



SECRETARIAT

AS/Jur (2021) CB 04

23 April 2021

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

### Synopsis of the meeting held in hybrid format on 19, 20 and 21 April 2021

The Committee on Legal Affairs and Human Rights, meeting in hybrid format on 19, 20 and 21 April 2021 with Mr Boriss Cilevičs (Latvia, SOC) in the Chair:

- on Monday 19 April 2021 at 2pm, as regards:
  - ***The arrest and detention of Alexei Navalny in January 2021*** (*Rapporteur: Mr Jacques Maire, France, ALDE*): considered a draft report under the urgent debate procedure and adopted a draft resolution and a draft recommendation;
  - ***Appointment of rapporteurs:***  
For report:
    - ***The implementation of judgments of the European Court of Human Rights (11<sup>th</sup> report)***: appointed Mr Constantinos Efstathiou (Cyprus, SOC) and heard from him a declaration of absence of conflict of interest;
    - ***The impact of the Covid-19 pandemic on prison population in Europe***: appointed Mr Givi Mikanadze (Georgia, SOC) and heard from him a declaration of absence of conflict of interest;
    - ***Covid passports or certificates: protection of fundamental rights and legal implications***: appointed Mr Damien Cottier (Switzerland, ALDE), with a view to an Assembly debate during the June part-session 2021, and heard from him a declaration of absence of conflict of interest;
  - ***Sub-committees***: agreed to the nominations below from the following delegations:
    - ***Azerbaijan***: Mr Kamal Jafarov (Azerbaijan, NR) as titular member and Mr Erkin Gadirli (Azerbaijan, EC/DA) as alternate for the Sub-Committee on Human Rights and for the Sub-Committee on the implementation of judgments of the European Court of Human Rights;
    - ***Estonia***: Ms Maria Jufereva-Skuratovski (Estonia, ALDE) as titular member of the Sub-Committee on Artificial Intelligence and Human Rights and that Ms Jufereva-Skuratovski's candidature be added to the waiting list as titular for the Sub-Committee on Human Rights;
- on Tuesday 20 April 2021 at 6pm:
  - ***Human rights violations in Belarus require an international investigation*** (*Rapporteur: Ms Alexandra Louis, France, ALDE*): took position on three amendments to the draft resolution;

- **Request for an Opinion by the European Commission for Democracy through Law (Venice Commission) on the Belarusian Draft Law on Fight against Extremism:** heard a statement by Ms Alexandra Louis (France, ALDE), Rapporteur for “Human rights violations in Belarus require an international investigation”, and agreed to her request to ask the Venice Commission for an opinion on this subject;
- **The impact of the Covid-19 restrictions for civil society space and activities:** considered and adopted, in the presence of a quorum, a motion for a resolution on this issue, to be tabled on behalf of the Committee;
- **Follow-up to the Committee's reports:** [Recommendation 2121](#) “ The case for drafting a European convention on the profession of lawyer” (*Rapporteur: Ms Sabien Lahaye-Battheu, Belgium, ALDE*) and [Recommendation 2188](#): “The principles and guarantees applicable to advocates” (*Rapporteur: Mr Alexandr Bashkin, Russian Federation, NR*): following referral by the Committee of Ministers of these recommendations to the European Committee on Legal Cooperation (CDCJ), heard a statement from Mr Bashkin on the progress of work by the CDCJ on the Assembly’s proposal to draft a new convention;
- **on Wednesday 21 January 2021 at 2 pm:**
  - **Sub-Committee on Human Rights** – heard a report by the Chairperson of the Sub-Committee on the meeting held in hybrid format on Tuesday 20 April 2021; endorsed the proposals of the Sub-Committee concerning the order of preference amongst candidates to the European Committee for the Prevention of Torture (CPT) on the lists presented by the delegations of Croatia, Slovenia, France, Switzerland, Liechtenstein, United Kingdom and Malta for transmission to the Bureau of the Assembly, and endorsed the Sub-Committee’s recommendation to reject the list of candidates presented by the delegation of Cyprus;
  - **The arrest and detention of Alexei Navalny in January 2021** (*Rapporteur: Mr Jacques Maire, France, ALDE*): took position on one written amendment and one possible oral amendment to the draft resolution;
  - **Fighting and preventing excessive and unjustified use of force by the law enforcement officers** (*Rapporteur: Mr Oleksandr Merezhko, Ukraine, SOC*): considered an introductory memorandum; agreed to hold a hearing with experts at a future meeting, subject to the availability of funds, and took note of the Rapporteur’s intention to consult other relevant experts, as necessary, at no cost to the Assembly;
  - **Follow-up to the Committee's reports:** [Recommendation 2123](#) on “Strengthening international regulations against trade in goods used for torture and the death penalty” (*Rapporteur: Mr Vusal Huseynov, Azerbaijan, EPP/CD*): took note that on [31 March 2021](#) the Committee on Ministers adopted Recommendation [CM/Rec\(2021\)2](#) to Council of Europe member States on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment;
  - **Participation of members in conferences, meetings, seminars etc:** agreed to the Chair’s proposal requesting institutional representatives to make oral or written statements following their participation in meetings in order to update committee members on their work;
  - **Hearings during the next meeting:** agreed that the hearing foreseen at the next meeting on “Reported cases of political prisoners in Azerbaijan” (*Rapporteur for follow-up to Recommendation 2170, Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC*) be open to the public, provided the experts do not object;

- **Other business:**
  - **Covid passports or certificates: protection of fundamental rights and legal implications:** (*Rapporteur: Mr Damien Cottier, Switzerland, ALDE*): took note of the Rapporteur's intention to consult relevant experts, as necessary, at no cost to the Assembly;
- **Next meetings:** confirmed its next meeting on 17 May 2021 by video-conference;

*Plenary Committee:*

- 17 May 2021 by video-conference
- during the Assembly's 3<sup>rd</sup> part-session of 2021 (21-25 June 2021)
- 14 September 2021, t.b.c.
- during the Assembly's 4<sup>th</sup> part-session of 2021 (27 September - 1 October 2021)
- 5 November 2021, t.b.c.
- 7 December 2021, t.b.c.

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**The Sub-Committee on Artificial Intelligence and Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in hybrid format on Monday 19 April 2021 at 3.10pm, with Lord Balfe (United Kingdom, NR), oldest 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 and Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) Vice-Chairperson, both by acclamation;
- **Next meeting:** left it to the Chairperson to convene the next meeting.

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**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 hybrid format on Monday 19 April 2021 at 3.20pm, with Sir Christopher Chope (United Kingdom, EC/DA) as oldest member present in the Chair and then, following his re-election, as 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.

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in hybrid format on Tuesday 20 April 2021 at 6.30pm, 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 Croatia, Slovenia, France, Switzerland, Liechtenstein, United Kingdom, and Malta and agreed on an order of preference amongst the candidates on these lists to be transmitted to the plenary Committee for endorsement, and decided to recommend the rejection of the list of candidates presented by the delegation Cyprus;
- **Human rights issues relating to the situation in Belarus:** postponed owing to a technical

problem;<sup>1</sup>

- **Next meeting:** during the June part-session 2021.

Günter Schirmer, David Milner, Agnieszka Szklanna, Marina Makarova

Copy to:

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Director 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

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<sup>1</sup> The issue was later raised under other business at the end of the plenary meeting of the Committee on Legal Affairs and Human Rights on Wednesday, 21 April 2021.