



SECRETARIAT

AS/Jur (2020) CB 01

3 February 2020

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

Synopsis of the meeting held in Strasbourg on 27-30 January 2020

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg from 27-30 January 2020:

- **on Monday 27 January 2020 at 2pm**, with Lord Donald Anderson (United Kingdom, SOC), oldest member present, in the Chair, as regards:
 - **Election of the Bureau of the Committee:** elected, by acclamation, Mr Boriss Cilevičs (Latvia, SOC) as Chairperson, Mr Edmon Marukyan (Armenia, ALDE) as 1st Vice-Chairperson, Mr Emanuelis Zingeris (Lithuania, EPP/CD) as 2nd Vice-Chairperson and Mr Martin Graf (Austria, EC/DA) as 3rd Vice-Chairperson;

Then with Mr Boriss Cilevičs (Latvia, SOC) in the Chair:

- **Hearings during the week:** agreed to open the following hearings to the public
 - **The implementation of judgments of the European Court of Human Rights – 10th report - Russian Federation** (*Rapporteur: Mr Constantinos Efstathiou, Cyprus, SOC*),
 - **The principles and guarantees of advocates** (*Rapporteur: Mr Aleksandr Bashkin, Russian Federation, NR*),and to allow specific interested parties to attend
 - the hearing on **The continuing need to restore human rights and the rule of law in the North Caucasus region** (*Rapporteur: Mr Frank Schwabe, Germany, SOC*), and
 - the item on **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** (*Rapporteur: Mr Pieter Omtzigt, the Netherlands, EPP/CD*).
- **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;
- **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 2020:

- i. European Commission for Democracy through Law (Venice Commission)
Titular member: Mr Vladimir Vardanyan (Armenia, EPP/CD)
Substitute: Lord Richard Balfe (United Kingdom, EC/DA)
 - ii. Council for Democratic Elections (of the Venice Commission)
Titular member: Mr Antonio Gutiérrez (Spain, SOC)
Substitute: Sir Christopher Chope (United Kingdom, EC/DA)
 - iii. Group of States against Corruption (GRECO)
Titular member: Mr Pere López (Andorra, SOC)
Substitute: Mr Sergiy Vlasenko (Ukraine, EPP/CD)
 - iv. Moneyval
Titular member: Mr Titus Corlăţean (Romania, SOC)
Substitute: Sir Edward Leigh (United Kingdom, EC/DA)
- **Democracy hacked? How to respond** (*Rapporteur for opinion: Mr Emanuelis Zingeris, Lithuania, EPP/CD; Rapporteur for the Committee on Political Affairs and Democracy: Mr Frithjof Schmidt, Germany, SOC*): considered and approved the Committee's opinion;
 - **Setting minimum standards for electoral systems in order to offer the basis for free and fair elections** (*Rapporteur for opinion (oral): Mr Pierre-Alain Fridez, Switzerland, SOC; Rapporteur for the Committee on Political Affairs and Democracy: Mr Hendrik Daems, Belgium ALDE*): considered and approved the Committee's oral opinion;
 - **on Tuesday 28 January 2020 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);
 - **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:

Ms Neamat Abumuslimova, Witness
Mr Amin Dzhabrailov, Witness (by video conference)
Mr Ibragim Yangulbayev, Witness
Mr Oleg Orlov, Head of Human Rights Center Memorial's program "Hot spots", Moscow, Russian Federation
- and agreed to request the Bureau to authorise the extension of the reference until 30 September 2020 to allow for the second visit to the region, previously postponed at the request of the Russian delegation;
- **The implementation of judgments of the European Court of Human Rights – 10th report - Russian Federation** (*Rapporteur: Mr Constantinos Efstathiou, Cyprus, SOC*): held an exchange of views with Mr Piotr Tolstoy, Chairperson of the delegation of the Russian Federation to the Parliamentary Assembly, and a representative of the Ministry of Justice; agreed to declassify the information note and to seize the Venice Commission for an opinion on the draft amendment to the Constitution of the Russian Federation (as proposed by the President of the Russian Federation on 15 January 2020), according to which international agreements and treaties, as well as decisions by international bodies, may apply only to the extent that they do not entail restrictions on the rights and freedoms of people and citizens, and do not contradict the Constitution;
 - **on Tuesday 28 January 2020 at 2pm**, as regards:
 - **The protection of freedom of religion or belief in the workplace** (*Rapporteur: Mr Davor Ivo Stier, Croatia, EPP/CD*): took position on 9 amendments (7 to the draft resolution, 2 to the draft recommendation);

