



SECRETARIAT

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29 January 2013

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

Synopsis of the meeting held in Strasbourg from 21-24 January 2013

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 21 to 24 January 2013:

- **on Monday 21 January 2013 at 2pm**, with Mr Jean-Pierre Michel (France, SOC), oldest member present, then Mr Christopher Chope (United Kingdom, EDG), in the Chair, as regards:
 - **Election of the Bureau of the Committee:** elected, by acclamation, Mr Christopher Chope (United Kingdom, EDG) as Chairperson, and Ms Marina Schuster (Germany, ALDE), Mr Boriss Cilevičs (Latvia, SOC), and Mr Agustín Conde (Spain, EPP/CD) as 1st, 2nd and 3rd Vice-Chairpersons, respectively;
 - **Reconstitution of sub-committees:** agreed to re-constitute the Committee's four sub-committees, namely:
 - i. Sub-Committee on the Election of Judges to the European Court of Human Rights
 - ii. Sub-Committee on Crime Problems and the Fight against Terrorism
 - iii. Sub-Committee on Human Rights
 - iv. Sub-Committee on Rule of Law
 - **The follow-up to the issue of political prisoners in Azerbaijan (Addendum):** approved an addendum to the report;
 - **Refusing impunity for the killers of Sergei Magnitsky (Rapporteur: Mr Andreas Gross, Switzerland, SOC):** considered an introductory memorandum and authorised the rapporteur to carry out fact-finding visits to Moscow (twice: once at the beginning and once at the end of his research), London, Bern and Cyprus and authorised him to protect the sources of information for this report, as need be;
 - **European institutions and human rights in Europe (Rapporteur: Mr Michael McNamara, Ireland, SOC):** considered an introductory memorandum and agreed with the Rapporteur's proposal to hold a hearing on the subject at a future meeting and to carry out a fact-finding mission to Brussels and one to Luxembourg and/or Frankfurt am Main (subject to the availability of funds);
 - **Other business:**
 - i. General Rapporteurships: for matters relating to the "Death Penalty" confirmed that Ms Renate Wohlwend (Liechtenstein, EPP/CD) would continue her mandate;
 - ii. Protection of minors against sectarian influence (Rapporteur: Mr Rudy Salles, France, EPP/CD): granted authorisation to use the European Centre for Parliamentary Research and Documentation (ECPRD) in order to gather more data on the extent of the phenomenon of sects and the state of legislation in the field of the protection of minors against sectarian excesses in Council of Europe member states;
 - iii. Access to nationality and the effective implementation of the European Convention on Nationality (Rapporteur: Mr Boriss Cilevičs, Latvia, SOC): following the merger of the two reports on "Access to nationality" and "the European Convention on Nationality" authorised the

rapporteur to hold an exchange of views with an expert at the committee's meeting on 19 March 2013 in Paris;

- **on Tuesday 22 January 2013 at 8.30am**, as regards:

- **Ensuring the viability of the Strasbourg Court: structural deficiencies in States Parties** (*Rapporteur: Mr Serhii Kivalov, Ukraine, EDG*): took position on 11 amendments to the draft resolution and the draft recommendation;

- **Composition of the Sub-committees**: approved the composition of the Committee's four Sub-committees (see appendix);

- **Appointment of rapporteurs**:

Draft Protocol No.15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms" (Opinion requested by the Committee of Ministers): appointed Mr Christopher Chope (United Kingdom, EDG);

- **Appointment of representatives of the Committee**: appointed representatives to the following bodies for 2013 as follows:

- i. European Commission for Democracy through Law ("Venice Commission"):

- Mr Christopher Chope (United Kingdom, EDG), full member

- Mr Philippe Mahoux (Belgium, SOC), substitute

- ii. Council for Democratic Elections (of the Venice Commission):

- Mr Andreas Gross (Switzerland, SOC), full member

- iii. Group of States against Corruption (GRECO):

- Mr Robert Neill (United Kingdom, EDG), full member

- Mr Kimmo Sasi (Finland, EPP/CD), substitute

- iv. European Commission for the Efficiency of Justice (CEPEJ): appointments postponed until the meeting in March 2013

