

16 November 2007  
Synopsis AS/Jur No 2007/09

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

### Synopsis of the meetings held in Paris on 12 November 2007

**The Committee on Legal Affairs and Human Rights**, meeting in Paris on 12 November 2007 with Mr Dick Marty (Switzerland, ALDE) in the Chair, as regards:

- **Sub-Committee on Human Rights** (*Chairperson: Mr Paschal Mooney, Ireland, ALDE*): heard a report by MM Mooney and Gardetto on the meetings held in Lisbon on 8-9 October and in Paris on 12 November 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 Malta, San Marino, Latvia, Czech Republic and Cyprus;

and then with Mr Erik Jurgens (Netherlands, SOC), 1<sup>st</sup> Vice-Chairperson, in the Chair:

- **UN Security Council and European Union blacklists** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): considered and approved a report and adopted a draft resolution and a draft recommendation, with a view to presenting them at the January 2008 part-session; and declassified the minutes of the hearing which it held on the subject at its meeting on 28 June 2007;
- **Abuse of the criminal justice system in Belarus** (*Rapporteur: Mr Christos Pourgourides, Cyprus, EPP/CD*): considered and approved a report and adopted a draft resolution, with a view to presenting them at a forthcoming part-session;

and then with Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD) in the Chair:

- **Implementation of judgments of the European Court of Human Rights** (*Rapporteur: Mr Erik Jurgens, Netherlands, SOC*): held an exchange of views with members of the Turkish delegation, regretted the absence of the Chairperson and members of the Delegation of the Russian Federation and instructed its Chairperson to write to the Chairperson of the Russian Delegation with a view to holding an exchange of views on this matter at one of its next meetings;

and then with Mr Erik Jurgens (Netherlands, SOC), 1<sup>st</sup> Vice-Chairperson, in the Chair:

- **The situation of human rights defenders in Council of Europe member states** (*Rapporteur: Mr Holger Haibach, Germany, EPP/CD*): considered an outline report and decided to organise a hearing with experts on this issue at one of its next meetings;
- **The situation of national minorities in Vojvodina and of the Romanian ethnic minority in Serbia** (*Rapporteur: Mr Jürgen Herrmann, Germany, EPP/CD*): heard a statement by the Rapporteur on his fact-finding visit to Serbia on 25-27 September 2007;

- **Developments as regards the future status of Kosovo** (*Rapporteur for opinion: Mr Pieter Omtzigt, Netherlands, EPP/CD*): heard a statement by the rapporteur for opinion on his fact-finding visit to Pristina, Mitrovica and Belgrade on 23-25 October 2007;
- **Work programme of the Committee: Priorities for 2008**: as well as the reports currently underway, decided to consider the following themes as priorities for its work in 2008:
  - The European Convention on Human Rights (7<sup>th</sup> report on the implementation of judgments of the European Court of Human Rights; Reform of the Court; the necessity to ensure the entry into force of Protocol No 14 to the Convention)
  - Questions relating to corruption (including corruption within the judiciary and the situation of "whistleblowers")
  - Respect for human rights and the fight against terrorism;
- **Follow-up to the debate on the state of human rights and democracy in Europe**: took note of the exchange of correspondence between its Chairperson and the President of the Assembly on this subject, reiterated its position in favour of a triennial debate, and instructed its Chairperson, and its members in the Assembly's Bureau, to put forward again the Committee's position on this issue;
- **Appointment of rapporteurs**: appointed the following rapporteurs:
  - *The looming crisis facing the European Court of Human Rights: urgent action needed*: Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD)
  - *Draft additional Protocol to the Convention on Human Rights and biomedicine concerning genetic testing for health purposes* (for opinion): Mr Holger Haibach (Germany, EPP/CD);
- **Participation of members in conferences, meetings, seminars, etc.**: took note of a written report on the following event:
  - 6th meeting of the Committee of Experts on Issues Relating to the Protection of National Minorities (DH-MIN) (Strasbourg, 17-19 October 2007): Mr Boriss Cilevičs (Latvia, SOC);
- **Legal recognition of same-sex partnerships in Europe and Freedom of assembly and expression for lesbian, gay, bisexual and transgendered persons in Council of Europe member states** (*Rapporteur: Mr Andreas Gross, Switzerland, SOC*): decided to ask the Bureau for the mandate to be extended until 31 March 2008;
- **Freedom of religion and other human rights for non-Muslim minorities in Turkey and for Muslim minorities in Thrace (Western Greece)** (*Rapporteur: Mr Michel Hunault, France, EDG*): authorised the Rapporteur to carry out fact-finding visits to Greece and Turkey and decided to ask the Bureau for the mandate to be extended until 31 December 2008;
- **Membership of sub-committees**: appointed:
  - Mr John Prescott (United Kingdom, SOC) titular member of the Sub-Committee on Rights of Minorities (alternate: Lord Tomlinson, United Kingdom, SOC)
  - Mr Paul Rowen (United Kingdom, ALDE) alternate member of Mr Malins on the Sub-Committee on Crime Problems and the Fight against Terrorism;
- **Voting procedure in committee**: took note of a letter from the President of the Assembly to all committees;
- **Belarus**: took note of the resolution of the Inter-Parliamentary Union (IPU) on the Gonchar case (disappeared person in Bélarus) and of the letter from the Secretary General of the IPU to Mr Pourgourides;
- **Meeting in Venice on 13 and 14 December 2007**: decided to hold an exchange of views with invited guests and left it to its Chairperson to decide, in agreement with the Bureau of the Venice Commission, the subjects for discussion with the latter on 14 December;

