



SECRETARIAT

18 April 2011  
Synopsis AS/Jur No 2011/03

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

### Synopsis of the meeting held in Strasbourg from 11 to 14 April 2011

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

- **on Tuesday 12 April 2011 at 9am**, with Mr Christoph Strässer (Germany, SOC), in the Chair, as regards:
  - ***Sub-Committee on Human Rights***: heard a report by the Chair, Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD), regarding the Sub-Committee's meeting held in Strasbourg on 11 April 2011, 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 Spain, the Russian Federation, Finland, Malta, the Slovak Republic, Poland, the Czech Republic and Azerbaijan. The list from Lithuania was rejected due to the fact that it included only candidates of one sex, whilst no sex is currently underrepresented on the CPT;
  - ***Combating all forms of discrimination and intolerance based on religion*** (*Rapporteur: Mr Tudor Panțiru, Romania, SOC*) : held a hearing with the participation of
    - Mr Peter Cumper, Senior Lecturer, Leicester University, United Kingdom,
    - Professor Marie-Claire Foblets, Law Faculty, Chair Institute for Migration Law & Legal Anthropology, University of Leuven, Belgium,
    - Professor Renata Uitz, Chair of the Comparative Constitutional Law programme, Central European University in Budapest, Hungary;
- **on Tuesday 12 April 2011 at 2pm**, as regards:
  - ***Exchange of views with Mr Jean-Paul Costa, President of the European Court of Human Rights***: discussed in the light of the forthcoming High Level Conference on the Future of the European Court of Human Rights, to be held in Izmir on 26 & 27 April, in particular, the role of the Assembly and national parliaments in helping to maintain the effectiveness of the Convention mechanism;
  - ***Participation of members in conferences, meetings, seminars***: heard reports on the following events:
    - ECRI, 23-25 March 2011: Mr Boriss Cilevičs, Latvia, SOC
    - European Commission for Democracy through Law ("Venice Commission") (Venice, 25-26 March 2011): Mr Serhiy Holovaty (Ukraine, EPP/CD)

- **on Wednesday 13 April 2011 at 2pm**, with Mr Christos Pourgourides in the Chair, (Cyprus, EPP/CD), as regards:
  - ***National sovereignty and statehood in contemporary international law: the need for clarification*** (*Rapporteur: Ms Marina Schuster, Germany, ALDE*): considered and approved a draft report and unanimously adopted a draft resolution;
  - ***Appointment of Rapporteur***
    - ***The situation of Human Rights defenders in Council of Europe member states***: appointed Mrs Mailis Reps, (Estonia, ALDE);
  - ***Other business***
    - ***UN Security Council Counter-terrorism Committee Special Meeting, Strasbourg, 19-21 April 2011***: agreed to a statement to be issued, by Mr Dick Marty (Switzerland, ALDE) and Lord Tomlinson (United Kingdom, SOC), on behalf of the Committee on Legal Affairs and Human Rights;
    - ***Presentation of Committee meeting (and seminar co-organised with the Norwegian Helsinki Committee on 6-7 June 2011)***: took note of the programme presented by Mr Håkon Haugli (Norway, SOC) on behalf of the Norwegian delegation;
- **on Thursday 14 April 2011 at 8.30am**, as regards:
  - ***The death penalty in Council of Europe member and observer states - a violation of human rights*** (*Rapporteur: Ms Renate Wohlwend, Liechtenstein, EPP/CD*): took position on the amendments to the draft resolution;
  - ***Strengthening torture prevention mechanisms in Europe*** (*Rapporteur: Mr Jean-Charles Gardetto, Monaco, EPP/CD*) : took position on the amendment to the draft resolution;
  - ***Other business***
    - ***The Rule of Law in Council of Europe member states*** (*Rapporteur: Ms. Marieluise Beck (Germany, ALDE)*): at the request of Mr Dmitry Vyatkin discussed the interpretation of the mandate further to the exchange of views in Paris on 8 March and decided to return to it at the Committee's meeting in Oslo on 6-7 June 2011;
    - ***The definition of political prisoners in Azerbaijan / follow up to the issue of political prisoners in Azerbaijan*** (*Rapporteur: Mr Christoph Strässer, Germany, SOC*): decided to request the Bureau for an extension of this reference until 30 June 2012;
    - ***European Parliament's Human Rights Sub-Committee of the Committee on Foreign Affairs and the Committee on Civil Liberties, Justice and Home Affairs, Strasbourg 7 July 2011***: agreed to the participation of Mr Dick Marty (Switzerland, ALDE) and Mr Serhiy Holovaty (Ukraine, ALDE) in an exchange of views on issues of mutual concern, subject to the availability of funds;
    - ***European Parliament's Committee on Budgetary Control discussion on "Corruption and conflict of interest in the European institutions: the effectiveness of whistle-blowers" – Brussels, 25 May 2011***: agreed to the participation of Mr Pieter Omtzigt (Netherlands, EPP/CD), at no cost to the Assembly;
  - ***Replies from the Committee of Ministers to recommendations emanating from the Committee***: took note of six replies from the Committee of Ministers relating to "The Situation of Roma in Europe and relevant activities of the Council of Europe", "The protection of Whistle-blowers"; "Judicial Corruption", "Legal remedies for human rights violations in the North-Caucasus Region", "Minority protection in Europe: best practices and deficiencies in implementation of common standards", "The need to avoid duplication of the work of the Council of Europe by the European Union Agency for Fundamental Rights";
  - ***National parliaments: guarantors of human rights in Europe*** (*Rapporteur :Mr Christos Pourgourides, Cyprus, EPP/DC*) : held a hearing with the participation of :

- Mr Martin Kuijer, Senior counsel on human rights of the Minister of Security and Justice, Netherlands
- Ms Almut Wittling-Vogel, Agent for Human Rights at the German Federal Ministry of Justice
- Mr Alexey Ivanovich Aleksandrov, Chairman of the Committee on Constitutional Legislation of the Council of the Federation, Russia
- Mr Murray Hunt, Legal Adviser, Parliamentary Joint Committee on Human Rights, United Kingdom

- **Next meetings:**

*Plenary Committee:*

- Oslo, Norway, 6-7 June 2011
- Strasbourg, during the Assembly's 3<sup>rd</sup> part-session of 2011 (20-24 June)
- Paris, 7 September 2011 (Council of Europe Office)
- Strasbourg, during the Assembly's 4<sup>th</sup> part-session of 2011 (3-7 October)
- Paris, 16 November 2011 (Council of Europe Office)
- Paris, 13 December 2011 (Council of Europe Office)

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

- Paris, 15 June 2011, (Council of Europe Office, Paris) *(to be confirmed)*

*Sub-Committee on Human Rights*

- Paris, 13 December 2011 (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 11 April 2011 at 2pm, with Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP) in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT):** considered and approved its recommendation for the list of candidates to the CPT in respect of Spain, the Russian Federation, Finland, Malta, the Slovak Republic, Poland, the Czech Republic and Azerbaijan. The list from Lithuania was rejected due to the fact that it included only candidates of one sex, whilst no sex is currently underrepresented on the CPT;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

**The Sub-Committee on Rights of Minorities** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 11 April 2011 at 2.55pm with Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD), oldest member present, in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Boriss Cilevičs (Latvia, SOC) Chairperson and Mr Jordi Xuclà i Costa (Spain, ALDE) Vice-Chairperson, both by acclamation;
- **Membership:** noted that Mr Gaudi Nagy (Hungary, NR) has become a member of the Sub-Committee;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, Roland Klages

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