



SECRETARIAT

19 November 2009
Synopsis AS/Jur n° 2009/08

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

Synopsis of the meeting held in Paris on 16 November 2009

The Committee on Legal Affairs and Human Rights, meeting in Paris on 16 November 2009 with Mr Christos Pourgourides (Cyprus, EPP/CD), 1st Vice-Chairperson, in the Chair, as regards:

- **Discrimination on the basis of sexual orientation and gender identity** (*Rapporteur: Mr Andreas Gross, Switzerland, SOC*): considered and approved a draft report and adopted a draft resolution and a draft recommendation, with a view to presenting them at the Assembly's January 2010 part-session;
- **Minority protection in Europe: best practices and deficiencies in implementation of common standards** (*Rapporteur: Mr Boriss Cilevičs, Latvia, SOC*): considered and approved a draft report and adopted a draft resolution, with a view to presenting them at a forthcoming part-session of the Assembly;
- **Appointment of rapporteurs:**
 - *Human rights and family courts*: Mr Paul Rowen (United Kingdom, ALDE)
 - *Human rights and the fight against terrorism*: Lord Tomlinson (United Kingdom, SOC)
 - *Ad hoc judges: a problem for the legitimacy of the European Court of Human Rights*: Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD)
 - *Population transfer as a human rights violation*: Mr Renato Farina (Italy, EPP/CD)
 - *The Declaration of Principles on Equality and activities of the Council of Europe*: Mr Boriss Cilevičs (Latvia, SOC)
- **Consideration of motions sent to the Committee for consultation on possible follow-up:**
 - *Motion for a recommendation on drafting an additional protocol to the European Convention for Human Rights: basic standards for national minorities*: decided to recommend to the Bureau that this motion for a recommendation be sent to the Committee for report;
 - *Motion for a resolution on the inadmissibility of restrictions on freedom of movement as punishment for political positions*: decided to recommend to the Bureau that this motion for a resolution be sent to the Committee for report;
- **Sub-Committee on Crime Problems and the Fight against Terrorism** (*Chairperson: Mr Dick Marty, Switzerland, ALDE*): heard a report by the Chairperson of the Sub-Committee on the meeting held in Florence on 18-19 September 2009;

- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of documents summarising the following replies and of the rapporteurs' comments thereon:
 - Council of Europe Commissioner for Human Rights – stock-taking and perspectives (Recommendation 1816 (2007))
 - The accession of the European Union/European Community to the European Convention on Human Rights (Recommendation 1834 (2008))
 - Investigation of crimes allegedly committed by high officials during the Kuchma rule in Ukraine: the Gongadze case as an emblematic example (Recommendation 1856 (2009))
- **Participation of members in conferences, meetings, seminars, etc.:** heard reports by the following representatives:
 - Conference on New Partnerships for Torture Prevention in Europe (Strasbourg, 6 November 2009): Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD)
 - Forum on Minority Issues (Geneva, 12-13 November 2009): Mr Boriss Cilevičs (Latvia, SOC)

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 - Belarusian European Forum (Minsk, 14 November 2009): Mr Christos Pourgourides (Cyprus, EPP/CD): decided to inform the Bureau, as well as the Chairperson of the Political Affairs Committee, that Mr Pourgourides was unable to attend this event because the Belarusian authorities had made it known that they would not issue him a visa;
- **Parliamentary scrutiny of standards of the European Convention on Human Rights:** held a hearing with the participation of:
 - Lord Lester of Herne Hill, QC, member of the United Kingdom Joint Committee on Human Rights of both Chambers of parliament, London
 - Mr Martin Kuijjer, Senior Legal Adviser, Ministry of Justice, The Hague
- **The future of the Strasbourg Court and reinforcement of ECHR standards: a contribution to Interlaken:** decided to hold a hearing with the participation of experts, at its meeting on 16 December 2009, and approved a draft programme;
- **Request for an investigation to clarify the allegedly suspicious death of former President Boris Trajkovski of "the former Yugoslav Republic of Macedonia" (Rapporteur: Mr Andreas Gross, Switzerland, SOC):** heard a report by the Rapporteur, took note of the postponement of a hearing that the Parliament of the "former Yugoslav Republic of Macedonia" was to have held on 13 November 2009, and therefore decided to ask the Bureau to extend the mandate until 31 January 2010;
- **Non-entry into force of Protocol No 14 to the European Convention on Human Rights:** held an exchange of views with members of the delegation of the Russian Federation;
- **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 ask the Bureau to extend the mandate until 31 March 2010;
- **The need for a global consideration of human rights implications of biometrics (Rapporteur: Mr Holger Haibach, Germany, EPP/CD):** decided to ask the Bureau to extend the mandate until 30 June 2010;
- **Membership of sub-committees:** took note of the following change:
 - Mr Aleksei Lotman (Estonia, UEL) to become a member of the Sub-Committee on Rights of Minorities

- **Next meetings:**

- Paris, Wednesday 16 December 2009 at 9 h (Council of Europe Office)
- Strasbourg, during the Assembly's 1st part-session of 2010 (25-29 January 2010)
- Paris, Tuesday 16 March 2010 at 9 h (Council of Europe Office)
- Strasbourg, during the Assembly's 2nd part-session of 2010 (26-30 April 2010)

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