- v. Moneyval:

- Lord Tomlinson (United Kingdom, SOC), full member

- Mr Johannes Hübner (Austria, NR), substitute;

- **Hearing: Implementation of Strasbourg Court judgments by Greece**: 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 Greek delegation, Ms Theodora Bakoyannis;

- **on Tuesday 22 January 2013 at 2.45pm** as regards:

- **Hearing: Implementation of Strasbourg Court judgments by Turkey**: 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 Turkish delegation, Ms Nursuna Memecan;

- **on Wednesday 23 January 2013 at 2pm** as regards:

- **The follow-up to the issue of political prisoners in Azerbaijan** (*Rapporteur: Mr Christoph Strässer, Germany, SOC*): took position on 5 amendments to the draft resolution;

- **on Thursday 24 January 2013 at 8.30am** as regards:

- **Sub-Committee on Human Rights**: heard a statement by the Chair with regard to the Sub-Committee's meeting held in Strasbourg on 23 January 2013 and 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 Georgia;

- **Work programme**: took note of the Committee's work programme for 2013 and agreed to hold a working lunch with the Chair and Chairs of all Sub-Committees during the March 2013 meeting to discuss the functioning of the Sub-committees;

- **Other business:**
 - i. **Invitation to Turkey:** took note of and accepted the invitation of the Chair of the Turkish delegation for the Committee to hold its meeting on 27 and 28 May 2013 in Izmir (subject to approval by the Bureau and to the availability of funds);
 - ii. **Letter from Ambassador Held:** took note of a letter from Ambassador Held concerning his reply to questions put by parliamentarians during his exchange of views at the meeting on 11 December 2012;
- **Hearing: Implementation of Strasbourg Court judgments by the United Kingdom:** 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 British delegation, Mr Robert Walter;
- **Next meetings:** took note of the forthcoming meetings of the Committee as follows:

Plenary Committee:

 - Paris, 19 March 2013 (Council of Europe Office)
 - Strasbourg, during the Assembly's 2nd part-session of 2013 (22-26 April 2013)
 - Izmir (Turkey), 27-28 May 2013
 - Strasbourg, during the Assembly's 3rd part-session of 2013 (24-28 June 2013)
 - Paris, 4 September 2013 (Council of Europe Office) tbc
 - Strasbourg, during the Assembly's 4th part-session of 2013 (30 September - 4 October 2013)
 - Paris, 6 November 2013 (Council of Europe Office) tbc
 - Paris, 12 December 2013 (Council of Europe Office) tbc
 - **on Thursday 24 January 2013 at 2pm** as regards:
- **Joint hearing with the Committee on Rules of Procedure, Immunities and Institutional Affairs:** held a joint hearing with the aforementioned committee; held an exchange of views with Mr Marin Mrčela, President of the Group of States against Corruption (GRECO), in the framework of the GRECO fourth evaluation round on the prevention of corruption in respect of members of Parliament, judges and prosecutors;

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 22 January 2013 at 2pm, with Ms Renate Wohlwend (Liechtenstein, EPP/CD), oldest member present, then Mr Kimmo Sasi (Finland, EPP/CD), in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Kimmo Sasi (Finland, EPP/CD) Chairperson and Mr Egidijus Vareikis (Lithuania, EPP/CD) Vice-Chairperson, both by acclamation;
- **Next meeting:** Wednesday 23 January 2013 at 3pm.

Sub-Committee on Crime Problems and the Fight against Terrorism (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 22 January 2013 at 2.10pm, with Mr Klaas de Vries (Netherlands, SOC), oldest member present in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Martin Graf (Austria, NR) Chairperson and Ms Marietta Pourbaix-Lundin (Sweden, EPP/CD) Vice-Chairperson, by acclamation;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

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 22 January 2013 at 2.20pm, with Mr Klaas de Vries (Netherlands, SOC), oldest member present in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Klaas de Vries (Netherlands, SOC) Chairperson and Ms Renate Wohlwend (Liechtenstein, EPP/CD) Vice-Chairperson, both by acclamation;
- **Next meeting:** Thursday 24 January 2013 at 8.30am.

