



30 January 2007  
Synopsis AS/Jur No 2007/01

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

# Synopsis

## of the meetings held in Strasbourg from 22 to 25 January 2007

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

- on 22 January 2007 at 14 h, with first Mr Erik Jurgens (Netherlands, SOC), oldest member present, then with Mr Dick Marty (Switzerland, ALDE) in the Chair, as regards:
  - **Election of the Committee's Bureau:** elected Mr Dick Marty (Switzerland, ALDE) Chairperson, Mr Erik Jurgens (Netherlands, SOC) 1<sup>st</sup> Vice-Chairperson, Mr György Frunda (Romania, EPP/CD) 2<sup>nd</sup> Vice-Chairperson and Mrs Herta Däubler-Gmelin (Germany, SOC) 3<sup>rd</sup> Vice-Chairperson by acclamation;
  - **Threats to the lives and freedom of expression of journalists:** appointed Mr Paschal Mooney (Ireland, ALDE) Rapporteur for opinion;
  - **Member states' duty to cooperate with the European Court of Human Rights** (*Rapporteur: Mr Christos Pourgourides, Cyprus, EPP/CD*): considered and approved a report and adopted a draft resolution and a draft recommendation with a view to presenting them at the Assembly's April 2007 part-session;

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- on 23 January 2007 at 8 h 30, with Mr Dick Marty in the Chair, as regards:
  - **Child victims: stamping out all forms of violence, exploitation and abuse** (*Rapporteur: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): took position on the amendments tabled to the draft resolution and the draft recommendation;
  - **Reconstitution of sub-committees:** reconstituted its four sub-committees: Sub-Committee on Human Rights, Sub-Committee on Rights of Minorities, Sub-Committee on Crime Problems and the Fight against Terrorism and Ad Hoc Sub-Committee on the Election of Judges to the European Court of Human Rights (see Appendix);
  - **Situation of human rights in Europe** (*Rapporteur: Mr Christos Pourgourides, Cyprus, EPP/CD*): considered an introductory memorandum submitted by the Rapporteur, invited the members, following a proposal by the Rapporteur, to submit their possible comments in writing and instructed him to prepare, for its next meeting, elements falling within the Committee's competence for inclusion in the preliminary draft resolution and the preliminary draft recommendation;

- **Respect for human rights in the fight against terrorism** (*Rapporteur: Mr Valery Grebennikov, Russian Federation, EDG*): heard a statement by the Rapporteur and took note of the request made to the Bureau for an extension of his mandate until 30 June 2007;

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- **on 23 January 2007 at 14 h**, with Mr Dick Marty in the Chair, as regards:
  - **Threats to the lives and freedom of expression of journalists** (*Rapporteur for opinion: Mr Paschal Mooney, Ireland, ALDE*): considered a report tabled by the Committee on Culture, Science and Education, approved an opinion and eleven amendments to the draft recommendation and draft resolution, and instructed its Rapporteur to present them to the plenary assembly;
  - **The United States of America and international law** (*Rapporteur: Mr Tony Lloyd, United Kingdom, SOC*): considered and approved a report and adopted a draft resolution and a draft recommendation with a view to presenting them at the Standing Committee in March 2007;
  - **Prosecution of offences falling within the jurisdiction of the International Criminal Tribunal for the Former Yugoslavia** (*Rapporteur: Mr Tony Lloyd, United Kingdom, SOC*): considered a supplementary introductory memorandum and authorised the Rapporteur to go to The Hague in February 2007 in order to meet the President, the Prosecutor and the Clerk of the International Criminal Tribunal for the Former Yugoslavia.

