



Committee on Legal Affairs and Human Rights  
*Commission des questions juridiques et des droits de l'homme*

20 September 2010  
Synopsis AS/Jur No 2010/ 06

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

### Synopsis of the meeting held in Tbilisi (Georgia) on 16-17 September 2010

**The Committee on Legal Affairs and Human Rights**, meeting in Tbilisi with Mr Christos Pourgourides (Cyprus, EPP/CD), in the Chair, as regards:

- Non-participation of members of the Russian delegation: was informed by the chairman of the non-participation of members of the Russian delegation following the decision of the Georgian authorities not to issue a visa for one of the members of that delegation and noted his intention to raise the matter at the next meeting of the Bureau;
- **Topical legal issues in Georgia**: held an exchange of views with the participation of:
  - Mr Avtandil Demetrashvili, Chairman of the State Constitutional Commission of Georgia
  - Mr Pavle Kublashvili, Chairman of the Committee on Legal Issues of the Parliament of Georgia
  - Ms Eka Popkhadze, Georgian Young Lawyers Association
- **Cooperation with the European Parliament**: held an *exchange of views with Ms Heidi Hautala, Chairperson of the Subcommittee on Human Rights of the Foreign Affairs Committee, European Parliament*, on a number of issues of mutual interest;
- **The death penalty in Council of Europe member and observer countries – an unacceptable violation of human rights** (*Rapporteur: Mrs Renate Wohlwend, Liechtenstein, EPP/CD*): considered and approved a draft report and adopted a draft resolution;
- **Human rights and business** (*Rapporteur: Mr Holger Haibach, Germany, EPP/CD*): in the absence of the rapporteur, considered and approved a draft report and adopted a draft resolution and a draft recommendation;
- **The need for a global consideration of human rights implications of biometrics** (*Rapporteur: Mr Holger Haibach, Germany, EPP/CD*): in the absence of the rapporteur, considered an introductory memorandum and decided to ask the Bureau for an extension of the mandate until 31 December 2010;
- **The obligation of member states of the Council of Europe to co-operate in prosecution of war crimes** (*Rapporteur: Mr Miljenko Dorić, Croatia, ALDE*): considered and approved a draft report and adopted a draft resolution and a draft recommendation;

- **Abuse of state secrecy and national security: obstacles to parliamentary and judicial scrutiny of human rights violations** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): held a hearing with the participation of:
  - Mr Armando Spataro, Deputy Chief Public Prosecutor, Milan (Italy)
  - Mr Ian Leigh, Professor of Law, Durham University (United Kingdom)
  - Mr Adam Bodnar, Secretary General of the Polish Human Rights Helsinki Foundation
- **Appointment of rapporteurs:**
  - *National sovereignty and statehood in contemporary international law: the need for clarification* (no appointment made)
  - *The rule of law in Council of Europe member states: upholding the authority of the Parliamentary Assembly's recommendations*: Mrs Marieluise Beck (Germany, ALDE)
  - *Combating all forms of discrimination and intolerance based on religion*: Mr Tudor Pantiru (Romania, SOC)
  - *Fundamental Rights and fundamental duties and responsibilities*: Mrs Marie-Louise Bemelmans-Videc (Netherlands EPP/CD)
  - *National procedures for the selection of candidates for the European Court of Human Rights*: Mrs Renate Wohlwend (Liechtenstein, EPP/CD)
  - *European norms concerning the enforcement and supervision of restraining orders in case of gender-based violence (for opinion)*: Mr Diaz Tejera (Spain, SOC)
  - *Securing the fundamental right to equality between women and men in the European Convention on Human Rights (for opinion)*: Mrs Özlem Türköne (Turkey, EPP/CD)
- **Motions sent to the Committee for information:** took note of the following motions:
  - Violations of human rights in Cuba
  - Respect for human rights in education for democratic citizenship in Spain
  - Identity documents and databases
- **The Sub-Committee on the Election of Judges to the European Court of Human Rights:** heard a statement by Mrs Renate Wohlwend, (Liechtenstein, EPP/CD), Chairperson of the Sub-Committee, on the meeting held in Paris on 10 September 2010;
- **Appointment of representatives of the Committee:**
  - Conference "Strengthening Subsidiarity: Integrating the Court's Case-law into National Law and Judicial Practice", Skopje ("the former Yugoslav Republic of Macedonia"), 1-2 October 2010: Mr Christos Pourgourides (Cyprus, EPP/CD)
- **Participation of members in conferences, meetings, seminars, etc:** heard a report by the following representative:
  - Conference "Drugs and the death penalty" in Bangkok/Thailand on 29 July 2010, Mrs Renate Wohlwend (Liechtenstein, EPP/CD)
- **Other business:**
  - **Meeting of the Plenary Committee on 17 November 2010 in Paris** : authorised Lord Tomlinson, rapporteur on "Human Rights and the fight against terrorism" to hold a hearing with the participation of experts;
- **Next meetings:**
  - Strasbourg, during the Assembly's 4<sup>th</sup> part-session of 2010 (4-8 October 2010)
  - Paris, Wednesday 17 November 2010 at 9 h (Council of Europe Office)
  - Paris, Thursday 16 December 2010 at 9 h (Council of Europe Office)

**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 Paris on 10 September 2010, with Ms Renate Wohlwend (Liechtenstein, EPP/CD) in the Chair, as regards:

- **Hearings:** held hearings with the candidates to the European Court of Human Rights in respect of Estonia, Greece and Portugal and adopted its recommendations for the attention of the Bureau of the Assembly with respect to the candidates from these countries.

Andrew Drzemczewski

cc. Secretary General of the Assembly

Director General, Directors and all staff of the Secretariat of the Assembly

Secretaries of National Delegations to the Assembly

Secretaries of Political Groups of the Assembly

Observers to the Assembly

Secretary General of the Congress

Secretary to the Committee of Ministers

Directors General

Special Representative of the Secretary General of the Council of Europe for Organisational Development and Reform

Director of the Private Office of the Secretary General of the Council of Europe

Director of the Office of the Commissioner for Human Rights

Director of Communication

Permanent Representations to the Council of Europe