- **Ensuring accountability for the downing of flight MH 17** (*Rapporteur: Mr Titus Corlăţean, Romania, SOC*): considered an introductory memorandum and agreed to declassify it; authorised the rapporteur to put written questions to the Russian Federation and the United States, and to carry out fact-finding visits to the Netherlands and to Ukraine;
- **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*): heard a statement by the Rapporteur on developments since adoption of Assembly [Resolution 2293 \(2019\)](#) and took note of the Rapporteur's forthcoming follow-up visit to Malta;
- **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** (*Rapporteur: Mr Pieter Omtzigt, the Netherlands, EPP/CD*): considered an introductory memorandum, agreed to declassify it and approved the appended questionnaire to be sent to national parliaments via the European Centre for Parliamentary Research and Documentation (ECPRD);
- **Annual ticket** – considered two invitations to hold the annual meeting outside of Strasbourg and Paris proposed by:
 - the Greek delegation for the Committee's November 2020 meeting in Komotini, Thrace, Greece;
 - the Dutch delegation for a Committee meeting in the second half of 2020 in The Hague, the Netherlands,
 and decided to accept the Greek delegation's invitation (subject to authorisation by the Bureau and the availability of funds);
- **on Thursday 30 January 2020 at 8.30am**, as regards:
 - **Sub-Committee on Human Rights**: took note of a written report by Mr Vladimir Vardanyan (Armenia, EPP/CD), Chairperson of the Sub-Committee, on the meeting held in Strasbourg on Wednesday 29 January 2020 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 the Slovak Republic, Romania, Poland and the Russian Federation for transmission to the Bureau;
 - **Reported cases of political prisoners in Azerbaijan** (*Rapporteur: Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC*): took position on 8 amendments (7 to the draft resolution and 1 to the draft recommendation);
 - **The principles and guarantees of advocates** (*Rapporteur: Mr Aleksandr Bashkin, Russian Federation, NR*): held a hearing with the participation of:

Mr Vakhtang Fedorov, Senior partner of the Moscow Bar Association "Legis Group", Lawyer Chamber of Moscow, Russian Federation
 Mr Laurent Pettiti, Chair of the working group of the Council of Bars and Law Societies of Europe (CCBE) on the European convention for advocates, France
 Ms Maria Ślęzak, President of the European Association of Lawyers, Starogard Gdański, Poland;
- **Appointment of rapporteurs**

For report:

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

For opinion:

Climate change and the rule of law: baseline study (Rapporteur for the Committee on Social Affairs, Health and Sustainable Development: Ms Edite Estrela, Portugal, SOC): appointed Mr Norbert Kleinwaechter (Germany, NR) and heard from him a declaration of no conflict of interest;

- **Appointment of a General Rapporteur on the situation of human rights defenders in Council of Europe member States** (following the departure of Mr Raphaël Comte, Switzerland, ALDE from the Assembly): appointed Ms Alexandra Louis (France, ALDE) and heard from her a declaration of no conflict of interest;
- **Appointment of a General Rapporteur for the Protection of Whistleblowers:** postponed to the next meeting;
- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the reply from the Committee of Ministers to the following Assembly recommendation:
“Laundromats: responding to new challenges in the international fight against organised crime, corruption and money laundering”, [Recommendation 2154 \(2019\)](#);
- **Work programme of the Committee: Priorities for 2020:** took note of the Committee’s work programme for 2020;
- **Hearings during the next meeting:** agreed to open the following hearings to the public

