

3 July 2007
Synopsis AS/Jur No 2007/06

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

Synopsis of the meetings held in Strasbourg from 25 to 28 June 2007

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

- on 25 June 2007 at 14 h, with Mr Dick Marty (Switzerland, ALDE) in the Chair, as regards:
 - **Blasphemy, religious insults and hate speech against persons on grounds of their religion** (*Rapporteur for opinion: Mr Jaume Bartumeu Cassany, Andorra, SOC*): considered a report tabled by the Committee on Culture, Science and Education, approved an opinion and eleven amendments to the draft recommendation and asked Mr Erik Jurgens (Netherlands, SOC) to present them to the plenary assembly (the Rapporteur for opinion being unable to do so);
 - **Combating anti-Semitism in Europe** (*Rapporteur for opinion: Mrs Renate Wohlwend, Liechtenstein, EPP/CD*): considered a report tabled by the Political Affairs Committee, approved an opinion and 14 amendments to the draft resolution, and asked Mr Boriss Cilevics (Latvia, SOC) to present them to the plenary assembly (the Rapporteur for opinion being unable to do so);
 - **Evaluation of the debate on the state of human rights and democracy in Europe** (*Rapporteur: Mr Christos Pourgourides, Cyprus, EPP/CD*): had an exchange of views;
 - **Meeting in Venice**: accepted the invitation of the Venice Commission and of the Italian Delegation to meet in Venice on 13 and 14 December 2007 (subject to the authorisation of the Bureau).

- on 26 June 2007 at 8 h 30, with Mr Dick Marty in the Chair, as regards:
 - **How to prevent cybercrime against state institutions in member and observer states?** (*Rapporteur: Mr Kimmo Sasi, Finland, EPP/CD*): considered and approved a report and adopted a draft resolution, with a view to presenting them at the urgent debate on 28 June 2007;
 - **The effectiveness of the European Convention on Human Rights at national level** (*Rapporteur: Mrs Marie-Louise Bemelmans-Vidéc, Netherlands, EPP/CD*): considered a working document prepared by the Rapporteur in the context of her mandate on the implementation of the Third Summit Declaration and Action Plan, declassified it and decided to transmit it to the Steering Committee for Human Rights (CDDH), to the Committee of Experts for the Improvement of Procedures for the Protection of Human Rights (DH-PR), as well as to national parliaments;

- **Legal remedies for human rights violations in the North-Caucasus Region** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): heard a statement by the Rapporteur and authorised him to go to Moscow and, if necessary, to the North-Caucasus Region, before the end of 2007;
- **Statement by the Director General of Human Rights and Legal Affairs**: heard a statement by Mr Philippe Boillat presenting the new General Directorate;
- **Co-operation with the International Criminal Court (ICC) and its universality** (*Rapporteur: Mrs Herta Däubler-Gmelin, Germany, SOC*): authorised the questionnaire set out in the Rapporteur's introductory memorandum to be sent to the national delegations concerned, for reply before 28 September 2007;
- **Investigation of crimes allegedly committed by high officials during the Kuchma rule in Ukraine** (*Rapporteur: Mrs Sabine Leutheusser-Schnarrenberger, Germany, ALDE*): heard a statement by the Rapporteur on current initiatives for cooperation with the General Prosecutor of Ukraine and decided to ask the Bureau to extend the validity of the reference for a further six months.

- **on 26 June 2007 at 14 h**, with Mr Dick Marty in the Chair, as regards:
 - **Promotion by Council of Europe member states of an international moratorium on the death penalty** (*Rapporteur: Mr Pietro Marcenaro, Italy, SOC*): took position on the amendments to the draft resolution;
 - **Secret detentions and illegal transfers of detainees involving Council of Europe member states: second report** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*) took position on the amendments to the draft resolution and to the draft recommendation.