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- **on 25 January 2007 at 8 h 30**, with Mr Dick Marty in the Chair, as regards:
  - **Sub-Committee on Human Rights** (*Chairperson: Mr Paschal Mooney*): heard a report by the Chairperson of the Sub-Committee on the meeting held in Strasbourg on 24 January 2007, and endorsed the proposals of the Sub-Committee concerning the list of candidates to the European Committee for the Prevention of Torture (CPT) submitted by the parliamentary delegation of France;
  - **Appointment of representatives of the Committee**: decided to propose the following nominations to the Bureau for 2007:
    - European Commission for Democracy through Law ("Venice Commission"): Mr Erik Jurgens (Netherlands, SOC)
    - Council for Democratic Elections (of the Venice Commission): Mr Andreas Gross (Switzerland, SOC) and Mrs Meritxell Batet (Spain, SOC) as alternate
    - European Commission against Racism and Intolerance (ECRI): Mr Boriss Cilevičs (Latvia, SOC)
    - Group of States against Corruption (GRECO): Mr Jaume Bartumeu Cassany (Andorra, SOC)
    - European Commission for the Efficiency of Justice (CEPEJ): Mr Michel Hunault (France, EDG)

and made the following appointments:

- Colloquy: "Future developments of the European Court of Human Rights in the light of the Wise Persons' report" (organised by the San Marino Chairmanship of the Committee of Ministers of the Council of Europe) (San Marino, 22-23 March 2007): Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD)
- 2<sup>nd</sup> meeting of the Group of Specialists on Human Rights Defenders (DH-S-DDH) (Strasbourg, 26-27 February 2007): Mr Holger Haibach (Germany, EPP/CD);
- **Improving selection procedures for CPT members** (*Rapporteur: Mr Erol Aslan Cebeci, Turkey, EPP/CD*): considered and approved a report and adopted a draft resolution, with a view to presenting them at the Standing Committee in March 2007;

- **Non-ratification by the Russian Federation of Protocol No 14 to the European Convention on Human Rights:** heard a statement by the Chairperson and the Director General of Human Rights, decided to propose to the Bureau that a delegation of the Committee on Legal Affairs and Human Rights, led by its Chairperson, go to Moscow to meet the members of the Duma's Legal Affairs Committee;
- **The situation of national minorities in Voivodina and of the Romanian ethnic minority in Serbia** Rapporteur: Mr Jürgen Herrmann, Germany, EPP/CD): took note of an information memorandum submitted by the Rapporteur and authorised him to undertake a second fact-finding visit in Serbia in March 2007;
- **Next meetings:**
  - Strasbourg, Monday 12 March 2007 at 9 h (Palais de l'Europe)
  - Strasbourg, during the 2<sup>nd</sup> part-session of 2007 (16-20 April)

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 24 January 2007 at 14 h with first Mr Christos Pourgourides (Cyprus, EPP/CD), oldest member present, then Mr Paschal Mooney (Ireland, ALDE) in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Paschal Mooney (Ireland, ALDE) Chairperson, and Mr Jean-Charles Gardetto (Monaco, EPP/CD) Vice-Chairperson by acclamation;
- **European Committee for the Prevention of Torture (CPT):** considered and approved its recommendations for the list of candidates to the CPT in respect of France;
- **Access to medical treatment for former Minister of Economic Development Farhad Aliyev (Azerbaijan): state of health of Mr Aliyev:** considered the written reply from the Chairperson of the delegation of Azerbaijan and instructed its Chairperson to reply that it was not satisfactory and to ask Azerbaijani authorities to allow Mr Aliyev to be examined by a doctor of his choice;
- **Alleged summary execution in Ingushetia and secret prison in Grozny:** took note that a reply was to be transmitted to the Sub-Committee for its next meeting;
- **Alleged harassment of human rights defenders in Serbia:** considered the written reply of the Chairperson of the Serbian delegation and decided to transmit it to the Monitoring Committee for information;
- **Next meeting:** left it to its Chairperson to decide the date and place of the next meeting.

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**The Sub-Committee on Crime Problems and the Fight against Terrorism** (of the Committee on Legal Affairs and Human Rights), meeting on 24 January 2007 at 14 h 30, with first Mr Miguel Barceló (Spain, EPP/CD), oldest member present, and then Mr Jaume Bartumeu Cassany (Andorra, SOC) in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** re-elected by acclamation Mr Bartumeu Cassany (Andorra, SOC) Chairperson and elected Mr Michel Hunault (France, EDG) Vice-Chairperson;
- **Next meeting:** left it to its Chairperson to decide the date and place of the next meeting.

