

18 November 2008  
Synopsis AS/Jur No 2008/08

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

### Synopsis of the meeting held in Moscow (Russian Federation) on 10-11 November 2008

The Committee on Legal Affairs and Human Rights, meeting in Moscow (Russian Federation) on 10 and 11 November 2008 with Mr Pietro Marcenaro (Italy, SOC), 2<sup>nd</sup> Vice-Chairperson, and then Mrs Herta Däubler-Gmelin (Germany, SOC), Chairperson, in the Chair, as regards:

- **Election of the 3<sup>rd</sup> Vice-Chairperson of the Committee:** elected Mr Rafael Huseynov (Azerbaijan, ALDE), by acclamation;
- **Exchange of views with representatives of the Russian Federation's State Duma:** held an exchange of views, in particular regarding the non-entry into force of Protocol No 14 to the European Convention on Human Rights;
- **Minority protection in Europe: best practices and deficiencies in implementation of common standards** (*Rapporteur: Mr Boriss Cilevičs, Latvia, SOC*): considered an introductory memorandum;
- **Protection of "whistle-blowers"** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): held a hearing with the participation of the following experts:
  - Mr Hans-Martin Tillack, Reporter, STERN, Berlin
  - Mr Mikhail Trepashkin, Lawyer, Moscow
  - Ms Elaine Kaplan, Deputy General Counsel, National Treasury Employees Union, Washington DC
  - Ms Anna Myers, Deputy Director, Public Concern at Work, London
  - Mr Dragos Kos, President of the Group of States against Corruption (GRECO)
- **For a Europe-wide sex offenders register** (*Rapporteur: Mrs Marietta de Pourbaix-Lundin, Sweden, EPP/CD*): considered an introductory memorandum and decided to hold a hearing with experts at a forthcoming meeting;
- **State of human rights in Europe:** appointed Mrs Herta Däubler-Gmelin Rapporteur for the debate to take place in 2009, decided to propose to the Bureau the following theme: "Failure to act: Impunity in Europe?" (provisional title) and envisaged holding a conference on this subject in Berlin on 23 and 24 March 2009 (subject to confirmation);
- **Protection of human rights in emergency situations** (*Rapporteur: Mr Holger Haibach, Germany, EPP/CD*): decided to ask the Bureau to extend the mandate until 30 April 2009;

- **Appointment of rapporteurs:**

- *Human rights and business:* Mr Holger Haibach (Germany, EPP/CD)
- *The obligation of member states of the Council of Europe to co-operate in prosecution of war crimes:* Mr Miljenko Doric (Croatia, ALDE)
- *The death penalty in Council of Europe member and observer countries – an unacceptable violation of human rights:* Mrs Renate Wohlwend (Liechtenstein, EPP/CD);

- ***The situation of human rights defenders in Council of Europe member states*** (*Rapporteur: Mr Holger Haibach, Germany, EPP/CD*): heard a statement by the Rapporteur on his participation in the Round Table on the situation of human rights defenders in Council of Europe member states, organised by the Council of Europe Commissioner for Human Rights in Strasbourg on 3-4 November 2008 and decided to ask parliamentary delegations to provide information, if any, on the contribution of their national parliament to the work and/or protection of human rights defenders;

- ***Judicial corruption*** (*Rapporteur: Mr Kimmo Sasi, Finland, EPP/CD*): held a hearing with the participation of the following experts:

- Mr Piercamillo Davigo, Judge on the Supreme Court of Cassation, Rome
- Mr Dragos Kos, President of the Group of States against Corruption (GRECO)
- Ms Elena A. Panfilova, General Director, Center for Anti-corruption Research and Initiative Transparency International, Moscow

- ***Nomination of candidates and election of judges to the European Court of Human Rights*** (*Rapporteur: Mr Christopher Chope, United Kingdom, EDG*): considered and approved a report and adopted a draft resolution, with a view to presenting them at a forthcoming Assembly part-session;

- ***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*): decided to ask the Bureau to extend the mandate until 31 March 2009;

- ***The protection of witnesses as a cornerstone for justice and reconciliation in the Balkans*** (*Rapporteur: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): authorised the Rapporteur to carry out a fact-finding visit to The Hague to meet the President, the Registrar and the General Prosecutor of the International Criminal Tribunal for the former Yugoslavia, in early 2009;

- ***Inhumane treatment of people and illicit trafficking in human organs in Kosovo*** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): was informed that the Rapporteur intended to carry out a fact-finding visit to Kosovo in the near future and decided to inform the Bureau accordingly;

- ***Parliamentary Assembly Human Rights Prize***: took note that the Assembly's Human Rights Prize would be awarded for the first time in 2009;

- **Membership of sub-committees:**

*Sub-Committee on Human Rights:*

- Mr Renato Farina (Italy, NR) to become a member (instead of Mr Valentino)
- Mr Alejandro Muñoz Alonso (Spain, EPP/CD) to become the alternate of Mrs Meritxell Batet (Spain, SOC)
- Mr Łukasz Zbonikowski (Poland, EDG) to become the alternate of Mr Karol Karski (Poland, EDG)

*Sub-Committee on Rights of Minorities:*

- Mrs Chiora Taktakishvili (Georgia, ALDE) to become a member
- Mr Giacomo Santini (Italy, NR) to become a member, with Mr Pietro Marcenaro (Italy, SOC) as alternate
- Mr Jordi Xuclà i Costa (Spain, ALDE) to become a member, with Mr Arcadio Diaz (Spain, SOC) as alternate

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

- Mr Luigi Vitali (Italy, NR) to become a member (instead of Mr Valentino)
- Mr Akaki Minashvili (Georgia, ALDE) to become a member
- Mr Arcadio Diaz (Spain, SOC) to become the alternate of Mr Miguel Barceló (Spain, EPP/CD);

- **Next meetings:**

*Plenary Committee\*:*

- Strasbourg, during the Assembly's 1<sup>st</sup> part-session of 2009 (26-30 January)

*Sub-Committee on Human Rights:*

- Limassol (Cyprus), Monday 24 November 2008

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

- Paris, Thursday 11 December 2008, 9 h 30 – 13 h (Council of Europe Office)

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

cc: Secretary General and secretariat of the Assembly  
Secretaries of National Delegations and of Political Groups of the Assembly  
Observers to the Assembly  
Secretary General of the Congress  
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  
Permanent Representations to the Council of Europe

---

\* The Chairperson of the Committee decided to cancel the meeting of the plenary Committee foreseen on 11 December 2008 in Paris.