



SECRETARIAT

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14 February 2019

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

### Synopsis of the meeting held in Paris on 13 December 2018

The Committee on Legal Affairs and Human Rights, meeting in Paris on 13 December 2018, with Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) in the Chair, as regards:

- **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*): considered a draft report and unanimously adopted a draft resolution and took note of the intention of Mr Pieter Omtzigt (the Netherlands, EPP/CD) to submit a dissenting opinion to the explanatory memorandum;
- **Withdrawing nationality as a measure to combat terrorism: a human rights-compatible approach?** (*Rapporteur: Ms Tineke Strik, the Netherlands, SOC*): agreed to change the title from “Withdrawing citizenship as a measure to combat terrorism: a human rights-compatible approach?” (in English only); considered a draft report and unanimously adopted a draft resolution and draft recommendation;
- **Extradition requests and the abuse of process:** (*Rapporteur: Mr Aleksander Pocij, Poland, EPP/CD*): held a hearing with the participation of Ms Mary D. Rodriguez, General Counsel, Interpol, Lyon; Mr Erik Verbert, Chairman of the Council of Europe’s Committee of Experts on the Operation of European Conventions on Co-operation in Criminal Matters (PC-OC), Strasbourg; and Mr Bruno Min, Legal and Policy Officer, Fair Trials, London;
- **New challenges in the fight against organised crime and money laundering – the need to improve international co-operation** (*Rapporteur: Mr Mart van de Ven, the Netherlands, ALDE*): held a hearing with the participation of Mr Daniel Thelesklaf, Chairman of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism of the Council of Europe (Moneyval); Ms Khadiya Ismayilova, Regional editor, Organized Crime and Corruption Reporting Project OCCRP Baku (via video link); Mr Howard Wilkinson, formerly Head of Markets Baltics, Danske Bank, Estonia (via video link); and Mr Steve Kohn, partner, Kohn, Kohn and Colapinto, Washington, D.C., United States (Mr Wilkinson’s attorney) (via video link);
- **Ensuring greater follow-up of CPT recommendations: enhanced role of the Parliamentary Assembly and of national parliaments** (*Rapporteur: Mr Damir Arnaut, Bosnia and Herzegovina, EPP/CD*): agreed to change the title of the report from “Ensuring greater follow-up of CPT recommendations: enhanced role of PACE and of national parliaments” to “Improving follow-up to CPT recommendations: enhanced role of the Assembly and national parliaments”, considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
- **Restrictions on NGO activities in Council of Europe member States** (*Rapporteur: Ms Olena Sotnyk, Ukraine, ALDE*): considered an introductory memorandum and authorised the rapporteur to hold two hearings with experts, subject to the availability of funds;

- **Thematic debate on Topical Human Rights issues:** held an exchange of views on the 70th anniversary of the Universal Declaration of Human Rights with Ms Julia Ouahnon, Eastern Europe and Central Asia Programme Officer, International Federation for Human Rights (FIDH), Paris;
- **Sub-Committee on artificial intelligence and human rights:** decided to create a new Sub-Committee on artificial intelligence and human rights in 2019, replacing the Sub-Committee on Crime Problems and the Fight against Terrorism: when members apply for seats on Sub-Committees for 2019 they should choose between the Sub-Committee on Human Rights, the Sub-Committee on the implementation of judgments of the European Court of Human Rights and the new Sub-Committee on Artificial Intelligence and Human Rights;
- **Appointment of rapporteurs:**

**General Rapporteur on the abolition of the death penalty:** following the expiry of Mr Yves Cruchten's (Luxembourg, SOC) mandate on 12 December 2018, appointed Mr Titus Corlăţean (Romania, SOC) and heard from him a declaration of absence of conflict of interests;

#### For report

**Drug policy and human rights in Europe: a baseline study:** in her absence, appointed Ms Hannah Bardell (United Kingdom, NR), subject to her making a declaration of no conflict of interest at a future meeting;

**Granting of participatory status to the international non-governmental organisation ADF International** (Request for an opinion from the Committee of Ministers): postponed this appointment until the next meeting;

**Justice by algorithm – the role of artificial intelligence in policing and criminal justice systems:** postponed this appointment until the next meeting;

**The protection of freedom of religion or belief in the workplace:** appointed Mr Davor Stier (Croatia, EPP/CD) in his absence, subject to his making a declaration of no conflict of interests at a future meeting;

