



25 April 2007
Synopsis AS/Jur No 2007/03

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

Synopsis of the meetings held in Strasbourg from 17 to 19 April 2007

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

- on 17 April 2007 at 8 h 30 and 14 h, with Mr Dick Marty (Switzerland, ALDE) in the Chair, as regards:
 - **Draft convention on the protection of children against sexual exploitation and sexual abuse** (*Rapporteur: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): considered and approved a report and adopted a draft opinion, for presentation at the urgent procedure debate on 20 April 2007;
 - **Accession of the European Union/European Community to the European Convention on Human Rights** (*Rapporteur: Mrs Marie-Louise Bemelmans-Videc, Netherlands, EPP/CD*): considered an introductory memorandum and decided to have an exchange of views with some experts at one of its forthcoming meetings;
 - **Ratification by the Russian Federation of Protocol No 14 to the European Convention on Human Rights**: heard a statement by the Chairperson of the Committee on his visit to Moscow with the Chairperson of the Monitoring Committee on 2-3 April 2007, and decided to hold an exchange of views with a delegation of the State Duma's Committee on Civil, Criminal, Arbitration and Procedural Legislation on 14 May 2007 in Paris;
 - **Report of the Group of Wise Persons on the efficiency of the European Court of Human Rights** (*Rapporteur: Mrs Marie-Louise Bemelmans-Videc, Netherlands, EPP/CD*):
 - held an exchange of views with the President of the European Court of Human Rights, Mr Jean-Paul Costa
 - considered and approved a memorandum and decided to transmit it to the Bureau of the Assembly, and to declassify it;
 - **Candidates for the European Court of Human Rights** (*Rapporteur: Mrs Marie-Louise Bemelmans-Videc, Netherlands, EPP/CD*): took note of the opinion of the Committee on Equal Opportunities for Women and Men;
 - **Prosecution of offences falling within the jurisdiction of the International Criminal Tribunal for the former Yugoslavia** (*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 Assembly's June 2007 part-session;

- **State of human rights in Europe** (*Rapporteur: Mr Christos Pourgourides, Cyprus, EPP/CD*): adopted a public statement;

- on 18 April 2007 at 14 h, with Mr Dick Marty in the Chair, as regards:

- **State of human rights [and democracy] in Europe** (*Rapporteur: Mr Christos Pourgourides, Cyprus, EPP/CD*): took position on the amendments tabled to Parts 1 (Human Rights) of the draft resolution and draft recommendation.

- on 19 April 2007 at 8 h 50 and 14 h 30, with Mr Dick Marty in the Chair, as regards:

- **Video surveillance of public areas** (*Rapporteur: Mr Yuri Sharandin, Russian Federation, EDG*): heard a statement by the Rapporteur and decided to request the extension of his mandate, in order to take into account the supplementary opinion of the Venice Commission on the matter;

- **Sub-Committee on the Election of Judges to the European Court of Human Rights** (*Chairperson: Mrs Marie-Louise Bemelmans-Videc, Netherlands, EPP/CD*): heard a report by the Chairperson of the Sub-Committee on the meeting held in Strasbourg on 19 April 2007;

- **UN Security Council black lists** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): considered an introductory memorandum, declassified it and decided to broaden the scope of the report to include black lists of the European Union and to organise a hearing at one of its future meetings;

- **Appointment of rapporteurs:**

- An internationally recognised status of election observers: Mr Frans Weekers (Netherlands, ALDE)
- Promotion by Council of Europe member states of an international moratorium on the death penalty: Mr Pietro Marcenaro (Italy, SOC)
- Gender equality principles in the Parliamentary Assembly's internal work, decision-making mechanisms and election procedures (for opinion): Mrs Lydie Err (Luxembourg, SOC)
- Developments as regards the future status of Kosovo (for opinion): Mr Pieter Omtzigt (Netherlands, EPP/CD);

- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the following replies:

- Serious human rights violations in Libya – inhuman treatment of Bulgarian medical staff (Rec 1726 (2006)) (*Rapporteur: Mr Tony Lloyd, United Kingdom, SOC*)
- Follow-up to the Third Summit: the Council of Europe and the proposed fundamental rights agency of the European Union (Rec 1744 (2006)) (*Rapporteur: Mr Erik Jurgens, Netherlands, SOC*)
- Implementation of judgments of the European Court of Human Rights (Rec 1764 (2006)) (*Rapporteur: Mr Erik Jurgens, Netherlands, SOC*)
- Human rights of members of the armed forces (Rec 1742 (2006)) (*Rapporteur: Mr Alexander Arabadjiev, Bulgaria, SOC*);

- **Participation of members in conferences, meetings, seminars, etc:** took note of a written reply on the following event:

- European Commission against Racism and Intolerance (ECRI) (Strasbourg, 13-15 March 2007): Mr Boriss Cilevičs (Latvia, SOC);

