



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 21-23 June 2016

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 21 to 23 June 2016:

- on Tuesday 21 June 2016 at 8.30 am, with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:

– **Appointment of rapporteurs:**

**For report:**

*Protecting human rights defenders in Council of Europe member States:* appointed Mr Yves Pozzo di Borgo (France, EPP/CD) and heard a declaration from him of absence of conflict of interests;

*How can inappropriate restrictions on NGO activities in Europe be prevented? (Bureau decision):* appointed Ms Aleksandra Djurović (Serbia, EPP/CD) and heard a declaration from her of absence of conflict of interests;

- **Venice Commission's "Rule of Law Checklist":** held an exchange of views with the participation of Ms Marina Kaljurand, Minister for Foreign Affairs of Estonia, Chair of the Committee of Ministers, Ms Herdis Kjerulf Thorgeirsdottir, Vice-President of the Venice Commission, and Ms Anne Brasseur, former President of the Parliamentary Assembly;

- on Tuesday 21 June 2016 at 2.45 pm, with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:

– **Other business:**

- **Abusive use of the Interpol system: the need for more stringent legal safeguards** (*Rapporteur: Mr Bernd Fabritius, Germany, EPP/CD*): agreed to request the Bureau for an extension of the reference concerning this report until 31 March 2017;

- **Venice Commission's "Rule of Law Checklist":** considered and unanimously adopted a motion for resolution on the subject of the "Rule of Law Checklist" and decided to request the Bureau to be seized for a report on the subject;

- **Securing access of detainees to lawyers** (*Rapporteur: Ms Marietta Karamanli, France, SOC*): held a hearing with the participation of Mr Mark Kelly, Member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) in respect of Ireland, Dublin, Ms Heather McGill, Amnesty International, London, and Ms Marie-Laure Basilien-Gainche, Member of the Trans Europe Experts Network, Professor of Public Law, Jean Moulin University, Lyon 3;

- **on Wednesday 22 June 2016 at 2 pm**, with Mr Morten Wold (Norway, EC) in the Chair, as regards:
  - **Administrative detention** (*Rapporteur: Lord Richard Balfe, United Kingdom, EC*): considered and took position on two amendments to the draft resolution;
  - **World Forum for Democracy**: called on members to indicate their interest in being nominated as members of the ad hoc committee of the Bureau in the World Forum for Democracy in Strasbourg on 7-9 November 2016; nominated Mr Sergio Divina (Italy, NR);
  - **Legal remedies to human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities** (*Rapporteur: Ms Marieluise Beck, Germany, ALDE*): in the absence of the Rapporteur, heard a statement by the Rapporteur presented by the Chairperson and a statement by Ms Kristýna Zelenková (Czech Republic, ALDE), rapporteur for the Committee on Political Affairs and Democracy on “Political consequences of the conflict in Ukraine” and held an exchange of views with the participation of Mr Mustafa Dzhemilev, representative of the Mejlis of the Crimean Tatars, member of the Ukrainian delegation to the Parliamentary Assembly of the Council of Europe, and Mr Omer Fisher, Deputy Head of Human Rights at the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), Warsaw;
  - **Other business**
- **on Thursday 23 June 2016 at 8.30 am**, with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:
  - **Transparency and openness in European institutions** (*Rapporteur: Ms Nataša Vučković, Serbia, SOC*): considered and took position on eight amendments to the draft resolution and draft recommendation;
  - **Call for candidates for rapporteurships**: a call was made for candidates as rapporteurs for the following report and opinions:

**Report:**

*The crash of Polish Air Force Tu-154 transporting the Polish delegation on 10 April 2010 on the Russian Federation's territory* ([Doc. 13628](#));

**Opinions:**

*The “Panama Papers” and the concern about fiscal, social justice and public trust in our democratic system* ([Doc. 14045](#)) (renamed by the Committee on Social Affairs, Health and Sustainable Development as “The need for fiscal and social justice and public trust in our democratic, financial and tax systems”)

(Rapporteur for the Committee on Committee on Social Affairs, Health and Sustainable Development: Mr Stefan Schennach (Austria, SOC));

*Evaluation of the partnership for democracy in respect of the Parliament of the Kyrgyz Republic*  
Rapporteur for the Committee on Political Affairs and Democracy: Mr Alain Destexhe, (Belgium, ALDE);

