

3 February 2006
Synopsis No 2006/19 rev

To the Members of the Committee on Legal Affairs and Human Rights

Synopsis (revised) of the meetings held in Strasbourg on 23-26 January 2006

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

- **on 23 January 2006 at 14 h**, with Mr Marty (Switzerland, ALDE) in the Chair, as regards:
 - ***Preserving and strengthening the leading role of the Council of Europe, also in relation to the European Union, in setting basic legal standards within Europe*** (*Rapporteur: Mr Jurgens, Netherlands, SOC*): heard a statement by the Rapporteur on developments concerning the Fundamental Rights Agency of the European Union, authorised him to go to Brussels with the Chairperson in February 2006 to meet the rapporteurs of the European Parliament, and decided to hold a hearing at its meeting on 13 March 2006;
 - ***Situation in Belarus on the eve of the presidential election*** (*subject to the decision of the Bureau to hold an urgent debate and to the Committee being seized for opinion*): appointed Mr Pourgourides (Cyprus, EPP/CD) Rapporteur for opinion;
 - ***The implementation of legal and other tools useful for fighting against violence and other forms of child exploitation and abuse*** (*Rapporteur: Mr Gardetto, Monaco, EPP/CD*): took note of an introductory memorandum submitted by the Rapporteur;
 - ***European prisons charter*** (*Rapporteur: Mr Hunault, France, EDG*): heard a statement by the Rapporteur and a report on his visit to the Czech Republic from 30 November to 1 December 2005.

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

- **on 23 January 2006 at 19 h 50**, with first Mr Jurgens (Netherlands, SOC), oldest member present, then Mr Marty (Switzerland, ALDE) in the Chair, as regards:
 - ***Election of the Committee's Bureau***: reelected Mr Marty (Switzerland, ALDE) Chairperson, and elected Mr Jurgens (Netherlands, SOC) 1st Vice-Chairperson, Mr Lintner (Germany, EPP/CD) 2nd Vice-Chairperson and Mr Severin (Romania, SOC) 3rd Vice-Chairperson, by acclamation;

- on 24 January 2006 at 8 h 30, with Mr Marty in the Chair, as regards:
 - ***Alleged secret detentions in Council of Europe member states*** (*Rapporteur: Mr Marty, Switzerland, ALDE*):
 - considered and took note of an information memorandum submitted by the Rapporteur, and decided to declassify it;
 - held an exchange of views on alleged secret detention centres in Council of Europe member States, suspected abductions on European soil, and alleged illegal transport of detainees from or through Europe to countries where the persons are at risk of torture, with Mr Craig Murray, former United Kingdom Ambassador to Uzbekistan, Professor Manfred Nowak, United Nations Special Rapporteur on Torture, Mr John Sifton, Human Rights Watch, New York, and also heard a statement by Mr Terry Davis, Secretary General of the Council of Europe;
- on 24 January 2006 at 14 h, with Mr Marty in the Chair, as regards:
 - ***Human rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns*** (*Rapporteur: Mr Bindig, Germany, SOC*): took position on the amendments tabled to the draft resolution and the draft recommendation, approved five written sub-amendments and one oral amendment, and appointed Mr Jurgens (Netherlands, SOC), its 1st Vice-Chairperson, to present the position of the Committee during the debate in plenary sitting;
 - ***Reconstitution of sub-committees***: reconstituted its sub-committees as follows:

I. Sub-Committee on Human Rights

<u>Member</u>		<u>Alternate</u>
Mrs	AHLQVIST Birgitta	Sweden
Mr	ARABADJIEV Alexander	Bulgaria
Mr	BARTUMEU CASSANY Jaume	Andorra
Mrs	BATET Meritxell	Spain
Mr	Van den BRANDE Luc	Belgium
Mr	BRINCAT Leo	Malta
Mr	CEBECI Erol Aslan	Turkey
Mr	CILEVIČS Boriss	Latvia
Mrs	DÄUBLER-GMELIN Herta	Germany
Mr	DREYFUS-SCHMIDT Michel	France
Mrs	ERR Lydie	Luxembourg
Mr	FEDOROV Valeriy	Russia
Mr	FRUNDA György	Romania
Mr	GARDETTO Jean-Charles	Monaco
Mr	GROSS Andreas	Switzerland
Mr	HUSEYNOV Rafael	Azerbaijan
Mr	IVANOV Serguei	Estonia
Mr	JURGENS Erik	Netherlands
Mr	LLOYD Tony	United Kingdom
Mr	MARTINS Alberto	Portugal
Mr	MOONEY Paschal	Ireland
Mr	PISCITELLO Rino	Italy
Mr	POURGOURIDES Christos	Cyprus
Mr	RUSTAMYAN Armen	Armenia
Mr	SASI Kimmo	Finland
Mr	SPINDELEGGER Michael	Austria
Mr	VAREIKIS Egidijus	Lithuania
Mrs	WOHLWEND Renate	Liechtenstein
Mr	MARTY Dick, <i>ex officio</i>	Switzerland
		Mr ERTSBORN Jan
		Mme BECERRIL Soledad
		Mrs GRAF Angelika
		M. HUNAULT Michel
		Mrs NAROCHNITSKAYA Natalia
		Mrs BEMELMANS-VIDEC Marie-Louise
		Mr CHOPE Christopher
		Mr RODRIGUES Ricardo
		Mrs ORMONDE Ann
		Mrs PERICLEOUS PAPAPOPOULOS A.
		Mr ARSENYAN Gourgen

II. Sub-Committee on Crime Problems and the Fight against Terrorism

<u>Member</u>			<u>Alternate</u>
Mr	ARABADJIEV Alexander	Bulgaria	
Mr	ARNAUT José Luis	Portugal	
Mr	ARSENYAN Gourgen	Armenia	
Mr	BARCELÓ Miguel	Spain	M. CURIEL Enrique
Mr	BARTUMEU CASSANY Jaume	Andorra	
Mrs	BECERRIL Soledad	Spain	
Mr	DREYFUS-SCHMIDT Michel	France	M. HUNAULT Michel
Mr	HERRMANN Jürgen	Germany	Mr LINTNER Eduard
Mr	KARSKI Karol	Poland	
Mr	KAUFMANN Hans	Switzerland	
Mr	MALINS Humfrey	United Kingdom	Mr HARVEY Nick
Mr	MANZELLA Andrea	Italy	
Mr	McINTOSH Andrew	United Kingdom	Mr MARSHALL David
Mr	MERCAN Murat	Turkey	
Mr	NARO Giuseppe	Italy	
Mrs	ORMONDE Ann	Ireland	Mr MOONEY Paschal
Mr	POZZO di BORGIO Yves	France	M. SALLES Rudy
Mr	POURGOURIDES Christos	Cyprus	Mrs PERICLEOUS PAPAPOPOULOS A.
Mr	PULLICINO ORLANDO Jeffrey	Malta	
Mr	SHARANDIN Yuri	Russie	Mr KOVALEV Nikolay
Mr	TKÁČ Vojtech	Slovakia	
Mr	VARVITSOTIS Miltiadis	Greece	Mr PANGALOS Theodoros
Mrs	WOHLWEND Renate	Liechtenstein	
Mr	MARTY Dick, <i>ex officio</i>	Switzerland	

III. Sub-Committee on Rights of Minorities

<u>Member</u>			<u>Alternate</u>
Mrs	AHLQVIST Birgitta	Sweden	Mr ERTSBORN Jan
Mr	ALEVRAS Athanassios	Greece	Mr VARVITSOTIS Miltiadis
Mr	BUDIN Milos	Italy	
Mr	CEBECİ Erol Aslan	Turkey	
Mr	CILEVIČS Boriss	Latvia	
Mrs	CIRCENE Ingrīda	Latvia	
Mr	FRUNDA György	Romania	
Mr	GEDEI József	Hungary	
Mr	GORIS Stef	Belgium	Mr Van den BRANDE Luc
Mr	GREBENNIKOV Valery	Russia	
Mr	GROSS Andreas	Switzerland	
Mrs	HAJIYEVA Gultakin	Azerbaijan	
Mrs	ILYAZ Fatme	Bulgaria	
Mr	IVANOV Sergei	Estonia	
Mr	JOVAŠEVIĆ Ljubiša	Serbia and Montenegro	
Mr	JURGENS Erik	Netherlands	
Mr	LLOYD Tony	United Kingdom	
Mr	MONFILS Philippe	Belgium	
Mr	PFLUG Johannes	Germany	Mr HERRMANN Jürgen
Mr	RODRIGUES Ricardo	Portugal	
Mr	RUSTAMYAN Armen	Armenia	
Mr	SASI Kimmo	Finland	
Mr	SEVERIN Adrien	Romania	
Mr	SHARANDIN Yuri	Russia	
Mr	VAREIKIS Egidijus	Lithuania	
Mr	MARTY Dick, <i>ex officio</i>	Switzerland	

