



SECRETARIAT

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

Synopsis of the meeting held in Strasbourg on 20-23 April 2015

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 20 to 23 April 2015 with Mr James Clappison (United Kingdom, EC) in the Chair, as regards:

- on Monday 20 April 2015 at 2 pm,
- *Social services in Europe: legislation and practice of the removal of children from their families in Council of Europe member States* (Rapporteur for opinion: Ms Olena Sotnyk, Ukraine, ALDE) (Rapporteur for the Committee on Social Affairs, Health and Sustainable Development: Ms Olga Borzova, Russian Federation, NR): considered a report tabled by the Committee on Social Affairs, Health and Sustainable Development and considered and approved the Committee's opinion;
- *The effectiveness of the European Convention on Human Rights: the Brighton declaration and beyond* (Rapporteur: Mr Yves Pozzo Di Borgo, France, EPP/CD): approved an addendum to the report proposed by the Rapporteur;
- *Appointment of rapporteurs:*
 - Human rights compatibility of investor-State arbitration in international investment protection agreements (for report): appointed Mr José María Beneyto (Spain, EPP/CD);
 - Administrative Detention (for report): reappointment owing to the resignation of Mr Augustín Conde, Spain, EPP/CD, as Rapporteur: appointed Lord Richard Balfe (United Kingdom, EC);
 - Foreign fighters in Syria (for opinion) (Rapporteur for the Committee on Political Affairs and Democracy: Mr Dirk Van der Maelen, Belgium, SOC): appointed Mr Pieter Omtzigt (Netherlands, EPP/CD);
- *Other business:*
 - *Strengthening the rule of law in South-East European countries through targeted reform of the legal system* (Rapporteur: Mr Bernd Fabritius, Germany, EPP/CD): agreed to a request made on behalf of the Rapporteur to hold a hearing on this subject at the Committee's meeting in Yerevan on 19-20 May 2015 and to invite two experts to attend, subject to the availability of funds;
 - *Illegal CIA detentions:* heard a statement by the Chairperson informing the Committee that he had written to the Secretary General of the Council of Europe asking him to request further information from the authorities of states concerned by relevant cases before the European Court of Human Rights;

- ***Reinforcement of the independence of the European Court of Human Rights:*** noted that the Chairperson had written to the Head of the Portuguese delegation concerning his country's non-ratification of the 6th Protocol to the Council of Europe's Agreement on Privileges and Immunities, further to the decision taken on 18 March 2015, and that a response was pending;
 - ***Sub-committees:*** Agreed to a request to change the members of the Greek delegation on Sub-committees as follows:
Ms Athanasia Anagnostopoulou and Ms Liana Kanelli to replace Mr Konstantinos Triantafyllos and Mr Konstantinos Tzavaras as member and alternate respectively on the Sub-Committee on Human Rights, and Mr Evangelos Meimarakis and Ms Eirini Kasimati to replace Ms Liana Kanelli and Ms Foteini Pipili as member and alternate respectively on the Sub-Committee on Crime Problems and the Fight against Terrorism;
 - ***Václav Havel Prize 2015:*** took note of the call for nominations for the Václav Havel Human Rights Prize and the deadline of 30 April 2015 for submitting nominations;
- **on Tuesday 21 April 2015 at 8.30 am,**
 - ***Mass Surveillance* (Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD):** took position on 19 amendments to the draft resolution and draft recommendation;
 - ***Debate under urgent procedure: Opinion on the Draft Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism* (Rapporteur: Lord John E. Tomlinson, United Kingdom, SOC):** considered and approved the Committee's draft opinion (requested by the Committee of Ministers);
 - ***Other business:***
 - ***The fate of critically ill prisoners in Turkish prisons* (Rapporteur: Mr Andreas Gross, Switzerland, SOC):** agreed to the request by the Rapporteur to carry out fact-finding visits to Montenegro, Romania and Turkey and to send out a questionnaire via the European Centre for Parliamentary Research and Documentation (ECPRD) to ask national delegations for information concerning national law and practice on the treatment and/or release of critically ill persons in detention. Agreed to the proposal of the Rapporteur to change the title of the report to "The fate of critically ill detainees in Europe";
 - ***"None of Europe's Children should be Stateless", ENS Conference*, 2-3 June 2015, Budapest:** appointed Mr Boriss Cilevičs (Latvia, SOC) to attend the said conference, in his capacity as former Rapporteur for "Access to nationality and the effective implementation of the European Convention on Nationality", subject to the availability of funds;
 - ***Statement on Rasul Jafarov, Azerbaijani human rights activist:*** adopted a statement proposed by Mr Yves Cruchten (Luxembourg, SOC), Rapporteur on "How to prevent inappropriate restrictions on NGO activities in Europe", regarding the sentencing of Mr Jafarov, an NGO leader and human rights activist;
 - ***Participation of members in conferences, meetings, seminars etc.:*** heard reports by the following representatives on the events they had attended:
 - the Council for Democratic Elections (of the Venice Commission) 19 March 2015: Mr José Beneyto (Spain, EPP/CD);
 - the 102nd plenary session of the European Commission for Democracy through Law (Venice Commission), 21-22 March 2015: Mr Arcadio Díaz Tejera (Spain, SOC);
 - ***Other business:***
 - ***General Rapporteur for Religious Freedom:*** upon proposal by Mr Pieter Omtzigt, invited the Secretariat to prepare draft terms of reference for a possible "General Rapporteur on Religious Freedom" for a forthcoming meeting;