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**The Sub-Committee on Rights of Minorities** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 24 January 2007 at 14 h 40, with first Mr Boriss Cilevišs (Latvia, SOC), oldest member present, and then Mr Cilevišs as elected Chairperson in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** re-elected Mr Boriss Cilevišs (Latvia, SOC) Chairperson and elected Mr Egidijus Vareikis (Lithuania, EPP/CD) Vice-Chairperson, both by acclamation;
- **Work programme:** considered a work programme;
- **Next meeting:** left it to its Chairperson to decide the date and place of the next meeting.

Andrew Drzemczewski, Günter Schirmer, Catherine Maffucci-Hugel,  
Isild Heurtin, Jennifer Schuetze-Reymann

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

## APPENDIX

### Membership of the sub-committees

#### i. Sub-Committee on Human Rights *Sous-commission des Droits de l'Homme*

##### Titular member / Membre titulaire

Mr	MOONEY Paschal, <i>Chair</i>	Ireland / Irlande
M.	GARDETTO Jean-Charles, <i>Vice-Chair</i>	Monaco
M.	BARTUMEU CASSANY Jaume	Andorra / Andorre
Mrs	BATET Meritxell	Spain / Espagne
Mr	Van den BRANDE Luc	Belgium / Belgique
Mr	BRINCAT Leo	Malta / Malte
Mr	CEBECI Erol Aslan	Turkey / Turquie
Mr	CILEVIŠS Boriss	Latvia / Lettonie
Mrs	DÄUBLER-GMELIN Herta	Germany / Allemagne
M.	DREYFUS-SCHMIDT Michel	France
Mme	ERR Lydie	Luxembourg
Mr	FEDOROV Valeriy	Russia / Russie
Mr	FRUNDA György	Romania / Roumanie
M.	GROSS Andreas	Switzerland / Suisse
Mr	HOLOVATY Serhiy	Ukraine
Mr	HUSEYNOV Rafael	Azerbaijan / Azerbaïdjan
Mr	IVANOV Sergueï	Estonia / Estonie
Mr	JURGENS Erik	Netherlands / Pays-Bas
Mr	KARSKI Karol	Poland / Pologne
Mr	LLOYD Tony	United Kingdom / Royaume-Uni
M.	MANZELLA Andrea	Italy / Italie
Mr	MARTINS Alberto	Portugal
Mrs	PAPADIMITRIOU Elsa	Greece / Grèce
Mr	POURGOURIDES Christos	Cyprus / Chypre
M.	RUSTAMYAN Armen	Armenia / Arménie
Mr	SASI Kimmo	Finland / Finlande
Mr	VAREIKIS Egidijus	Lithuania / Lituanie
Mrs	WOHLWEND Renate	Liechtenstein
M.	MARTY Dick, <i>ex officio</i>	Switzerland / Suisse

##### Alternate member / Membre remplaçant

Mrs	ORMONDE Ann
M.	SPILIOTIS-SAQUET Christophe
Mme	BECERRIL Soledad
Mrs	GRAF Angelika
M.	HUNAUULT Michel
Mrs	NAROCHNITSKAYA Natalia
Mr	PYSARENKO Valeriy
Mrs	BEMELMANS-VIDEC Marie-Louise
Mrs	TOMASZEWSKA Ewa
Mr	CHOPE Christopher
Mr	VALENTINO Giuseppe
Mr	RODRIGUES Ricardo
Mr	ALEVRAS Athanasios
Mrs	PAPADOPOULOS Antigoni
Mr	ARSENYAN Gourgen