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

Socialist Group (SOC)

Members

Mr	ATEŞ Abdülkadir	Turkey
Mr	BARTUMEU CASSANY Jaume	Andorra
Mr	CILEVICS Boriss	Latvia
Mr	JURGENS Erik	Netherlands
Mr	LLOYD Tony	United Kingdom
Mr	MARTINS Alberto	Portugal

Alternates

Mrs	AHLQVIST Birgitta	Sweden
Mr	ALEVRAS Athanasios	Greece
Mr	ARABADJIEV Alexander	Bulgaria
Mrs	BATET Merixtell	Spain
Mrs	DAÜBLER-GEMLIN Herta	Germany
Mr	KUCHEIDA Jean-Pierre	France

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

Members

Mrs	BEMELMANS-VIDEC Marie-Louise	Netherlands
Mr	GARDETTO Jean-Charles	Monaco
Mr	POURGOURIDES Christos	Cyprus
Mr	SPINDELEGGER Michael	Austria
Mrs	WOHLWEND Renate	Liechtenstein

Alternates

Mr	ARIAS Miguel	Spain
Mr	FRUNDA György	Romania
Ms	HAJIYEVA Gultakin	Azerbaijan
Mr	HERRMANN Jürgen	Germany
Mr	SASI Kimmo	Finland

Alliance of Liberals and Democrats for Europe (ALDE)

Members

Mrs	LEUTHEUSSER-SCHNARRENBURGER Sabine	Germany
Mr	MASI Tito	San Marino

Alternates

Mr	ERTSBORN Jan	Sweden
Mr	KAUFMANN Hans	Switzerland

European Democratic Group (EDG)

Members

Mr	HUSEYNOV Ali	Azerbaijan
Mr	MALINS Humfrey	United Kingdom

Alternates

Ms	FILIPIOVA Daniela	Czech Republic
Mr	HUNAUULT Michel	France

Group of the Unified European Left (UEL)

Member

Mr	EXNER Václav	Czech Republic
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Alternate

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Mr	MARTY Dick, <i>ex officio</i>	Switzerland
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- ***Situation in Belarus on the eve of the presidential election*** (*Rapporteur for opinion: Mr Pourgourides, Cyprus, EPP/CD*): considered a report presented by the Political Affairs Committee, and approved an oral opinion;

• **on 26 January 2006 at 8 h 30**, with Mr Marty in the Chair, as regards:

- ***The concept of nation*** (*Rapporteur: Mr Frunda, Romania, EPP/CD*): took position on the amendment tabled to the draft recommendation;

- **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 25 January 2006, and endorsed the proposals of the Sub-Committee concerning the lists of candidates to the European Committee for the Prevention of Torture (CPT) presented by the parliamentary delegations of Bosnia and Herzegovina, Estonia, France, Ireland and Ukraine;
- **Appointment of representatives of the Committee:** decided to propose the following nominations to the Bureau in 2006:
 - o European Commission for Democracy through Law ("Venice Commission"): Mr Jurgens (Netherlands, SOC)
 - o Council for Democratic Elections (of the Venice Commission): Mr Gross (Switzerland, SOC) and Mrs Batet (Spain, SOC) as 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)

