



SECRETARIAT

AS/Jur (2018) CB 06

11 September 2018

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

### Synopsis of the meeting held in Paris on 10 September 2018

The Committee on Legal Affairs and Human Rights, meeting in Paris on 10 September 2018, with Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) in the Chair, as regards:

- ***Daphne Caruana Galizia's assassination and the rule of law, in Malta and beyond: ensuring that the whole truth emerges*** (Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD): considered and declined the request by Mr Emmanuel Mallia (Malta, SOC) to withdraw the rapporteur's mandate;
- ***Sergei Magnitsky and beyond – fighting impunity by targeted sanctions*** (Rapporteur: Lord Donald Anderson, United Kingdom, SOC): considered a draft report and unanimously adopted a draft resolution;
- ***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): considered a draft report and unanimously adopted a draft resolution and a draft recommendation and took note of Mr Yeneroğlu's intention to submit a dissenting opinion to the report. Agreed to change the title of the report to "Unlimited access to member states, including 'grey zones', by Council of Europe and United Nations human rights monitoring bodies";
- ***Withdrawing citizenship as a measure to combat terrorism: a human rights-compatible approach?*** (Rapporteur: Ms Tineke Strik, Netherlands, SOC): held a hearing with the participation of Professor René de Groot, Faculty of Law, University of Maastricht, Netherlands, and Dr. Sandra Krähenmann, Research Fellow, Geneva Academy of International Humanitarian Law and Human Rights, Switzerland;
- ***Appointment of rapporteurs:***

**For report:**

***Restrictions on NGO activities in Council of Europe member States:*** appointed Ms Olena Sotnyk (Ukraine, ALDE) and heard from her a declaration of absence of conflict of interests;

**For opinion:**

***Investment migration: trends, advantages, standards*** (Rapporteur for the Committee on Migration, Refugees and Displaced Persons: Mr Aleksander Pocij, Poland, EPP/CD): decided to postpone the appointment of a rapporteur for opinion to one of the forthcoming meetings;

- ***The protection of freedom of religion or belief in the workplace [Doc. 14544]. Reference from the Bureau for consultation of the Committee on possible follow-up:*** decided to propose to the Bureau that it refer this motion for a resolution to the Committee on Equality and Non-discrimination for report and to the Committee on Legal Affairs and Human Rights for opinion;

- **Deal-making in criminal proceedings: the need for minimum standards for trial waiver systems** (*Rapporteur: Mr Boriss Cilevičs, Latvia, SOC*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
- **Proposal to instigate regular thematic debates in Committee on topical human rights issues:** considered a concept paper prepared by the Chairperson and agreed to hold regular thematic debates on topical human rights issues;
- **The continuing need to restore human rights and the rule of law in the North Caucasus region** (*Rapporteur: Mr Frank Schwabe, Germany, SOC*): held a hearing with the participation of Mr Grigory Shvedev, editor-in-chief, *Caucasian Knot* and Ms Ekaterina Sokirianskaia, Founder and Director of the Conflict Analysis and Prevention Centre, Istanbul, Turkey;
- **Possible motions for resolution to be presented on behalf of the Committee on Legal Affairs and Human Rights:** decided to postpone this item to the next meeting, due to the lack of quorum;
- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the interim reply from the Committee of Ministers to Assembly Recommendation 2121 (2018) on “The case for drafting a European convention on the profession of lawyer”;
- **Participation of members in conferences, meetings, seminars etc.:** took note of reports by the following representatives on the events they had attended:
  - *The Council for Democratic Elections (of the Venice Commission), 21 June 2018:* written report by Lord Richard Balfe (United Kingdom, EC) (absent);
  - 115th plenary session of the European Commission for Democracy through Law (Venice Commission), 22-23 June 2018: oral report by Mr Sergiy Vlasenko (Ukraine, EPP/CD);
- **Other business:**
  - **Follow up to Assembly Resolution 2231(2018) on Ukrainian citizens detained as political prisoners by the Russian Federation:** at the request of the rapporteur for follow-up Mr Emanuelis Zingeris (Lithuania, EPP/CD), agreed to come back to this issue at the Committee’s next meeting;
  - **OSCE Human Dimension Implementation Meeting - joint side-event on trade in torture Tools, Warsaw, Poland, 12 September:** authorised the Chairperson to represent the Committee at this event (at no cost to the Assembly);
  - **Global Alliance about Trade in Goods used for Torture and the Death Penalty, New York, United States of America, 24<sup>th</sup> September 2018:** authorised the Chairperson to represent the Committee at this event (at no cost to the Assembly and subject to authorisation by the Bureau);
  - **Fundamental Rights Forum, the European Union Agency for Fundamental Rights, Vienna, Austria, 26 September 2018:** authorised Mr Yves Cruchten (Luxembourg, SOC) to represent the Committee at this event in order to present his report on “New restrictions on NGO activities in Council of Europe member States” (at no cost to the Assembly);
  - **Sub-Committees:**
    - Sub-Committee on Human Rights:* agreed to the request of the Luxembourg delegation to replace Ms Anne Brasseur (ALDE) with Mr Gusty Graas (ALDE) (with Mr Yves Cruchten remaining as alternate) and appointed Ms Olena Sotnyk (Ukraine, ALDE), who was on the waiting list, as a member of this sub-committee;
    - Sub-Committee on Crime Problems and the Fight against Terrorism:* agreed to the request of the Luxembourg delegation to appoint Mr Yves Cruchten as a member of this sub-committee;
  - **World Forum for Democracy on 19-21 November 2018 in Strasbourg:** recalled that members interested in participating should notify the secretariat and took note of expressions of interest by Ms Klotilda Bushka (Albania, SOC) and Mr Emanuelis Zingeris (Lithuania, EPP/CD);

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

*Plenary Committee:*

- Strasbourg, during the Assembly's 4<sup>th</sup> part-session of 2018 (8-12 October 2018)
- Paris, 13 December 2018 (Council of Europe Office).

Günter Schirmer, David Milner, Agnieszka Szklanna

cc: Secretary General of the Assembly  
Directors 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