



29 January 2008  
Synopsis AS/Jur No 2008/01

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

### Synopsis of the meetings held in Strasbourg from 21 to 24 January 2008

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

- **on 21 January 2008 at 14 h**, with Mr Eduard Kukan (Slovakia, EPP/CD), oldest member present, then Mr Pietro Marcenaro (Italy, SOC), in the Chair, as regards:
  - ***Election of the Bureau of the Committee***: elected Mrs Herta Däubler-Gmelin (Germany, SOC) Chairperson, Mr Pietro Marcenaro (Italy, SOC) 2<sup>nd</sup> Vice-Chairperson and Mrs Nino Nakashidzé (Georgia, ALDE) 3<sup>rd</sup> Vice-Chairperson, by acclamation;
  - ***Developments as regards the future status of Kosovo*** (*Rapporteur for opinion: Mr Pieter Omtzigt, Netherlands, EPP/CD*): considered a report tabled by the Political Affairs Committee, and approved an opinion and 13 amendments to the draft resolution and draft recommendation;
  - ***The Council of Europe and its Observer States – the current situation and a way forward*** (*Rapporteur for opinion: Mr Pieter Omtzigt, Netherlands, EPP/CD*): considered a report tabled by the Political Affairs Committee, and approved an opinion and 19 amendments to the draft resolution and draft recommendation.

\*\*\*\*\*

- **on 22 January 2008 at 8 h 30**, with Mrs Däubler-Gmelin in the Chair, as regards:
  - ***Election of a Vice-Chairperson of the Committee***: elected Mr Christos Pourgourides (Cyprus, EPP/CD) 1<sup>st</sup> Vice-Chairperson, by acclamation;
  - ***UN Security Council and European Union blacklists*** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): considered and approved an addendum to the report;
  - ***Draft additional protocol to the Convention on Human Rights and Biomedicine concerning genetic testing for health purposes*** (*Rapporteur for opinion: Mr Holger Haibach, Germany, EPP/CD*): considered a report tabled by the Committee on Culture, Science and Education, and approved an opinion and an amendment to the draft opinion;

- **The situation of national minorities in Voivodina and of the Romanian ethnic minority in Serbia** (*Rapporteur: Mr Jürgen Herrmann, Germany, 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 2008 part-session;
- **Sub-Committee on Crime Problems and the Fight against Terrorism**: took note that the Sub-Committee had been invited to organise, jointly with the Marangopoulos Foundation, a Conference on "Anti-terrorist measures and human rights", with the participation of experts, in Athens (Greece) on 28 March 2008.

\*\*\*\*\*

- **on 22 January 2008 at 14 h**, with Mrs Däubler-Gmelin in the Chair, as regards:
  - **Reconstitution of sub-committees**: reconstituted its four sub-committees: Sub-Committee on Human Rights, Sub-Committee on Crime Problems and the Fight against Terrorism, Sub-Committee on Rights of Minorities and Sub-Committee on the Election of Judges to the European Court of Human Rights (see Appendix);
  - **UN Security Council and European Union blacklists** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): took position on the amendments to the draft resolution and the draft recommendation;
  - **The situation of Roma in Europe and relevant activities of the Council of Europe** (*Rapporteur: Mr József Berényi, Slovakia, EPP/CD*): considered an outline report;
  - **Appointment of rapporteurs**:
    - *Protection of human rights in emergency situations*: Mr Holger Haibach (Germany, EPP/CD)
    - *Request for an investigation to clarify the allegedly suspicious death of former President Boris Trajkovski of "the former Yugoslav Republic of Macedonia"*: Mr Andreas Gross (Switzerland, SOC)
    - *For a Europe-wide sex offenders register*: Mrs Marietta de Pourbaix-Lundin (Sweden, EPP/CD)
    - *Situation in Belarus* (for opinion): Mr Christos Pourgourides (Cyprus, EPP/CD);
  - **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 organise a hearing with experts on this subject in March 2008, and decided to ask the Bureau for an extension of the mandate until 31 December 2008;
  - **Investigation of crimes allegedly committed by high officials during the Kuchma rule in Ukraine** (*Rapporteur: Mrs Sabine Leutheusser-Schnarrenberger, Germany, ALDE*): decided to ask the Bureau for an extension of the mandate until 30 September 2008;
  - **Protection of human rights in emergency situations** (*Rapporteur: Mr Holger Haibach, Germany, EPP/CD*): decided to ask the Bureau for an extension of the mandate until 31 December 2008;
  - **Minority protection in Europe: best practices and deficiencies in implementation of common standards** (*Rapporteur: Mr Boriss Cilevičs, Latvia, SOC*): authorised the rapporteur to carry out fact-finding visits to Austria and Greece in the coming months.

