



SECRETARIAT

AS/Jur (2018) CB 01 Rev
31 January 2018

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

Synopsis of the meeting held in Strasbourg on 22-25 January 2018

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 22 to 25 January 2018:

- **on Monday 22 January 2018 at 2pm**, with Mr Mart van de Ven (Netherlands, SOC), oldest member present, then Mr Frank Schwabe (Germany, SOC) in the Chair, as regards:
 - **Election of the Bureau of the Committee:** elected, by acclamation, Mr Frank Schwabe (Germany, SOC) as Chairperson and Ms Olena Sotnyk (Ukraine, ALDE) as 1st Vice-Chairperson, and decided to postpone the election of the 2nd and 3rd Vice-Chairpersons to a later meeting during the week;
 - **Constitution of Sub-Committees:** agreed to constitute the Committee's three sub-committees, namely:
 - i. Sub-Committee on Human Rights
 - ii. Sub-Committee on Crime Problems and the Fight against Terrorism
 - iii. Sub-Committee on the implementation of judgments of the European Court of Human Rights;
 - **State of emergency: proportionality issues concerning derogations under Article 15 of the European Convention on Human Rights** (*Rapporteur: Mr Raphaël Comte, Switzerland, ALDE*): considered a draft report and unanimously adopted a draft resolution and draft recommendation;
- **on Tuesday 23 January 2018 at 8.30am**, as regards:
 - **Composition of Sub-Committees:** approved the composition of the Committee's three sub-committees (see appendix for final list including subsequent changes during the week);
 - **Appointment of representatives of the Committee:** decided to propose to the Bureau the following nominations for representatives of the Committee to the following bodies for 2018:
 - i. European Commission for Democracy through Law (Venice Commission)
Mr Sergiy Vlasenko (Ukraine, EPP/CD) – titular member
Mr Corneliu Mugurel Cozmanciuc (Romania, EPP/CD) – substitute
 - ii. Council for Democratic Elections (of the Venice Commission)
Mr Lord Richard Balfe (United Kingdom, EC) – titular member
Ms Eka Beselia (Georgia, SOC) – substitute
 - iii. Group of States against Corruption (GRECO)
Mr Georgii Logvynskyi (Ukraine, EPP/CD) – titular member
Ms Olena Sotnyk (Ukraine, ALDE) – substitute

- iv. Moneyval
 - Mr Titus Corlăţean (Romania, SOC) – titular member
 - Mr Mart van de Ven (Netherlands, ALDE) – substitute;

– **Appointment of rapporteurs:**

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 Ms Thorhildur Sunna Æversdóttir (Iceland, SOC) and heard from her a declaration of absence of conflict of interest;

For report:

The principles and guarantees of advocates: heard a declaration of absence of conflict of interest from Mr Georgii Logvynskyi (Ukraine, EPP/CD) following his appointment on 12 December 2017;

Ombudsman Institutions in Europe – the need for a set of common standards: heard a declaration of absence of conflict of interest from Lord Richard Balfe (United Kingdom, EC) following his appointment on 12 December 2017;

New challenges in the fight against organised crime and money-laundering – the need to improve international cooperation: heard a declaration of absence of conflict of interest from Mr Mart van de Ven (The Netherlands, ALDE) following his appointment on 12 December 2017;

- **Václav Havel Human Rights Prize 2018: call for nominations:** noted the procedure and deadline of 30 April 2018 for submissions of candidates, including the relevant information on the [website](#);

- **The implementation of judgments of the European Court of Human Rights – 10th report (Rapporteur: Mr Evangelos Venizelos, Greece, SOC):** considered an introductory memorandum and agreed to the rapporteur's request to send a letter to national delegations about the state of play of implementation of Resolution 2178 (2017) and to hold two hearings, one with the Council of Europe Commissioner for Human Rights, representatives of the Committee of Ministers and the Registry of the European Court of Human Rights, and one with representatives of the European Commission for Democracy through Law (Venice Commission), and of civil society and an academic expert, subject to the availability of funds;

