



SECRETARIAT

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3 February 2015

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

Synopsis of the meeting held in Strasbourg on 26-29 January 2015

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 26 to 29 January 2015:

- **on Monday 26 January 2015 at 2pm**, with Lord Tomlinson (United Kingdom, SOC), oldest member present, then Mr James Clappison (United Kingdom, EC) in the Chair, as regards:
 - ***Election of the Bureau of the committee***: elected, by acclamation, Mr James Clappison (United Kingdom, EC) as Chairperson, and Mr Michael McNamara (Ireland, SOC), Ms Mailis Reps (Estonia, ALDE), and Mr Şaban Dışli (Turkey, EPP/CD) as 1st, 2nd and 3rd Vice-Chairpersons, respectively;
 - ***Constitution of sub-committees***: agreed to constitute the Committee's three sub-committees, namely:
 - i. Sub-Committee on Crime Problems and the Fight against Terrorism
 - ii. Sub-Committee on Human Rights
 - iii. Sub-Committee on the implementation of judgments of the European Court of Human Rights
 - ***Mass Surveillance*** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
 - ***Human Rights in the North Caucasus: what follow-up to Resolution 1738 (2010)?*** (*Rapporteur: Mr Michael McNamara, Ireland, SOC*): considered an interim information report and decided to authorise a hearing with three representatives of the regional authorities, including the ombudsman's offices, subject to the availability of funds;
 - ***Other business***
 - ***High-Level Human Rights Conference in Brussels, 26 & 27 March 2015***: authorised the Committee's Rapporteur on the "Implementation of judgments of the European Court of Human Rights" (Mr Klaas de Vries, Netherlands, SOC) to participate in this conference, pending an invitation and subject to the availability of funds;
 - ***Nominations for the 2015 Václav Havel Human Rights Prize***: was informed of the call for nominations for this prize and of the deadline for submitting nominations;
 - ***Dates of meetings***: took note of the changes of the dates of two of the Committee's meetings, now to be held on 18 March 2015 in Paris and on 19-20 May 2015 in Yerevan (Armenia);

- **on Tuesday 27 January 2015 at 8.30am with** Mr James Clappison (United Kingdom, EC), then Mr McNamara (Ireland, SOC) in the Chair, as regards:
 - **European institutions and human rights in Europe** (*Rapporteur: Mr Michael McNamara, Ireland, SOC*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
 - **Drones and targeted killings: the need to uphold human rights** (*Rapporteur: Mr Arcadio Díaz Tejera, Spain, SOC*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
 - **Composition of the sub-committees**: approved the composition of the Committee's three sub-committees (see appendix);
 - **Appointment of rapporteurs**:
 - **General Rapporteur on the Death Penalty**: re-appointed Ms Marietta Karamanli (France, SOC) for a second year;
 - **Evaluation of the partnership for democracy in respect of the Parliament of the Kyrgyz Republic (for opinion)** (*Rapporteur for the Committee on Political Affairs and Democracy: Ms Tinatin Khidasheli (Georgia, ALDE)*): appointed Mr Michael McNamara (Ireland, SOC);
 - **Appointment of representatives of the committee**: decided to propose to the Bureau the following nominations for representatives of the Committee to the following bodies for 2015:
 - i. European Commission for Democracy through Law (Venice Commission)
Mr Arcadio Díaz Tejera (Spain, SOC) – titular member
Lord Tomlinson (United Kingdom, SOC) – substitute
 - ii. Council for Democratic Elections (of the Venice Commission)
Mr Michael McNamara (Ireland, SOC) – titular member
Mr José María Beneyto (Spain, EPP/CD) – substitute
 - iii. Group of States against Corruption (GRECO)
Mr Robert Neill (United Kingdom, EC) – titular member
Mr Kimmo Sasi (Finland, EPP/CD) – substitute
 - iv. Moneyval
Mr Pieter Omtzigt (Netherlands, EPP/CD) – titular member
Mr Johannes Hübner (Austria, NR) – substitute;
 - **Participation of members in conferences, meetings, seminars etc.:** heard feedback from Mr Díaz Tejera, who had attended the Venice Commission meeting on 12-13 December 2014, and Mr Beneyto, who had discussed his report on “Accountability of international organisations for human rights violations” with officials at the United Nations in New York in November 2014;
- With Mr Michael McNamara (Ireland, SOC) in the Chair, as regards:
 - **Statement proposed by Mr Yves Cruchten** (*Luxembourg, SOC*), Rapporteur for the report on “How to prevent inappropriate restrictions on NGO activities in Europe”: adopted a statement condemning the decision of the Russian Ministry of Justice to label the 2011 winner of the Assembly's Human Rights Prize, *Komitet Protiv Pytok* (Committee against Torture) as a “foreign agent”;