- **Other business**
  - **Human Rights compatibility of investor-State arbitration in international investment protection agreements”** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): agreed to the request by the Rapporteur to hold an exchange of views on this subject at its meeting on 6 September 2016 and to invite two members of the European Parliament, at no cost to the Assembly;
  - **“25 years of the CPT, achievements and improvements needed”** (*Rapporteur: Mr Jordi Xuclà, Spain, ALDE*): agreed to the request by the Rapporteur to hold a hearing on this subject at its meeting on 6 September 2016 and to invite two experts, subject to the availability of funds;

- **Vaclav Havel Human Rights Prize:** the Chair reminded members of the forthcoming deadline of 30 June 2016 should they wish to propose candidates;

- **Sub-Committee on Human Rights:** agreed to a request by the Romanian delegation to replace Mr Florin Iordache with Ms Alina Gorghiu (Romania, EPP/CD) as titular member (Mr Iordache having left the Assembly) and to the request from the delegation of Bosnia and Herzegovina who proposed Mr Damir Aranut (Bosnia and Herzegovina, EPP/CD) as member;

- **Sub-Committee on the implementation of judgments of the European Court of Human Rights:** agreed to a request from the Croatian delegation who proposed Mr Orsat Miljenić (Croatia, SOC) as a member and to the request from the delegation of Bosnia and Herzegovina who proposed Mr Damir Aranut (Bosnia and Herzegovina, EPP/CD) as a member;

- **United Kingdom Parliament's Joint Committee on Human Rights (JCHR) report on 'The Government's policy on the use of drones for targeted killing':** noted that the JCHR had, in its above-mentioned report, invited the Committee of Ministers to reconsider its reply to the Parliamentary Assembly concerning "Drones and targeted killings: the need to uphold human rights and international law" ([Doc. 13928](#)). The Chair encouraged members to take this up with their own governments and to consider addressing questions to the Committee of Ministers;

- **Azerbaijan's Chairmanship of the Council of Europe: What follow-up on Respect for Human Rights? (Rapporteur: Mr Alain Destexhe, Belgium, ALDE):** heard a statement by the Rapporteur on his visit to Baku on 17-18 June 2016, and especially about his meeting with the President of Azerbaijan, Mr Ilham Aliyev, on the occasion of the presence decided by the Bureau of the Assembly for the repetition of the parliamentary election in constituency No. 90 in Agdash;

- **Implementation of judgments of the European Court of Human Rights (9<sup>th</sup> report) (Rapporteur: Mr Pierre-Yves Le Borgn', France, SOC):** in the absence of the Rapporteur, heard a statement by the Vice-Chairperson of the Sub-Committee on the implementation of judgments of the European Court of Human Rights Ms Eka Beselia (Georgia, SOC) and held a hearing with the participation of Mr Giorgio Malinverni, former judge at the European Court of Human Rights, Honorary Professor at the University of Geneva, Mr Guido Bellatti Ceccoli, Ambassador, Permanent Representative of San Marino to the Council of Europe, Rapporteur of the GR-H group of the Committee of Ministers, Strasbourg, and Ms Betsy Apple, Advocacy Director, Open Society Justice Initiative, New York;

- **Next meetings:** took note of the forthcoming meetings:

*Plenary Committee:*

- Paris, 6 September 2016 (Council of Europe Office)
- Strasbourg, during the Assembly's 4<sup>th</sup> part-session of 2016 (10-14 October 2016)
- Paris, 8 November 2016 (Council of Europe Office), tbc
- Paris, 13 December 2016 (Council of Europe Office), tbc

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**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 June 2016 at 3.15 pm, with Mr Destexhe, (Belgium, ALDE), ex-officio, in the Chair, as regards:

- **Election of the Chairperson of the Sub-Committee:** the Sub-committee did not elect a Chairperson for the third time, due to insufficient presence of its members. Invited the Committee's Chair to write to all members and alternates of the Sub-Committee asking whether they still had an interest in the Sub-Committee and if so, to submit proposals for activities. If there is sufficient interest, a final attempt at electing a bureau would be made during the October part-session 2016, otherwise, the Chair would propose to the plenary Committee to dissolve this Sub-Committee;

- **Next meeting:** during the October part-session 2016 (tbc).

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