



SECRETARIAT

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7 September 2017

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

Synopsis of the meeting held in Paris on 5 September 2017

The Committee on Legal Affairs and Human Rights, meeting in Paris on 5 September 2017, with Mr Alain Destexhe (Belgium, ALDE) in the Chair, as regards:

- ***New threats to the rule of law in Council of Europe member States: selected examples*** (*Rapporteur: Mr Bernd Fabritius, Germany, EPP/CD*): considered a draft report and adopted a draft resolution;

With Mr Bernd Fabritius (Germany, EPP/CD), 1st Vice-Chairperson, in the Chair as regards:

- ***Azerbaijan's Chairmanship of the Council of Europe: What follow-up on Respect for Human Rights?*** (*Rapporteur: Mr Alain Destexhe, Belgium, ALDE*): considered a draft report and unanimously adopted a draft resolution; took note of the requests by Mr Pieter Omtzigt (Netherlands, EPP/CD), joined by Ms Anne Brasseur (Luxembourg, ALDE), Ms Thorhildur Sunna Ævrsdottir (Iceland, NR), Ms Kerstin Lundgren (Sweden, ALDE), Mr Frank Schwabe (Germany, SOC) and Mr Mart van de Ven (the Netherlands, ALDE), Mr Samvel Farmanyan (Armenia, EPP/CD) and Mr Constantinos Efstathiou (Cyprus, SOC) that each would submit a dissenting opinion to this report;

With Mr Alain Destexhe (Belgium, ALDE) in the Chair as regards:

- ***Prosecuting and punishing the crimes against humanity or even possible genocide committed by Daesh*** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): considered a draft report and unanimously adopted a draft resolution; agreed to the rapporteur's request to declassify the replies to the questionnaire issued in the context of the preparation of his report;
- ***Counter-Narratives to Terrorism*** (*Rapporteur: Mr Liam Byrne, United Kingdom, SOC*): considered an introductory memorandum;
- ***The case for drafting a European Convention on the profession of lawyer*** (*Rapporteur: Ms Sabien Lahaye-Battheu, Belgium, ALDE*): considered an introductory memorandum; authorised the Rapporteur to hold two hearings on the subject, subject to the availability of funds; and authorised the Rapporteur's participation in the National Convention of the French Conseil National des Barreaux (Bordeaux, France, 18-21 October 2017), subject to the availability of funds;
- ***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 Mr Konstantinos Tsitselikis, Professor in Human Rights Law and International Organisations at the University of Macedonia (Thessaloniki, Greece), and Ms Machteld Zee, political scientist and legal scholar, author of the book "Choosing Sharia?: Multiculturalism, Islamic Fundamentalism and Sharia Councils", and agreed to hold a further hearing with Professor Mona Siddiqui, Chair of the independent review into the application of sharia law in

England and Wales, Professor of Islamic and inter-religious studies at the University of Edinburgh, at its meeting in December 2017;

– **Appointment of rapporteurs:**

For report:

Co-operation with United Nations human rights mechanisms – a challenge for the Council of Europe and its member States: agreed to return to the point during the October 2017 part-session;

Draft Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 108) and its Explanatory Report: subject to future referral of the matter to the Committee by the Bureau, appointed Mr Raphaël Comte (Switzerland, ALDE), heard from him a declaration of absence of conflict of interest and agreed to hold an exchange of views with a representative of the Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data during the October 2017 part-session;

For opinion:

Evaluation of the partnership for democracy in respect of the Parliament of Jordan (Rapporteur for the Committee on Political Affairs and Democracy: Ms Josette Durrieu, France, SOC): appointed Mr Andrea Rigoni (Italy, ALDE) 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 reports and opinion:

For report:

Extradition requests and the abuse of process

The implementation of judgments of the European Court of Human Rights (10th report)

For opinion:

Establishment of a European Union mechanism on democracy, the rule of law and fundamental rights (Rapporteur for the Committee on Rules of Procedure, Immunities and Institutional Affairs: Ms Petra De Sutter (Belgium, SOC));

– **Reference from the Bureau to be taken into account in the preparation of a current report:** took note of the Bureau's request to take into account a new motion on "*Enhancing co-operation between Council of Europe member States to meet new challenges in the fight against organised crime and money laundering*" [[Doc. 14311](#)] in the preparation of the report currently in progress on "*Fighting organised crime by facilitating the confiscation of illegal assets*" (Rapporteur: Mr Mart van de Ven, Netherlands, ALDE) and agreed to request the Bureau to refer the new motion to the Committee for a separate report;

– **Participation of members in conferences, meetings, seminars etc:** heard a report by Lord Richard Balfe (United Kingdom, EC) on the Council for Democratic Elections (of the Venice Commission) held on 15 June 2017;

– **Other business:**

- **Strengthening international regulations against trade in goods used for torture and the death penalty** (Rapporteur: Mr Vusal Huseynov, Azerbaijan, EPP/CD): agreed to the request of the Rapporteur to send out a questionnaire in the context of the preparation of his report;

- **3rd IPCAN (Independent Police Complaints Authorities' Network) conference (Strasbourg, 14-15 September 2017) on the "Respect of fundamental rights in the context of the fight against terrorism organised by "Défenseur des Droits" and the Council of Europe:** authorised Mr Raphaël Comte (Switzerland, ALDE), Rapporteur for "State of emergency: proportionality issues concerning derogations under Article 15 of the European Convention on Human Rights" to participate, subject to the availability of funds;

- **Parliamentary Seminar on the “European Court of Human Rights: the way forward, achievements and challenges”**: heard a statement by the Chairperson about the seminar which took place on 27 June 2017 in Strasbourg and decided to come back to the issue of possible follow-up at its next meeting;

- **World Forum for Democracy**: took note that Mr Samvel Farmanyanyan (Armenia, EPP/CD) would participate in the Forum in addition to the previous members nominated to represent the Committee;

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

Plenary Committee:

- 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)

Günter Schirmer, David Milner, Agnieszka Szklanna, Isild Heurtin

Copy to:

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