\*\*\*\*\*

- **on 24 January 2008 at 14 h**, with Mrs Nino Nakashidzé, 3<sup>rd</sup> Vice-Chairperson, in the Chair, as regards:
- **Appointment of representatives of the Committee:** decided to propose the following nominations to the Bureau for 2008:
  - European Commission for Democracy through Law ("Venice Commission"):
    - Mr Christos Pourgourides (Cyprus, EPP/CD), titular member
    - Mrs Sabine Leutheusser-Schnarrenberger (Germany, ALDE), alternate member
  - Council for Democratic Elections (of the Venice Commission):
    - Mr Andreas Gross (Switzerland, SOC), titular member
    - Mr Boriss Cilevičs (Latvia, SOC), alternate member
  - European Commission against Racism and Intolerance (ECRI):
    - Mr Boriss Cilevičs (Latvia, SOC), titular member
    - Mr József Berényi (Slovakia, EPP/CD), alternate member
  - Group of States against Corruption (GRECO):
    - Mr Dick Marty (Switzerland, ALDE), titular member
    - Mr Kimmo Sasi (Finland, EPP/CD), alternate member
  - European Commission for the Efficiency of Justice (CEPEJ):
    - Mr Michel Hunault (France, EDG)

and made the following appointments:

- Conference: "Ten years of protecting national minorities and regional or minority languages - Institutions and Impact" (Strasbourg, 11 March 2008): Mr Boriss Cilevičs (Latvia, SOC)
- Meeting of the Ad Hoc Committee of Legal Advisers on Public International Law (CAHDI) (Strasbourg, 6 March 2008): Mrs Herta Däubler-Gmelin (Germany, SOC);
- **Sub-Committee on Human Rights** (Chairperson: Mr Jean-Charles Gardetto, Monaco, EPP/CD): heard a report by Mr Boriss Cilevičs, Vice-Chairperson, on the meeting held in Strasbourg on 23 January 2008, 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 Albania, Cyprus and Slovakia;
- **Sub-Committee on Crime Problems and the Fight against Terrorism** (Chairperson: Mr Dick Marty, Switzerland, ALDE): heard a report by the Head of the Secretariat on the meeting held in Strasbourg on 23 January 2008;
- **Sub-Committee on Rights of Minorities** (Chairperson: Mr József Berényi, Slovakia, EPP/CD): heard a report by the Chairperson of the Sub-Committee on the meeting held in Strasbourg on 23 January 2008;
- **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 Mr Kimmo Sasi on the meeting held in Strasbourg on 23 January 2008;
- **Next meetings:**
  - Plenary Committee:*
    - Paris, Thursday 6 March 2008 (17 h - 19 h) and Friday 7 March 2008 (9 h – 12 h 30) (Council of Europe Office)
    - Strasbourg, during the Assembly's 2<sup>nd</sup> part-session of 2008 (14-18 April)
  - Sub-Committee on the Election of Judges to the European Court of Human Rights:*
    - Paris, Thursday 6 March 2008, 14 h - 17 h and, if necessary, Friday 7 March 2008, 14 h – 17 h (Council of Europe Office)
  - Sub-Committee on Crime Problems and the Fight against Terrorism:*
    - Athens (Greece), 28 March 2008 (Conference on "Anti-terrorism measures and human rights", organised jointly with the Marangopoulos Foundation)

\*\*\*\*\*

**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 23 January 2008 at 14 h, with Mr Klaas De Vries (Netherlands, SOC), oldest member present, and then Mrs Bemelmans-Videc as elected Chairperson in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD) Chairperson, and Mrs Sabine Leutheusser-Schnarrenberger (Germany, ALDE) Vice-Chairperson, by acclamation;
- **Recent developmenst concerning the elections of judges to the European Court of Human Rights:** had an exchange of views;
- **Next meeting:**
  - Paris, Thursday 6 March 2008, 14 h - 17 h and, if necessary, Friday 7 March 2008, 14h - 17h (Council of Europe Office)