**Fighting corruption – General principles of political responsibility:** appointed Mr Sergiy Vlasenko (Ukraine, EPP/CD) and heard from him a declaration of no conflict of interests;

**Urgent need to strengthen Financial Intelligence Units – sharper tools needed to improve confiscation of illegal assets:** appointed Mr Mart van de Ven (the Netherlands, ALDE) and heard from him a declaration of no conflict of interests;

#### For opinion:

**Evaluation of the partnership for democracy in respect of the Parliament of Morocco** (Rapporteur for the Committee on Political Affairs and Democracy: Mr Bogdan Klich, Poland, EPP/CD): postponed this appointment until the next meeting;

- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the following replies from the Committee of Ministers to the Assembly: [Doc. 14629](#) to [Recommendation 2122 \(2018\)](#) on *Jurisdictional immunity of international organisations and the rights of their staff* and [Doc. 14664](#) to [Recommendation 2099 \(2017\)](#) on *Human Rights in the North Caucasus: what follow-up to Resolution 1738 (2010)?*;
- **Participation of members in conferences, meetings, seminars etc;** took note of the report on the 57<sup>th</sup> plenary meeting of MONEYVAL, 3-7 December 2018, by Mr Titus Corlăţean (Romania, SOC);
- **Hearings during the next meetings** agreed to open the following hearings planned for the January meeting to the public: two country specific hearings on “The implementation of judgments of the European Court of Human Rights – 10<sup>th</sup> report” (Rapporteur: Mr Evangelos Venizelos, Greece, SOC); “Daphne Caruana Galizia’s assassination and the rule of law, in Malta and beyond: ensuring that the whole truth emerges” (Rapporteur: Mr Pieter Omtzigt, the Netherlands, EPP/CD) and “Human rights situation in the occupied regions of Georgia” (Rapporteur: Mr Pierre-Alain Fridez, Switzerland, SOC), as well as an exchange of views with the Commissioner for Human Rights of the Council of Europe;

- **Invitation for the “Annual ticket” meeting 2019, 14-15 November 2019, Berlin – proposed joint meeting with the Committee on Political Affairs and Democracy (subject to approval by the Bureau and the availability of funds)<sup>1</sup>:** took note of the invitation by the German delegation and the proposal for a joint meeting with the Committee on Political Affairs and Democracy on that occasion;
- **Other business:**
  - **High-Level Expert Conference on “Implementing the Copenhagen Declaration – An Informal Meeting on the Convention System”, Kokkedal (Denmark, 31 October-2 November 2018):** took note that Mr Damir Arnaut (Bosnia and Herzegovina, EPP/CD), appointed to represent the Committee, was not granted authorisation by his parliament to attend the event and invited the Chair to write to the Speaker of the parliament of Bosnia and Herzegovina to ask for explanation for this refusal;
  - **Incident at the Administrative Boundary Line between Serbia and Kosovo\*:** took note of a statement by Mr Slobodan Petrovic, deputy of the Assembly of Kosovo\*, who had recently been detained for 4 hours by Serbian police while trying to enter Serbia from Kosovo\*;
  - **Budget of the Council of Europe:** took note of a statement by the Chairperson on likely budgetary problems facing the Council of Europe, including the Assembly in the coming year;
- **Next meetings:** took note of the meetings for 2019; confirmed the committee meeting on 4 March 2019; and agreed to cancel the meeting proposed for 9 September 2019.

*Plenary Committee:*

- Strasbourg, during the Assembly's 1<sup>st</sup> part-session of 2019 (21-25 January 2019)
- Paris, 4 March 2019 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 2<sup>nd</sup> part-session of 2019 (8-12 April 2019)
- Paris, 21 May 2019 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 3<sup>rd</sup> part-session of 2019 (24-28 June 2019)
- Strasbourg, during the Assembly's 4<sup>th</sup> part-session of 2019 (30 September - 4 October 2019)
- Berlin, 14-15 November 2019, subject to approval by the Bureau and the availability of funds)
- Paris, 10 December 2019 (Council of Europe Office) (to be confirmed).

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

<sup>1</sup> It is proposed that the Committee on Political Affairs and Democracy would hold a meeting in the morning of Thursday 14 November. A joint meeting of the Committee on Political Affairs and Democracy and the Committee on Legal Affairs and Human Rights would be held in the afternoon of 14 November. The Committee on Legal Affairs and Human Rights would then hold a meeting all day on Friday 15 November

\* All references to Kosovo, whether to the territory, institutions or population, shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.