The brain-computer interface: new rights or new threats to fundamental freedoms?
(Rapporteur: Mr Olivier Becht, France, ALDE)

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 (Rapporteur: Mr Pieter Omtzigt, the Netherlands, EPP/CD) (t.b.c.);

– **Other business**

- **Information documents:** took note of two 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”;

- **The brain-computer interface: new rights or new threats to fundamental freedoms?**
(Rapporteur: Mr Olivier Becht, France, ALDE): agreed in his absence to the Rapporteur’s proposal, made at an earlier meeting, to change the title of this report from “The human being-machine connection: new rights or new threats to fundamental freedoms?” to “The brain-computer interface: new rights or new threats to fundamental freedoms?”;

- **Members travelling to the Russian Federation on Parliamentary Assembly business:** on the basis of information provided by Mr Emanuelis Zingeris (Lithuania, EPP/CD), rapporteur for follow-up to Assembly Resolution 2297 (2019) on Shedding light on the murder of Boris Nemtsov, agreed to request the Chairperson to write to the Chairperson of the Russian delegation requesting that members of the Parliamentary Assembly be granted access to the Russian Federation to carry out Assembly business, regardless of their status on any sanctions lists;

- **Václav Havel Human Rights Prize 2020: call for nominations:** noted the procedure and deadline of 30 April 2020 for submissions of candidates, including the relevant information available on the [Václav Havel Human Rights Prize website](#);

– **Next meetings:**

Plenary Committee:

- Paris, 10 March 2020 (Council of Europe Office)

- Strasbourg, during the Assembly's 2nd part-session of 2020 (20-23 April 2020)
- Paris, 20 May 2020 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 3rd part-session of 2020 (22-25 June 2020)
- Paris, 9 September 2020 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 4th part-session of 2020 (12-15 October 2020)
- 9-10 November 2020, Komotini, Thrace, Greece (subject to authorisation by the Bureau and the availability of funds);
- Paris, 8 December 2020 (Council of Europe Office) (to be confirmed)

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Tuesday 28 January 2020 at 3pm, with Lord Donald Anderson (United Kingdom, SOC), oldest member present, then Mr Vladimir Vardanyan (Armenia, EPP/CD) in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Vladimir Vardanyan (Armenia, EPP/CD) Chairperson by acclamation and decided to postpone the election of a Vice-Chairperson to a future meeting;
- **Next meeting:** Wednesday 29 January 2020.

The Sub-Committee on Artificial Intelligence and Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Tuesday 28 January 2020 at 3.10pm, with Mr Boriss Cilevičs (Latvia, SOC), longest serving member present, then Mr Ziya Altunyaliz (Turkey, NR) in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Mr Ziya Altunyaliz (Turkey, NR) Chairperson by acclamation and decided to postpone the election of a Vice-Chairperson to a future meeting;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

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 28 January 2020 at 3.20pm, with Lord Donald Anderson (United Kingdom, SOC), oldest member present then Sir Christopher Chope (United Kingdom, EC/DA), in the Chair, as regards:

- **Election of the Sub-Committee's Bureau:** elected Sir Christopher Chope (United Kingdom, EC/DA) Chairperson by acclamation and decided to postpone the election of a Vice-Chairperson to a future meeting;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Wednesday 29 January 2020 at 2.50pm with Mr Vladimir Vardanyan (Armenia, EPP/CD) in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT):** considered the lists of candidates to the CPT in respect of Poland, the Slovak Republic, the Russian Federation and Romania; agreed on an order of preference amongst the candidates on the lists submitted by delegations of the Slovak Republic and Romania, to be transmitted to the plenary Committee for endorsement; and decided to propose to the plenary Committee that the lists of candidates in respect of Poland and the Russian Federation be rejected;

