



10 February 2010  
Synopsis AS/Jur No 2010/01 rev

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

### Synopsis of the meetings held in Strasbourg from 25 to 28 January 2010

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

- **on 25 January 2010 at 14 h**, with Mr Franz Eduard Kühnel (Austria, EPP/CD), oldest member present, then Mr Christos Pourgourides (Cyprus, EPP/CD), in the Chair, as regards:
  - ***Election of the Bureau of the Committee***: elected Mr Christos Pourgourides (Cyprus, EPP/CD) Chairperson, Mr Christopher Chope (United Kingdom, EDG) 1<sup>st</sup> Vice-Chairperson, Mr Christoph Strässer (Germany, SOC) 2<sup>nd</sup> Vice-Chairperson and Mr Serhiy Holovaty (Ukraine, ALDE) 3<sup>rd</sup> Vice-Chairperson, by acclamation;
  - ***Situation in the Middle East*** (*Rapporteur for opinion: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): considered a report presented by the Political Affairs Committee, heard (in his absence) the comments of the rapporteur, presented by the Chairperson, and decided that the rapporteur would present an oral opinion;
  - ***Action against trafficking in human beings: promoting the Council of Europe convention*** (*Rapporteur for opinion: Mr John Prescott, United Kingdom, SOC*): considered a report tabled by the Committee on Equal Opportunities for Women and Men and approved an opinion including seven amendments to the draft resolution and draft recommendation;
  - ***Hearings on "Parliamentary scrutiny of standards of the European Convention on Human Rights" (Paris, 16 November 2009) and "The future of the Strasbourg Court and reinforcement of ECHR standards: a contribution to Interlaken" (Paris, 16 December 2009)***: declassified the minutes of these two hearings;
  - ***Appointment of representatives of the Committee***:
    - *High Level Conference on the Future of the European Court of Human Rights (Interlaken (Switzerland), 18-19 February 2010)* : Mr Christos Pourgourides (Cyprus, EPP/CD) and Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD)
    - *Hearing on the accession of the European Union to the European Convention on Human Rights, organised by the European Parliament (Brussels, March 2010) (to be confirmed)*: Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD);

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- **on 26 January 2010 at 8 h 30**, with Mr Christos Pourgourides in the Chair, as regards:
  - ***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*): 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; decided to modify the title of the report (new title: "Reinforcing the effectiveness of Council of Europe treaty law");
  - ***The situation of Roma in Europe and relevant activities of the Council of Europe*** (*Rapporteur: Mr József Berényi, Slovak Republic, 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 2010 part-session;
  - ***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 headquarters of Interpol in Lyon on 4 December 2009;
  - ***The future of the Strasbourg Court and enforcement of ECHR standards: reflections on the Interlaken process***: considered, approved and declassified the conclusions of its former Chairperson, Mrs Herta Däubler-Gmelin (Germany, SOC), of the hearing held in Paris on 16 December 2009, and transmitted the text to the President of the Assembly for his information with a view to his presentation at the Interlaken Conference on 18 and 19 February 2010;

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- **on 26 January 2010 at 14 h**, with Mr Christos Pourgourides 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);
  - ***Discrimination on the basis of sexual orientation and gender identity*** (*Rapporteur: Mr Andreas Gross, Switzerland, SOC*): took position on 20 amendments to the draft resolution;
  - ***Judicial corruption*** (*Rapporteur: Mr Kimmo Sasi, Finland, EPP/CD*): was not able to take position on the amendments to the draft resolution and the draft recommendation
  - ***Appointment of representatives of the Committee***: decided to propose the following nominations to the Bureau for 2010:
    - European Commission for Democracy through Law ("Venice Commission"):
      - Mr Serhiy Holovaty (Ukraine, ALDE)
      - Mr Christos Pourgourides (Cyprus, EPP/CD), alternate
    - Council for Democratic Elections (of the Venice Commission):
      - Mr Andreas Gross (Switzerland, SOC)
      - Mrs Marietta de Pourbaix-Lundin (Sweden, EPP/CD), alternate
    - European Commission against Racism and Intolerance (ECRI):
      - Mr Boriss Cilevičs (Latvia, SOC)
      - Mr József Berényi (Slovak Republic, EPP/CD), alternate
    - Group of States against Corruption (GRECO):
      - Mr Kimmo Sasi (Finland, EPP/CD)
      - Mr Miltiadis Varvitsiotis (Greece, EPP/CD), alternate
    - European Commission for the Efficiency of Justice (CEPEJ):
      - Mr Michel Hunault (France, EDG)
      - Mr Christopher Chope (United Kingdom, EDG), alternate
  - ***Appointment of rapporteurs***:
    - *The inadmissibility of restrictions on freedom of movement as punishment for political positions*: Mr Tuğrul Türkeş (Turkey, EDG)
    - *Establishment of an independent European committee to investigate serious allegations of gross and systematic violations of human rights*: Mrs Marina Schuster (Germany, ALDE)
    - *The situation of human rights defenders in Council of Europe member states*: Mr Holger Haibach (Germany, EPP/CD);