- on Thursday 23 April 2015 at 9 am,
- **Sub-Committee on Human Rights:** heard a statement by the Chairperson of the Sub-Committee with regard to its meeting held in Strasbourg on 21 April 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 delegations of "The former Yugoslav Republic of Macedonia", Andorra, the Slovak Republic, Cyprus, Montenegro, Finland, Iceland, the Czech Republic, Albania and San Marino, and the proposal to invite the Russian Federation to submit a new list. Agreed to invite the Head of the Bulgarian PACE delegation to a forthcoming meeting for an exchange of views on the follow-up given by the Bulgarian authorities to the Public Statement of the CPT with respect to the situation of persons deprived of their liberty in Bulgaria;
- **Debate under urgent procedure: Opinion on the Draft Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism** (Rapporteur: Lord John E. Tomlinson, United Kingdom, SOC): took note that no amendments to the Committee's draft opinion had been tabled;
- **Drones and targeted killings: the need to uphold human rights** (Rapporteur: Mr Arcadio Díaz Tejera, Spain, SOC): took position on 4 amendments to the draft resolution and draft recommendation;
- **Other business**
 - **Sub-Committees:** agreed to add Mr Frank Schwabe and Ms Valentina Buliga to the waiting lists for membership of the Sub-Committee on the implementation of judgments of the European Court of Human and the Sub-Committee on Human Rights, respectively;
 - **Access to justice and the Internet: potential and challenges** (Rapporteur: Mr Jordi Xuclà, Spain, ALDE): agreed to a request by the Rapporteur to hold an additional hearing on this subject during the June 2015 part-session and to invite one expert, subject to the availability of funds;
- **Next meetings:** took note of forthcoming meetings and agreed to cancel the meeting scheduled to be held on 3 September 2015 in Paris;

Plenary Committee:

Yerevan, Armenia, 19-20 May 2015

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

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;

- on Thursday 23 April 2015 at 2 pm,
- **The effectiveness of the European Convention on Human Rights: the Brighton declaration and beyond** (Rapporteur: Mr Yves Pozzo di Borgo, France, EPP/CD): took note that no amendments to the draft resolution and draft recommendation had been tabled;
- **Other business**
 - **Statement on Mr Intigam Aliyev, Azerbaijani human rights lawyer:** adopted the statement proposed by Mr Yves Cruchten (Luxembourg, SOC), Rapporteur on "How to prevent inappropriate restrictions on NGO activities in Europe", regarding the sentencing of Mr Aliyev, a well-known human rights lawyer;

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 21 April 2015 at 2 pm, with Ms Meritxell Mateu Pi (Andorra, ALDE), in the Chair, then Ms Inese Lībiņa-Egnere (Latvia, EPP/CD) in the Chair (for the point on the CPT list for Andorra only), as regards:

- **European Committee for the Prevention of Torture (CPT):** considered and made recommendations to the plenary committee for the lists of candidates to the CPT in respect of "The former Yugoslav Republic of Macedonia", Andorra, the Slovak Republic, Cyprus, Montenegro, the Russian Federation, Finland, Iceland, the Czech Republic, Albania and San Marino;
- **Public statement by the Committee for the Prevention of Torture (CPT) on Bulgaria:** took note of the Chairperson's recent press statement highlighting the seriousness of the situation of persons deprived of their liberty in Bulgaria brought to light by the CPT's recent Public Statement. Decided to propose to the plenary committee to invite the Head of the Bulgarian PACE delegation to an exchange of views on this subject at a future meeting;

The Sub-Committee on Crime Problems and the Fight against Terrorism (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 22 April 2015 at 2 pm, with Mr Yves Pozzo di Borgo (France, EPP/CD), in the Chair, as regards:

- **Security sector reforms adopted in the aftermath of terrorist attacks: what guarantees for human rights?:** held an exchange of views on this subject;

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 23 April 2015 at 8.30 am, with Lord Richard Balfe (United Kingdom, EC) in the Chair, as regards:

- **Future work of the Sub-Committee:** held an exchange of views and agreed to invite representatives of the Committee of Ministers to attend the sub-committee's meeting in October or November 2015 for an exchange of views on how to improve the implementation of judgments of the European Court of Human Rights.

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, Anne-Katrin Speck

cc: Secretary General of the Assembly
Director General, Director 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