- **on 27 June 2007 at 14 h**, with Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD) in the Chair, as regards:
 - **Prosecution of offences falling within the jurisdiction of the International Criminal Tribunal for the former Yugoslavia (ICTY)** (*Rapporteur: Mr Tony Lloyd, United Kingdom, SOC*): took position on the amendments to the draft resolution;
 - **Appointment of rapporteurs:**
 - *Minority protection in Europe: best practices and deficiencies in implementation of common standards*: Mr Boriss Cilevics (Latvia, SOC)
 - *Protection of "whistle-blowers"*: Mr Pieter Omtzigt (Netherlands, EPP/CD);
 - **Participation of members in conferences, meetings, seminars, etc.:** took note of a written report on the following event:
 - Group of States against Corruption (GRECO) (Strasbourg, 29 May - 1 June 2007): Mr Jaume Bartumeu Cassany (Andorra, SOC);
 - **Appointment of representatives of the Committee:**
 - *Meeting of the European Parliament's LIBE, AFET and DROI Committees* (Brussels, 17 July 2007): Mr Dick Marty (Switzerland, ALDE) (to present his second report on secret detentions and illegal transfers of detainees involving Council of Europe member states)

- **Replies by the Committee of Ministers to recommendations emanating from the Committee:** considered a working document summarising the replies received in 2005 and 2006 from the Committee of Ministers to recommendations emanating from the Committee and invited Mr Miltiades Varvitsiotis (Greece, EPP/CD) to carry out an in-depth analysis of the file with a view to making proposals at a forthcoming committee meeting;
- **Developments as regards the future status of Kosovo** (*Rapporteur for opinion: Mr Pieter Omtzigt, Netherlands, EPP/CD*): authorised the Rapporteur for opinion to carry out a fact-finding visit to the region in the coming months.

- **on 28 June 2007 at 8 h 30**, with Mr Dick Marty in the Chair, as regards:
 - **How to prevent cybercrime against state institutions in member and observer states?** (*Rapporteur: Mr Kimmo Sasi, Finland, EPP/CD*): took position on the amendments to the draft resolution;
 - **UN Security Council and European Union black lists** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): held a hearing with the participation of:
 - Mrs Maria Telalian, Minister Counsellor and Deputy Permanent Representative of Greece to the United Nations Permanent Mission of Greece, New York
 - Professor Symeon Karagiannis, Law Faculty, Robert Schuman University, Strasbourg
 - Mr David Vaughan CBE QC, London
 - Mr Jean-Pierre Spitzer, Lawyer, Paris;
 - **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 27 June 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 Portugal and Ukraine;
 - **Ratification by the Russian Federation of Protocol No 14 to the European Convention on Human Rights:** had an exchange of views and decided to return to the matter at its next meeting;
 - **Follow-up to paragraph 22.6 of Resolution 1516 (2006) on the implementation of judgments of the European Court of Human Rights** (*Rapporteur: Mr Erik Jurgens, Netherlands, SOC*):
 - took note of the reply from the Russian delegation and decided to ask it to supply additional information before 10 September 2007;
 - decided to ask the delegations of Italy, Turkey, Ukraine and the United Kingdom to supply the requested information before 10 September 2007; and
 - decided to take the matter up again at its next meeting if necessary;
 - **Next meetings:**

Plenary Committee:

 - Paris, Tuesday 11 September 2007 at 9 h (Council of Europe Office)
 - Strasbourg, during the 4th part of the 2007 session (1-5 October)
 - Paris, Monday 12 November 2007 at 9 h (Council of Europe Office)
 - Venice (Italy), 13 and 14 December 2007

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

 - Paris, Monday 10 September 2007 (15 h - 19 h) (Council of Europe Office)
 - Paris, Tuesday 11 September 2007 (15 h – 19 h) (Council of Europe Office)
 - Paris, Wednesday 12 September (9 h – 13 h) (Council of Europe Office)
 - Paris, Monday 17 September 2007 (8 h 30 h – 19 h 40) (Council of Europe Office)
 - Paris, Tuesday 18 September 2007 (9 h – 18 h 30) (Council of Europe Office)

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 27 June 2007 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 Portugal and Ukraine;
- **Access to medical treatment for former Minister of Economic Development Farhad Aliyev (Azerbaijan): state of health of Mr Aliyev:** took note of the fact that the Chairperson of the Sub-Committee had transmitted the file to the CPT and continued to reserve the possibility of seizing the plenary Committee with the matter if necessary;
- **Alleged summary execution in Ingushetia and secret prison in Grozny:** took note of the reply from the Russian authorities to the latest letter from the Sub-Committee's Chairperson and decided to transmit the exchange of correspondence to the CPT and to the Rapporteur on legal remedies for human rights violations in the North-Caucasus Region, Mr Dick Marty;
- **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