



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

SECRETARIAT

10 October 2011  
Synopsis AS/Jur No 2011/07

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

### Synopsis of the meeting held in Strasbourg from 3-6 October 2011

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

- on Monday 3 October 2011 at 2pm, with Mr Christos Pourgourides in the Chair, (Cyprus, EPP/CD), as regards:
  - **Request for Partner for Democracy status with the Parliamentary Assembly submitted by the Palestinian National Council** (*Rapporteur: Ms Özlem Türköne, EPP/CD*): considered and unanimously approved the Committee's opinion and agreed to the presentation of the opinion in the debate by the Chair, following the departure of Mrs Türköne from the Assembly;
  - **The impact of the Lisbon Treaty on the Council of Europe** (*Rapporteur: Mr Peter Omtzigt, Netherlands, EPP/CD*): considered and unanimously approved the Committee's opinion;
  - **Declassification of information memorandum**: at the request of Mrs Marieluise Beck (Germany, ALDE), agreed to declassify her information memorandum on the case of Sergey Magnitsky;
  - **Fact-finding mission**: agreed to a fact-finding mission to Kyiv, Ukraine, requested by Mrs Marieluise Beck (Germany, ALDE), in the context of her report on "Threats to the Rule of Law in Council of Europe member states: asserting the Parliamentary Assembly's authority";
  - **The situation of Roma in Bulgaria** : adopted a statement proposed by Mr Boriss Cilevičs (Latvia, SOC), calling for the Bulgarian authorities to protect Roma in the current wave of acts of anti-Gypsyism in Bulgaria;
  - **Access to nationality** (*Rapporteur: Mr Boriss Cilevičs, Latvia, SOC*): held an exchange of views on an introductory memorandum;
- on Tuesday 4 October 2011 at 8.30am,
  - **National sovereignty and statehood in contemporary international law: the need for clarification** (*Rapporteur: Ms Marina Schuster, Germany, ADLE*): took position on the amendments to the draft resolution;

- **Appointment of Rapporteurs on:**
  - . **Strengthening the institution of ombudsman in Europe:** appointed Mr Jordi Xuclà I Costa, (Spain, ALDE),
  - . **Situation in Belarus (for opinion):** appointed Mrs Marieluise Beck (Germany, ALDE);
- **The inadmissibility of restrictions on freedom of movement as punishment for political positions** (*Rapporteur: Mr Tuğrul Türkes, Turkey, EDG*): held an exchange of views with Ms Nuala Mole, Director of the AIRE (Advice on Individual Rights in Europe) Centre, London, United Kingdom;
- **on Wednesday 5 October 2011 at 2pm**
  - **Combating all forms of discrimination and intolerance based on religion** (*Rapporteur: Mr Tudor Panțiru, Romania, SOC*): considered and approved a draft report and unanimously adopted a draft resolution and a draft recommendation and agreed to the Rapporteur's proposal to change the title to "Combating all forms of discrimination based on religion";
  - **Sub-Committee on Human Rights:** heard a report by the Vice-Chair, Mr Arcadio Diaz Tejera (Spain, SOC) regarding the Sub-Committee's meeting held in Strasbourg on 4 October 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 Andorra, Cyprus, Italy, Albania, Romania, Armenia, Ireland, Iceland, San Marino, Serbia and a draft statement submitted by the Sub-Committee on Human Rights on the case of the Belarusian human rights defender, Ales Bialiatski;
  - **Motion sent to the Committee for consultation on possible follow-up "Criteria for the definition of a political prisoner":** agreed to request the Bureau to send this motion to the Committee "for information";
  - **Other business:**
    - **Azerbaijan:** agreed to a change of title of the report of Mr Strässer (Germany, SOC) from "Definition of political prisoners / Follow-up to the issue of political prisoners in Azerbaijan" to "Revisiting the issue of political prisoners";
    - **Invitations:**
      - . agreed to the participation of Mrs Bemelmans-Videc in a forthcoming conference on "2020 vision for the European Court of Human Rights", 17-19 November 2011, Wilton Park, United Kingdom, subject to the availability of funds;
      - . agreed to the participation of Mr Jordi Xuclà I Costa, (Spain, ALDE), Rapporteur for "Strengthening the institution of ombudsman in Europe" to attend a seminar on the "The defense of rights and good practices in private management of public services. The role of the ombudsman", on 21-22 November 2011 in Barcelona, Spain, subject to the availability of funds;
      - . agreed to the participation of Mrs Mailis Reps (Estonia, ALDE), to attend the "Round table on Human Rights Defenders in the Council of Europe area" to be held in Strasbourg on 27-28 October 2011, at no cost to the Parliamentary Assembly;
      - . agreed to the participation of Mr Christos Pourgourides, (Cyprus, EPP/CD), to attend a seminar organised by the Netherlands Helsinki Committee on "Enlarging Civil Society's Role in the European Court of Human Rights Implementation Process" to be organised in The Hague on 31 October 2011, subject to the availability of funds;
- **on Thursday 6 October 2011 at 8.30am,**
  - **Abuse of State Secrecy and National Security: Obstacles to Parliamentary and Judicial Scrutiny of Human Rights Violations** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): took position on the amendments to the draft resolution;
  - **Human Rights and the fight against terrorism:** (*Rapporteur: Lord John Tomlinson, United Kingdom SOC*): took position on the amendments to the draft resolution;

