



SECRETARIAT

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

Synopsis of the meeting held in Paris on 7 March 2017

The Committee on Legal Affairs and Human Rights, meeting in Paris on 7 March 2017, with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:

- **Abusive use of the Interpol system: the need for more stringent legal safeguards** (*Rapporteur: Mr Bernd Fabritius, Germany, EPP/CD*): considered a draft report and unanimously adopted a draft resolution;
- **25 years of the CPT, achievements and improvements needed** (*Rapporteur: Mr Jordi Xuclà, Spain, ALDE*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
- **Compatibility of Sharia law with the European Convention on Human Rights: can States Parties to the Convention be signatories of the “Cairo Declaration”?** (*Rapporteur: Mr Antonio Gutiérrez, Spain, SOC*): held a hearing with the participation of Prof. Ruud Peters, University of Amsterdam, the Netherlands, and Prof. Mathias Rohe, Erlangen University, Germany. Authorised a second hearing on the subject to be held at a future Committee meeting and three fact-finding visits to Albania, Turkey and the United Kingdom, subject to the availability of funds;
- **Opinion on the “Draft Protocol amending the Additional Protocol to the Convention on the Transfer of Sentenced Persons (ETS No. 167) and its explanatory report”** (*Rapporteur: Mr Philippe Mahoux, Belgium, SOC*): considered and unanimously adopted a draft Opinion (requested by the Committee of Ministers);
- **Appointment of rapporteurs:**

For report:

- **The case for drafting a European Convention on the profession of lawyer**: appointed Ms Sabien Lahaye-Battheu (Belgium, ALDE);
- **Strengthening international regulations against trade in goods used for torture and the death penalty**: appointed Mr Vusal Huseynov (Azerbaijan, EPP/CD) and heard from him a declaration of absence of conflict of interest;

For opinion:

- **Detainees with severe disabilities in Europe** (*Rapporteur for the Committee on Equality and Non-Discrimination: Mr Manuel Tornare, Switzerland, SOC*): appointed Mr Pierre-Alain Fridez (Switzerland, SOC) and heard from him a declaration of absence of conflict of interest;

- **Call for rapporteurs:** a call was made for candidates as rapporteur for the following opinion:
 - **Addressing forced marriage: legal provisions and promising practices** (*Rapporteur for the Committee on Equality and Non-Discrimination: Ms Béatrice Fresko-Rolfo, Monaco, EPP/CD*);
- **European Court of Human Rights: the way forward, achievements and challenges:** decided to hold a parliamentary seminar on this subject during the June part-session and to invite four experts, subject to the availability of funds;
- Then with Mr Frank Schwabe (Germany, SOC), 2nd Vice-Chair, presiding:
- **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 regarding his fact-finding visit to Baku on 9-10 February 2017. Considered the letter concerning the case of Ilgar Mammadov that was sent by the Rapporteur on behalf of the Committee to the President of Azerbaijan, and took note of the reply of the Azerbaijani authorities to this letter;
- **Towards a democratic approach to the issues of governance in European multinational States** (*Rapporteur: Mr Alain Destexhe, Belgium, ALDE*): considered an introductory memorandum, exchanged views on whether to prepare an information report instead of a full report and asked the Rapporteur to make a proposal to this end at a future meeting. Authorised the Rapporteur to hold, if appropriate, a hearing on the subject and to invite two experts, subject to the availability of funds;
- Continuing with Mr Alain Destexhe (Belgium, ALDE) in the Chair:
- **State of emergency: proportionality issues concerning derogations under Article 15 of the European Convention on Human Rights** (*Rapporteur: Mr Raphaël Comte, Switzerland, ALDE*): considered and declassified an information note with a view to the Rapporteur transmitting it to the Joint Committee on Human Rights of the United Kingdom’s parliament, in response to the latter’s call for written contributions on the subject;
- **Addressing the massive curtailment of democratic rights and freedoms in Israel, especially the “Transparency Law”/“NGO Law”:** agreed to postpone this item to its meeting during the April part-session of the Assembly;
- **Other business:**
 - **Workshop on “Derogation from the European Convention on Human Rights under Contemporary Situations of Emergency: Law, Theory and Practice” (4 May 2017, University of de Graz):** authorised the participation of Mr Raphaël Comte (Switzerland, ALDE), Rapporteur for “State of emergency: proportionality issues concerning derogations under Article 15 of the European Convention on Human Rights”, subject to the availability of funds;
 - **Vaclav Havel Human Rights Prize:** reminded members of deadline of 30 April 2017 for submissions of candidates;
 - **Prosecuting and punishing the crimes against humanity or even possible genocide committed by Daesh** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): authorised the Rapporteur to hold a hearing on the subject during the April part-session and to invite four experts, subject to the availability of funds;
- **Next meetings:** took note of the forthcoming meetings:

Plenary Committee:

 - Strasbourg, during the Assembly’s 2nd part-session of 2017 (24-28 April 2017)
 - Belgrade, Serbia, 18-19 May 2017 (subject to the availability of funds)
 - Strasbourg, during the Assembly’s 3rd part-session of 2017 (26-30 June 2017)
 - Paris, 5 September 2017(Council of Europe Office) (to be confirmed)

- Strasbourg, during the Assembly's 4th 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)

Günter Schirmer, David Milner, 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