

20 April 2006
Synopsis No 2006/46

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

Synopsis of the meetings held in Strasbourg from 10 to 13 April 2006

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

- on 11 April 2006 at 8 h 30, with Mr Marty (Switzerland, ALDE) in the Chair, as regards:
 - **Follow-up to the Third Summit: the Council of Europe and the Fundamental Rights Agency of the European Union:** appointed Mr Jurgens (Netherlands, SOC) Rapporteur;
 - **Situation in the Middle East:** considered a report tabled by the Political Affairs Committee and instructed its Chairperson or one of its Vice-Chairpersons to present an oral opinion at the debate in the plenary Assembly;
 - **Sub-Committee on the Election of Judges to the European Court of Human Rights** (Chairperson: Mrs Bemelmans-Videc, Netherlands, EPP/CD): heard a report by the Chairperson of the Sub-Committee on the meeting held in Strasbourg on 10 April 2006;
 - **Alleged secret detentions in Council of Europe member states** (Rapporteur: Mr Marty, Switzerland, ALDE):
 - heard a statement by the Rapporteur;
 - heard a presentation by Mr Malinverni, member of the Venice Commission, of the opinion of the Venice Commission on the international legal obligations of Council of Europe member states in respect of secret detention facilities and inter-state transport of prisoners;
 - held an exchange of views with Ms Matussek, lawyer, on the case of six persons transferred extrajudicially in January 2002 from Bosnia and Herzegovina to Guantanamo Bay
 - **Implementation of the Third Summit Declaration and Action Plan** (Rapporteur: Mrs Bemelmans-Videc, Netherlands, EPP/CD): decided to invite Mr Rodrigues Iglesias, Chairperson of the Group of Wise Persons on the effectiveness of the ECHR control mechanism, to an exchange of views at its meeting in Paris on 7 June 2006;

- **on 11 April 2006 at 14 h 00**, with Mr Marty (Switzerland, ALDE) in the Chair, as regards:
 - **Human rights of members of the armed forces** (*Rapporteur: Mr Arabadjiev, Bulgaria, SOC*): took position on the three amendments tabled to the draft recommendation;
 - **Follow-up to the Third Summit: the Council of Europe and the Fundamental Rights Agency of the European Union** (*Rapporteur: Mr Jurgens, Netherlands, SOC*): considered and approved a report, unanimously adopted a draft recommendation and instructed its Chairperson to present them at the debate in the plenary Assembly;
 - **Prosecution of offences falling within the jurisdiction of the International Criminal Tribunal for the Former Yugoslavia** (*Rapporteur: Mr Lloyd, United Kingdom, SOC*): considered an introductory memorandum and decided to hold a hearing at its meeting in Budapest on 18 May 2006;
 - **Respect for human rights in the fight against terrorism** (*Rapporteur: Mr Grebennikov, Russian Federation, EDG*): considered an introductory memorandum and approved a questionnaire to be sent to all the national parliamentary delegations.

- **on 13 April 2006 at 8 h 30**, with Mr Marty (Switzerland, ALDE) in the Chair, as regards:
 - **Follow-up to the Third Summit: the Council of Europe and the Fundamental Rights Agency of the European Union** (*Rapporteur: Mr Jurgens, Netherlands, SOC*): took note that no amendments had been tabled to the draft recommendation;
 - **Sub-Committee on Human Rights** (*Chairperson: Mr Pourgourides, Cyprus, EPP/CD*): heard a report by the Vice-Chairperson of the Sub-Committee, Mr Gardetto (Monaco, EPP/CD), on the meeting held in Strasbourg on 12 April 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 Spain, Monaco and Turkey;
 - **European prisons charter** (*Rapporteur: Mr Hunault, France, EDG*):
 - heard a statement by Mrs Casale, President of the CPT
 - considered and approved a report, unanimously adopted a draft recommendation and instructed the Rapporteur to present them at the next Standing Committee (Moscow, 29 May 2006);
 - **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** (*Rapporteur: Mr Herrmann, Germany, EPP/CD*): decided to hold a hearing at the meeting of the Sub-Committee on Rights of Minorities in Budapest on 17 May 2006 and approved a draft programme;
 - **Position of the Parliamentary Assembly as regards the Council of Europe member and observer states which have not abolished the death penalty** (*Rapporteur: Mrs Wohlwend, Liechtenstein, EPP/CD*): considered and approved a report, considered, amended and unanimously adopted a draft recommendation, and instructed the Rapporteur to present them to the Assembly at its June 2006 part-session;
 - **The rights of national minorities in Latvia** (*Rapporteur: Mr Severin, Romania, SOC*): heard a statement by the Rapporteur on his visit to Latvia on 20-21 March 2006;
 - **Appointment of rapporteurs:**
 - *With respect to the "Pasat case"*: Mrs Hajiyeva (Azerbaijan, EPP/CD)
 - *Freedom of religion and other human rights for non-Muslim minorities in Turkey and for Muslim minorities in Thrace (Western Greece)*: Mr Hunault (France, EDG);