- **Other business** : agreed to establish an Ad Hoc Sub-Committee on the « Situation of Roma in Bulgaria » to investigate the situation with respect to anti-Gypsyism in Bulgaria, subject to receiving an invitation from the Bulgarian delegation; agreed on the following composition of the Ad Hoc Sub-Committee : Chair - Mr Boriss Cilevičs (Latvia, SOC), Mr Christopher Chope (United Kingdom, EDG) ; Mrs Mailis Reps (Estonia, ALDE) ; Mr Egidijus Vareikis (Lithuania, EPP/CD), Z.Z. (UEL Group). Substitutes : Mr Ahmet Berat Çonkar (EDG), Mrs Carina Hägg (SOC), Mr Tamás Gaudi Nagy (N.I);
- **International Convention for the Protection of all Persons from Enforced Disappearances** (*Rapporteur: Mr Christos Pourgourides, Cyprus, EPP/CD*): held a hearing with the participation of:
  - Ms Kathyne Bomberger, Head of the International Commission on Missing Persons, Sarajevo
  - Ms Anne-Marie La Rosa, Legal Adviser at the Advisory Service, International Committee of the Red Cross Legal Division, Geneva
  - Ms Suela Janina, Legal Expert, Member of the UN Committee on Enforced Disappearances, Ministry of Foreign Affairs, Albania;
- **Next meetings:**
  - Paris, 16 November 2011 (Council of Europe Office)
  - Paris, 13 December 2011 (Council of Europe Office)

*Sub-Committee on Crime and the Fight against Terrorism*

  - Belgrade, Serbia, 28 October 2011

*Sub-Committee on Human Rights*

  - Paris, 13 December 2011 (Council of Europe Office)

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 4 October 2011 at 2pm, with Mr Arcadio Diaz Tejera (Spain, SOC), Vice-Chairperson, in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT)**: considered and approved its recommendations for the lists of candidates to the CPT in respect Andorra, Cyprus, Italy, Albania, Romania, Armenia, Ireland, Iceland, San Marino, Serbia;
- **Exchange of views with human rights defenders from Belarus on the case of Ales Bialiatski** : held and exchange of views with Ms Reviaka and Mr Labkovich from the human rights centre "Viasna" and Ms Asoyan of "Freedom House" and approved a statement on the case of Mr Ales Bialiatski.
- **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 and of Political Groups of the Assembly  
 Secretaries of observer and partner for democracy delegations  
 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