



SECRETARIAT

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7 March 2019

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

Synopsis of the meeting held in Paris on 4 March 2019

The Committee on Legal Affairs and Human Rights, meeting in Paris on 4 March 2019, with Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) in the Chair, as regards:

- ***New challenges in the fight against organised crime and money laundering – the need to improve international co-operation*** (*Rapporteur: Mr Mart van de Ven, Netherlands, ALDE*): considered a draft report and adopted a draft resolution and draft recommendation, the latter adopted unanimously; agreed to change the title to “Laundromats: responding to new challenges in the international fight against crime, corruption and money-laundering”;
- ***Anonymous donation of sperm and oocytes: balancing the rights of parents, donors and children*** (*Rapporteur for opinion: Mr Pierre-Alain Fridez, Suisse, SOC*), (*Rapporteur for the Committee on Social Affairs, Health and Sustainable Development: Ms Petra de Sutter, Belgium, SOC*): considered and approved the Committee’s opinion;
- ***Drug policy and human rights in Europe: a baseline study*** (*Rapporteur: Ms Hannah Bardell, United Kingdom, NR*): took note of the Rapporteur’s declaration of absence of conflict of interest as she was appointed in absentia; held a hearing, which it decided to open to the public, with the participation of
 - Mr Damon Barrett, Director of the International Centre on Human Rights and Drug Policy (University of Essex, United Kingdom), Lecturer, Section for Epidemiology and Social Medicine University of Gothenburg, (Sweden) and Expert for the Pompidou Group (Council of Europe),
 - Ms Naomi Burke-Shyne, Executive Director, Harm Reduction International (London, United Kingdom) and
 - Mr Zaved Mahmood, Human Rights and Drug Policy Advisor, Thematic Engagement, Special Procedure and the Right to Development Division, Office of the United Nations High Commissioner for Human Rights (Geneva, Switzerland);(all interventions by video) and noted that the Rapporteur intends to visit harm reduction facilities in Scotland and in Strasbourg; it further noted that the Rapporteur intends to carry out a fact-finding visit, for which she will request authorisation in due course;
- ***How to put confiscated criminal assets to good use?***: considered and approved a motion for resolution and agreed to table it on behalf of the Committee;
- ***The evaluation of the partnership for democracy in respect of the Parliament of Morocco*** (*Rapporteur for opinion: Mr André Vallini, France, SOC*), (*Rapporteur for the Committee on Political Affairs and Democracy: Mr Bogdan Klich, Poland, EPP/CD*): considered and approved the Committee’s opinion;

– **Appointment of rapporteurs:**

For report:

- **Judges in Poland and in the Republic of Moldova must remain independent:** appointed Mr Andrea Orlando (Italy, SOC) and heard from him a declaration of absence of conflict of interests;
- **Misuse of the Schengen system by Council of Europe member States as a politically-motivated sanction:** appointed Ms Olena Sotnyk (Ukraine, ALDE) and heard from her a declaration of absence of conflict of interests;
- **Follow-up to the Azerbaijani Laundromat investigation:** decided not to appoint a Rapporteur, owing to the fact that certain issues raised in this motion had been covered by the report on “Laundromats: responding to new challenges in the international fight against crime, corruption and money-laundering” (*Rapporteur: Mr Mart van de Ven, Netherlands, ALDE*), other aspects would be covered by “Reported cases of political prisoners in Azerbaijan” (*Rapporteur: Ms Thorhildur Sunna Evarsdóttir, Iceland, SOC*) ; and the remaining, non country-specific issue would be covered more expediently in “How to put confiscated criminal assets to good use?” (motion for resolution to be tabled on behalf of the Committee); agreed to inform the Bureau of this decision;
- **Granting of participatory status to the international non-governmental organisation ADF International:** took note that the Bureau had annulled this reference to the Committee;
- **Conference on artificial intelligence, human rights and the rule of law in Helsinki, 26-27 February 2019:** heard a report by the Chairperson of the Sub-Committee on Artificial Intelligence and Human Rights, Lord Richard Balfe (United Kingdom, EC), on his participation in the conference;
- **The need to shed light on the background of the murder of Boris Nemtsov** (*Rapporteur: Mr Emanuelis Zingeris, Lithuania, EPP/CD*): heard a statement by the Rapporteur, and agreed that the Chairperson shall decide whether to hold a further hearing with experts at its next meeting if need be, subject to the availability of funds
- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the following replies to recommendations on : “The case for drafting a European convention on the profession of lawyer” ([Recommendation 2121 \(2018\)](#), [Doc. 14825](#)); “Deal-making in criminal proceedings: the need for minimum standards for trial waiver systems” ([Recommendation 2142 \(2018\)](#), [Doc. 14826](#)) and “New restrictions on NGO activities in Council of Europe member States” ([Recommendation 2134](#), [Doc. 14798](#));
- **Restrictions on NGO activities in Council of Europe member States** (*Rapporteur: Ms Olena Sotnyk, Ukraine, ALDE*) : held a hearing with the participation of:
 - Ms Krista Oinonen, Chairperson of the Drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST) (Council of Europe), Director, Unit for Human Rights Courts and Conventions, and Agent of the Government of Finland before the European Court of Human Rights, Legal Service, Ministry for Foreign Affairs of Finland;
 - Ms Anna Rurka, President of the Conference of the INGOs of the Council of Europe;
 - Ms Eszter Hartay, Legal Advisor at ECNL (European Center for Not-for-Profit Law);agreed to the Rapporteur’s request to conduct a fact-finding visit to Hungary, subject to the availability of funds;
- **Hearings during the next meeting:** agreed to open the following hearings provisionally foreseen for the April part-session 2019 to the public:
 - **“Human rights and business – what follow-up to Committee of Ministers Recommendation CM/Rec(2016)3?”** (*Rapporteur: Mr Elshad Hasanov, Azerbaijan, FDG*);