- **Next meeting:** during the April 2020 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</u>	
<u>remplaçant</u>				
1.	Mr VARDANYAN Vladimir (Chair/ Président)	Armenia/Arménie	Mr	MARUKYAN Edmon
2.	ZZ (Vice-Chair / Vice-Président.e)			
3.	Lord ANDERSON Donald	United Kingdom/ Royaume-Uni		
4.	Mr ALTUNYALDIZ Ziya	Turkey/ Turquie		
5.	Mr BACELAR DE VASCONCELOS Pedro	Portugal		
6.	Lord BALFE Richard	United Kingdom/ Royaume-Uni		
7.	Ms BARDELL Hannah	United Kingdom/ Royaume-Uni	Mr	SHEPPARD Tommy
8.	Ms BAYR Petra	Austria/Autriche		
9.	Ms BUSHKA Klotilda	Albania/ Albanie		
10.	Ms CORCORAN KENNEDY Marcella	Ireland/ Irlande		
11.	Mr EFSTATHIOU Constantinos	Cyprus/Chypre		
12.	Mr FRIDEZ Pierre-Alain	Switzerland/Suisse	Mr	GERMANN Hannes
13.	Ms GASIUK-PIHOWICZ Kamila	Poland/Pologne		
14.	M. GATTOLIN André	France	M.	WASERMAN Sylvain
15.	Ms GONALEZ Marta	Spain/Espagne		
16.	Ms GORGHIU Alina-Ştefania	Romania/Roumanie	Mr	CORLĂŢEAN Titus
17.	Mr IBRAHIMOVIĆ Ervin	Montenegro/Monténégro		
18.	Ms JENSEN Gyde	Germany/Allemagne	Mr	KLEINWÄCHTER Norbert
19.	Mr. KALCHENKO Serhii	Ukraine		
20.	Ms KILADZE Sopio	Georgia/Géorgie		
21.	Ms LIBINA-EGNERE Inese	Latvia/Lettonie		
22.	Ms LOUIS Alexandra	France	Mr	VALLINI André
23.	Ms MARTINEZ Valentina	Spain/Espagne		
24.	Mr MEREZHKO Oleksandr	Ukraine		
25.	Ms RIZZOTTI Maria	Italy/ Italie	Mr	SCOMA Francesco
26.	Mr ŚMISZEK Krzysztof	Poland/Pologne		
27.	Mr STYLIANIDIS Evripidis Georgios	Greece/Grèce	Mr	KATROUGKALOS
28.	Ms TOMIĆ Aleksandra	Serbia/ Serbie		
29.	Ms VAN VAERENBERGH Kristien	Belgium/Belgique	Ms	MARGHEM MarieChristine
30.	Mr VAREIKIS Egidijus	Lithuania/Lituanie		