\*\*\*\*\*

**The Sub-Committee on Crime Problems and the Fight against Terrorism** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 23 January 2008 at 14 h 10, with Mr Humfrey Malins (United Kingdom, EDG), oldest member present, in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Dick Marty (Switzerland, ALDE) Chairperson and re-elected Mr Michel Hunault (France, EDG) Vice-Chairperson, both by acclamation;
- **Next meeting:**
  - Athens (Greece), 28 March 2008 (Conference on "Anti-terrorism measures and human rights", organised jointly with the Marangopoulos Foundation)

\*\*\*\*\*

**The Sub-Committee on Rights of Minorities** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 23 January 2008 at 14 h 20, with Mr John Prescott (United Kingdom, SOC), oldest member present, in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr József Berényi (Slovakia, EPP/CD) Chairperson and re-elected Mr Egidijus Vareikis (Lithuania, EPP/CD) Vice-Chairperson, both by acclamation;
- **Minutes:** decided to declassify the minutes of the meeting held in Bratislava on 22 November 2007;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

\*\*\*\*\*

**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 23 January 2008 at 14 h 30, with Mr John Prescott (United Kingdom, SOC), oldest member present, in the Chair, as regards:

- ***Election of the Sub-Committee's Bureau***: elected Mr Jean-Charles Gardetto (Monaco, EPP/CD) Chairperson and Mr Boriss Cilevičs (Latvia, SOC) 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 Albania, Cyprus and Slovakia;
- ***Next meeting***: left it to the Chairperson to convene the next meeting.

Andrew Drzemczewski, Günter Schirmer, Catherine Maffucci-Hugel, Isild Heurtin

cc: Secrétaire Général et secrétariat de l'Assemblée  
Secrétaires des Délégations Nationales de l'Assemblée  
Secrétaires des Groupes Politiques de l'Assemblée

Directeurs-généraux  
Directeur du Cabinet du Secrétaire Général du Conseil de l'Europe  
Secrétaire du Comité des Ministres  
Directeur de la Communication et de la Recherche

Représentations Permanentes auprès du Conseil de l'Europe

## APPENDIX

### Composition of the sub-committees

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

<u>Titular member / Membre titulaire</u>		<u>Alternate member / Membre remplaçant</u>		
M.	GARDETTO Jean-Charles, <i>Chair</i>	Monaco/ Monaco	M.	SPILOTIS-SAQUET Christophe
Mr	CILEVIČS Boriss, <i>Vice-Chair</i>	Latvia / Lettonie		
M.	BARTUMEU CASSANY Jaume	Andorra / Andorre		
Mrs	BATET Meritxell	Spain / Espagne		
Mrs	BEMELMANS-VIDEC Marie-Louise	Netherlands / Pays-Bas	Mr	WEEKERS Frans
Mr	Van den BRANDE Luc	Belgium / Belgique	M.	MONFILS Philippe
Mr	BRINCAT Leo	Malta / Malte		
M.	DREYFUS-SCHMIDT Michel	France	M.	HUNAUULT Michel
Mme	ERR Lydie	Luxembourg		
Mr	FEDOROV Valeriy	Russia / Russie	Mrs	NAROCHNITSKAYA Natalia
Mr	FRUNDA György	Romania / Roumanie	Mr	SÁNDOR Tamas
Mr	HOVANNISIAN Raffi	Armenia / Arménie		
Mr	HUSEYNOV Rafael	Azerbaijan / Azerbaïdjan		
Mr	JEVTIĆ Milos	Serbia / Serbie		
Mr	KARSKI Karol	Poland / Pologne		
Mr	LAVRYNOVYCH Oleksandr	Ukraine		
Mr	LEYDEN Terry	Ireland / Irlande	Mr	COSTELLO Joe
M.	MANZELLA Andrea	Italy / Italie	Mr	VALENTINO Giuseppe
Mr	MARTINS Alberto	Portugal	Mr	RODRIGUES Ricardo
M.	MARTY Dick	Switzerland / Suisse	M.	MÜRI Felix
Mrs	OHLSSON Carina	Sweden / Suède		
Mr	PAPALIGOURAS Anastassios	Greece / Grèce	Mr	VARVITSIOTIS Miltiadis
Mr	POURGOURIDES Christos	Cyprus / Chypre	Mrs	PAPADOPOULOS Antigoni
Mr	PRESCOTT John	United Kingdom / Royaume-Uni	Mr	CHOPE Christopher
Mr	SASI Kimmo	Finland / Finlande		
Mrs	TÜRKÖNE Özlem	Turkey / Turquie		
Mr	VAREIKIS Egidijus	Lithuania / Lituanie		
Mrs	WOHLWEND Renate	Liechtenstein		
Mrs	DÄUBLER-GMELIN Herta, <i>ex officio</i>	Germany / Allemagne		

