



SECRETARIAT

27 June 2011  
Synopsis AS/Jur No 2011/05

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

### Synopsis of the meeting held in Strasbourg from 20-23 June 2011

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

- on Monday 20 June 2011 at 2pm, with Mr Christos Pourgourides in the Chair, (Cyprus, EPP/CD), as regards:
  - **Abuse of State Secrecy and National Security: Obstacles to Parliamentary and Judicial Scrutiny of Human Rights Violations** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): considered a preliminary draft report;
  - **Request for partner for democracy status with the Parliamentary Assembly submitted by the Parliament of Morocco** (*Rapporteur for opinion: Mr Arcadio Díaz Tejera, Spain, SOC*): considered and unanimously approved the Committee's opinion;
- on Tuesday 21 June 2011 at 8.30am,
  - **Sub-Committee on the election of judges to the European Court of Human Rights**: heard a report by the Vice-Chair, Mr Klaas de Vries (Netherlands, SOC), regarding the meeting of the Sub-Committee held in Paris on 15 June 2011;
  - **Fundamental rights and fundamental duties and responsibilities** (*Rapporteur: Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD)*): considered and approved a draft report, deciding to change the title to "Fundamental rights and responsibilities", and unanimously adopted a draft resolution;
  - **Appointment of a Rapporteur on:**
    - **Reinforcing the selection processes of experts of the monitoring mechanisms of the Council of Europe**: appointed Mr Boriss Cilevičs (Latvia, SOC);
  - **Motion on Criteria for the definition of a political prisoner**: took note of the motion and decided to return to it during the October 2011 part-session;
  - **Participation of members in conferences, meetings, seminars etc**: heard a report by Mr Serhiy Holovaty (Ukraine, ALDE) on the meeting of "The European Commission for Democracy through Law (Venice Commission) held in Venice on 17-18 June 2011;

- **Other business:**
  - . **Norwegian Helsinki Committee:** took note of the recommendations to the Legal Affairs and Human Rights Committee, adopted by the participants of the NGO event hosted by the Norwegian Helsinki Committee and the Storting (Norwegian parliament) on 7-8 June 2011 in Oslo;
  - . **Situation of Mamedali Aliyev:** instructed the Committee Chairman to write to the Azerbaijani authorities, asking for Mr Aliyev's release from prison on humanitarian grounds;
  - . **Forthcoming hearings:** agreed to the proposal to hold three hearings: respectively on "Enforced disappearances", on "Restrictions of freedom of movement as punishment for political positions" during the October part-session, and on "Political prisoners" at the Committee meeting on 16 November 2011 in Paris;
- **on Thursday 23 June 2011 at 8.30am,**
- **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 22 June 2011 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 Belgium, Greece, Lithuania and Portugal;
- **Other business:**
  - . **Extension of references:** decided to request the Bureau to extend the references of two reports on "Population transfer as a human rights violation" and "The inadmissability of restrictions on freedom of movement as punishment for political positions" until 31 March 2012;
  - . **Round table hearing:** at the request of Mrs Marieluise Beck (Germany, ALDE), Rapporteur on "Threats to the Rule of Law in Council of Europe member states: asserting the Parliamentary Assembly's authority" agreed to hold a round table hearing, concerning the circumstances of the death of Mr Sergey Magnitsky in pre-trial detention;
  - . **Avena case:** agreed that the Committee Chairman and the former Rapporteur on "Death Penalty in Council of Europe States – an unacceptable violation of human rights" should write a letter to the U.S. Secretary of State urging her to do to everything in her power to prevent the execution of Mr Humberto Leal Garcia;
  - . **The situation of human rights defenders in the Council of Europe's member states:** invited the Chairperson, to remind the head of the Azerbaijani delegation to respond to the Rapporteur's letter of April 2011, regarding the closure of the Human Rights House in Azerbaijan and decided to request an opinion from the Venice Commission on the conformity of Azerbaijani legislation on the registration of NGO's in Azerbaijan with European human rights standards;
- **Exchange of views with Ms Sabine Leutheusser-Schnarrenberger, Federal Minister of Justice of Germany:** held an exchange of views with the Minister;
- **Exchange of views with representatives of the Joint Committee on Human Rights of the United Kingdom Parliament:** held an exchange of views with members of the Joint Committee;
- **on Thursday 23 June 2011 at 2pm,**
- **Council of Europe and relations with the European Union:** held a joint hearing with the Political Affairs Committee and the Committee on Migration, Refugees and Population with the participation of:
  - Ms Tonje Meinich, Chair of the Informal Working Group on the Accession of the European Union to the European Convention of Human Rights (CDDH-UE)
  - Mr Morten Kjaerum, Director of the European Union Agency for Fundamental Rights (FRA);

- **Next meetings:**

*Plenary Committee:*

- 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 Human Rights*

- Paris, 13 December 2011 (Council of Europe Office) (*to be confirmed*)

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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 Paris on 15 June 2011 at 10 h 30, with Mr Klaas de Vries (Netherlands, SOC), in the Chair, as regards:

- **Hearings:** held hearings with the candidates to the European Court of Human Rights in respect of France and adopted its recommendations for the attention of the Bureau of the Assembly.

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The **Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 22 June 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 recommendations for the list of candidates to the CPT in respect of Belgium, Greece, Lithuania and Portugal;
- **Exchange of views with Mr Igor Kalyapin and Ms Olga Sadovskaya of the "Nijnij Novgorod Committee against Torture", winner of the Assembly's Human Rights Prize for 2011:** held an exchange of views;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, Roland Klages

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