



SECRETARIAT

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12 December 2019

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

### Synopsis of the meeting held in Paris on 10 December 2019

The Committee on Legal Affairs and Human Rights, meeting in Paris on 10 December 2019, with Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) in the Chair, as regards:

- **Minutes:** agreed to postpone the approval of the minutes of the meeting held in Berlin on 14-15 November 2019 until the January 2020 part-session;

With Mr Sylvain Waserman (France, ALDE), first Vice-Chairperson in the Chair:

- **Reported cases of political prisoners in Azerbaijan** (*Rapporteur: Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;

With Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) back in the Chair:

- **Accession of the European Union to the European Convention on Human Rights:** agreed to table a motion for a resolution on the subject on behalf of the committee;
- **Ensuring accountability for the downing of flight MH 17** (*Rapporteur: Mr Titus Corlăţean, Romania, SOC*): heard a declaration from the Rapporteur of absence of conflict of interests; and heard a statement on his understanding of his mandate;
- **Ending enforced disappearances on the territory of the Council of Europe** (*Rapporteur: Mr André Gattolin, France, NR*): considered an introductory memorandum and authorised the rapporteur to carry out a fact-finding visit to the United Nations Office of the High Commissioner for Human Rights in Geneva (Switzerland) and to organise a hearing at a future meeting with up to three experts (both subject to the availability of funds);
- **Human Rights Day:** considered and adopted a [statement](#) on the occasion of the 70<sup>th</sup> anniversary of the Universal Declaration on Human Rights;
- **Abolition of the Death Penalty:** (*General Rapporteur on the abolition of the death penalty: Mr Titus Corlăţean, Romania, SOC*): renewed the mandate of the General Rapporteur for a further year (until 13.12.2020); considered a revised information note and agreed to declassify it; held an exchange of views with Ms Chiara Sangiorgio, Adviser on the Death Penalty, Amnesty International, London, United Kingdom;
- **Addressing the issue of Daesh foreign fighters and their families returning from Syria and other countries to the member States of the Council of Europe (by video conference)** (*Rapporteur: Mr Pieter Omtzigt, the Netherlands, EPP/CD*): heard a statement by the Rapporteur and authorised him to organise a hearing with the Council of Europe Commissioner for Human Rights and another expert at a forthcoming committee meeting, subject to the availability of funds, and to send a questionnaire to national parliaments via the European Centre for Parliamentary Research and Documentation (ECPRD);

- **Annual ticket 2020:** considered the invitation by the Greek delegation to hold a meeting of the Committee in Komotini, Thrace, Greece, and decided to return to the issue during the January 2020 part-session;
- **The protection of freedom of religion or belief in the workplace:** Mr Davor Stier, Croatia, EPP/CD considered a draft report and unanimously adopted a draft resolution and of a draft recommendation;
- **The implementation of judgments of the European Court of Human Rights – 10<sup>th</sup> report Romania** (Rapporteur: Mr Constantinos Efstathiou, Cyprus, SOC): considered an information note and agreed to declassify it; held a hearing with the participation of Mr Titus Corlăţean, (Romania, SOC); agreed to the rapporteur’s proposal to hold an exchange of views on the implementation of judgments of the European Court of Human Rights against the Russian Federation with the head of the Russian delegation to the Assembly at the forthcoming committee meeting;
- **Judges in Poland and in the Republic of Moldova must remain independent** (Rapporteur: Mr Andrea Orlando, Italy, SOC): held a hearing with the participation of:
  - Mr Massimo Frigo, Senior Legal Adviser, International Commission of Jurists, Geneva, Switzerland (by video conference),
  - Ms Andrea Huber, Deputy Chief, Rule of Law Unit, OSCE Office for Democratic Institutions and Human Rights, Warsaw, Poland,
  - Mr Richard Barrett, member of the European Commission for Democracy through Law (Venice Commission) for Ireland.
- **General Rapporteur on the Protection of Whistleblowers:** considered and agreed to draft terms of reference for a proposed position of a General Rapporteur on the Protection of Whistleblowers, subject to approval by the Bureau;
- **Appointment of rapporteurs:** Emergence of lethal autonomous weapons systems (LAWS) and their necessary apprehension through European human rights law ([Doc. 14945](#)); agreed to respond to the Bureau’s request on possible follow-up to be given to this motion that the Bureau shall seize the Committee for a report on the subject;
- **Reply from the Committee of Ministers to recommendations emanating from the Committee:** took note of the reply ([Doc. 15006](#)) regarding ([Recommendation 2145 \(2019\) on “Withdrawing nationality as a measure to combat terrorism: a human rights-compatible approach”](#));
- **Participation of members in conferences, meetings, seminars etc:** heard a report on the 59<sup>th</sup> plenary meeting of MONEYVAL, 2-6 December 2019 by Mr Titus Corlăţean, Romania, SOC;
- **Other business:**
  - **Follow up to Assembly [Resolution 2293 \(2019\)](#) on “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): heard a statement by the rapporteur (by video conference) on the recent developments in Malta and authorised him to carry out a fact-finding visit to Malta, subject to the availability of funds;
  - **Democracy Hacked? How to respond?”** (Rapporteur (for the Committee on Political Affairs and Democracy): Mr Frithjof Schmidt, Germany, SOC); (Rapporteur for opinion of the Committee on Legal Affairs and Human Rights, Mr Emanuelis Zingeris, Lithuania, EPP/CD): heard a statement by the rapporteur for opinion on the draft report adopted by the Committee on Political Affairs and Democracy the day before;
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- **Next meetings:** took note of the forthcoming meetings as listed below and confirmed the meeting to be held on 10 March 2019 at the Council of Europe office in Paris;

*Plenary Committee:*

- Strasbourg, during the Assembly’s 1<sup>st</sup> part-session of 2020 (27-30 January 2020)
- Paris, 10 March 2020 (Council of Europe Office)

- Strasbourg, during the Assembly's 2<sup>nd</sup> part-session of 2020 (20-23 April 2020)
- Paris, 20 May 2020 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 3<sup>rd</sup> part-session of 2020 (22-25 June 2020)
- Paris, 9 September 2020 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 4<sup>th</sup> part-session of 2020 (12-15 October 2020)
- Paris, 17 November 2020 (Council of Europe Office) (to be confirmed)
- Paris, 8 December 2020 (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