- **Thursday 29 January 2015 at 8.30am**, as regards:
 - **Sub-Committee on Human Rights**: heard a statement by the Vice-Chairperson Ms Inese Lībiņa-Egnere (Latvia, EPP/CD) with regard to the Sub-Committee's meeting held in Strasbourg on 28 January 2015 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 Slovenia;

- **Administrative Detention** (*Rapporteur: Mr Agustín Conde, Spain, EPP/CD*): decided to postpone consideration of the revised introductory memorandum until the next meeting;
- **Work programme**: took note of the Committee's work programme for 2015 and agreed to the terms of reference for its sub-committees;
- **Participation of members in conferences, meetings, seminars etc. (continuation)**: heard a report from Mr Robert Neill (United Kingdom, EC), its representative at GRECO meetings, which he had attended on 6-10 October and on 8-12 December 2014;
- **Other business (continuation)**
 - **Opinion of the Court of Justice of the EU (CJEU) on the draft agreement on accession of the EU to the European Convention on Human Rights** : took note of the CJEU's negative Opinion with regard to the draft agreement;
 - **Abusive use of the Interpol system: the need for more stringent legal safeguards** (*Rapporteur: Mr Bernd Fabritius, Germany, EPP/CD*): on the proposal by the rapporteur, agreed to hold a hearing at the Committee's meeting in Yerevan on 19-20 May 2015 and to invite two experts, subject to the availability of funds;
 - **Foreign fighters in Syria** (*Rapporteur for the Committee on Political Affairs and Democracy: Mr Dirk Van der Maelen, Belgium, SOC*): agreed to request the Bureau that the Committee be seized for opinion on this report;
 - **Exchange of views with President of the European Committee for the Prevention of Torture (CPT)**: agreed to a proposal by Mr Andreas Gross (Switzerland, SOC), Rapporteur on "The fate of critically ill prisoners in Turkish prisons", to invite Mr Latif Hüseyinov, outgoing President of the CPT, to participate in an exchange of views at the Committee's next meeting in Paris on 18 March 2015;
 - **Mass surveillance** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): on a proposal by the Rapporteur, decided to ask the Bureau to invite Ms Christiane Taubira, Minister of Justice of France, to address the Assembly during the debate on "Mass Surveillance" foreseen for the April 2015 part-session;
 - **Azerbaijan**: took note of a reply by Mr Samad Seyidov, Chairperson of the delegation of Azerbaijan, to the Chairperson's letter (requested by the Committee at its meeting on 10 December 2014) enquiring about the alleged harassment of members of the family of Ms Gulnara Akhundova as well as the arrests of civil society activists who had taken part in events organised by the Committee or its members during the Assembly's part-sessions in Strasbourg;
- **Improving the protection of whistleblowers** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): held and exchange of views with EULEX whistleblower, Ms Maria Bamieh, former UK Prosecutor at EULEX, and a statement by Mr John Kiriakou, former CIA agent, read out by Ms Jesselyn Radack, Attorney, former ethics adviser to the United States Department of Justice and whistleblower (by live video-link). The Committee invited the rapporteur to write to the EU High Representative for External Relations and to the competent United States authorities inviting them to present their views regarding issues raised by the speakers at the hearing.

- **Next meetings:**

Plenary Committee:

Paris, 18 March 2015 (Council of Europe Office)

Strasbourg, during the Assembly's 2nd part-session of 2015 (20-24 April 2015)

Yerevan, Armenia, 19-20 May 2015

Strasbourg, during the Assembly's 3rd part-session of 2015 (22-26 June 2015)

Paris, 3 September 2015 (Council of Europe Office) tbc

Strasbourg, during the Assembly's 4th part-session of 2015 (28 September – 2 October 2015)
Paris, 2 November 2015 (Council of Europe Office) tbc
Paris, 7 December 2015 (Council of Europe Office) tbc

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 27 January 2015 at 2.30pm, with Mr Kimmo Sasi (Finland, EPP/CD), oldest member present, then Ms Meritxell Mateu Pi (Andorra, ALDE), in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Ms Meritxell Mateu Pi (Andorra, ALDE) Chairperson and Ms Inese Lībiņa-Egnere (Latvia, EPP/CD) Vice-Chairperson, both by acclamation;
- **Next meeting:** Wednesday 28 January 2014 at 2pm.