- **How can inappropriate restrictions on NGO activities in Europe be prevented? (Rapporteur: Mr Yves Cruchten, Luxembourg, SOC) - Protecting human rights defenders in Council of Europe member States (Rapporteur: Mr Egidijus Vareikis, Lithuania, EPP/CD):** held a hearing with the participation of Mr Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, Ms Anna Rurka, President of the Conference of the INGOs of the Council of Europe and Mr Konstantin Baranov, member of the board of the International Youth Human Rights Movement, Russia. Heard a declaration of absence of conflict of interest from the Rapporteur for “Protecting human rights defenders in Council of Europe member States”, Mr Vareikis, who was appointed in his absence at the meeting on 12 December 2017, and agreed to hold a hearing with up to three experts (subject to availability of funds) and to request the Bureau to prolong the reference for this report until 30 September 2018;

- **Wednesday 24 January 2018 at 2pm, as regards:**

- **Election of the 2nd and 3rd Vice-Chairpersons of the Committee:** elected, by acclamation, Mr Vusal Huseynov (Azerbaijan, EPP/CD) and Mr Samvel Farmanyan (Armenia, EPP/CD) as Vice-Chairpersons, the order of precedence to be determined at a subsequent meeting;

- **Fighting organised crime by facilitating the confiscation of illegal assets (Rapporteur: Mr Mart van de Ven, Netherlands, ALDE):** considered a draft report and unanimously adopted a draft resolution;

- **The case for drafting a European Convention on the profession of lawyer (Rapporteur: Ms Sabien Lahaye-Battheu, Belgium, ALDE):** took position on four amendments to the draft recommendation;

- **Other business:**
 - **Composition of Sub-Committees:** took note of further requests and modifications concerning membership of the three sub-committees (see Appendix for final list);
 - **“Defining guidelines for international NGOs”:** agreed to request the Bureau to be seized for opinion on the report on “Defining guidelines for international NGOs” being prepared by the Committee on Migration, Refugees and Displaced Persons (*Rapporteur: Ms Daphné Dumery, Belgium, NR*);
- **Current human rights issues:** held an exchange of views on relevant issues raised by members;
- **Thursday 25 January 2018 at 9.15am**, as regards:
 - **Vice-Chairpersons:** took note of information received from the EPP/CD group regarding the order of their nominations for Vice-Chairpersons as follows: Mr Vusal Huseynov (Azerbaijan) as 2nd Vice-Chairperson and Mr Samvel Farmanyan (Armenia) as 3rd Vice-Chairperson¹;
 - **Sub-Committee on Human Rights:** heard a report by Ms Azadeh Rojhan Gustafsson (Sweden, SOC), Vice-Chairperson of the Sub-Committee, on the meeting held in Strasbourg on Wednesday 24 January 2018 and endorsed the proposal of the Sub-Committee concerning the list submitted by the delegation of Spain for transmission to the Bureau;
 - **Ombudsman Institutions in Europe – the need for a set of common standards** (*Rapporteur: Lord Richard Balfe, United Kingdom, EC*): considered an introductory memorandum and held an exchange of views with the participation of Mr Jan Helgesen, member of the Venice Commission in respect of Norway and Chair of the Scientific Council; agreed to hold a further hearing with 2 experts at a future meeting, subject to the availability of funds;
- **on Thursday 25 January 2018 at 2pm**, as regards:
 - **Jurisdictional immunity of international organisations and rights of their staff** (*Rapporteur: Mr Volker Ullrich, Germany, EPP/CD*): took position on five amendments to the draft resolution and two to the draft recommendation;
 - **Strengthening international regulations against trade in goods used for torture and the death penalty** (*Rapporteur: Mr Vusal Huseynov, Azerbaijan, EPP/CD*): took note that no amendments had been tabled to the draft recommendation;
 - **Work programme of the Committee: Priorities for 2018:** held an exchange of views on and took note of the Committee’s work programme for 2018;
 - **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the reply from the Committee of Ministers to Assembly [Recommendation 2100 \(2017\)](#) on “25 years of the CPT: achievements and areas for improvement”;
- **Other business:**
 - **Information documents:** took note of two newly updated Committee information documents, “Work of the Committee on Legal Affairs and Human Rights (AS/Jur): an overview” and “Overview of core Council of Europe human rights monitoring mechanisms and related activities”;
 - **Annual ticket:** agreed to accept the invitation from the delegation of Iceland to meet in Reykjavik, Iceland, on 22-23 May 2018, subject to approval by the Bureau and the availability of funds;
 - **“Symposium on “Religious Values, Human Rights”** (Birmingham, United Kingdom, 14 February 2018): agreed to the participation of Mr Liam Byrne (United Kingdom, SOC), rapporteur on “Counter-narratives to terrorism”, in a symposium on “Religious Values, Human Rights” to be held in Birmingham, United Kingdom on 14 February 2018, at no cost to the Assembly;