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- **on 27 January 2010 at 14 h**, with Mr Christos Pourgourides in the Chair, as regards:
- ***Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)*** (*Rapporteur: Mr Michel Hunault, France, EDG*): took position on the amendments to the draft resolution;

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- **on 28 January 2010 at 9 h**, with Mr Christos Pourgourides in the Chair, as regards:
- ***Sub-Committee on Human Rights*** (*Chairperson: Mrs Marie-Louise Bemelmans-Videc, Netherlands, EPP/CD*): heard a report by the Chairperson of the Sub-Committee on the meeting held in Strasbourg on 27 January 2010 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 France and Croatia;
- ***Minority protection in Europe: best practices and deficiencies in implementation of common standards*** (*Rapporteur: Mr Boriss Cilevičs, Latvia, SOC*): took position on seven amendments to the draft resolution and the draft recommendation tabled by the Committee on Culture, Science and Education;
- ***Commemorating the victims of the Great Famine (Holodomor) in the former USSR*** (*Rapporteur for opinion: Mr Paul Rowen, United Kingdom, ALDE*): considered a report tabled by the Political Affairs Committee and approved an opinion containing five amendments to the draft resolution, including a change to the title of the report;
- ***Work programme of the Committee: Priorities for 2010***: approved the Committee's priorities for 2010;
- ***Appointment of rapporteurs***:
  - *Draft third Additional Protocol to the European Convention on Extradition*: Mr Jordi Xuclà i Costa (Spain, ALDE)
- ***The protection of witnesses as a cornerstone for justice and reconciliation in the Balkans*** (*Rapporteur: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): decided to ask the Bureau for an extension of the mandate until 30 June 2010;
- ***The need to avoid duplication of the work of the Council of Europe by the European Union Agency for Fundamental Rights*** (*Mr Boris Cilevičs, Latvia, SOC*): decided to ask the Bureau for an extension of the mandate until 30 June 2010;
- ***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*): decided to ask the Bureau for an extension of the mandate until 30 June 2010;
- ***Next meetings***:
 

*Plenary Committee:*

  - Paris, Tuesday 16 March 2010 at 9 h (Council of Europe Office)
  - Strasbourg, during the Assembly's 2<sup>nd</sup> part-session of 2010 (26-30 April 2010)

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

  - Paris, Monday 15 March 2010, afternoon (Council of Europe Office) (*to be confirmed*)

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 27 January 2010 at 14 h 30, with Lord Tomlinson (United Kingdom, 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, by acclamation;
- **European Committee for the Prevention of Torture (CPT):** considered and approved its recommendations for the lists of candidates to the CPT in respect of France and Croatia;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

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**The Sub-Committee on Crime Problems and the Fight against Terrorism** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 28 January 2010 at 9 h 30, with Mr Christos Pourgourides (Cyprus, EPP/CD), 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 Agustín Conde Bajén (Spain, EPP/CD) Vice-Chairperson;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

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**The Sub-Committee on Rights of Minorities** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 28 January 2010 at 8 h 40, with Lord Tomlinson (United Kingdom, SOC), oldest member present, in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr György Frunda (Romania, EPP/CD) Chairperson and Mr Jordi Xuclà i Costa (Spain, ALDE) Vice-Chairperson;
- **Next meeting:** left it to the Chairperson to convene 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 Strasbourg on 28 January 2010 at 8 h 50, with Lord Tomlinson (United Kingdom, SOC), oldest member present, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mrs Renate Wohlwend (Liechtenstein, EPP/CD) Chairperson and Mr Klaas De Vries (Netherlands, EPP/CD) Vice-Chairperson, both by acclamation;
- **Next meeting:**
  - Paris, Monday 15 March 2010, afternoon (Council of Europe Office) *(to be confirmed)*