and also appointed Mr Tkáč (Slovakia, SOC) to represent it at the meeting of the European Committee on Crime Problems (CDPC) (Strasbourg, 3-7 April 2006);
- **Appointment of rapporteurs:** appointed the following rapporteurs:
 - o *Abuse of the criminal justice system in Belarus:* Mr Pourgourides (Cyprus, EPP/CD)
 - o *Precarious situation of national minorities in the Voivodina province of Serbia and Montenegro (and) Violation of the human rights of the Romanian ethnic minority in Serbia:* Mr Hermann (Germany, NR)
 - o *Council of Europe Commissioner for Human Rights – stock-taking and perspectives:* Mr Arabadjiev (Bulgaria, SOC)
 - o *Europe's interest in the continued economic development of Russia (for opinion):* Mrs Leutheusser-Schnarrenberger (Germany, ALDE);
- **Human rights of members of the armed forces** (Rapporteur: Mr Arabadjiev, Bulgaria, SOC): heard a statement by the Rapporteur and declassified the minutes of the hearing held in Strasbourg on 28 April 2005;
- **Freedom of religion and other human rights for non-Muslim minorities in Turkey (and) The plight of the Turkish Muslim Minority in Western Thrace, Greece:** following a request from the Bureau for the Committee's opinion, was of the opinion, after an exchange of views and a vote, that these two matters should be the subject of one single report, and instructed its Chairperson to inform the Bureau of this decision;
- **Femicides:** in response to a request from the Bureau for the Committee's opinion on a possible study of the concept of "femicide", decided, in view of its heavy workload and considering that this matter fell within the competence of the Committee on Equal Opportunities for Women and Men, not to request that the motion for a resolution contained in Doc 10718 be referred to the Committee on Legal Affairs and Human Rights, and instructed its Chairperson to inform the Bureau accordingly;
- **Replies from the Committee of Ministers to two written questions:** took note of the replies from the Committee of Ministers to Written Question No 476 on the execution of the judgment in the case of Ilaşcu against Moldova and the Russian Federation and to Written Question No 459 on the respect of Human Rights at the Guantanamo base;
- **on 26 January 2006 at 14 h**, with Mr Marty in the Chair, as regards:
 - **Draft protocol on the avoidance of statelessness in relation to state succession** (Rapporteur: Mr Bartumeu Cassany, Andorra, SOC): took position on the amendment tabled to the draft opinion;
 - **Legal recognition of same-sex partnerships in Europe** (Rapporteur: Mr Andreas Gross, Switzerland, SOC): authorised the Rapporteur to undertake fact-finding visits to Spain and Poland;

- **Appointment of representatives of the Committee:** appointed the following representatives:
 - o 3rd meeting of the Committee of Experts on Issues relating to the Protection of National Minorities (DH-MIN) and at the International Conference on "the participation of national minorities in public life" (Brasov, Romania, 7-10 March 2006): Mr Cilevičs (Latvia, SOC);
 - o Conference on Belarus coorganised by the Parliamentary Assembly and the Ministry of Foreign Affairs of the Czech Republic (Prague, 22 and 23 February 2006): Mr Varvitsiotis (Greece, EPP/CD) (alternate: Mr Alevras (Greece, SOC)), Mr Tkač (Slovakia, SOC) and Mr Cebeci (Turkey, EPP/CD);
- **Next meetings:**
 - Paris, Monday 13 March 2006 at 9 h (Room Lamartine, French National Assembly)
 - Strasbourg, during the Assembly's 2nd part-session (10-13 April 2006)

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights) meeting in Strasbourg on 25 January 2006 at 14 h with first Mrs Bemelmans-Videc (Netherlands, EPP/CD), oldest member present, then Mr Pourgourides (Cyprus, EPP/CD), in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Pourgourides (Cyprus, EPP/CD) Chairperson, and Mr Gardetto (Monaco, EPP/CD) Vice-Chairperson, by acclamation;
- **European Committee for the Prevention of Torture (CPT):** considered and agreed on recommendations for candidatures to the CPT with respect to Estonia, France, Ireland and Ukraine, and decided, in accordance with Resolution 1248 (2001), to recommend that the Bureau ask the parliamentary delegation of Bosnia and Herzegovina to present a new list;
- **Next meeting:** decided to meeting in Strasbourg during the Assembly's 2nd part-session (10-13 April 2006).

Andrew Drzemczewski, Günter Schirmer, Valérie Clamer, Isild Heurtin

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