



SECRETARIAT

AS/Jur (2019) CB 01 Rev
14 February 2019

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

Synopsis of the meeting held in Strasbourg on 21-24 January 2019

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 21 to 24 January 2019:

- on Monday 21 January 2019 at 2pm, with Mr Lord Anderson (United Kingdom, SOC), oldest member present, in the Chair, as regards:
 - **Election of the Bureau of the Committee:** elected, by acclamation, Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) as Chairperson, Ms Olena Sotnyk (Ukraine, ALDE) as 1st Vice-Chairperson, Mr Emanuelis Zingeris (Lithuania, EPP/CD) as 2nd Vice-Chairperson and postponed the election of the 3rd Vice-Chairperson until notification of the EPP/CD candidate later in the week;

Then with Ms Ævarsdóttir (Iceland, SOC) in the Chair:

- **Hearing on improving the protection of whistleblowers all over Europe:** agreed to make the hearing open to the public;
- **Constitution of Sub-Committees:** agreed to constitute the Committee's three sub-committees, namely:
 - i. Sub-Committee on Human Rights
 - ii. Sub-Committee on Artificial Intelligence and Human Rights
 - iii. Sub-Committee on the implementation of judgments of the European Court of Human Rights;
- **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 and approved an addendum to the report, including 5 amendments to the draft resolution;
- **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 2019:
 - i. European Commission for Democracy through Law (Venice Commission)
Mr Sergiy Vlasenko (Ukraine, EPP/CD) – titular member
Ms Azadeh Rojhan Gustafsson (Sweden, SOC) – 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 Pieter Omtzigt (the Netherlands, EPP/CD) – substitute;

- **Protecting human rights during transfers of prisoners** (*Rapporteur: Mr Emanuel Mallia, Malta, SOC*): approved a draft report and unanimously adopted a draft resolution and a draft recommendation;
- **Appointment of rapporteurs:**

For report:

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

Justice by algorithm – the role of artificial intelligence in policing and criminal justice systems: appointed Mr Boriss Cilevičs (Latvia, SOC) and heard from him a declaration of no conflict of interest;

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;

Anonymous donation of sperm and oocytes: balancing the rights of parents, donors and children (*Rapporteur for the Committee on Social Affairs, Health and Sustainable Development: Ms Petra De Sutter, Belgium, SOC*) – reappointment following the departure from the Parliamentary Assembly of Ms Sabien Lahaye-Battheu (Belgium, ALDE): appointed Mr Pierre-Alain Fridez (Switzerland, SOC) and heard from him a declaration of no conflict of interest;

- **Václav Havel Human Rights Prize 2019: call for nominations:** noted the procedure and deadline of 30 April 2019 for submissions of candidates, including the relevant information available on the [website](#);
- **on Tuesday 22 January 2019 at 8.30am**, as regards:
- **Composition of the sub-committees:** approved the composition of the Committee's three sub-committees (see appendix for final list including subsequent changes during the week);
- **Sergei Magnitsky and beyond – fighting impunity by targeted sanctions** (*Rapporteur: Lord Donald Anderson, United Kingdom, SOC*): took position on 4 amendments to the draft resolution;
- **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*): took position on 29 amendments to the draft resolution;
- **on Tuesday 22 January 2019 at 2pm**, as regards:
- **Appointment of rapporteurs**

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*): appointed Mr André Vallini (France, SOC) and heard from him a declaration of no conflict of interest;

- **The implementation of judgments of the European Court of Human Rights – 10th report** (*Rapporteur: Mr Evangelos Venizelos, Greece, SOC*): held a hearing with the participation of Mr Mustafa Yeneroğlu, member of the Turkish delegation to the Parliamentary Assembly of the Council of Europe and experts from the Turkish Ministry of Justice, and agreed to declassify the information note concerning the implementation of judgments against Turkey and Ukraine;

- **The implementation of judgments of the European Court of Human Rights – 10th report** (*Rapporteur: Mr Evangelos Venizelos, Greece, SOC*): held a discussion in the absence of the head of the Ukrainian delegation to the Parliamentary Assembly of the Council of Europe;