The **Sub-Committee on the Rule of Law** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 22 January 2013 at 2.30pm, with Mr Jean-Pierre Michel (France, EPP/CD), oldest member present, then Mr Michael McNamara (Ireland, SOC), in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Michael McNamara (Ireland, SOC) Chairperson and Mr Johannes Hübner (Austria, NR) Vice-Chairperson by acclamation;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

The **Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 23 January 2013 at 3pm, 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 in respect of Georgia;
- **Work programme:** held an exchange of views and decided to include in its work programme for 2013 the follow-up of its 2012 hearing on the conditions of retention of migrants in Greece and an exchange of views with experts on the abolition of the death penalty;
- **Next meeting:** during the April part-session 2013.

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 24 January 2013 at 8.30am, with Mr Klaas de Vries (Netherlands, SOC), in the Chair, as regards:

- **Guidelines applicable to meetings of the Sub-Committee:** approved, unanimously, Guidelines in connection with interviewing candidates for the post of Judge;
- **Next meeting:** Paris, 12 June 2013 (Council of Europe Office), to be confirmed.

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

Appendix
Composition of Sub-Committees
Composition des sous-commissions

Sub-Committee on Human Rights
Sous-commission des Droits de l'Homme

List of members / Liste des membres

<u>Titular member / Membre titulaire</u>		<u>Alternate member / Membre remplaçant</u>	
1.	Mr SASI Kimmo (Chairperson / Président)	Finland/Finlande	
2.	Mr VAREIKIS Egidijus (Vice Chairperson / Vice-Président)	Lithuania/Lituanie	
3.	M. BRAZ Félix	Luxembourg	
4.	Mr CORREIA Telmo	Portugal/Portugal	Mme ROSEIRA Maria de Belém
5.	Mr DÍAZ TEJERA Arcadio	Spain/Espagne	
6.	Mr DIJKHOFF Klaas	Netherlands/ Pays-Bas	Mr OMTZIGT Pieter
7.	Mr DİŞLİ Şaban	Turkey/Turquie	
8.	Mr FARINA Renato	Italy/Italie	Mr ZELLER Karl
9.	M. GARDETTO Jean-Charles	Monaco	
10.	Mr GUNNARSON Jonas	Sweden/Suède	
11.	Ms HÜBINGER Anette	Germany/Allemagne	Mr WADEPUHL Johann
12.	Mr HUSEYNOV Rafael	Azerbaijan/Azerbaïdjan	
13.	Mr JAKIČ Roman	Slovenia/Slovénie	
14.	Ms KAPTENOVIĆ Nermina	Bosnia and Herzegovina/ Bosnie-Herzégovine	
15.	Ms LIBINA-EGNERE Inese	Latvia/Lettonie	Mr CILEVIČS Boriss
16.	Ms LOKLINDT Lone	Denmark/Danemark	Ms REISSMANN Mette
17.	Mr LOUTFI Younal	Bulgaria/Bulgarie	
18.	Ms MATEU PI Meritxell	Andorra/Andorre	
19.	Mr McNAMARA Michael	Ireland/Irlande	Mr FLANAGAN Terence
20.	M. NACHBAR Philippe	France	M. ROCHEBLOINE François
21.	Mr NICOLAIDES, Nicos	Cyprus/Chypre	Mr LOUKAIDES George
22.	M. RECORDON Luc	Switzerland/Suisse	Mr GROSS, Andreas
23.	Ms REPS Mailis	Estonia/Estonie	
24.	Mr RUSTAMYAN Armen	Armenia/Arménie	
25.	Ms SCHUSTER Marina	Germany/Allemagne	
26.	Mme van VAERENBERGH Kristien	Belgium/Belgique	Ms DUMERY Daphné
27.	Mr WACH Piotr	Poland/ Pologne	
28.	Mrs WOHLWEND Renate	Liechtenstein	
	Mr Christopher Chope, <i>ex officio</i>	United Kingdom/Royaume-Uni	

Sub-Committee on Crime Problems and the Fight against Terrorism
Sous-commission sur les problèmes criminels et la lutte contre le terrorisme