¹ Further information was subsequently received from the EPP/CD group nominating Mr Samvel Farmanyan (Armenia) as 2nd Vice-Chairperson and Mr Vusal Huseynov (Azerbaijan) as 3rd Vice-Chairperson.

- **Composition of Sub-Committees:** took note of further requests and modifications concerning membership of the three sub-committees (see Appendix for final list);

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

Plenary Committee:

- Paris, 14 March 2018 (Council of Europe Office)
- Strasbourg, during the Assembly's 2nd part-session of 2018 (23-27 April 2018)
- Reykjavik, Iceland, 22-23 May 2018, (subject to approval by the Bureau and the availability of funds)
- Strasbourg, during the Assembly's 3rd part-session of 2018 (25-29 June 2018)
- Paris, 10 September 2018 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 4th part-session of 2018 (8-12 October 2018)
- Paris, 12 November 2018 (Council of Europe Office) (to be confirmed)
- Paris, 11 December 2018 (Council of Europe Office) (to be confirmed)

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Tuesday 23 January 2018 at 3pm, with Ms Anne Brasseur (Luxembourg, ALDE), oldest member present, then Mr Şaban Dişli (Turkey, EPP/CD) in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Şaban Dişli (Turkey, EPP/CD) Chairperson by secret ballot, and Ms Azadeh Rojhan Gustafsson (Sweden, SOC), Vice-Chairperson, by acclamation;
- **Next meeting:** Wednesday 24 January 2018 at 3pm.

The Sub-Committee on Crime Problems and the Fight against Terrorism (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Tuesday 23 January 2018 at 3.10pm, with Ms Anne Brasseur (Luxembourg, ALDE) oldest member present, in the Chair, then Mr Georgii Logvynskyi (Ukraine, EPP/CD) as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Georgii Logvynskyi (Ukraine, EPP/CD) Chairperson, and Mr Corneliu Mugurel Cozmanciuc (Romania, EPP/CD), Vice-Chairperson, both by acclamation;
- **Next meeting:** left it up to the Chairperson to convene the next meeting.

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 Tuesday 23 January 2018 at 3.20pm, with Mr Boriss Cilevičs (Latvia, SOC), oldest member present, in the Chair, then Ms Eka Beselia (Georgia, SOC) as regards:

- **Election of the Sub-Committee's Bureau:** elected Ms Eka Beselia (Georgia, SOC) Chairperson by acclamation and postponed the election of a Vice-Chairperson until the next meeting of the Sub-committee owing to the fact that eligible candidates present were potential candidates as Vice-Chairpersons for plenary committees and awaiting the outcome of these nominations by their political group;
- **Next meeting:** left it up to the Chairperson to convene the next meeting.

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Wednesday 24 January 2018 at 3pm, with Mr Şaban Dişli (Turkey, EPP/CD) in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT)**: considered the list of candidates to the CPT in respect of Spain; decided to recommend to the plenary committee that it propose to the Bureau that the list be rejected and the Spanish delegation invited to submit a new list;
- **Next meeting**: during the April part-session 2018.