Then with Lord Balfe (United Kingdom, EC), oldest member present, in the Chair:

- **Political prisoners in Azerbaijan** (*Rapporteur: Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC*): considered an introductory memorandum; decided to change the title to “Reported cases of political prisoners in Azerbaijan”; authorised the Rapporteur to carry out a fact-finding visit to Azerbaijan (subject to the availability of funds) and to hold a hearing on the subject; agreed to declassify the introductory memorandum;
- **on Thursday 24 January 2019 at 8.30am**, with Ms Ævarsdóttir (Iceland, SOC) in the Chair as regards:
 - **Election of the Bureau of the Committee**: elected, by acclamation, Mr Georgii Logvynskyi (Ukraine, EPP/CD) as 3rd Vice-Chairperson;
 - **Sub-Committee on Human Rights**: took note of a written report by Ms Azadeh Rojhan Gustafsson (Sweden, SOC), Chairperson of the Sub-Committee, on the meeting held in Strasbourg on Wednesday 23 January 2019 and endorsed the proposals of the Sub-Committee therein concerning the lists of candidates to the European Committee for the Prevention of Torture (CPT) submitted by the delegations of Andorra, Belgium, Finland, Iceland, Lithuania, Malta and San Marino for transmission to the Bureau;
 - **Human rights situation in the occupied regions of Georgia**: (*Rapporteur: Mr Pierre-Alain Fridez, Switzerland, SOC*): considered a revised introductory memorandum and decided to discontinue work on this report;
 - **Improving the protection of whistleblowers all over Europe** (*Rapporteur: Mr Sylvain Waserman, France, ALDE*): held a hearing with the participation of Mr Christophe Speckbacher, Senior Legal Adviser, Secretariat of the Group of States against Corruption (GRECO), Council of Europe, and Ms Anna Myers, Executive Director, Whistleblowing International Network (WIN), United Kingdom;
 - **Other business:**
 - **The need to shed light on the background of the murder of Boris Nemtsov** (*Rapporteur: Mr Emanuelis Zingeris, Lithuania, EPP/CD*): agreed to request the Bureau for an extension of the reference until 30 June 2019;
- **on Thursday 24 January 2019 at 2pm**, with Mr Zingeris (Lithuania, EPP/CD, 2nd Vice-Chairperson) then Ms Ævarsdóttir (Iceland, SOC) in the Chair, as regards:
 - **Withdrawing citizenship as a measure to combat terrorism: a human rights-compatible approach?** (*Rapporteur: Ms Tineke Strik, the Netherlands, SOC*): took position on 8 amendments to the draft resolution;
 - **Improving follow-up to CPT recommendations: enhanced role of the Assembly and of national parliaments** (*Rapporteur: Mr Damir Arnaut, Bosnia and Herzegovina, EPP/CD*): took position on 2 amendments to the draft resolution;
 - **Exchange of views with the Commissioner for Human Rights of the Council of Europe**: held an exchange of views with the Commissioner on her priorities during her mandate;
 - **Work programme of the Committee: Priorities for 2019**: took note of the Committee’s work programme;
 - **Replies from the Committee of Ministers to recommendations emanating from the Committee**: took note of the replies from the Committee of Ministers to the following Assembly recommendations: Recommendation 2125 (2018) on State of emergency: proportionality issues concerning derogations under Article 15 of the European Convention on Human Rights; Recommendation 2130 (2018) on Legal challenges related to hybrid war and human rights obligations; Recommendation 2131 (2018) on

Counter-narratives to terrorism; and Recommendation 2133 (2018) on Protecting human rights defenders in Council of Europe member States;

- **Hearings during the next meetings:** agreed to make the following hearings open to the public:

Restrictions on NGO activities in Council of Europe member States (Rapporteur: Ms Olena Sotnyk, Ukraine, ALDE) – scheduled for the meeting on 4 March 2019 in Paris;

Political prisoners in Azerbaijan (Rapporteur: Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) – scheduled for meeting during the April 2019 part-session;