#### ii. Sub-Committee on Rights of Minorities *Sous-commission sur les droits des minorités*

##### Titular member / Membre titulaire

Mr	CILEVIŠS Boriss, <i>Chair</i>	Latvia / Lettonie
Mr	VAREIKIS Egidijus, <i>Vice-Chair</i>	Lithuania / Lituanie
Mr	ALEVRAS Athanasios	Greece / Grèce
Mr	BERÉNYI József	Slovakia / Slovaquie
Mr	CEBECI Erol Aslan	Turkey / Turquie
Mrs	CIRCENE Ingrīda	Latvia / Lettonie
Mr	FRUNDA György	Romania / Roumanie
Mr	GEDEI József	Hungary / Hongrie
Mr	GORIS Stef	Belgium / Belgique
Mr	GREBENNIKOV Valery	Russia / Russie
M.	GROSS Andreas	Switzerland / Suisse
Mrs	HAJIYEVA Gultakin	Azerbaijan / Azerbaïdjan
Mrs	ILYAZ Fatme	Bulgaria / Bulgarie

##### Alternate member / Membre remplaçant

Mr	VARVITSIOTIS Miltiadis
Mr	SÁNDOR Tamas
Mr	Van den BRANDE Luc
M.	MAISSEN Theo

Mr	IVANJI Ieljko	Serbia / Serbie	
Mr	IVANOV Sergei	Estonia / Estonie	
Mr	JURGENS Erik	Netherlands / Pays-Bas	Mr OMTZIGT Pieter
Mr	LLOYD Tony	United Kingdom / Royaume-Uni	Lord TOMLINSON John
M.	MARCENARO Pietro	Italy / Italie	
Mrs	NAKASHIDZÉ Nino	Georgia / Géorgie	
M.	MONFILS Philippe	Belgium / Belgique	
Mr	ØSTERGAARD Morten	Denmark / Danemark	
Mr	PFLUG Johannes	Germany / Allemagne	Mr HERRMANN Jürgen
M.	RODRIGUES Ricardo	Portugal	
M.	RUSTAMYAN Armen	Armenia / Arménie	
Mr	SASI Kimmo	Finland / Finlande	
Mr	SHARANDIN Yuri	Russia / Russie	
M.	SPILIOTIS-SAQUET Christophe	Monaco	M. GARDETTO Jean-Charles
M.	MARTY Dick, <i>ex officio</i>	Switzerland / Suisse	

**iii. Sub-Committee on Crime Problems and the Fight against Terrorism**  
**Sous-commission sur les problèmes criminels et la lutte contre le terrorisme**

<u>Titular member / Membre titulaire</u>		<u>Alternate member / Membre remplaçant</u>	
M.	BARTUMEU CASSANY Jaume, <i>Chair</i>	Andorra / Andorre	
M.	HUNAUULT Michel, <i>Vice-Chair</i>	France	M. DREYFUS-SCHMIDT Michel
Mr	ARSENYAN Gourgen	Armenia / Arménie	
M.	BARCELÓ PÉREZ Miguel	Spain / Espagne	M. CURIEL Enrique
Mrs	BECERRIL Soledad	Spain / Espagne	
M.	CORREIA Telmo	Portugal	
Mr	HERRMANN Jürgen	Germany / Allemagne	Mr HAIBACH Holger
Mr	KARSKI Karol	Poland / Pologne	
Mr	KAUFMANN Hans	Switzerland / Suisse	
Mr	MALINS Humfrey	United Kingdom / Royaume-Uni	Mr HARVEY Nick
Mr	McINTOSH Andrew	United Kingdom / Royaume-Uni	Mr MARSHALL David
Mr	MERCAN Murat	Turkey / Turquie	
Mr	OMTZIGT Pieter	Netherlands / Pays-Bas	
Mrs	ORMONDE Ann	Ireland / Irlande	Mr MOONEY Paschal
Mrs	PASHAYEVA Ganira	Azerbaijan / Azerbaïdjan	
Ms	de POURBAIX-LUNDIN Marietta	Sweden / Suède	Mrs ACKETOFT Tina
Mr	POURGOURIDES Christos	Cyprus / Chypre	Mrs PAPADOPOULOS Antigoni
M.	POZZO di BORGO Yves	France	M. SALLES Rudy
Mr	PULLICINO ORLANDO Jeffrey	Malta / Malte	
Mr	SHARANDIN Yuri	Russie / Russie	Mr KOVALEV Nikolay
M.	SPILIOTIS-SAQUET Christophe	Monaco	M. GARDETTO Jean-Charles
Mrs	STINOIU Rodica	Romania / Roumanie	Mr PIUNESCU Adrian
Mr	VAKSDAL Øyvind	Norway / Norvège	
M.	VALENTINO Giuseppe	Italy / Italie	
Mr	VARVITSIOTIS Miltiadis	Greece / Grèce	M. PANGALOS Theodoros
Mrs	WOHLWEND Renate	Liechtenstein	
M.	MARTY Dick, <i>ex officio</i>	Switzerland / Suisse	