Günter Schirmer, David Milner, Agnieszka Szklanna

Copy to:

Secretary General of the Assembly
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

Appendix / Annexe
Composition of Sub-Committees
Composition des sous-commissions

Sub-Committee on Human Rights (29 seats)
Sous-commission des Droits de l'Homme (29 sièges)
List of members
Liste des membres

<u>Titular member / Membre titulaire</u>		<u>Alternate member / Membre remplaçant</u>	
1.	Mr DİSLİ Şaban (Chair/ Président)	Turkey/ Turquie	Mr YENEROĞLU Mustafa
2.	Ms ROJHAN GUSTAFSSON Azadeh (VC/VP)	Sweden/Suède	Mr GUNNARSSON Jonas
3.	Mr AIELLO Ferdinando	Italy/Italie	Ms BERNINI Anna Maria
4.	Ms ANTTILA Sirkka-Liisa	Finland/ Finlande	
5.	Mr ARNAUT Damir	Bosnia and Herzegovina/ Bosnie-Herzégovine	
6.	Ms BARDELL Hannah	United Kingdom/ Royaume-Uni	Mr SHEPPARD Tommy
7.	Ms BAYR Petra	Austria/Autriche	
8.	Mme BRASSEUR Anne	Luxembourg	Mr CRUCHTEN Yves
9.	Mr CANNEY Seán	Ireland/ Irlande	
10.	M. GATTOLIN André	France	M. WASERMAN Sylvain
11.	M. GERMANN Hannes	Switzerland/Suisse	Mr COMTE Raphaël
12.	Ms GORGHIU Alina-Ştefania	Romania/Roumanie	Mr CORLĂȚEAN Titus
13.	Mr. GUTIÉRREZ LIMONES Antonio	Spain/ Espagne	
14.	Mr HASANOV Elshad	Azerbaijan/Azerbaïdjan	
15.	Mr HUSEYNOV Vusal	Azerbaijan/Azerbaïdjan	
16.	Mr IBRAHIMOVIC Ervin	Montenegro/ Monténégro	
17.	Ms JENSEN Gyde	Germany/Allemagne	Mr KLEINWÄCHTER Norbert
18.	Ms LIBINA-EGNERE Inese	Latvia/Lettonie	Mr CILEVIČS Boriss
19.	Mr LOGVYNSKYI Georgii	Ukraine	
20.	Mme LOUIS Alexandra	France	
21.	Mr MAKHMUDYAN Rustam	Armenia / Arménie	
22.	Mr MILEWSKI Daniel	Poland/ Pologne	
23.	Ms RIBERAYGUA Patricia	Andorra/ Andorre	
24.	Mr STIER Davor Ivo	Croatia/ Croatie	Mr HAJDUKOVIĆ Domogoj
25.	Ms SUPAC Inna	Republic of Moldova/ République de Moldova	
26.	Ms TOMIĆ Aleksandra	Serbia/Serbie	
27.	Mr TZAVARAS Konstantinos	Greece / Grèce	Mr VENIZELOS Evangelos
28.	Mme van VAERENBERGH Kristien	Belgium / Belgique	Mme LAHAYE-BATTHEU Sabien
29.	Mr ZINGERIS Emanuelis	Lithuania / Lituanie	Mr VAREIKIS Egidius

ex officio: Chairperson of AS/Jur, Mr Frank Schwabe, Germany, SOC

Sub-Committee on Crime Problems and the Fight against Terrorism (29 seats)
Sous-commission sur les problèmes criminels et la lutte contre le terrorisme (29 sièges)