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

## APPENDIX

**Composition of the sub-committees**  
**Composition des sous-commissions**

**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>
Mrs BEMELMANS-VIDEC Marie-Louise, <i>Chair</i> ..., <i>Vice-Chair</i>	Netherlands / Pays-Bas	Mr WEEKERS Frans
M. CĂLIAN Petru	Romania / Roumanie	Mrs STOICA Mihaela
Mr CILEVIČS Boriss	Latvia / Lettonie	Mme SANÍN NARANJO Luz Elena
Mr DÍAZ TEJERA Arcadio	Spain / Espagne	Mr FARINA Gianni
Mme ERR Lydie	Luxembourg	Mrs COLEIRO-PRECA Marie-Louise
Mr FARINA Renato	Italy / Italie	
Mr FEDOROV Valeriy	Russia / Russie	
Mr FENECH ADAMI Joseph	Malta / Malte	
M. GARDETTO Jean-Charles	Monaco	
Mr HAIBACH Holger	Germany / Allemagne	
Mr HAKL Karin	Austria / Autriche	
Mr HOLOVATY Serhiy	Ukraine	
Mr HUSEYNOV Rafael	Azerbaijan / Azerbaïdjan	
Mr JENSEN Mogens	Denmark / Danemark	Mr DALGAARD Per
Mr LEYDEN Terry	Ireland / Irlande	Mr COSTELLO Joe
M. MARTY Dick	Switzerland / Suisse	Mme MAURY PASQUIER Liliane
Mr MINASHVILI Akaki	Georgia / Géorgie	
M. NACHBAR Philippe	France	M. BLUM Roland
Mrs OHLSSON Carina	Sweden / Suède	
Mrs PAPADIMITRIOU Elsa	Greece / Grèce	Mr DENDIAS Nikolaos
Mrs POSTANJYAN Zaruhi	Armenia / Arménie	
Mr PRESCOTT John	United Kingdom / Royaume-Uni	Mr CHOPE Christopher
Mr RACHON Janusz	Poland / Pologne	
Mr SASI Kimmo	Finland / Finlande	
Mrs TÜRKÖNE Özlem	Turkey / Turquie	
M. VANDENBERGHE Hugo	Belgium / Belgique	M. MONFILS Philippe
Mr VAREIKIS Egidijus	Lithuania / Lituanie	
Mrs WOHLWEND Renate	Liechtenstein	
Mr POURGOURIDES Christos, <i>ex officio</i>	Cyprus / Chypre	

**ii. 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. GARDETTO Jean-Charles, <i>Chair</i>	Monaco	M. STEINER Christophe
M. CONDE BAJÉN Agustin, <i>Vice-Chair</i>	Spain / Espagne	M. DÍAZ TEJERA Arcadio
Mr COSTELLO Joe	Ireland / Irlande	Mr LEYDEN Terry
Mr DALGAARD Per	Denmark	
Mr GEORGIU Aristophanes	Cyprus / Chypre	
Mr HAIBACH Holger	Germany / Allemagne	
M. HUNAULT Michel	France	M. POZZO di BORGIO Yves
Mr ISLAMI Kastriot	Albania / Albanie	
Mr KALEMBA Stanisław	Poland / Pologne	
Mr KÜHNEL Franz Eduard	Austria / Autriche	Mr GRAF Martin
Mr LAAKSO Jaakko	Finland / Finlande	
Mr MALINS Humfrey	United Kingdom / Royaume-Uni	Mr ROWEN Paul
Mr MARKOV Sergey	Russia / Russie	
M. MARTY Dick	Switzerland / Suisse	M. MÜRI Felix
Mr MINASHVILI Akaki	Georgia / Géorgie	

Mr	MINCHEV Krasimir	Bulgaria / <i>Bulgarie</i>	
Mr	PANȚIRU Tudor	Romania / <i>Roumanie</i>	Mr KELEMEN Attila Bela Ladislau
Ms	PASHAYEVA Ganira	Azerbaijan / <i>Azerbaïdjan</i>	
Mrs	POSTANJAN Zaruhi	Armenia / <i>Arménie</i>	
Ms	de POURBAIX-LUNDIN Marietta	Sweden / <i>Suède</i>	Mrs ACKETOFT Tina
Mr	TÜRKEŞ Tuğrul	Turkey / <i>Turquie</i>	
Mr	VAKSDAL Øyvind	Norway / <i>Norvège</i>	
M.	VANDENBERGHE Hugo	Belgium / <i>Belgique</i>	M. MORIAU Patrick
Mr	VITALI Luigi	Italy / <i>Italie</i>	M. VALENTINO Giuseppe
Mr	VARVITSIOTIS Miltiadis	Greece / <i>Grèce</i>	Mr DENDIAS Nikolaos
Mr	De VRIES Klaas	Netherlands / <i>Pays-Bas</i>	Mr OMTZIGT Pieter
Mrs	WOHLWEND Renate	Liechtenstein	
Mr	POURGOURIDES Christos, <i>ex officio</i>	Cyprus / <i>Chypre</i>	