- **Other business**

- **Conference on artificial intelligence, human rights and the rule of law in Helsinki, 26-27 February** – authorised the participation of Lord Richard Balfe (United Kingdom, EC), Chairperson of the Sub-Committee on Artificial Intelligence and Human Rights, and Mr Pieter Omtzigt (the Netherlands, EPP/CD), Vice-Chairperson of the Sub-committee, along with Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC), Chairperson of the plenary Committee, should either of them be unavailable, all subject to receipt of invitations and the availability of funds;

- **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”;

- **Next meetings:**

Plenary Committee:

- Paris, 4 March 2019 (Council of Europe Office)
- Strasbourg, during the Assembly's 2nd part-session of 2019 (8-12 April 2019)
- Paris, 21 May 2019 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 3rd part-session of 2019 (24-28 June 2019)
- Strasbourg, during the Assembly's 4th part-session of 2019 (30 September - 4 October 2019)
- Berlin, 14-15 November 2019
- Paris, 10 December 2019 (Council of Europe Office) (to be confirmed).

The Sub-Committee on Artificial Intelligence and Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Tuesday 22 January 2019 at 3pm, with Lord Balfe (United Kingdom, EC), oldest member present, then Ms Ævarsdóttir (Iceland, SOC), Chairperson of the plenary Committee (for the election of the Chairperson) in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Lord Balfe (United Kingdom, EC) Chairperson and Mr Pieter Omtzigt (the Netherlands, EPP/CD) Vice-Chairperson, both by acclamation;

Then with Lord Balfe (United Kingdom, EC) in the Chair:

- **Future activities:** agreed to hold an exchange of views with Mr Jan Kleijssen, Director, Information Society – Action against Crime, and Artificial Intelligence Coordinator for the Council of Europe, in order to be updated on the current state of relevant work in the Council of Europe;
- **Conference on artificial intelligence, human rights and the rule of law in Helsinki, 26-27 February** – agreed to ask the plenary Committee to authorise the participation of Lord Richard Balfe (United Kingdom, EC), Chairperson, and Mr Pieter Omtzigt (the Netherlands, EPP/CD), Vice-Chairperson, along with Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC), Chairperson of the plenary Committee, should either of them be unavailable, all subject to receipt of invitations and the availability of funds;
- **Next meeting:** during the April 2019 part-session.

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 22 January 2019 at 3.10pm, with Lord Anderson (United Kingdom, SOC), oldest member present, then Mr Leonid Yemets (Ukraine, EPP/CD) in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Leonid Yemets (Ukraine, EPP/CD) Chairperson and Mr Davo Ivor Stier (Croatia, EPP/CD), Vice-Chairperson, both by acclamation;
- **Next meeting:** during the April 2019 part-session.

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Wednesday 23 January 2019 at 2pm, with Lord Anderson (United Kingdom, SOC), oldest member present in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Ms Azadeh Rojhan Gustafsson (Sweden, SOC) Chairperson by acclamation and decided to postpone the election of a Vice-Chairperson to a future meeting;

Then with Ms Gustafsson (Sweden, SOC) in the Chair:

- **European Committee for the Prevention of Torture (CPT):** considered the lists of candidates to the CPT in respect of Iceland, San Marino, Malta, Belgium, Lithuania, Finland and Andorra, agreed on an order of preference amongst the candidates on each of those lists, to be transmitted to the plenary Committee for endorsement, and decided to postpone consideration of the list of candidates in respect of Greece to its next meeting;
- **Next meeting:** during the April 2019 part-session.

