



SECRETARIAT

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14 October 2016

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

### Synopsis of the meeting held in Strasbourg on 10-13 October 2016

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 10 to 13 October 2016:

- on Monday 10 October 2016 at 2 pm, with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:

– **Appointment of rapporteurs:**

**For oral opinion:**

*Lessons from the “Panama Papers” to ensure fiscal and social justice (Rapporteur for the Committee on Social Affairs, Health and Sustainable Development: Mr Stefan Schennach, Austria, SOC); (Rapporteur for opinion of the Committee on Political Affairs and Democracy: Mr Dirk van der Maelen, Belgium, SOC):* appointed Mr Mart van de Ven (Netherlands, ALDE) and heard a declaration from him of absence of conflict of interests;

- **Lessons from the “Panama Papers” to ensure fiscal and social justice (Rapporteur for oral opinion: Mr Mart van de Ven, Netherlands, ALDE); (Rapporteur for the Committee on Social Affairs, Health and Sustainable Development: Mr Stefan Schennach, Austria, SOC); (Rapporteur for opinion of the Committee on Political Affairs and Democracy: Mr Dirk van der Maelen, Belgium, SOC):** considered a report tabled by the Committee on Social Affairs, Health and Sustainable Development and considered and approved the Committee’s oral opinion as well as eight amendments on behalf of the Committee;

- **“14<sup>th</sup> World Day against the Death Penalty: terrorism”, 10 October 2016:** heard a statement by the Chair presented on behalf of the former General Rapporteur on the abolition of the death penalty, Ms Meritxell Mateu, (Andorra, ALDE) who has left the Assembly; approved the statement and made a call for candidatures for a new General Rapporteur;

– **Appointment of rapporteurs:**

**For report:**

*“Restricting rights to protect national security – how far can States go?” and “Legal challenges arising from the hybrid war” (two motions to be combined into one report):* appointed Mr Boriss Cilevičs (Latvia, SOC) and heard a declaration from him of absence of conflict of interests;

**For opinion:**

*“The status of journalists in Europe” (Rapporteur for the Committee on Culture, Science, Education and Media: Ms Elvira Drobinski-Weiß, Germany, SOC):* appointed Mr Philippe Mahoux (Belgium, SOC);

- **on Tuesday 11 October 2016 at 8.30 am**, as regards:
  - ***Jurisdictional immunity of international organisations and rights of their staff*** (*Rapporteur: Mr Volker Ullrich, Germany, EPP/CD*): considered an introductory memorandum presented by the Chair in the absence of the Rapporteur and authorised the organisation of a hearing with three experts at one of its forthcoming meetings;
  - ***Call for candidates for rapporteurs:***  
*Opinion on “Draft Protocol amending the Additional Protocol to the Convention on the Transfer of Sentenced Persons (ETS No. 167) and its explanatory report”*: a call was made for candidates as rapporteur for this opinion in anticipation of the reference expected from the Bureau;
  - ***Other business:***
    - ***Sub-Committee on Crime Problems and the Fight against Terrorism:*** agreed not to re-constitute this sub-committee in 2017;
    - ***Sub-Committee on Human Rights:*** agreed to a request from the delegation of Azerbaijan to nominate Mr Vusal Huseynov (EPP/CD) to be a full member of this Sub-Committee;
    - ***Extension of references:*** agreed to request the Bureau to extend the references of the following reports: “The crash of Polish Air Force Tu-154 transporting the Polish delegation on 10 April 2010 on the Russian Federation’s territory” (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*) until 31 January 2018 and “Accession of the European Union to the European Convention on Human Rights: Election of judges” (*Rapporteur: Lord Balfe, United Kingdom, EC*) until 31 December 2017;
    - ***Annual Ticket 2017:*** took note that an invitation from the Andorran delegation to hold the Committee’s meeting in Andorra on 18-19 May 2017 was forthcoming and invited the Chair and Secretariat to follow it up with a view to a final decision to be taken at the following meeting;
  - ***World Forum for Democracy:*** reiterated its call for members to express their interest to join the ad hoc committee of the Bureau to participate in the World Forum for Democracy in Strasbourg on 7-9 November 2016;<sup>1</sup>
- **on Tuesday 11 October 2016, 2 – 3.30pm**, as regards:
  - ***Terrorism: #NoHateNoFear initiative:*** held a joint debate with the participation of Mr Pedro Agramunt, President of the Parliamentary Assembly; Ms Luciana Milani and Mr Antoine Leiris, whose daughter and wife respectively were killed in the Bataclan attack on 13 November 2015 and Mr David Anderson, Q.C., Independent Reviewer of the United Kingdom’s Anti- Terrorism Legislation;
- **on Wednesday 12 October 2016 at 2 pm**, with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:
  - ***Legal remedies to human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities*** (*Rapporteur: Ms Marieluise Beck, Germany, ALDE*): considered and took position on fifteen amendments to the draft resolution;
  - Then with Mr Bernd Fabritius (Germany, EPP/CD) (1<sup>st</sup> Vice-Chair) in the Chair, as regards:
    - ***Co-operation with the International Criminal Court: towards a concrete and expanded commitment*** (*Rapporteur: Mr Alain Destexhe, Belgium, ALDE*): considered and took position on four amendments to the draft resolution;
    - Then again with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:
      - ***Securing access of detainees to lawyers*** (*Rapporteur: Ms Marietta Karamanli, France, SOC*): considered a revised introductory memorandum;

