



SECRETARIAT

AS/Jur (2018) CB 02

16 March 2018

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

Synopsis of the meeting held in Paris on 14 March 2018

The Committee on Legal Affairs and Human Rights, meeting in Paris on 14 March 2018, with Ms Olena Sotnyk (Ukraine, ALDE) 1st Vice-Chairperson in the Chair, as regards:

- **Communication by the Vice-Chairperson:** heard a statement by the Vice-Chairperson concerning the Parliamentary Assembly's expenditure for the 2018 financial year and the implementation of budgetary savings following the decisions by the Bureau, as well as clarification by the EPP/CD group of the order of their nominations for Vice-Chairpersons, as follows: Mr Samvel Farmanyan (Armenia) as 2nd Vice-Chairperson and Mr Vusal Huseynov (Azerbaijan) as 3rd Vice-Chairperson;
- **Legal challenges related to the hybrid war and human rights obligations** (*Rapporteur: Mr Boriss Cilevičs, Latvia, SOC*): considered a draft report and unanimously adopted a draft resolution and draft recommendation; agreed to prepare a new motion for a resolution to cover legal issues related to interference in democratic elections;
- **Counter-Narratives to Terrorism** (*Rapporteur: Mr Liam Byrne, United Kingdom, SOC*): considered a draft report and unanimously adopted a draft resolution and draft recommendation;
- **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 Hugo Gabbero, Deputy Director, Observatory for the Protection of Human Rights Defenders, International Federation for Human Rights (FIDH), Paris, France, and Ms Natalia Prilutskaya, Researcher, Russia team, Eastern Europe and Central Asia Regional Office, Amnesty International, London, United Kingdom; agreed to seize the Venice Commission for an opinion on the compatibility of the Hungarian government's "Stop Soros" legislative package with international human rights standards;
- **Draft Copenhagen Declaration on the European human rights system in the future Europe:** held an exchange of views with Mr Philip Leach, Professor of Human Rights Law, Director of the European Human Rights Advocacy Centre, Middlesex University, United Kingdom, on the draft Copenhagen Declaration prepared by the Danish chairmanship of the Committee of Ministers and adopted a statement thereon, and agreed to transmit this statement to the Bureau for further transmission to Standing Committee for possible adoption, should the Bureau agree to this;
- **The continuing need to restore human rights and the rule of law in the North Caucasus region** (*Rapporteur: Mr Frank Schwabe, Germany, SOC*): in the absence of the Rapporteur, agreed to postpone consideration of his introductory memorandum to the April 2018 part-session and authorised the Rapporteur's request for a fact-finding visit to the Russian Federation, including the North Caucasus region, subject to the availability of funds;

- **Co-operation with United Nations human rights mechanisms – a challenge for the Council of Europe and its member States** (*Rapporteur: Mr Frank Schwabe, Germany, SOC*): in the absence of the Rapporteur, agreed to postpone consideration of this introductory memorandum to the April 2018 part-session and authorised the Rapporteur’s request for a fact-finding mission to the United Nations office in Geneva, subject to the availability of funds, and agreed to hold a hearing to examine the situation from the perspective of the Council of Europe, with the participation of the Commissioner for Human Rights, the Director General of Human Rights and Rule of Law and the Director General of Democracy of the Council of Europe;
- **Out-of-court settlement procedures in criminal justice: advantages and risks** (*Rapporteur: Mr Boriss Cilevičs, Latvia, SOC*): considered an introductory memorandum, authorised a hearing with up to three experts at one of the forthcoming meetings, subject to the availability of funds, and agreed to the rapporteur’s proposal to change the current title of the report to “Deal-making in criminal proceedings: the need for minimum standards for trial waiver systems”;
- **Sergei Magnitsky and beyond – fighting impunity by targeted sanctions** (*Rapporteur: Lord Donald Anderson, United Kingdom, SOC*): considered an introductory memorandum and authorised a hearing at the forthcoming meeting in Reykjavik on 22-23 May 2018, with two parliamentarians, one from Canada and one from a Council of Europe member state involved in the adoption of “Magnitsky laws” in their home parliaments, subject to the availability of funds;
- **Anonymous donation of gametes: balancing the rights of parents, donors and offspring**: agreed to a proposal by Ms Sabien Lahaye-Battheu (Belgium, ALDE) to request the Bureau for an opinion on this report, under preparation by the Committee on Social Affairs and Sustainable Development;
- **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 2110 (2017) on “The implementation of judgments of the European Court of Human Rights”;
- **Appointment of representatives of the Committee**: decided to propose to the Bureau the following nominations for representatives of the Committee at the meetings of the European Commission for Democracy through Law (“Venice Commission”) for 2018:

Mr Sergiy Vlasenko (Ukraine, EPP/CD) – titular member
 Ms Azadeh Rojhan Gustafsson (Sweden, SOC) – substitute;

- **Appointment of rapporteurs:**

For opinion:

Defining guidelines for international NGOs: appointed Ms Olena Sotnyk (Ukraine, ALDE), and heard from her a declaration of absence of conflict of interest (Rapporteur for the Committee on Migration, Refugees and Displaced Persons: Ms Daphné Dumery, Belgium, NR);

- **Other business:**

- **Sub-committee on the implementation of judgments to the European Court of Human Rights**: agreed to a request by the German delegation to appoint Ms Gökay Akbulut (UJEL), currently the substitute to Mr Volker Ullrich (EPP/CD), as a titular member (Mr Ullrich to remain a titular member);

- **Vaclav Havel Human Rights Prize**: took note of the procedure for proposals, the closing date of 30 April 2018 and the [website](#) presenting all information related to the prize;

- **End of year meetings**: in accordance with AS/Bur (2018) 04, discussed the possibility of cancelling the Committee’s meeting scheduled for 12 November 2018 and agreed to return to this matter during the April 2018 part-session; agreed to the request of the Committee on Political Affairs and Democracy to switch dates in December 2018: the Committee on Legal Affairs and Human Rights will now hold its meeting on 13 December 2018;

- **The attempted murder by poisoning of Sergei Skripal and his daughter in the United Kingdom:** at the request of Mr Emanuelis Zingeris (Lithuania, EPP/CD), held an exchange of views and took note that a proposal may be made to the Bureau to hold an urgent debate on the matter at the forthcoming April 2018 part-session.

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

Plenary Committee:

- Strasbourg, during the Assembly's 2nd part-session of 2018 (23-27 April 2018)
- Reykjavik, Iceland, 22-23 May 2018
- Strasbourg, during the Assembly's 3rd part-session of 2018 (25-29 June 2017)
- 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, 13 December 2018 (Council of Europe Office).

Günter Schirmer, David Milner, Agnieszka Szklanna

Copy to:

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Secretaries of National Delegations and of Political Groups of the Assembly
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