List of members / Liste des membres

<u>Titular member /</u> <u>Membre titulaire</u>		<u>Alternate member /</u> <u>Membre remplaçant</u>
1.	Mr GRAF Martin (Chairperson/Président)	Austria / Autriche
2.	Ms de POURBAIX-LUNDIN Marietta	Sweden / Suède (Vice Chairperson /Vice-Présidente)
3.	M. CONDE BAJÉN Agustin	Spain / Espagne
4.	Mr CORREIA Telmo	Portugal
5.	Mr FLANAGAN Terence	Ireland / Irlande
6.	Ms HOVHANNISYAN Arpine	Armenia /Arménie
7.	Ms HÜBINGER Anette	Germany / Allemagne
8.	Mr HUSEYNOV Rafael	Azerbaijan/ Azerbaïdjan
9.	Mr JAKIČ Roman	Slovenia/Slovénie
10.	Mr KAIKKONEN Antti	Finland / Finlande
11.	Mr KAMIŃSKI Mariusz	Poland/Pologne
12.	Ms KANELLI Liana	Greece / Grèce
13.	Mr KOÇ Haluk	Turkey/ Turquie
14.	Ms MARKOVIC Milica	Bosnia and Herzegovina/ Bosnie-Herzégovine
15.	Ms MILADINOVIC Stefana	Serbia / Serbie
16.	M. MORIAU Patrick	Belgium / Belgique
17.	Mr NEILL Robert	United Kingdom/ Royaume-Uni
18.	Mr NICOLAIDES Nicos	Cyprus / Chypre
19.	M. POZZO di BORGIO Yves	France
20.	Mr PYLYPENKO Volodymyr	Ukraine
21.	Mr RUSTAMYAN Armen	Armenia / Arménie
22.	M. SCHWALLER Urs	Switzerland / Suisse
23.	Mr SHARMA Virendra	United Kingdom / Royaume-Uni
24.	Ms VÁHALOVÁ Dana	Czech Republic/ République tchèque
25.	Mr VAKSDAL Øyvind	Norway / Norvège
26.	Mr VAREIKIS Egidijus	Lithuania /Lituanie
27.	Mr VITALI Luigi	Italy / Italie
28.	Mr De VRIES Klaas	Netherlands / Pays-Bas
		Mr HÜBNER Johannes
		M. DÍAZ TEJERA Arcadio
		Mr WADEPHUL Johann
		Ms TZAKRI Theadora
		M. MAHOUX, Philippe
		Mr LOUKAIDES George
		M. SALLES Rudy
		M. COMTE, Raphaël
		Mr CLAPPISON James
		Mme BUGNANO Patrizia
		Mr VAN DIJK Peter

Mr Christopher Chope, *ex officio*

United Kingdom/Royaume Uni

Sub-Committee on Rule of Law
Sous-commission sur la prééminence du droit

List of members /Liste des membres

<u>Titular member /</u> <u>Membre titulaire</u>		<u>Alternate member /</u> <u>Membre remplaçant</u>
1.	Mr McNAMARA Michael (Chairperson/Président) (Ireland/ Irlande)	
2.	Mr HÜBNER Johannes (Vice-Chairperson/Vice-Président) Austria / Autriche	Mr GRAF Martin
3.	Mr AGRAMUNT, Pedro Spain / Espagne	
4.	M. BRAZ Félix Luxembourg	
5.	Ms BULAJIC Svetislava Serbia / Serbie	
6.	Mr ÇAVUŞOĞLU Mevlüt Turkey / Turquie	
7.	Mr FARINA Gianni Italy / Italie	M. NESSA Pasquale
8.	M. GARDETTO Jean-Charles Monaco	
9.	Ms HOVHANNISYAN Arpine Armenia/ Arménie	
10.	Ms KAPETANOVIC Nermina Bosnia and Herzegovina/ Bosnie-Herzégovine	
11.	Mme KARAMANLI Marietta France	M. MICHEL Jean-Pierre
12.	Mr KENNEDY Charles United Kingdom / Royaume-Uni	M. EVANS Jonathan
13.	Ms LĪBIŅA-EGNERE Inese Latvia / Lettonie	Mr CILEVIČS Boriss
14.	M. MAHOUX Philippe Belgium / Belgique	Ms DUMERY Daphné
15.	Mr MONTAG Jerzy Germany / Allemagne	
16.	Mr NEILL Robert United Kingdom/ Royaume-Uni	
17.	Mr OMTZIGT Pieter Netherlands / Pays-Bas	Mr DIJKHOFF Klaas
18.	Ms de POURBAIX-LUNDIN Marietta Sweden / Suède	
19.	Ms REPS Mailis Estonia / Estonie	
20.	Mr ROGACKI Adam Poland / Pologne	
21.	Mme ROSEIRA Maria de Belém Portugal	
22.	Mr RYABIKIN Pavlo Ukraine	
23.	Mr SASI Kimmo Finland / Finlande	
24.	Mr STOILOV Yanaki Bulgaria / Bulgarie	
25.	Ms TOMC Romana Slovenia / Slovénie	
26.	Ms TZAKRI Theodora Greece / Grèce	Mr MARIAS Epameinondas
27.	Mr USPASKICH Viktor Lithuania /Lituanie	
28.	Ms WOHLWEND Renate Liechtenstein	
	Mr CHOPE Christopher, <i>ex officio</i> United Kingdom / Royaume-Uni	