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

<u>Titular member / Membre titulaire</u>		<u>Alternate member / Membre remplaçant</u>		
Mr	BERÉNYI József, <i>Chair</i>	Slovakia / Slovaquie		
Mr	VAREIKIS Egidijus, <i>Vice-Chair</i>	Lithuania / Lituanie		
Mr	Van den BRANDE Luc	Belgium / Belgique	M.	LETERME Yves
Mr	CEBECİ Erol Aslan	Turkey / Turquie		
Mr	CILEVIČS Boriss	Latvia / Lettonie		
Mrs	CIRCENE Ingrida	Latvia / Lettonie		
M.	CUBREACOV Vlad	Moldova		
Mrs	DABKOWSKA-CICHOCKA Lena	Poland / Pologne	Mr	KALEMBA Stanisław
Mrs	FRAHM Pernille	Denmark / Danemark		
Mr	FRUNDA György	Romania / Roumanie	Mr	UNGUREANU Vasile
Mr	GEDEI József	Hungary / Hongrie		
Mr	GREBENNIKOV Valery	Russia / Russie	Mr	SHARANDIN Yuri
M.	GROSS Andreas	Switzerland / Suisse	Mr	MÜRI Felix
Mrs	HAJIYEVA Gultakin	Azerbaijan / Azerbaïdjan		
Mrs	ILYAZ Fatme	Bulgaria / Bulgarie	Mrs	IVANOVA Iglia
Mr	IVANJI Željko	Serbia / Serbie		
Mrs	KONEČNÁ Katařina	Czech Republic / République tchèque		
M.	MARCENARO Pietro	Italy / Italie		

M.	MONFILS Philippe	Belgium / Belgique	M.	FLAHAUT André
Mrs	NAKASHIDZÉ Nino	Georgia / Géorgie		
Mr	OMTZIGT Pieter	Netherlands / Pays-Bas	Mr	DE VRIES Klaas
Mr	PANGALOS Theodoros	Greece / Grèce	Mr	VARVITSIOTIS Miltiadis
Mr	PFLUG Johannes	Germany / Allemagne	Mr	HERRMANN Jürgen
Mrs	de POURBAIX-LUNDIN Marietta	Sweden / Suède		
M.	RODRIGUES Ricardo	Portugal		
M.	RUSTAMYAN Armen	Armenia / Arménie		
Mr	SASI Kimmo	Finland / Finlande	Mr	LAAKSO Jaakko
Lord	TOMLINSON John	United Kingdom / Royaume-Uni	Mr	MARSHALL David
Mrs	DÄUBLER-GMELIN Herta, <i>ex officio</i>	Germany / Allemagne		