- **Next meetings:**

*Plenary Committee:*

- Venice (Italy), 13-14 December 2007 (including a joint meeting with the Enlarged Bureau of the Venice Commission on 14 December)
- Strasbourg, during the 1<sup>st</sup> part of the 2008 session (21-25 January)
- Paris, Friday 7 March 2008 (Council of Europe Office)

*Sub-Committee on Rights of Minorities:*

- Bratislava (Slovakia), Thursday 22 November 2007 (9 h - 12 h 30) (Hearing on "The situation of Roma in Europe")

*Sub-Committee on Crime Problems and the Fight against Terrorism:*

- Bratislava (Slovakia), Thursday 22 November 2007 (14 h - 17 h 30) (Hearing on "The fight against terrorism and the protection of human rights: progress and shortcomings")

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

- Paris, Monday 17 December 2007 (16 h - 19 h)
- Paris, Tuesday 18 December 2007 (9 h - 16 h 30) (*to be confirmed*)

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Paris on 12 November 2007 with Mr Paschal Mooney (Ireland, ALDE) 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 San Marino, Latvia and the Czech Republic, and decided to propose to the Bureau that the Cypriot list be sent back;
- **Next meeting:** left it to its Chairperson to decide on the date and place of the next meeting.

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**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 Paris on 12 November 2007, with first Mr Erik Jurgens (Netherlands, SOC), oldest member present, then Mrs Marie-Louise Bemelmans-Vidéc (Netherlands, EPP/CD) in the Chair, as regards:

- **Bureau decision of 5 October 2007:** was informed that the Sub-Committee was now a new standing Sub-Committee;
- **Election of the Sub-Committee's Bureau:** elected Mrs Bemelmans-Vidéc (Netherlands, EPP/CD) Chairperson, and Mrs Sabine Leutheusser-Schnarrenberger (Germany, ALDE) Vice-Chairperson, both by acclamation;
- **Hearings:** held hearings with the candidates to the European Court of Human Rights on behalf of Ireland and Luxembourg and adopted its recommendations for the attention of the Bureau of the Assembly with respect to the candidates from these countries;
- **Next meetings:**
  - Paris, Monday 17 December 2007 (16 h - 19 h)
  - Paris, Tuesday 18 December 2007 (9 h - 16 h 30) (*to be confirmed*)

Andrew Drzemczewski, Günter Schirmer, 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