



SECRETARIAT  
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1 October 2021

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

### Synopsis of the meetings held in a hybrid manner in Strasbourg on 27, 28 and 29 September 2021

The Committee on Legal Affairs and Human Rights, meeting in a hybrid manner on 27, 28 and 29 September 2021, with Mr Boriss Cilevičs (Latvia, SOC) in the Chair:

- on Monday 27 September 2021 at 2pm, as regards:
  - **Draft Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence** (*Rapporteur Mr Kamal Jafarov, Azerbaijan, EC/DA*): considered a draft report and unanimously adopted a draft opinion;
  - **Political prisoners in the Russian Federation** (*Rapporteur Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC*): heard a statement from the Rapporteur and authorised her to carry out a fact-finding visit to the Russian Federation, subject to the availability of funds;
  - **Appointment of rapporteurs:**
    - For report:**
      - **Pegasus and similar spyware and secret state surveillance:** appointed Mr Pieter Omtzigt (the Netherlands, EPP/CD) and heard from him a declaration of no conflict of interest;
      - **Transnational repression as a growing threat to the rule of law and human rights:** appointed Sir Christopher Chope (United Kingdom, EC/DA) and heard from him a declaration of no conflict of interest;
    - For opinion:**
      - **Call for an inclusive national political process in Belarus** (*Rapporteur for the Committee on Political Affairs and Democracy, Mr Kimmo Kiljunen, Finland, SOC*): appointed Mr Emanuelis Zingeris (Lithuania, EPP/CD) and heard from him a declaration of no conflict of interest;
  - Reconfirmed Mr Pieter Omtzigt (the Netherlands, EPP/CD) as General Rapporteur for the protection of whistleblowers and as Rapporteur 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”**, following his temporary absence from the Committee;
  - **Sub-Committee on Human Rights:** appointed Ms Marina Carobbio Guscetti (Switzerland, SOC) as a member of the Sub-Committee on Human Rights, to replace Mr Christian Levrat (Switzerland, SOC);

- **On Tuesday 28 September 2021 at 8.30am**, as regards:
  - **Election of the Bureau of the Committee:** elected, by acclamation, Mr Damien Cottier (Switzerland, ALDE) as the first Vice-Chairperson of the Committee;
  - **Celebrating the 70th anniversary of the Geneva conventions: the contribution of the Council of Europe to the increasing synergy between International Humanitarian Law and International Human Rights Law** (*Rapporteur Lord Balfe, United Kingdom, NR*): considered a draft report and unanimously adopted a draft resolution;
  - **Addressing issues of criminal and civil liability in the context of climate change** (*Rapporteur: Mr Ziya Altunyaliz, Turkey, NR*): took note that no amendments had been tabled to the draft resolution or the draft recommendation;
  - **Call for an inclusive national political process in Belarus** (*Rapporteur for opinion: Mr Emanuelis Zingeris, Lithuania, EPP/CD*): took note of a statement by Mr Zingeris and considered that there was no conflict of interest;
- **On Wednesday 29 September 2021 at 2pm**, as regards:
  - **Draft Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence** (*Rapporteur: Mr Kamal Jafarov, Azerbaijan, EC/DA*): took note that no amendments had been tabled to the draft opinion;
  - **Sub-Committee on Human Rights:** heard a report by the Chairperson of the Sub-Committee on the meeting held in a hybrid manner on 28 September 2021; endorsed the proposals of the Sub-Committee concerning the lists of candidates to the European Committee for the Prevention of Torture (CPT) presented by the delegations of Estonia, Hungary, Norway, Bulgaria, Denmark, and the Netherlands; instructed the Secretariat to prepare a compendium of the Assembly's rules on national selection procedures; and took note that lists of candidates were still outstanding from the delegations of Bosnia-Herzegovina, Georgia, Republic of Moldova, Monaco, Spain, and Sweden;
  - **Legal aspects of the accession of the European Union to the European Convention on Human Rights:** (*Rapporteur: Mr Titus Corlăţean, Romania, SOC*): considered an introductory memorandum and decided to hold a hearing with experts at one of its next meetings, subject to the availability of funds;
  - **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the reply by the Committee of Ministers to [Recommendation 2194 \(2021\)](#) on "Restrictions on NGO activities in Council of Europe member States";
  - **The impact of the Covid-19 restrictions for civil society space and activities** (*Rapporteur: Ms Alexandra Louis, France, ALDE*): heard from her a declaration of no conflict of interest;
  - **Hearings during the next meeting:** decided to open the upcoming hearings on the following topics to public:
 

*Legal aspects of the accession of the European Union to the European Convention on Human Rights* (*Rapporteur: Mr Titus Corlăţean, Romania, SOC*);

*Emergence of lethal autonomous weapons systems (LAWS) and their necessary apprehension through European human rights law* (*Rapporteur: Mr Fabien Gouttefarde, France, ALDE*);
  - **Other business:**
    - **Follow-up to Assembly's [Resolution 2362 \(2021\)](#) on restrictions on NGO activities in Council of Europe member States:** heard a statement by Ms Alexandra Louis (France, ALDE) on two opinions adopted by the European Commission for Democracy through Law (Venice Commission) at its 127th Plenary session (2-3 July 2021): on the compatibility with international human rights standards of a series of Bills introduced to the Russian State Duma between 10 and 23 November 2020, to amend laws affecting "foreign agents", and on the compatibility with international human rights standards of the Turkish Law no. 7262 on the Prevention of Financing of the Proliferation of Weapons of Mass Destruction;

- **Next meetings:** confirmed the following meeting dates and noted that members would be informed in due course of the format that each meeting would take:

*Plenary Committee*

- 5 November 2021
- 7 December 2021

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in a hybrid manner on 28 September 2021 at 2.30pm, 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 Estonia, Hungary, Norway, Bulgaria, Denmark, and the Netherlands, and agreed on an order of preference amongst the candidates on these lists to be transmitted to the plenary Committee for endorsement; took note that lists of candidates were still outstanding from the delegations of Bosnia-Herzegovina, Georgia, Moldova, Monaco, Spain, and Sweden;
- **Next meeting:** left it to its Chairperson to propose the date and place of the next meeting.

Günter Schirmer, David Milner, Agnieszka Szklanna, Lilian Apostol

cc: 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