List of members
Liste des membres

<u>Titular member / Membre titulaire</u>			<u>Alternate member / Membre remplaçant</u>		
1.	Mr	LOGVYNSKYI Georgii (Chair/ Président)	Ukraine		
2.	Mr	COZMANCIUC Corneliu-Mugurel (VC/VP)	Romania/Roumanie	Mr	SOCOTAR Gheorghe-Dinu
3.	Ms	ÅBERG Boriana	Sweden, Suède		
4.	Lord	ANDERSON	United Kingdom/ Royaume-Uni	Mr	WHITFIELD Martin
5.	Ms	BESELIA Eka	Georgia/ Géorgie		
6.	Mr	BEYER Peter	Germany/Allemagne	Mr	BERNHARD Marc
7.	Mme	BRASSEUR Anne	Luxembourg		
8.	Mr	CANNEY Seán	Ireland/ Irlande		
9.	Mr	DIVINA Sergio	Italy/ Italie		
10.	Mr	FARMANYAN Samvel	Armenia/Arménie		
11.	M.	FRIDEZ Jean-Pierre	Switzerland / Suisse	M.	GERMANN Hannes
12.	M.	GOUTTEFARDE Fabien	France	M.	GROSDIDIER François
13.	Mr	GRAF Martin	Austria/Autriche		
14.	Mr	HASANOV Elshad	Azerbaijan/Azerbaïdjan		
15.	Mr	HUSEYNOV Vusal	Azerbaijan/Azerbaïdjan		
16.	Mr	KLEINWÄCHTER Norbert	Germany/ Allemagne	Ms	JENSEN Gyde
17.	Mr	KOÇ Haluk	Turkey/ Turquie		
18.	M.	LACROIX, Christophe	Belgium / Belgique	M.	DESTREBECQ Olivier
19.	Mr	MARQUES Duarte	Portugal		
20.	Mr	MESTERHÁZY Attila	Hungary/ Hongrie		
21.	Mr	PAKALÉN Tom	Finland/ Finlande		
22.	Ms	PAVIĆEVIĆ Sanja	Montenegro/ Monténégro		
23.	Mr	PSYCHOGIOS Georgios	Greece / Grèce	Ms	KANELLI Liana
24.	Mr	REICHARDT André	France	Mr	BECHT Olivier
25.	Mr	ŠIRCELJ Andrej	Slovenia/Slovénie		
26.	ZZ				
27.	ZZ				
28.	ZZ				
29.	ZZ				

ex officio: Chairperson of AS/Jur, Mr Frank Schwabe, Germany, SOC

Sub-Committee on the implementation of judgments of the European Court of Human Rights
(29 seats)
Sous-commission sur la mise en œuvre des arrêts de la Cour européenne des droits de l'homme
(29 sièges)

List of members / Liste des membres

<u>Titular member / Membre titulaire</u>			<u>Alternate member / Membre remplaçant</u>		
1.	Ms	BESELIA Eka (Chair/Présidente)	Georgia/ Géorgie	Ms	CHUGOSHVILI Tamar
2.	ZZ	(Vice-Chair/ Vice-Président(e))			
3.	Ms	ANTTILA Sirkka-Liisa	Finland/ Finlande		
4.	Mr	CHALK Alex	United Kingdom/ Royaume-Uni	Sir	LEIGH Edward
5.	Mr	CILEVIČS Boriss	Latvia / Lettonie		
6.	Mr	CROWE Seán	Ireland/ Irlande		
7.	Mrs	GORGHIU Alina Ștefania	Romania / Roumanie	Mr	CORLATEAN Titus
8.	Mr	GUNNARRSON Jonas	Sweden / Suède	Ms	ROJHAN GUSTAFSSON Azadeh
9.	M.	JORDANA Carles	Andorra / Andorre		
10.	Ms	LAHAYE-BATTHEU Sabien	Belgium/Belgique	M.	LACROIX Christophe
11.	Ms	LĪBIŅA-EGNERE Inese	Latvia / Lettonie		
12.	M.	MÜLLER Thomas	Switzerland / Suisse	M.	FRIDEZ Pierre-Alain
13.	Ms	PAVIČEVIĆ Sanja	Montenegro/ Monténégro		
14.	Mr	RIGONI Andrea	Italy / Italie		
15.	Mr	ŠIRCELJ, Andrej	Slovenia / Slovénie		
16.	Ms	SOTNYK Olena	Ukraine		
17.	Mr	STIER Davor Ivo	Croatia / Croatie		
18.	Mr	ULLRICH Volker	Germany/ Allemagne	Ms	AKBULUT Gökay
19.	M.	VALLINI André	France		
20.	Mr	VENIZELOS Evangelos	Greece / Grèce	Mrs	KANELLI Liana
21.	Mr	VLASENKO Sergiy	Ukraine		
22.	M.	WASERMAN Sylvain	France	M.	GOUTTEFARDE Fabien
23.	Mr	YEMETS Leonid	Ukraine		
24.	Mr	YENEROĞLU Mustafa	Turkey/Turquie	Mr	DİSLİ Şaban
25.	Ms	ZOTEA Alina	Republic of Moldova/ République de Moldova		
26.	ZZ				
27.	ZZ				
28.	ZZ				
29.	ZZ				

ex officio: Chairperson of ASI/Jur, Mr Frank Schwabe, Germany, SOC