- **Appointment of representatives of the Committee:**
 - 10th Anniversary of the revised Social Charter (Strasbourg, 3 May 2006): Mr Tkáč (Slovakia, SOC)
 - International Conference on the Implementation and Harmonization of National Policies on Roma, Sinti and Travellers: Guidelines for a Common Vision, Bucharest, 4-5 May 2006: left it to the Chairperson to appoint a representative;
- **Participation of members in conferences, meetings, seminars, etc.:** considered written reports by the following representatives:
 - i. Group of States against Corruption (GRECO) (Strasbourg, 6-7 March 2006): Mr Bartumeu Cassany (Andorra, SOC)
 - ii. 3rd meeting of the Committee of Experts on Issues relating to the Protection of National Minorities (DH-MIN) and International Conference on "the participation of national minorities in public life" (Brasov, Romania, 7-10 March 2006): Mr Cilevičs (Latvia, SOC)
 - iii. European Commission against racism and intolerance (ECRI) (Strasbourg, 22-23 March 2006): Mr Cilevičs (Latvia, SOC)
 - iv. European Committee on Crime Problems (CDPC) (Strasbourg, 3-7 April 2006): Mr Tkáč (Slovakia, SOC)
- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the reply from the Committee of Ministers to Recommendation 1714 (2005) on the abolition of restrictions on the right to vote;
- **Freedom of assembly and expression for lesbian, gay bisexual and transgendered persons in member states (Doc 10832):** took note that this motion had been referred to the Committee to be taken into account in its report on "Legal recognition of same-sex partnerships in Europe" and instructed its Chairperson to write to the Bureau to request that Reference No 3188 be modified and that the motion be sent to it for report;
- **Next meetings:**
 - Budapest (Hungary), Thursday 18 May 2006 (Council of Europe Youth Centre)
 - Paris, Wednesday 7 June 2006 at 9 h (Council of Europe Office)
 - Strasbourg, during the Assembly's 3rd part-session (26-30 June 2006)
 - Paris, Thursday 7 September 2006 at 9 h (Council of Europe Office)

The Ad Hoc Sub-Committee on the Election of Judges to the European Court of Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 10 April 2006 with first Mr Jurgens (Netherlands, SOC), oldest member present, then Mrs Bemelmans-Videc (Netherlands, EPP/CD) in the Chair:

- re-elected Mrs Bemelmans-Videc (Netherlands, EPP/CD) Chairperson and elected Mr Lloyd (United Kingdom, SOC) Vice-Chairperson, both by acclamation;
- held interviews with the candidates to the European Court of Human Rights on behalf of Liechtenstein and adopted its recommendation to the Assembly concerning the candidates of this country;
- endorsed the idea that a motion be tabled to permit a review of (national) selection procedures for candidates to the Court.

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 12 April 2006 at 14 h with Mr Gardetto (Monaco, EPP/CD), Vice-Chairperson, in the Chair (except for the item concerning the list of candidates with respect to Monaco, chaired by Mr Jurgens (Netherlands, SOC)), as regards:

- **European Committee for the Prevention of Torture (CPT):** considered and agreed on recommendations for candidatures to the CPT with respect to Spain, Turkey and Monaco;
- **Next meeting:** left it to the Chairperson to decide the date and place of the next meeting.

The Sub-Committee on Rights of Minorities (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 12 April 2006 at 14 h 30, with first Mr Jurgens (Netherlands, SOC), oldest member present, then Mr Cilevičs (Latvia, SOC) in the Chair, as regards:

- **Election of the Bureau of the Sub-Committee:** re-elected Mr Cilevičs (Latvia, SOC) Chairperson and elected Mr Sasi (Finland, EPP/CD) Vice-Chairperson, both by acclamation;
- **Meeting in The Hague (Netherlands):** considered and took note of the programme;
- **Work programme:** considered a work programme and held an exchange of views;
- **Next meetings:**
 - The Hague (Netherlands), 28 April 2006 (morning) (Hearing on the use of minority languages in the broadcast media)
 - Budapest (Hungary), 17 May 2006 at 14 h (Council of Europe Youth Centre)

The Sub-Committee on Crime Problems and the Fight against Terrorism (of the Committee on Legal Affairs and Human Rights), meeting on 12 April 2006 at 14 h 45, with Mr Marty (Switzerland, ALDE), oldest member present, then Mr Bartumeu Cassany (Andorra, SOC) in the Chair, as regards:

- **Election of the Bureau of the Sub-Committee:** re-elected Mr Bartumeu Cassany (Andorra, SOC) Chairperson and elected Mr Karski (Poland, SOC) Vice-Chairperson, both by acclamation;
- **Meeting in The Hague (Netherlands):** considered and took note of the programme;
- **Work programme:** considered a work programme;
- **Next meeting:**
 - The Hague (Netherlands), 27-28 April 2006 (Hearing on the International Criminal Court).

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