



SECRETARIAT

15 September 2009
Synopsis AS/Jur No 2009/06

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

Synopsis of the meeting held in Paris on 11 September 2009

The Committee on Legal Affairs and Human Rights, meeting in Paris on 11 September 2009 with Mrs Herta Däubler-Gmelin (Germany, SOC) in the Chair, as regards:

- ***The need to avoid duplication of the work of the Council of Europe by the European Union Agency for Fundamental Rights*** (*Rapporteur: Mr Boris Cilevičs, Latvia, SOC*): considered an introductory memorandum and held a hearing with the participation of the following experts:
 - Mr Morten Kjaerum, Director of the Fundamental Rights Agency of the European Union, Vienna
 - Ms Florence Benoît-Rohmer, Vice-Chairperson of the Scientific Committee of the Fundamental Rights Agency, Venice
 - Mr Krassimir Kanev, Director of the Bulgarian Helsinki Committee, Sofia
 - Mr Rick Lawson, Professor, Faculty of Law, University of Leiden

and authorised the Rapporteur to undertake a fact-finding visit to Vienna, at the headquarters of the Agency for Fundamental Rights;

- ***Judicial corruption*** (*Rapporteur: Mr Kimmo Sasi, Finland, EPP/CD*): considered and approved a report and adopted a draft resolution and a draft recommendation, with a view to presenting them at a forthcoming part-session of the Assembly;
- ***Implementation of judgments of the European Court of Human Rights*** (*Rapporteur: Mr Christos Pourgourides, Cyprus, EPP/CD*): heard a statement by the Rapporteur on his fact-finding visit to Ukraine on 8-9 July 2009; took note and declassified a progress report;
- ***Discrimination on the basis of sexual orientation and gender identity*** (*Rapporteur: Mr Andreas Gross, Switzerland, SOC*): held an exchange of views on a preliminary draft report;
- ***Non-entry into force of Protocol No 14 to the European Convention on Human Rights***: held an exchange of views with members of the Russian Federation;

- **Legal remedies for human rights violations in the North-Caucasus Region** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): held an exchange of views, in particular on the case-law of the European Court of Human Rights, with the participation of the following experts:
 - Mr Georgy Matyushkin, Representative of the Russian Federation at the European Court of Human Rights, Deputy Minister of Justice, Moscow
 - Ms Tatiana Kasatkina, Human Rights Centre "Memorial", Moscow
 - Professor Philip Leach, European Human Rights Advocacy Centre (EHRAC), London

and was informed by the Rapporteur of his intention to start the procedure in order to request the holding of a current affairs debate on the situation of human rights defenders in the North Caucasus region during the next part-session of the Assembly;
- **Nomination de rapporteurs:**
 - *The situation of the Muslim minority (who regard themselves as Turks) in Rhodes and Kos:* Mr Andreas Gross, Switzerland, SOC
 - *Establishment of an independent European committee to investigate serious allegations of gross and systematic violations of human rights:* Mrs Herta Däubler-Gmelin, Germany, SOC
 - *The necessity to take additional international legal steps to deal with sea piracy:* Mr Serhiy Holovaty, Ukraine, ALDE;
- **Motion for a resolution on the human rights situation in Western Sahara:** decided not to give any follow-up to this motion for a resolution, referred to the Committee for report;
- **Consideration of a motion on the definition of political prisoners, sent to the Committee for consultation on a possible follow-up:** decided to deal with this request at its next meeting;
- **For a Europe-wide sex offenders register** (*Rapporteur: Mrs Marietta de Pourbaix-Lundin, Sweden, EPP/CD*): heard a statement by the Rapporteur on her fact-finding visit to the United Kingdom on 3-4 September 2009 and authorised her to go to the headquarters of Interpol in Lyon;
- **Appointment of representatives of the Committee:**
 - Forum on Minority Issues, United Nations (Geneva, 12-13 November 2009): Mr Boriss Cilevičs (Latvia, SOC)
- **Participation of members in conferences, meetings, seminars, etc.:** heard a report by the following representative:
 - European Commission against Racism and Intolerance (ECRI) (Strasbourg, 30 June – 3 July 2009): Mr Boriss Cilevičs (Latvia, SOC)
- **Missing persons in Cyprus:** was informed by Mr Pourgourides of the recent identification of an emblematic group of missing persons in a mass grave in the north of the island and authorised him to raise the question before the Committee of Ministers of having access to the Turkish authorities' relevant military archives;
- **For a greater commitment of member states concerning the efficiency and implementation of the Council of Europe Treaty Law** (*Rapporteur: Mr John Prescott, United Kingdom, SOC*): decided to hold a hearing, with participation of experts, in Strasbourg during the Assembly's September/October 2009 part-session;

- **Repetitive non-compliance by Italy with interim measures ordered by the European Court of Human Rights:** took note of a written question on this issue from the Chairperson of the Committee to the Committee of Ministers, and also of a letter which she had sent to the Chairperson of the Italian delegation;

- **Next meetings:**

Plenary Committee:

- Strasbourg, during the Assembly's 4th part-session of 2009 (28 September – 2 October 2009)
- Paris, Monday 16 November 2009 at 9 h (Council of Europe Office)
- Paris, Wednesday 16 December 2009 at 9 h (Council of Europe Office)

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

- Florence (Italy), 18-19 September 2009 (Conference: "Fight against Terrorism: Challenges for the Judiciary", co-organised by the European University Institute and the Venice Commission, in collaboration with the Sub-Committee)

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

- Strasbourg, Monday 28 September 2009, 13 h 30 – 15 h (Room 15)

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, 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