: Mr McNamara, United Kingdom, SOC): approved and declassified the minutes of the hearing held in Paris on 17 December 2004, heard a report by the Rapporteur on his recent visit to the Office of the UN High Commissioner for Human Rights and the headquarters of the ICRC, considered an outline report and authorised the Rapporteur to visit Geneva to meet with relevant Special Rapporteurs and Chairpersons / Rapporteurs of working groups of the UN Commission on Human Rights;
- **Candidates to the European Court of Human Rights** (Rapporteur: Mr McNamara, United Kingdom, SOC): took note of an opinion of the Committee of Equal Opportunities for Women and Men and took position on a proposed amendment to the draft resolution;
- **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 Paris on 2 March 2005, endorsed the proposals of the Sub-Committee concerning the candidates for the European Committee for the Prevention of Torture (CPT) in respect of Albania, and approved a public declaration on the judgment of the US Supreme Court in the case of *Roper v. Simmons* and one on the trial and imprisonment of Belarusian opposition politician Mikhail Marynich;
- **Representation of the Committee at various events:** heard a report by the following representative:
 - Multidisciplinary Ad-Hoc Committee Experts on the Information Society (CAHSI) (Strasbourg, 3-4 February 2005): Mr Cebeci (Turkey, EPP/CD);
- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the following replies:
 - Rights of national minorities (Rapporteur: Mr Cilevičs, Latvia, SOC);
 - Human rights situation in the Chechen Republic (Rapporteur: Mr Bindig, Germany, SOC);
- **Draft Convention on the prevention of terrorism** (Rapporteur: Mr Bartumeu Cassany, Andorra, SOC): took note of the adoption by the Committee of Experts on Terrorism (CODEXTER) of the draft convention at its meeting on 7-11 February 2005, expressed its disappointment at the CODEXTER's failure to accept the great majority of amendments proposed in Assembly Opinion No 255 (2005), and decided to consider the results of the meeting of the CODEXTER on 28 February – 4 March 2005, with the instruction given to its President to write to the President of the Assembly, asking him to write to the Chair of the Committee of Ministers expressing the Assembly's concerns, should certain key amendments still not be accepted;

- **Plans to set up a Fundamental Rights Agency of the European Union** (Rapporteur: Mr McNamara, United Kingdom, SOC): decided to proceed with work on other issues contained in the original motion entitled "*Avoiding unnecessary duplication of activities between international mechanisms for the protection of human rights in Europe*", by tabling a new motion, if necessary;
- **Draft Convention on action against trafficking in human beings** (Rapporteur for opinion: Mr McNamara (United Kingdom, SOC): supported the request of the Committee on Equal Opportunities for Women and Men for an urgent debate on this issue at the Standing Committee on 18 March 2005, and instructed its Rapporteur for opinion to support the position of the Committee on Equal Opportunities for Women and Men;
- **Meeting in Cyprus (23-24 May 2005)**: took note of practical information provided by Mr Pourgourides;
- **Next meetings:**
 - . 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)
 - . Limassol (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 Paris on 2 March 2005 with Mr Pourgourides (Cyprus, EPP/CD), in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT)**: considered and agreed on recommendations for candidatures to the CPT in respect of Albania;
- **Human rights situation in Belarus**: considered certain information documents received from various NGOs and prepared a draft public declaration on the case of Mr Mikhail Marynich, to be presented for adoption to the plenary Committee;
- **Human rights situation in Chechnya**: held an exchange of views with Mrs Karinna Moskalenko (member of the International Commission of Jurists for the Russian Federation and Director of the Centre for International Legal Protection in Moscow) and considered developments subsequent to the plenary Committee's adoption of a public declaration during the January part-session;
- **Human rights issues of topical interest:**
 - i. *Freedom of speech and criminal prosecutions for libel and slander*: decided to prepare a draft a motion concerning a possible common European approach to the issue;
 - ii. *Threats to human rights by the rise of the extreme right*: held a preliminary discussion on the issue;
- **US Supreme Court judgment in the case of Roper v. Simmons**: prepared a draft public declaration on the case, to be presented for adoption to the plenary Committee;

- **Liberation of political prisoners from Tiraspol-Andrei Ivantoc and Tudor Petrov-Popa:** took note of the Bureau's decision to refer the motion to the Committee to be taken into account in the framework of the preparation of its report on "implementation of decisions of the European Court of Human Rights";
- **Preparation of a Sub-Committee meeting in Geneva for an exchange of views with the UN High Commission on Human Rights:** took note of the state of preparations for the meeting;
- **Next meeting:** to be decided by the Chairperson, bearing in mind the Sub-Committee's preference for meetings to be held the day before meetings of the plenary Committee, whenever possible.

Günter Schirmer, 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