**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.	MARTY Dick, <i>Chair</i>	Switzerland / Suisse		
M.	HUNAUULT Michel, <i>Vice-Chair</i>	France	M.	POZZO di BORGIO Yves
M.	BARCELÓ PÉREZ Miguel	Spain / Espagne	M.	CURIEL Enrique
M.	BARTUMEU CASSANY Jaume	Andorra / Andorre		
Mrs	BENAKI Anna	Greece / Grèce	Mr	PANGALOS Theodoros
Mr	COSTELLO Joe	Ireland / Irlande	Mr	LEYDEN Terry
Mr	HERRMANN Jürgen	Germany / Allemagne	Mr	HAIBACH Holger
Mr	HOVANNISIAN Raffi	Armenia / Arménie		
Mr	KALEMBA Stanislaw	Poland / Pologne		
Mr	LAAKSO Jaakko	Finland / Finlande		
M.	LETERME Yves	Belgium / Belgique	Mr	FLAHAUT André
Mr	MALINS Humfrey	United Kingdom / Royaume-Uni	Mr	ROWEN Paul
Mr	MESSERSCHMIDT Morten	Denmark / Danemark		
Mr	OMELCHENKO Hryhoriy	Ukraine		
Mrs	PASHAYEVA Ganira	Azerbaijan / Azerbaïdjan		
Ms	de POURBAIX-LUNDIN Marietta	Sweden / Suède	Mrs	ACKETOFT Tina
Mr	POURGOURIDES Christos	Cyprus / Chypre	Mrs	PAPADOPOULOS Antigoni
Mr	PULLICINO ORLANDO Jeffrey	Malta / Malte		
Mr	SHARANDIN Yuri	Russie / Russie	Mr	KOVALEV Nikolay
M.	SPILIOTIS-SAQUET Christophe	Monaco	M.	GARDETTO Jean-Charles
Mr	TÜRKEŞ Tuğrul	Turkey / Turquie		
Mr	UNGUREANU Vasile Ioan Dănuț	Romania / Roumanie	Mr	PĂUNESCU Adrian
Mr	VAKSDAL Øyvind	Norway / Norvège		
M.	VALENTINO Giuseppe	Italy / Italie		
Mr	DE VRIES Klaas	Netherlands / Pays-Bas	Mr	OMTZIGT Pieter
Mrs	WOHLWEND Renate	Liechtenstein		
Mrs	DÄUBLER-GMELIN Herta, <i>ex officio</i>	Germany / Allemagne		

**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**

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

Titulaires / Titular members

M.	Jaume BARTUMEU CASSANY	Andorre / Andorra
Mr	Boriss CILEVICS	Lettonie / Lettonie
M.	Pietro MARCENARO	Italie / Italy
M.	Alberto MARTINS	Portugal
Mr	Klaas de VRIES	Pays-Bas / Netherlands

Remplaçants / Alternates

Mrs	Merixtell BATET	Espagne / Spain
Mme	Lydie ERR	Luxembourg
Mrs	Iglica IVANOVA	Bulgarie / Bulgaria

...

...

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

Mrs Marie-Louise BEMELMANS-VIDEC, <i>Chair</i>	Pays-Bas / <i>Netherlands</i>
M. Jean-Charles GARDETTO	Monaco
Mr Christos POURGOURIDES	Chypre / <i>Cyprus</i>
Mr Kimmo SASI	Finlande / <i>Finland</i>
Mrs Renate WOHLWEND	Liechtenstein

Remplaçants / Alternates

Mr Miguel ARIAS	Espagne / <i>Spain</i>
Mr György FRUNDA	Roumanie / <i>Romania</i>
Mr Jürgen HERRMANN	Allemagne / <i>Germany</i>

...

...

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

[Mr Serhiy HOLOVATY <sup>†</sup>	Ukraine]
Mrs Sabine LEUTHEUSSER-SCHNARRENBERGER, <i>Vice-Chair</i>	Allemagne / <i>Germany</i>
M. Dick MARTY	Suisse / <i>Switzerland</i>

Remplaçants / Alternates

Mrs Tina ACKETOFT	Suède / <i>Sweden</i>
-------------------	-----------------------

...

...

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

M. Michel HUNAULT	France
Mr Humfrey MALINS	Royaume-Uni / <i>United Kingdom</i>

Remplaçants / Alternates

Mr Valeriy FEDOROV	Fédération de Russie / <i>Russian Federation</i>
Mr Valery GREBENNIKOV	Fédération de Russie / <i>Russian Federation</i>

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

Mme Maria POSTOICO	Moldova
--------------------	---------

Remplaçant / Alternate

Mr Jaakko LAAKSO	Finlande / <i>Finland</i>
------------------	---------------------------

*ex officio* : Mrs Herta DÄUBLER-GMELIN      Allemagne / *Germany*

<sup>†</sup> M. Holovaty étant candidat pour le poste de Juge au titre de l'Ukraine, sa participation aux travaux de la sous-commission a été suspendue à sa demande. / *As Mr Holovaty is a candidate for the post of Judge in respect of Ukraine, his participation in the work of the Sub-Committee has been suspended upon his request.*