Günter Schirmer, David Milner, Agnieszka Szklanna, Kelly Sipp

Copy to:

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

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.	Ms ROJHAN GUSTAFSSON Azadeh (Chair)	Sweden/Suède	
2.	ZZ (Vice-Chair)		
3.	Lord ANDERSON Donald	United Kingdom/ Royaume-Uni	
4.	Mr ALTUNYALDIZ Ziya	Turkey/ Turquie	Mr YENEROĞLU Mustafa
5.	Ms ANTTILA Sirkka-Liisa	Finland/ Finlande	
6.	Mr ARNAUT Damir ¹	Bosnia and Herzegovina/ Bosnie-Herzégovine	
7.	Lord BALFE Richard	United Kingdom/ Royaume-Uni	
8.	Ms BARDELL Hannah	United Kingdom/ Royaume-Uni	Mr SHEPPARD Tommy
9.	Ms CHUGOSHVILI Tamar	Georgia/ Géorgie	
10.	Mr EFSTATHIOU Constantinos	Cyprus/ Chypre	Ms EROKROITOU Christiana
11.	Ms FITZGERALD Frances	Ireland/ Irlande	
12.	M. GATTOLIN André	France	M. WASERMAN Sylvain
13.	M. GERMANN Hannes	Switzerland/Suisse	Mr COMTE Raphaël
14.	Ms GORGHIU Alina-Ştefania	Romania/Roumanie	Mr CORLĂŢEAN Titus
15.	Mr HASANOV Elshad	Azerbaijan/Azerbaïdjan	
16.	Ms JENSEN Gyde	Germany/Allemagne	Mr KLEINWÄCHTER Norbert
17.	Ms LIBINA-EGNERE Inese	Latvia/Lettonie	Mr CILEVIČS Boriss
18.	Mr LOGVYNSKYI Georgij	Ukraine	
19.	Mme LOUIS Alexandra	France	Mr VALLINI André
20.	Mr MILEWSKI Daniel	Poland/ Pologne	
21.	Ms RIBERAYGUA Patricia	Andorra/Andorre	
22.	Ms RIZZOTTI Maria	Italy/ Italie	Mr SCOMA Francesco
23.	Ms SOTNYK Olena	Ukraine	
24.	Ms TOMIĆ Aleksandra	Serbia/ Serbie	
25.	Mr TZAVARAS Konstantinos	Greece / Grèce	Mr VENIZELOS Evangelos
26.	Mme VAN VAERENBERGH Kristien	Belgium / Belgique	M. van QUICKENBORNE Vincent
27.	Mr VARDANYAN Vladimir	Armenia/Arménie	Mr MARUKYAN Edmon
28.	Mr VAREIKIS Egidijus	Lithuania/Lituanie	
29.	Mr ZSIGMOND Barna	Hungary/Hongrie	

ex officio: Chairperson of AS/Jur, Ms Thorhildur Sunna ÆVARSDÓTTIR

¹ On condition that the credentials of Bosnia and Herzegovina are ratified.

Sub-Committee on Artificial Intelligence and Human Rights (29 seats)
Sous-commission sur l'intelligence artificielle et 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.	Lord	BALFE Richard (Chair)	United Kingdom/ Royaume-Uni	Mr WHITFIELD Martin
2.	Mr	OMTZIGT Pieter (Vice-Chair)	Netherlands/Pays-Bas	Mr VAN DE VEN Mart
3.	Mr	ALTUNYALDIZ Ziya	Turkey/ Turquie	
4.	Mr	ARNAUT Damir ²	Bosnia and Herzegovina/ Bosnie-Herzégovine	
5.	Ms	BESELIA Eka	Georgia/ Géorgie	
6.	Mr	BEYER Peter	Germany/Allemagne	Mr BERNHARD Marc
7.	Mr	COZMANCIUC Corneliu-Mugurel (VC/VP)	Romania/Roumanie	Mr NICOLAE Andrei
8.	Ms	FITZGERALD Frances	Ireland/ Irlande	
9.	M.	FRIDEZ Jean-Pierre	Switzerland / Suisse	M. GERMANN Hannes
10.	Mr	GATTOLIN André	France	
11.	M.	GOUTTEFARDE Fabien	France	M. BECHT Olivier
12.	Mr	HASANOV Elshad	Azerbaijan/Azerbaïdjan	
13.	Mr	KLEINWÄCHTER Norbert	Germany/ Allemagne	Ms JENSEN Gyde
14.	Mr	KOÇ Haluk	Turkey/ Turquie	Mr AYDIN Kamil
15.	M.	LACROIX, Christophe	Belgium / Belgique	M. DESTREBECQ Olivier
16.	Mr	LOGVNSKYI Georgii	Ukraine	
17.	Mr	MARQUES Duarte	Portugal	
18.	Mr	NACSA Lörinc	Hungary/Hongrie	
19.	Mr	ORLANDO Andrea	Italy/ Italie	
20.	Mr	PACKALÉN Tom	Finland/ Finlande	
21.	Mr	PERILLI Gianluca	Italy/Italie	Ms RIZZOTTI Maria
22.	Mr	PSYCHOGIOS Georgios	Greece / Grèce	Ms KANELLI Liana
23.	Mr	SEYIDOV Samad	Azerbaijan/Azerbaïdjan	
24.	Mr	WISELER Claude	Luxembourg	
25.	Mr	YEMETS Leonid	Ukraine	
26.	Z			
27.	Z			
28.	Z			
29.	Z			