The Sub-Committee on Crime Problems and the Fight against Terrorism (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 27 January 2015 at 2.40pm, with Mr Yves Pozzo di Borgo (France, EPP/CD), oldest member present, in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Yves Pozzo di Borgo (France, EPP/CD) Chairperson and Mr Johannes Hübner (Austria, NR), Vice-Chairperson, both by acclamation;
- **Next meeting:** left it up to the Chairperson to convene the next meeting.

The Sub-Committee on the implementation of judgments of the European Court of Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 27 January 2015 at 2.50pm, with Lord Balfe (United Kingdom, EC), oldest member present, in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Lord Balfe (United Kingdom, EC), Chairperson and Ms Eka Beselia (Georgia, SOC) Vice-Chairperson, both by acclamation;
- **Next meeting:** left it up 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 28 January 2015 at 2pm, with Ms Meritxell Mateu Pi (Andorra, ALDE), then Ms Inese Lībiņa-Egnere (Latvia, 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 Slovenia;
- With Ms Inese Lībiņa-Egnere (Latvia, EPP/CD) in the Chair, as regards:
- **CPT report on intimidation and reprisals towards individuals who denounce ill-treatment :** held an exchange of views with a former staff member of the CPT regarding this subject. The Sub-Committee requested its Chairperson to write to the heads of delegations of the states concerned, as specified in the CPT's Annual Report published in January 2015, to draw their attention to this issue and invite them to report back (by 12 June 2015) on the measures taken to investigate the CPT's findings and, where appropriate, hold the perpetrators to account;
- **Next meetings:** during the Assembly's April 2015 part-session.

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 / Annexe
Composition of Sub-Committees
Composition des sous-commissions

Sub-Committee on Human Rights (28 seats)

Sous-commission des Droits de l'Homme (28 sièges)

List of members
Liste des membres

Titular member / Membre titulaire

Alternate member / Membre remplaçant

Mme	MATEU PI Meritxell (Chairperson/Présidente)	Andorra/Andorre		
Ms	LIBINA-EGNERE Inese (Chairperson/Vice-Présidente)	Latvia/Lettonie	Mr	CILEVIČS Boriss
M.	CORREIA Telmo	Portugal/Portugal		
Mr	DÍAZ TEJERA Arcadio	Spain/ Espagne		
Mr	DİŞLİ Şaban	Turkey/Turquie	Mr	SELVİ Ömer
Mr	GOZI Sandro	Italy/Italie	Ms	BERNINI Anna Maria
Ms	HAIDER Monica	Sweden/Suède	Mr	GUNNARSSON Jonas
Mr	HANZEK Matjaž	Slovenia/ Slovénie		
Mme	HETTO-GAASCH Françoise	Luxembourg		
Ms	HOVHANNISYAN Arpine	Armenia / Arménie		
Ms	HÜBINGER Anette	Germany/Allemagne	Mr	WADEPHUL Johann
Mr	HUSEYNOV Rafael	Azerbaijan/Azerbaïdjan		
Mr	IORDACHE Florin	Romania/Roumanie		
Ms	KAPETANOVIĆ Nermina	Bosnia and Herzegovina/ Bosnie-Herzégovine		
Mr	McNAMARA Michael	Ireland/Irlande		
Mr	NEILL Robert	United Kingdom / Royaume-Uni	Mr	CHOPE Christopher
Mr	NICOLAIDES Nicos	Cyprus/Chypre	Mr	LOUKAIDES George
Mr	OMTZIGT Pieter	Netherlands/Pays-Bas		
M.	RECORDON Luc	Switzerland/Suisse	Mr	GROSS Andreas
Ms	RENNER Martina	Germany / Allemagne		
Ms	REPS Mailis	Estonia/Estonie		
M.	ROCHEBLOINE François	France	Mr	LE BORGNIER Pierre-Yves
Mr	SASI Kimmo	Finland/Finlande		
Mme	TAKTAKISHVILI, Chiora	Georgia / Géorgie		
Mr	TRIANAFYLLOS Konstantinos	Greece/Grèce	M.	TZAVARAS Konstantinos
Mme	van VAERENBERGH Kristien	Belgium/Belgique	Mme	LAHAYE-BATTHEU Sabien
Ms	VUKOSANOVIĆ, Draginja	Montenegro/Monténégro		
Mr	WACH Piotr	Poland/ Pologne		

ex officio: Chairperson AS/JUR, Mr James Clappison

Sub-Committee on Crime Problems and the Fight against Terrorism (28 seats)

Sous-commission sur les problèmes criminels et la lutte contre le terrorisme (28 sièges)