Sub-Committee on the Election of Judges to the European Court of Human Rights ***Sous-commission sur l'élection des juges à la Cour européenne des droits de l'homme***

Group of the European People's Party (EPP/CD) / Groupe du Parti populaire européen (PPE/DC)

Titular members / Titulaires

Mr Agustín CONDE BAJÉN	Spain / Espagne
M. Jean-Charles GARDETTO	Monaco
Mr Kimmo SASI	Finland / Finlande
Mr Johann WADEPHUL	Germany / Allemagne
Ms Renate WOHLWEND, Vice-Chairperson	Liechtenstein
ZZ...	
ZZ...	

Alternates / Remplaçants

Mr Şaban DİŞLİ	Turkey / Turquie
Mr Joseph FENECH ADAMI	Malta / Malte
Mr Valeriu GHILETCHI	Republic of Moldova / République de Moldova
Ms Anette HÜBINGER	Germany / Allemagne
Mr Luigi VITALI	Italy / Italie
ZZ...	
ZZ...	

Socialist Group (SOC) / Groupe Socialiste

Titular members / Titulaires

Mr Boriss CILEVIČS	Latvia / Lettonie
M. Pietro MARCENARO	Italy / Italie
Mr Christoph STRÄSSER	Germany / Allemagne
Mr Klaas de VRIES, Chairperson	Netherlands / Pays-Bas
Ms Nataša VUČKOVIĆ	Serbia / Serbie

Alternates / Remplaçants

Mr Arcadio DÍAZ TEJERA	Spain / Espagne
Mme Marietta KARAMANLI	France
Mr Haluk KOÇ	Turkey / Turquie
Mr Michael McNAMARA	Ireland / Irlande
Mme Maria de Belém ROSEIRA	Portugal

Alliance of Liberals and Democrats for Europe (ALDE) / Alliance des Démocrates et des Libéraux pour l'Europe (ADLE)

Titular members / Titulaires

Mr Charles KENNEDY	United Kingdom / Royaume-Uni
Ms Mailis REPS	Estonia / Estonie

Alternates / Remplaçants

Ms Marieluise BECK	Germany / Allemagne
Ms Marina SCHUSTER	Germany / Allemagne

European Democrat Group (EDG) / Groupe démocrate européen (GDE)

Titular members / Titulaires

Mr James CLAPPISON	United Kingdom / Royaume-Uni
Mr Alexey ALEXSANDROV	Russian Federation/ Fédération de Russie

Alternates / Remplaçants

Ms Yuliya L'OVOCHKINA	Ukraine
Mr Robert NIELL	United Kingdom / Royaume-Uni

Group of the Unified European Left (UEL) / Groupe pour la gauche unitaire européenne (GUE)

Titular member / Titulaire

Ms Puriður BACKMAN

Iceland / Islande

Alternate / Remplaçant

Mr George LOUKAIDES

Cyprus / Chypre

ex officio : Mr Christopher CHOPE

United Kingdom / Royaume-Uni