



SECRETARIAT

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30 April 2013

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

### Synopsis of the meeting held in Strasbourg from 23-25 April 2013

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 23-25 April 2013:

- on Tuesday 23 April 2013 at 8.30am, with Mr Christopher Chope (United Kingdom, EDG), in the Chair, as regards:
  - **Frontex: human rights and responsibilities** (*Rapporteur: Mr James Clappison, United Kingdom, EDG*): considered a report tabled by the Committee on Migration, Refugees and Displaced Persons and approved the Committee's opinion including five amendments to the draft resolution and four amendments to the draft recommendation;
  - **The participation of non-member states in Council of Europe conventions** (*Rapporteur: Mr Raphael Huseynov, Azerbaijan, ALDE*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
  - **Refusing the impunity for the killers of Sergei Magnitsky** (*Rapporteur: Mr Andreas Gross, Switzerland, SOC*): heard a statement by the Rapporteur on his recent fact-finding visits to Moscow and London;
  - **Other business:**
    - **Roundtable on human rights defenders** (organised by the Office of the Council of Europe Commissioner for Human Rights, Kyiv, 30-31 May 2013): agreed to the participation of Ms Mailis Reps (Estonia, ALDE) in the framework of her current work as Rapporteur for "Strengthening the protection and role of human rights defenders in Council of Europe member states", subject to the availability of funds;
    - **Conference on "Protecting Whistleblowers"** (Strasbourg, 30-31 May 2013): agreed to the participation of Mr Pieter Omtzigt (Netherlands, EPP/CD), in his capacity as former rapporteur on the issue, subject to the availability of funds;
    - **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the replies to the following recommendations: "An additional protocol to the European Convention on Human Rights on national minorities" and "The International Convention for the Protection of all Persons from Enforced Disappearance";
    - **Sub-Committees:** agreed to the following changes following various departures from the Assembly:
      - Ms Béatrice Fresko-Rolfo (Monaco, NI/NR) – to replace Mr Gardetto on the Sub-Committee on Human Rights
      - Ms Romana Tomc (Slovenia, EPP/CD) – to replace Mr Jakić on the Sub-Committee on Human Rights and on the Sub-Committee on Crime Problems and Fight against Terrorism;
      - Ms Ankie Broekers-Knol (Netherlands, ALDE) – to replace Mr Dijkhoff on the Sub-Committee on Human Rights and on the Sub-Committee on Rule of Law;

- **Threats to the Rule of Law in Council of Europe member states: asserting the Parliamentary Assembly's authority** (*Rapporteur: Ms Marieluise Beck, Germany, ALDE*): agreed to the proposal by the Rapporteur to request the Bureau for an extension of the reference until 30 June 2014;
- **EU accession to the ECHR**: received an update by the Head of Secretariat on progress thus far as concerns the EU's accession to the European Convention on Human Rights;
- **on Tuesday 23 April 2013 at 2pm**, with Mr Christopher Chope (United Kingdom, EDG), in the Chair, as regards:
  - **Keeping political and criminal responsibility separate** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): considered a draft report and adopted a draft resolution;
  - **Exchange of views with the President of the Assembly of the State Parties of the International Criminal Court, Her Excellency Tiina Intelmann**: heard a presentation by the Ambassador and held an exchange of views;
- **on Thursday 25 April 2013 at 8.30am** with first Mr Klaas de Vries (Netherlands, SOC) and then Mr Agustín Conde (Spain, EPP/CD) in the Chair as regards:

With Mr de Vries in the Chair:

- **Sub-Committee on Human Rights**: in the absence of the Chair of the Sub-Committee, Mr Kimmo Sasi (Finland, EPP/CD), heard a report by the secretariat regarding the Sub-Committee's meeting held in Strasbourg on 24 April 2013, 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 Bulgaria, Croatia, Estonia, Germany, Hungary, Luxembourg, Serbia, Spain, Sweden and Switzerland;
- **Appointment of rapporteurs**:
  - General Rapporteur on the Death Penalty: following the departure of Ms Renate Wohlwend (Liechtenstein, EPP/CD) from the Assembly: appointed Ms Marina Schuster (Germany, ALDE);
  - Draft Protocol No.16 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);
- **Follow-up to Bureau decisions**:
  - Joint Conference with the Commonwealth of Independent States (CIS) Parliamentary Assembly, 12 April 2013, St Petersburg: took note of the speech presented by Mr Kimmo Sasi (Finland, EPP/CD) at the conference;
  - The implementation of Resolution 1625 (2008) on the Turkish islands of Gökçeada (Imbros) and Bozcaada (Tenedos) (for information): took note that the Committee had received this reference for information only;
- **Participation of members in conferences, meetings and seminars**:
  - 59<sup>th</sup> GRECO plenary meeting, 18-22 March 2013, Strasbourg: heard a statement by Committee representative, Mr Robert Neill (United Kingdom, EDG);
- **Other business**:
  - **5<sup>th</sup> World Congress Against the Death Penalty**, (Madrid 12-15 June 2013): agreed to the participation of the new General Rapporteur on the Death Penalty, Ms Marina Schuster (Germany, ALDE), subject to the availability of funds;
  - **"Corruption as a threat to the rule of law" debate in June part-session 2013**, agreed at the suggestion of Ms Reps (Estonia, ALDE) to submit a request to the Bureau to invite Ms Huguette Labelle, Chair of the Board of Directors of Transparency International, to address the plenary

session on Wednesday 26 June 2013 on the occasion of Ms Reps' report on "Corruption as a threat to the rule of law";

- **"Revision of the European Convention on transfrontier television"**: heard a request on behalf of the Rapporteur, Mr James Clappison (United Kingdom, EDG), which underlined the need to clarify the relationship with the European Union regarding this subject and agreed to invite the Secretary General of the Council of Europe to an exchange of view during the June 2013 part-session to this end;

With Mr Augustín Conde in the Chair:

- **Reform of the European Human Rights Convention system**: held an exchange of views with Ambassador Ehrenkrona (Chair of the Committee of Ministers' ad hoc Working Party on Reform of the Human Rights Convention system (GT-REF.ECHR));
- **on Thursday 25 April 2013 at 3pm**, with Mr Augustín Conde (Spain, EPP/CD) in the Chair and then Mr Christopher Chope (United Kingdom, EDG) as regards:

With Mr Augustín Conde in the Chair:

- **Draft Protocol No 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms** (Rapporteur: Mr Christopher Chope, United Kingdom, EDG): took position on the 2 amendments to the draft opinion;

With Mr Christopher Chope in the Chair:

- **Appointment of rapporteurs**:
  - Administrative Detention (replacement of Mr Roman Jakič (Slovenia, ALDE)): appointed Mr Augustín Conde (Spain, EPP/CD);
- **Participation of members in conferences, meetings and seminars**:
  - 94<sup>th</sup> plenary session of the European Commission for Democracy through Law (Venice Commission), 8-9 March 2013, heard an account of the meeting by the Committee's representative, M. Christopher Chope (United Kingdom, EDG);

- **Next meetings:**

*Plenary Committee:*

- Izmir (Turkey), 27-28 May 2013
- Strasbourg, during the Assembly's 3<sup>rd</sup> part-session of 2013 (24-28 June 2013)
- Paris, 4 September 2013 (Council of Europe Office)
- Strasbourg, during the Assembly's 4<sup>th</sup> 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

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

- Paris, 12 June 2013 (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 24 April 2013 at 2pm, with Mr Kimmo Sasi (Finland, 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 Bulgaria, Croatia, Estonia, Germany, Hungary, Luxembourg, Serbia, Spain, Sweden and Switzerland;
- **Camp Liberty:** decided to transmit the letter received by the Chair to the Committee on Migration, Refugees and Displaced Persons as the subject matter fell under the latter's competence;
- **Next meeting:** during the June 2013 part-session.

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Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, Aline Usanase, Matthieu Birker

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