**List of members
*Liste des membres***

<u>Titular member / Membre titulaire</u>	<u>Alternate member /</u>	<u>Membre remplaçant</u>
M. POZZO di BORGO Yves (Chairperson/Président) France		M. GROSDIDIER François
Mr HÜBNER Johannes (Chairperson/Président) Austria / Autriche		
Mr CONDE BAJÉN Agustín	Spain / Espagne	M. DÍAZ TEJERA Arcadio
M. CORREIA Telmo	Portugal	Mme ROSEIRA Maria de Belém
Mr CROSIO Jonny	Italy/ Italie	Mr D'ALLESANDRO Luca
M. DESTEXHE Alain	Belgium / Belgique	Mr MAHOUX Philippe
Mr FLOREA, Daniel	Romania/Roumanie	
Mr HALLIGAN, John	Ireland/Irlande	
Ms HATKA Helena	Poland/Pologne	
Ms HÜBINGER Anette	Germany / Allemagne	Mr WADEPHUL Johann
Mr HUSEYNOV Rafael	Azerbaijan/ Azerbaïdjan	
Mr KAIKKONEN Antti	Finland / Finlande	
Ms KANELLI Liana	Greece / Grèce	Ms PIPILI Foteini
Mr KOÇ Haluk	Turkey/ Turquie	Mr BAYKAL Deniz
Mr LAVESSON Olof	Sweden, Suède	
Mr LOGVYNSKI Georgii	Ukraine	Ms SOTNYK Olena
Mr MARIANI Thierry	France	
Ms MARKOVIC, Milica	Bosnia and Herzegovina/ Bosnie-Herzégovine	
Mr MESTERHAZY Attila	Hungary/ Hongrie	
Ms MILADINOVIC Stefana	Serbia / Serbie	
Mr NEILL Robert	United Kingdom/ Royaume-Uni	
Mr PYLYPENKO Volodymyr	Ukraine	
M. RUSTAMYAN Armen	Armenia / Arménie	
M. SCHWALLER Urs	Switzerland / Suisse	M. COMTE Raphaël
Mr ŠIRCELJ Andrej	Slovenia/Slovénie	
Mr ULLRICH Volker	Germany/ Allemagne	Mr FABRITUS Bernd
Mr de VRIES Klaas	Netherlands / Pays-Bas	Mr VAN DIJK Peter
Ms VUKSANOVIC Draginja	Montenegro / Monténégro	

ex officio: Chairperson AS/JUR, Mr James Clappison

**Sub-Committee on the implementation of judgments of the European Court of
Human Rights (28 seats)**

**Sous-commission sur la mise en œuvre des arrêts de la Cour européenne des
droits de l'homme (28 sièges)**

List of members
Liste des membres

Titular member /
Membre titulaire

Alternate member /
Membre remplaçant

Lord	BALFE(Chairperson/Président)	United Kingdom / Royaume-Uni	
Ms	BESELIA Eka (Vice-Chairperson/Vice-Présidente)	Georgia/ Géorgie	
Ms	BUBLEWICZ Beata	Poland	
Mr	CILEVIČS Boriss	Latvia/Lettonie	
Mr	GHILETCHI Valeriu	Republic of Moldova/ République de Moldova	
Mrs	GORGHIU Alina Ștefania	Romania/ Roumanie	
Mr	GUNNARRSON Jonas	Sweden/ Suède	Ms HAIDER Monica
Ms	HOVHANNISYAN Arpine	Armenia	
Mr	HÜBNER Johannes	Austria / Autriche	Mr SCHERAK Nikolaus
Ms	JONICA, Snežana	Montenegro	
Mme	KARAMANLI, Marietta	France	
M.	LE BORGNIER Pierre-Yves	France	
Ms	LĪBIŅA-EGNERE Inese	Latvia / Lettonie	
Mr	MATUŠIĆ Frano	Croatia / Croatie	
Mr	McNAMARA, Michael	Ireland/ Irlande	
M.	MULARCZYK Arkadiusz	Poland/ Pologne	
Mr	NICOLAIDES Nicos	Cyprus/Chypre	Mr LOUKAIDES, George
M.	RECORDON, Luc	Switzerland/ Suisse	M. COMTE, Raphaël
Mme	ROSEIRA, Maria de Belém	Portugal	
Mr	SASI Kimmo	Finland/Finlande	Mr KAIKKONEN, Antti
Mr	SELVI, Ömer	Turkey / Turquie	Mr DİŞLİ Şaban
Mr	ŠIRCELJ, Andrej	Slovenia/ Slovénie	
Ms	SOTNYK Olena	Ukraine	
Mr	de VRIES Klaas	Netherlands/Pays-Bas	Mr OMTZIGT Pieter
Mr	YEMETS Leonid	Ukraine	Mr LOGVYNSKI Georgii
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ex officio : Chairperson of AS/Jur, Mr James Clappison