- **Fair trial issues in criminal cases concerning espionage or divulging state secrets** (*Rapporteur: Mr Pourgourides, Cyprus, EPP/CD*): took position on an amendment to the draft resolution;
- **Draft convention on the protection of children against sexual exploitation and sexual abuse** (*Rapporteur: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): took position on the amendments to the draft opinion;
- **Sub-Committee on Human Rights** (*Vice-Chairperson: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): heard a report by the Vice-Chairperson of the Sub-Committee on the meeting held in Strasbourg on 19 April 2007 and endorsed the proposals of the Sub-Committee concerning the lists of candidates to the European Committee for the Prevention of Torture (CPT) submitted by the parliamentary delegations of Azerbaijan, Lithuania, Italy, Belgium, Serbia and Montenegro;
- **The "Pasat case"** (*Rapporteur: Mrs Gultakin Hajiyeva, Azerbaijan, EPP/CD*): considered an information memorandum and authorised the Rapporteur to carry out a fact-finding visit to Moldova in the autumn of 2007;
- **Respect for human rights in the fight against terrorism** (*Rapporteur: Mr Valeriy Grebennikov, Russian Federation, EDG*): declassified the introductory memorandum prepared by the Rapporteur (AS/Jur (2006) 29) with a view to its transmission to participants of the Ad Hoc meeting of Chairs of relevant Council of Europe committees on terrorism and of the Conference "Why terrorism?" (Strasbourg, 25-26 April 2007);
- **The Hakkar case**: took note of Mr Jurgens's intention to write to the Chairperson of the French parliamentary delegation on this matter;
- **Alleged secret detentions and unlawful inter-state transfers of detainees involving Council of Europe member states** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): took note of the state of replies to correspondence sent by the Rapporteur to the Chairpersons of delegations and urged members concerned to ask their delegations to supply the missing replies as soon as possible;
- **Letter from the authorities of Belarus to the IPU concerning the report by Mr Pourgourides on disappeared persons in Belarus**: authorised the Rapporteur to reply to this letter, either in writing or by participating in a meeting on the IPU on this subject in Geneva;
- **Next meetings:**
 - Paris, Monday 14 May 2007 at 9 h (Council of Europe Office)
 - Paris, Friday 8 June 2007 at 9 h (Council of Europe Office)
 - Strasbourg, during the 3rd part-session of 2007 (25-29 June)
 - Paris, Tuesday 11 September 2007 at 9 h (Council of Europe Office)

The 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 19 April 2006 at 8 h 30, with first Mr Erik Jurgens (Netherlands, SOC), oldest member present, then Mrs Bemelmans-Videc (Netherlands, EPP/CD) in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** re-elected Mrs Bemelmans-Videc (Netherlands, EPP/CD) Chairperson, and elected Mrs Sabine Leutheusser-Schnarrenberger (Germany, ALDE) Vice-Chairperson, both by acclamation;
- **Future work: list of candidates in respect of Cyprus (and possibly of Ireland):** decided to hold interviews with the candidates on behalf of Cyprus on Thursday 7 June 2007 in Paris, from 16h (and possibly with the candidates on behalf of Ireland if the list is transmitted in time);
- **Possibility of the non-entry into force - on 1 October 2007 - of Protocol No 14 to the European Convention on Human Rights:** took note of the possibility that interviews may be held in September 2007 with the candidates from 20 countries (decision to be taken by the Chair during the first week of July 2007);.
- **Next meetings:**
 - Paris, Thursday 7 June 2007 at 16 h (Council of Europe Office)
 - Paris, Monday 10 September 2007 (15h-19h) et Tuesday 11 September 2007 (16h-19h) (Council of Europe Office) *(to be confirmed)*
 - Paris, Monday 17 September 2007 (9h-18h) and Tuesday 18 September 2007 (9h-18h) (Council of Europe Office) *(to be confirmed)*

Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 19 April 2007 at 14 h with Mr Jean-Charles Gardetto (Monaco, EPP/CD), Vice-Chairperson, in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT):** considered and approved its recommendations for the lists of candidates to the CPT in respect of Azerbaijan, Lithuania, Italy, Belgium, Serbia and Montenegro;
- **Access to medical treatment for former Minister of Economic Development Farhad Aliyev (Azerbaijan): state of health of Mr Aliyev:** asked its Chairperson to bring this matter to the attention of the CPT and decided to raise with the Plenary Committee, in due course, the matter of the right of persons in pre-trial detention to adequate medical treatment;
- **Alleged summary execution in Ingushetia and secret prison in Grozny:** at the request of the Russian delegation, postponed consideration of this matter for one last time and asked its Chairperson to inform the delegation accordingly;
- **Next meeting:** left it to the Chairperson to fix the date, time 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