- **“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);
- two country specific hearings on **“The implementation of judgments of the European Court of Human Rights – 10th report”** (Rapporteur: Mr Evangelos Venizelos, Greece, SOC);
- a joint hearing with the Committee on the Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) on: **“Political prisoners in Azerbaijan”** (Rapporteur: Ms Thorhildur Sunna Evarsdóttir (Iceland, SOC) (with the proviso that the Monitoring Committee also agrees to open the event to the public);
- a joint hearing with the Committee on Migration, Refugees and Displaced Persons on: **“Investment migration: trends, advantages, standards”** (Rapporteur for opinion for the Committee on Legal Affairs and Human Rights to be appointed post hearing) (Rapporteur for the Committee on Migration, Refugees and Displaced Persons: Mr Aleksander Pocij, Poland, EPP/CD) (with the proviso that the Migration Committee also agrees to open the event to the public);
- **Participation of members in conferences, meetings, seminars etc:** took note of the following reports by committee representatives on:
 - 64th meeting of the Council for Democratic Elections (of the Venice Commission), 13 December 2018: Lord Richard Balfe, United Kingdom, EC (written report);
 - 82nd plenary meeting of GRECO, 3-7 December 2018: Mr Georgii Logvynskyi, Ukraine, EPP/CD;
- **Thematic debate on Topical Human Rights issues: “Climate change and human rights”:** held a discussion on this issue and agreed to the Chairperson’s proposal to prepare a draft statement and a draft motion thereon for possible approval during its following meeting;
- **Other business:**
 - **Sub-Committees:**

Montenegro: agreed to the request by their delegation that Mr Ervin Ibrahimović (EPP/CD) be a titular member of the Sub-Committee on Human Rights and Ms Sanja Pavićević (SOC) be a titular member of the Sub-Committee on the implementation of judgments to the European Court of Human Rights;

Belgium: agreed to the proposed change by their delegation to replace Mr Lacroix (SOC) with Mr Pol Van Den Driessche (NR) on the Sub-Committee on Artificial Intelligence and Human Rights as titular member and also for Mr Van Den Driessche to replace Mr Lacroix as alternate on the Sub-Committee on the implementation of judgments of the European Court of Human Rights;

Latvia: agreed to the request by their delegation that Mr Boriss Cilevičs (SOC) become a titular member of the Sub-Committee on Artificial Intelligence and Human Rights. It was noted that Mr Cilevičs would give up his seat as alternate on the Sub-Committee on Human Rights;
 - **Václav Havel Human Rights Prize:** took note of the procedure for submitting nominations, the deadline of 30 April 2019 and the information available on the [Prize website](#);
- **Next meetings:** agreed that an alternative would be sought, if possible, to the proposed meeting date of 21 May 2019, owing to the European Parliament electoral campaigns;

Plenary Committee:

- 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)

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