



SECRETARIAT

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9 October 2012

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

### Synopsis of the meeting held in Strasbourg from 1- 4 October 2012

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

- **On Monday 1 October 2012 at 2pm**, with Ms Marina Schuster (Germany, ALDE), in the Chair, as regards:
  - **For more democratic elections** (*Rapporteur: Mr McNamara, Ireland, SOC*): considered a report tabled by the Committee on Political Affairs and Democracy and approved the Committee's opinion including eight amendments to the draft resolution;
  - **Keeping political and criminal responsibility separate** (*Rapporteur: Mr Peter Omtzigt, Netherlands, EPP/CD*): considered an information memorandum on the situation in Iceland, held an exchange of views and agreed to declassify the memorandum;
  - **Abuse of pre-trial detention in States Parties to the European Convention on Human Rights:** (*Rapporteur: Mr Pedro Agramunt, Spain, EPP/CD*): considered an introductory memorandum and held an exchange of views; authorised a hearing to be organised on the subject with legal experts as well as fact-finding visits to the Russian Federation, Turkey and Ukraine, subject to the availability of funds;
- **on Tuesday 2 October 2012 at 9.15am** with Ms Marina Schuster (Germany, ALDE), in the Chair as regards:
  - **Hearing: Implementation of Strasbourg Court judgments by Poland:** held a hearing in the context of the report on the "Implementation of judgments of the European Court of Human Rights" (*Rapporteur: Mr Klaas de Vries, Netherlands, SOC*) with the head of the Polish delegation, Mr Andrzej Halicki;
- **on Tuesday 2 October 2012 at 2pm** with Ms Marina Schuster (Germany, ALDE), in the Chair as regards:
  - **Threats to the Rule of Law in Council of Europe member states: asserting the Parliamentary Assembly's authority** (*Rapporteur: Ms Marieluise Beck, Germany, ALDE*): held an exchange of views with Ms Tamara Morshchakova, former judge at the Russian Federation's Constitutional Court;
  - **Hearing: Implementation of Strasbourg Court judgments by the Republic of Moldova:** held a hearing in the context of the report on the "Implementation of judgments of the European Court of Human Rights" (*Rapporteur: Mr Klaas de Vries, Netherlands, SOC*) with the head of the delegation of the Republic of Moldova, Ms Liliana Palihovici;

- **on Wednesday 3 October 2012 at 2pm** with Mr Christopher Chope (United Kingdom, EDG), in the Chair as regards:
  - ***The definition of Political Prisoner*** (*Rapporteur* : Mr Christoph Strässer, Germany, SOC): took position on the two amendments to the draft resolution;
- **on Thursday 4 October 2012 at 8.30am** with Mr Christopher Chope (United Kingdom, EDG), in the Chair as regards:
  - ***Sub-Committee on Human Rights***: heard a report by the Secretariat in the absence of the Chair of the Sub-Committee, Mr Kimmo Sasi (Finland, EPP/CD), regarding the Sub-Committee's meeting held in Strasbourg on 3 October 2012, endorsed the proposals of the Sub-Committee concerning the list of candidates to the European Committee for the Prevention of Torture (CPT) submitted by the parliamentary delegation of "the former Yugoslav Republic of Macedonia" and decided to revert to the issue of the CPT's Public Statement on the situation in Greece at a subsequent meeting;
  - ***Appointment of Rapporteurs***:
    - ***Need to reinforce the independence of the European Court of Human Rights***: heard a statement by Mr Boriss Cilevičs (Latvia, SOC) concerning the proposal to merge this reference with "The future of the European Court of Human Rights and the Brighton Declaration" and decided to ask the Bureau to be seized for a separate report on the "Need to reinforce the independence of the European Court of Human Rights";
  - ***Other business***
    - ***Meetings to year end***: confirmed the meetings of the plenary Committee on 12 November and 11 December 2012 and agreed that, exceptionally, the meeting on 12 November would begin at 10 am;
    - ***Changes in membership of the Sub-committee on the election of Judges***: took note that the Socialist Group has designated Mr Mahoux as a titular member and Mr McNamara as an alternate, that the European Democrat Group has designated Mr Clappison to replace Mr Heald as titular member and that the Group of the European People's Party has designated Mr Dişli as an alternate member;
    - ***Changes in the membership of Sub-Committees***: took note of the following changes in Sub-committees following recent changes in national delegations:
      - Sub-Committee on Human Rights:
      - Armenia: Mr Rustamyan becomes a full member
      - France: Mr Rochebloine becomes alternate to Mr Nachbar
      - Greece: Mr Markopoulos becomes a full member with Mr Triantafyllos as his alternate
      - Sub-Committee on Crime Problems and the Fight against Terrorism:
      - Armenia: Mr Rustamyan becomes a full member
      - Greece: Mrs Kanelli now becomes a full member with Mrs Tzakri as her alternate.
      - Sub-Committee on Rule of Law
      - Greece: Mrs Tzakri now becomes a full member with Mr Markopoulos as her alternate;
    - ***Conference on Security and Right to Information, Copenhagen, 20-21 September 2012***: heard an account of the conference by Mr Arcadio Díaz Tejera (Spain, SOC), who attended it in the framework of his report on "National Security and Access to Information";
    - ***Conference on Human Rights and Foreign Policy – Turin, 13-14 December 2012 - organised by the Committee on Political Affairs and Democracy and the Human Rights Committee of the Italian Senate***: agreed to the participation of Mr Kimmo Sasi (Finland, EPP/CD) in his capacity as Chair of the Sub-Committee on Human Rights, subject to availability of funds;

- **The protection of minors against sectarian influence:** (*Rapporteur* : Mr Rudy Salles, France EPP/CD): authorised two fact-finding visits, one to Germany and one to Sweden, subject to the availability of funds;
- **State of human rights in Europe:** decided to propose to the Bureau the following theme for 2013: "Corruption as a threat to the Rule of Law";
- **Hearings on the implementation of Strasbourg Court judgments:** agreed to hold further country specific hearings with respect to Greece, Turkey and the United Kingdom during the January part-session 2013;
- **Hearing: Implementation of Strasbourg Court judgments by Romania:** held a hearing in the context of the report on "Implementation of judgments of the European Court of Human Rights" (*Rapporteur*: Mr Klaas de Vries, Netherlands, SOC) with the representative of the Romanian delegation, Mr Tudor Panțiru;
- **Next meetings**  
*Plenary Committee:*
  - Paris, 12 November 2012, 10am - 5.30pm (Council of Europe Office)
  - Paris, 11 December 2012, 9am - 5.30pm (Council of Europe Office)

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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 30 September 2012 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 Croatia and the Republic of Moldova and adopted its recommendations for the attention of the Bureau of the Assembly with respect to the candidates from these countries;
- **Next meeting:** left it to the Chairperson to notify members of the next meeting.

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 3 October 2012 at 2.30pm, with Mr Kimmo Sasi (Finland, EPP/CD) 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 with respect to "the former Yugoslav Republic of Macedonia";
- **CPT Public statement on conditions of retention of migrants in Greece :** held an exchange of views on the subject with a representative of the Greek delegation, Mr Miltiadis Varvitsiotis, and a representative of the CPT secretariat and decided to seize the full committee of this issue at one its forthcoming meetings.
- **Next meeting:** during the January 2013 part-session

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna

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  
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