



SECRETARIAT
AS/Jur (2021) CB 07
23 June 2021

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

Synopsis

of the meeting held in a hybrid manner in Strasbourg on 21 and 22 June 2021

The Committee on Legal Affairs and Human Rights, meeting in a hybrid manner on 21 and 22 June 2021 with Mr Boriss Cilevičs (Latvia, SOC) in the Chair and, on Monday 21st, for the first point below only, with Mr Dimitrios Kairidis (Greece, EPP/CD) in the Chair:

- on Monday 21 June 2021 at 2pm, as regards:
 - **Should politicians be prosecuted for statements made in the exercise of their mandate?** (Rapporteur: Mr Boriss Cilevičs, Latvia, SOC), (Rapporteur for opinion for the Committee on Equality and Non-Discrimination: Mr Pere López, Andorra, SOC): took position on 18 written amendments and one proposed oral amendment to the draft resolution;
- on Tuesday 22 June 2021 at 8am, as regards:
 - **Covid passes or certificates: protection of fundamental rights and legal implications** (Rapporteur: Mr Damien Cottier, Switzerland, ALDE), (Rapporteur for opinion for the Committee on Social Affairs, Health and Sustainable Development: Ms Carmen Leyte, Spain, EPP/CD): took position on 5 written amendments and 1 proposed oral amendment to the draft resolution;
 - **Follow up to “The arrest and detention of Alexei Navalny in January 2021”** (Rapporteur for follow-up to [Resolution 2375 \(2021\)](#) and [Recommendation 2202 \(2021\)](#): Mr Jacques Maire, France, ALDE): agreed to an exceptional request by the rapporteur for authorisation to conduct fact-finding and exchanges with the Russian authorities and other stakeholders, preferably in situ¹;
 - **Reported cases of political prisoners in Azerbaijan: follow-up to [Resolution 2322 \(2020\)](#)** (Rapporteur for follow-up: Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC): considered, endorsed and declassified a [follow-up report](#) and adopted a [statement](#) on behalf of the committee;
 - **Appointment of rapporteurs:**

For report:

The impact of the Covid-19 restrictions for civil society space and activities: appointed Ms Alexandra Louis (France, ALDE) in absentia, subject to her making a declaration of absence of conflict of interest at a future meeting;

¹ This point, previously discussed at the meeting on 3 June, was repeated, as following detailed verification of the nominal vote results, available after the end of the 3 June meeting, the vote cast on the request for authorisation was not valid because of the absence of the required quorum.

Draft Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence: appointed Mr Kamal Jafarov (Azerbaijan, NR) and heard from him a declaration of absence of conflict of interest;

- **on Tuesday 22 June 2021 at 3pm**, as regards:
 - **Sub-Committee on Human Rights** – heard a report by the Chairperson of the Sub-Committee on the meeting held in a hybrid manner on Tuesday 22 June 2021 at 2pm; 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 Poland, Cyprus, Turkey, Austria, Serbia, Luxembourg and Ukraine 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 Spain;
 - **Other business:**
 - **Priorities of the Hungarian Presidency of the Committee of Ministers of the Council of Europe (21 May – 17 November 2021)**: took note of the aforementioned priorities of the Hungarian Presidency;
 - **Future hearings**: agreed to hold the following hearings and to invite experts (subject to the availability of funds) at forthcoming meetings; decided that these hearings be open to the public, provided the invited experts agree:
 - Ending enforced disappearances on the territory of the Council of Europe (Rapporteur: Mr André Gattolin, France, ALDE)
 - Fighting and preventing excessive and unjustified use of force by the law enforcement officers (Rapporteur: Mr Oleksandr Merezhko, Ukraine, SOC)
 - Misuse of the Schengen system by Council of Europe member States as a politically-motivated sanction (Rapporteur: Ms Irina Rukavishnikova, Russian Federation, NR)
 - Draft Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (Rapporteur: Mr Kamal Jafarov, Azerbaijan, NR)
 - **Next meetings**: confirmed its next meeting on 14 September 2021 with the format to be confirmed shortly;

Plenary Committee:

- 14 September 2021 (format t.b.c.)
- during the Assembly’s 4th part-session of 2021 (27 September - 1 October 2021)
- 5 November 2021, t.b.c.
- 7 December 2021, t.b.c.

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in a hybrid manner on Tuesday 22 June 2021 at 2pm, 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, Cyprus, Turkey, Austria, Serbia, Luxembourg and Ukraine 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 of Spain;²

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

Günter Schirmer, David Milner, Agnieszka Szklanna, Marina Makarova

Copy to:

Secretary General of the Assembly
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

² The delegation of Monaco withdrew its list of candidates before the Sub-Committee meeting.