ex officio: Chairperson of AS/Jur, Ms Thorhildur Sunna ÆVARSDÓTTIR

² On condition that the credentials of Bosnia and Herzegovina are ratified.

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

1.	Mr	YEMETS Leonid (Chair)	Ukraine		
2.	Mr	STIER Davor Ivo (Vice-Chair)	Croatia / Croatie	Mr	HAJDUKOVIĆ Domagoj
3.	Lord	ANDERSON Donald	United Kingdom/ Royaume-Uni		
4.	Ms	ANTTILA Sirkka-Liisa	Finland/ Finlande		
5.	Ms	BESELIA Eka	Georgia/ Géorgie	Ms	CHUGOSHVILI Tamar
6.	Mr	BRGLEZ Milan	Slovenia/Slovénie		
7.	Sir	CHOPE Christopher	United Kingdom/ Royaume-Uni	Sir	LEIGH Edward
8.	Mr	CILEVIČS Boriss	Latvia / Lettonie		
9.	Mr	EFSTATHIOU Constantinos	Cyprus/Chypre	Ms	EROTOKRITOU Christiana
10.	Mr	GAVAN Paul	Ireland/Irlande		
11.	Mr	CORLATEAN Titus	Romania / Roumanie	Mrs	GORGHIU Alina Ștefania
12.	Mr	JORDANA Carlos	Andorra/Andorre		
13.	Ms	LĪBIŅA-EGNERE Inese	Latvia / Lettonie		
14.	M.	MÜLLER Thomas	Switzerland / Suisse	M.	FRIDEZ Pierre-Alain
15.	Mr	OMTZIGT Pieter	Netherlands/Pays-Bas		
16.	Ms	SOTNYK Olena	Ukraine		
17.	Ms	SURIANO Simona	Italy /Italie	Mr	SCOMA Francesco
18.	Mr	ULLRICH Volker	Germany/ Allemagne	Ms	AKBULUT Gökay
19.	M.	VALLINI André	France		
20.	Ms	VAN QUICKENBORNE Vincent	Belgium/Belgique	M.	LACROIX Christophe
21.	Mr	VARDANYAN Vladimir	Armenia/ Arménie	Mr	MARUKYAN Edmon
22.	Mr	VENIZELOS Evangelos	Greece / Grèce	Mrs	KANELLI Liana
23.	Mr	VLASENKO Sergiy	Ukraine		
24.	Mr	WASERMAN Sylvain	France	Mr	GOUTTEFARDE Fabien
25.	Mr	YENEROĞLU Mustafa	Turkey/Turquie	Mr	ALTUNYALDIZ Ziya ³
26.	Z				
27.	Z				
28.	Z				
29.	Z				

ex officio: Chairperson of AS/Jur, Ms Thorhildur Sunna ÆVARSDÓTTIR

³ Mr Altunyalidiz (Turkey, NR) resigned from his seat as alternate to Mr Yeneroğlu after the last meeting. / M. Altunyalidiz (Turquie, NI) a démissionné de son siège de remplaçant de M. Yeneroğlu après la dernière réunion.