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<sup>1</sup> (the Secretariat later received confirmation from Ms Eka Beselia (Georgia, SOC) of her interest to participate in this ad hoc committee of the Bureau).

- **on Thursday 13 October 2016 at 08.30 am**, with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:
  - **Sub-Committee on Human Rights**: heard a report from Mr Vusal Huseynov (Azerbaijan, EPP/CD), member of the Sub-Committee, on the meeting it held in Strasbourg on Wednesday 12 October 2016 and endorsed the proposals of the Sub-Committee concerning the list of candidates to the European Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT) in respect of Portugal;
  - **Compatibility of Sharia law with the European Convention on Human Rights: can States Parties to the Convention be signatories of the “Cairo Declaration”?** (former Rapporteur: Ms Meritxell Mateu, Andorra, ALDE): considered an introductory memorandum presented by the Chair on behalf of the former Rapporteur. Made a call for a new Rapporteur following the resignation of the current Rapporteur from the Assembly. Agreed to declassify the introductory memorandum and to hold a hearing with two experts once a new Rapporteur is appointed (subject to the availability of funds);
  - **25 years of the CPT, achievements and improvements needed** (Rapporteur: Mr Jordi Xuclà, Spain, ALDE): held a hearing with the participation of Mr Lətif H. Hüseyinov, former Chairperson of the CPT, and Mr Trevor Stevens, former Executive Secretary of the CPT. Authorised the Rapporteur to carry out a fact-finding visit to Turkey and agreed to an exchange of views at the December 2016 meeting with the current Chairperson of the CPT, Mr Mykola Gnatovskyy (both subject to the availability of funds);
  - **Next meetings**: took note of the forthcoming meetings and agreed to cancel the Committee meeting foreseen for 8 November 2016 in Paris.

*Plenary Committee:*

- Paris, 13 December 2016 (Council of Europe Office)
- Strasbourg, during the Assembly's 1<sup>st</sup> part-session of 2017 (23-27 January 2017)
- Paris, 7 March 2017 (to be confirmed)
- Strasbourg, during the Assembly's 2<sup>nd</sup> part-session of 2017 (24-28 April 2017)
- Place to be confirmed, 18-19 May 2017 (subject to approval by the Bureau and the availability of funds)
- Strasbourg, during the Assembly's 3<sup>rd</sup> part-session of 2017 (26-30 June 2017)
- Paris, 5 September 2017 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 4<sup>th</sup> part-session of 2017 (9-13 October 2017)
- Paris, 13 November 2017 (Council of Europe Office) (to be confirmed)
- Paris, 12 December 2017 (Council of Europe Office) (to be confirmed)

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 12 October 2016 at 3.15 pm, with Ms Inese Lībiņa-Egnere (Latvia, EPP/CD) in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT)**: considered and made recommendations to the plenary Committee for the list of candidates to the CPT in respect of Portugal.
- **Next meeting**: during the January part-session 2017.

Günter Schirmer, Agnieszka Szklanna, Isild Heurtin

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