**iv. Sub-Committee on the Election of Judges to the European Court of Human Rights**  
***Sous-commission sur l'élection des juges à la Cour européenne des Droits de l'Homme***

**Socialist Group (SOC) / Groupe Socialiste (SOC)**

Titular members / Titulaires

Mr Abdülkadir ATEİ	Turkey / Turquie
M. Jaume BARTUMEU CASSANY	Andorra / Andorre
Mr Boriss CILEVICS	Latvia / Lettonie
Mr Erik JURGENS	Netherlands / Pays-Bas
M. Alberto MARTINS	Portugal

Alternates / Remplaçants

Mr Athanasios ALEVRAS	Greece / Grèce
Mrs Merixtell BATET	Spain / Espagne
Mrs Herta DÄUBLER-GMELIN	Germany / Allemagne
M. Jean-Pierre KUCHEIDA	France
M. Pietro MARCENARO	Italy / Italie

**Group of the European People's Party (EPP/CD) / Groupe du Parti populaire européen (PPE/DC)**

Titular members / Titulaires

Mr Hans AGER	Austria / Autriche
Mrs Marie-Louise BEMELMANS-VIDEC	Netherlands / Pays-Bas
M. Jean-Charles GARDETTO	Monaco
Mr Christos POURGOURIDES	Cyprus / Chypre
Mrs Renate WOHLWEND	Liechtenstein

Alternates / Remplaçants

Mr Miguel ARIAS	Spain / Espagne
Mr György FRUNDA	Romania / Roumanie
Ms Gultakin HAJIYEVA	Azerbaijan / Azerbaïdjan
Mr Jürgen HERRMANN	Germany / Allemagne
Mr Kimmo SASI	Finland / Finlande

**Alliance of Liberals and Democrats for Europe (ALDE) / Alliance des Démocrates et des Libéraux pour l'Europe (ADLE)**

Titular members / Titulaires

Mr Serhiy HOLOVATY	Ukraine
Mrs Sabine LEUTHEUSSER-SCHNARRENBERGER	Germany / Allemagne
Mr Morten OSTERGAARD	Denmark / Danemark

Alternates / Remplaçants

Mr Hans KAUFMANN	Switzerland / Suisse
Mr Paschal MOONEY	Ireland / Irlande
M. Rudy SALLES	France

**European Democratic Group (EDG) / Groupe des Démocrates européens (GDE)**

Titular members / Titulaires

<b>Mr Ali HUSEYNOV</b>	<b>Azerbaijan / Azerbaïdjan</b>
<b>Mr Humfrey MALINS</b>	<b>United Kingdom / Royaume-Uni</b>

Alternates / Remplaçants

Mme Daniela FILIPIOVA	Czech Republic / République tchèque
M. Michel HUNAULT	France

**Group of the Unified European Left (UEL) / Groupe pour la Gauche unitaire européenne (GUE)**

Titular member / Titulaire

Mme Maria POSTOICO	Moldova
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Alternate / Remplaçant

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*ex officio* : M. Dick MARTY, Switzerland / Suisse