ex officio: Chairperson of AS/Jur : Mr CILEVIČS Boriss

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

Titular member / Membre titulaire
remplaçant

Alternate member / **Membre**

1.	Mr	ALTUNYALDIZ Ziya (Chair)	Turkey/ Turquie	
2.	ZZ	(Vice Chair / Vice- Président.e)		
3.	Ms	ÆVARSDÓTTIR Thorhildur Sunna	Iceland/ Islande	
4.	Lord	BALFE Richard	United Kingdom/ Royaume-Uni	
5.	Mr	BERAIA Irakli	Georgia/Géorgie	
6.	Mr	BEYER Peter	Germany/Allemagne	Mr BERNHARD Marc
7.	Mr	BOUCHEZ Georges-Louis	Belgium/Belgique	Ms GAHOUCHI Latifa
8.	Mr	BUCCARELLA Maurizio	Italy/ Italie	Ms RIZZOTTI Maria
9.	Ms	CORCORAN KENNEDY Marcella	Ireland/ Irlande	
10.	Mr	COTTIER Damien	Switzerland/Suisse	Mr JUILLARD Charles
11.	Mr	COZMANCIUC Corneliu-Mugurel	Romania/Roumanie	Mr NICOLAE Andrei
12.	Mr	GATTOLIN André	France	
13.	M.	GOUTTEFARDE Fabien	France	M. BECHT Olivier
14.	Mr	GUTIÉRREZ PRIETRO Sergio	Spain/Espagne	
15.	Mr	KAIRIDIS Dimitrios	Greece/ Grèce	Ms KANELLI Liana
16.	Mr	KLEINWÄCHTER Norbert	Germany/ Allemagne	Ms JENSEN Gyde
17.	Mr	KOÇ Haluk	Turkey/ Turquie	
18.	Ms	LEPOMÄKI Elina	Finland/ Finlande	
19.	Ms	NACSA Lőrinc	Hungary / Hongrie	
20.	Mr	ORLANDO Andrea	Italy/ Italie	
21.	Mr	PROTASIEWICZ Jacek	Poland/Pologne	
22.	Mr	SCOTAR Dinu Gheorghie	Romania/Roumanie	
23.	Mr	SEYIDOV Samad	Azerbaijan/Azerbaïdjan	
24.	Mr	WISELER Claude	Luxembourg	
25.	Z			
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ex officio: Chairperson of AS/Jur : Mr CILEVIČS Boriss

**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.	Sir	CHOPE Christopher (Chair/ Président)	United Kingdom/ Royaume-Uni	Sir LEIGH Edward
2.	ZZ	(Vice-Chair / Vice-Président.e)		
3.	Lord	ANDERSON Donald	United Kingdom/ Royaume-Uni	
4.	Ms	BAYR Petra	Austria/Autriche	
5.	Mr	BUCCARELLA Maurizio	Italy/Italie	Mr SCOMA Francesco
6.	Mr	CILEVIČS Boriss	Latvia/ Lettonie	
7.	Mr	CORLATEAN Titus	Romania / Roumanie	Mrs GORGHIU Alina Ștefania
8.	Mr	EFSTATHIOU Constantinos	Cyprus/Chypre	
9.	Mr	EKER Mehmet Mehdi	Turkey/Turquie	
10.	Ms	GASIUŁ-PIHOWICZ Kamila	Poland/Pologne	
11.	Mr	GAVAN Paul	Ireland/ Irlande	
12.	Ms	GONZALEZ Marta	Spain/Espagne	
13.	Mr	GUTIÉRREZ PIETRO Sergio	Spain/Espagne	
14.	Mr	HONKONEN Petri	Finland/ Finlande	
15.	Mr	JUILLARD Charles	Switzerland/Suisse	Mr COTTIER Damien
16.	Ms	LIBINA-EGNERE Inese	Latvia/Lettonie	
17.	Ms	LOVOCHKINA Yuliya	Ukraine	
18.	Ms	MARGHEM Marie-Christine	Belgium/Belgique	Ms GAHOUCI Latifa
19.	Ms	MARTINEZ Valentina	Spain/Espagne	
20.	Ms	PAVIĆEVIĆ Sanja	Montenegro / Monténégro	
21.	Mr	STYLIANIDIS Evripidis	Greece/Grèce	Mr KATROUGKALOS Georgios
22.	Mr	ULLRICH Volker	Germany/ Allemagne	Ms AKBULUT Gökay
23.	M.	VALLINI André	France	
24.	Mr	VARDANYAN Vladimir	Armenia/ Arménie	Mr MARUKYAN Edmon
25.	Mr	VLASKENKO Serhii	Ukraine	
26.	Mr	WASERMAN Sylvain	France	Mr GOUTTEFARDE Fabien
27.	Z			
28.	Z			
29.	Z			
30.	Z			

ex officio: Chairperson of AS/Jur : Mr CILEVIČS Boriss