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

#### Titular member / Membre titulaire

Mr	FRUNDA György, <i>Chair</i>	Romania / <i>Roumanie</i>
Mr	XUCLA i COSTA Jordi, <i>Vice-Chair</i>	Spain / <i>Espagne</i>
Mr	BERÉNYI József	Slovakia / <i>Slovaquie</i>
Mr	CEBECİ Erol Aslan	Turkey / <i>Turquie</i>
Mr	CILEVIČS Boriss	Latvia / <i>Lettonie</i>
Mrs	CIRCENE Ingrīda	Latvia / <i>Lettonie</i>
Mrs	DAŃKOWSKA-CIHOCKA Lena	Poland / <i>Pologne</i>
Mr	Van den DRIESSCHE Pol	Belgium / <i>Belgique</i>
Mr	GROSS Andreas	Switzerland / <i>Suisse</i>
Mrs	HAJIBAYLI Gultakin	Azerbaijan / <i>Azerbaïdjan</i>
Mr	HÜBNER Johannes	Austria / <i>Autriche</i>
Mr	IMAMOV Aliosman	Bulgaria / <i>Bulgarie</i>
Mr	JENSEN Mogens	Denmark / <i>Danemark</i>
Mrs	KONEČNÁ Katařina	Czech Republic / <i>République tchèque</i>
Mr	LOTMAN Aleksei	Estonia / <i>Estonie</i>
Mr	MARKOV Sergey	Russia / <i>Russie</i>
M.	MONFILS Philippe	Belgium / <i>Belgique</i>
Mrs	NTALARA Anna	Greece / <i>Grèce</i>
Mr	OMTZIGT Pieter	Netherlands / <i>Pays-Bas</i>
Mr	PFLUG Johannes	Germany / <i>Allemagne</i>
M.	POPESCU Ivan	Ukraine
Mrs	de POURBAIX-LUNDIN Marietta	Sweden / <i>Suède</i>
M.	ROUQUET René	France
M.	RUSTAMYAN Armen	Armenia / <i>Arménie</i>
Mr	SANTINI Giacomo	Italy / <i>Italie</i>
Mr	SASI Kimmo	Finland / <i>Finlande</i>
Lord	TOMLINSON John	United Kingdom / <i>Royaume-Uni</i>
Mr	VAREIKIS Egidijus	Lithuania / <i>Lituanie</i>
Mr	POURGOURIDES Christos, <i>ex officio</i>	Cyprus / <i>Chypre</i>

#### Alternate member / Membre remplaçant

M.	NĂSTASE Adrian
Mme	BLANCO TERÁN Rosa Delia
Mr	KALEMBA Stanislaw
M.	MÜRI Felix
M.	MORIAU Patrick
Mrs	PAPADIMITRIOU Elsa
Mr	De VRIES Klaas
M.	MARCENARO Pietro
Mr	LAAKSO Jaakko

**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**

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

Titular members / Titulaires

Mrs Marie-Louise BEMELMANS-VIDEC	Netherlands / Pays-Bas
M. Jean-Charles GARDETTO	Monaco
Mr Holger HAIBACH	Germany / Allemagne
Mr Kimmo SASI	Finland / Finlande
M. Hugo VANDENBERGHE	Belgique / Belgium
Mrs Renate WOHLWEND, <i>Chairperson</i>	Liechtenstein

Alternates / Remplaçants

M. Roland BLUM	France
Mr Erol Aslan CEBECI	Turkey / Turquie
Mr Agustín CONDE BAJÉN	Spain / Espagne
Mr György FRUNDA	Romania / Roumanie
M. Marco GATTI	San Marino / Saint-Marin
Mr Luigi VITALI	Italy / Italie

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

Titular members / Titulaires

Mr Boriss CILEVIČS	Latvia / Lettonie
Mme Lydie ERR	Luxembourg
Mrs Carina HÄGG	Sweden / Suède
M. Pietro MARCENARO	Italy / Italie
Mr Klaas De VRIES, <i>Vice-Chairperson</i>	Netherlands / Pays-Bas

Alternates / Remplaçants

Mr Arcadio DÍAZ TEJERA	Spain / Espagne
Mrs Mirjana FERIC-VAC	Croatia / Croatie
Mr Tudor PANTIRU	Romania / Roumanie
Mr Christoph STRÄSSER	Germany / Allemagne
Lord TOMLINSON	United Kingdom / Royaume-Uni

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

Titular members / Titulaires

M. Dick MARTY	Switzerland / Suisse
Mrs Tina ACKETOFT	Sweden / Suède

Alternates / Remplaçants

[Mr Serhiy HOLOVATY <sup>1</sup>	Ukraine]
Mrs Mailis REPS	Estonia / Estonie

**European Democrat Group (EDG) / Groupe des Démocrates européens (GDE)**

Titular members / Titulaires

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

Alternates / Remplaçants

Mr Christopher CHOPE	United Kingdom / Royaume-Uni
Mr Paata DAVITAIA	Georgia / Géorgie

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

Titular member / Titulaire

Mr Aristophanes GEORGIOU	Cyprus / Chypre
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Alternate / Remplaçant

Mr Jaakko LAAKSO	Finland / Finlande
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<i>ex officio</i> : Mr Christos POURGOURIDES	Cyprus / Chypre
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<sup>1</sup>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 / *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.*