



SECRETARIAT

AS/Jur (2022) CB 02

7 April 2022

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

Synopsis of the meeting held in a hybrid manner in Paris on 4 April 2022

The Committee on Legal Affairs and Human Rights, meeting in a hybrid manner in Paris on 4 April 2022, with Mr Boriss Cilevičs (Latvia, SOC), former Chairperson, in the Chair¹, as regards:

- **Fighting and preventing excessive and unjustified use of force by law enforcement officers:** (*Rapporteur: Mr Oleksandr Merezhko, Ukraine, EC/DA*): considered a draft report presented by the Chair² and adopted a draft resolution and a draft recommendation, the latter unanimously;
- **How to put confiscated criminal assets to good use?** (*Rapporteur: Mr André Vallini, France, SOC*): considered a draft report and adopted a draft resolution and a draft recommendation, the latter unanimously;
- **References transmitted to the committee:**
 - **Appointment of a Rapporteur:**
 - *Misuse of the Schengen system by Council of Europe member States as a politically-motivated sanction* ([Doc. 14652](#))
(Replacement of the former rapporteur Ms Irina Rukavishnikova, Russian Federation, NR)
Appointed Mr Ziya Altunyaldiz (Turkey, NR) and heard from him a declaration of no conflict of interest;
 - **For information:**
 - *The need to ensure free access to historical documents* ([Doc. 15413](#)): noted the reference and decided to request the Bureau to reconsider its attribution for report to the most appropriate committee;
 - **Call for candidates for Rapporteur for report:**
 - *Cases of torture and inhumane treatment in Azerbaijani prisons* ([Doc. 15331](#))
 - *Allegations of systemic torture and inhuman or degrading treatment or punishment in places of detention in Council of Europe member States* ([Doc. 15420](#))

agreed to merge the above references into one report³ and called for candidates to notify the secretariat of their interest before the April 2022 part-session (candidature already noted: Mr Constantinos Efstathiou, Cyprus, SOC);

¹ Owing to illness of the Committee Chairperson and, in the absence of other Vice-chairpersons physically present, Mr Cilevičs agreed to chair.

² Mr Merezhko's online connectivity from Ukraine stalled, hence presentation by the Chair.

³ A letter to be communicated to the Bureau to this effect.

- *Examining the legitimacy and legality of the ad hominem term-limit waiver for the incumbent President of the Russian Federation (Doc.15446)*: called for candidates to notify the secretariat of their interest before the April 2022 part-session (candidature already noted: Mr Pieter Omtzigt, Netherlands, EPP/CD);
- **Call for candidates for Rapporteur for opinion:**
 - *Countering SLAPPs: an imperative for the democratic society (Doc. 15419)*
 - Rapporteur for the Committee on Culture, Science, Education and Media: Mr Stefan Schennach (Austria, SOC): called for candidates to notify the secretariat before the April 2022 part-session;
- **Appointment of a substitute representative of the Committee for MONEYVAL**– decided to propose to the Bureau the nomination of Ms Maria-Gabriela Horga (Romania, EPP/CD) as substitute to Ms Thórhildur Sunna Ævarsdóttir (Iceland, SOC) to represent the Committee at meetings of MONEYVAL in 2022;
- **Legal and human rights aspects of the aggression by the Russian Federation against Ukraine:** held a hearing with the participation of:

Mr Sergei Guriev, Professor of Economics at the Department of Economics at Sciences Po, Paris
 Professor Bill Bowring, Birkbeck College, University of London, United Kingdom
 Ms Simona Granata-Menghini, Director, Secretary of the European Commission for Democracy through Law (Venice Commission), Strasbourg,

agreed to request the Bureau to hold an urgent debate on “The Russian Federation’s aggression against Ukraine: ensuring accountability for serious violations of international humanitarian law” during the April 2022 part-session;

Then with Mr Davor Ivo Stier (Croatia, EPP/CD), 1st Vice-Chairperson in the Chair, as regards:

- **Safeguarding and promoting genuine democracy in Europe** (*Rapporteur for opinion: Mr Vladimir Vardanyan, Armenia, EPP/CD, (Rapporteur for the Committee on Political Affairs and Democracy: Ms Marie-Christine Dalloz, France, EPP/CD)*): considered and approved the Committee’s opinion;
- **Political prisoners in the Russian Federation** (*Rapporteur: Ms Thórhildur Sunna Ævarsdóttir, Iceland, SOC*): held a hearing with the participation of:

Mr Vladimir Kara-Murza, Founding Chairman of the Boris Nemtsov Foundation for Freedom, 2016-2021
 Mr Vladimir Milov, Advisor to Mr Alexei Navalny
 Ms Vera Chelischeva, Reporter and Head of the Judicial Department of *Novaya Gazeta*
- **Pegasus and similar spyware and secret state surveillance** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): considered an introductory memorandum, agreed to the Rapporteur’s request to declassify the introductory memorandum, to hold a hearing with experts at a future meeting (subject to the availability of funds) and to carry out a fact-finding visit to Israel,(subject to the availability of funds and agreement of the Bureau);
- **European Convention on Human Rights and national constitutions** (*Rapporteur: Mr George Katrougalos, Greece, UEL*): considered an introductory memorandum and agreed to the Rapporteur’s request to hold a hearing with experts at a future meeting, subject to the availability of funds, and to send out a questionnaire via the European Centre for Parliamentary Research and Documentation (ECPRD);
- **Hearings during the next meeting:** agreed to hold the following hearings with experts at future meetings, subject to the availability of funds, and to open them to the public:

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

The impact of the Covid-19 restrictions for civil society space and activities

Rapporteur: Ms Alexandra Louis, France, ALDE

The implementation of judgments of the European Court of Human Rights – 11th report

Rapporteur: Mr Constantinos Efstathiou, Cyprus, SOC

The impact of the Covid-19 pandemic on prison population in Europe

Rapporteur: Mr Givi Mikanadze, Georgia, SOC

Should politicians be prosecuted for statements made in the exercise of their mandates

Rapporteur for follow-up to Assembly Resolution 2381 (2021): Mr Boriss Cilevičs, Latvia, SOC

The human rights situation in Belarus

Rapporteur for follow-up to Assembly Resolution 2372 (2021) on “Human rights violations in Belarus require an international investigation”: Ms Alexandra Louis, France, ALDE

and Rapporteur for opinion of the Committee on Legal Affairs and Human Rights on “Call for an inclusive national political process in Belarus”, Mr Emmanuelis Zingeris, Lithuania, EPP/CD

European Convention on Human Rights and national constitutions

Rapporteur: Mr George Katrougalos, Greece, UEL

Pegasus and similar spyware and secret state surveillance

Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD;

– **Václav Havel Human Rights Prize 2022:** noted the deadline for nominations on 30 April 2022;

– **Other business:**

- *Conference on freedom of political speech, 28-29 April 2022, Lausanne, Switzerland:* agreed to the participation of the Rapporteur for follow-up to Assembly Resolution 2381 (2021), Mr Boriss Cilevičs, Latvia, SOC, to address this conference co-organised by the Council of Europe and the University of Lausanne, subject to the availability of funds:

- *Sub-committees* - agreed to the following:

Sub-Committee on Artificial Intelligence and Human Rights: Ms Thórhildur Sunna Ævarsdóttir (Iceland, SOC) to become a titular member;

Sub-Committee on the implementation of judgments of the European Court of Human Rights: Mr Constantinos Efstathiou (Cyprus, SOC) to become a titular member and Ms Thórhildur Sunna Ævarsdóttir (Iceland, SOC) to be given the next vacant seat;

- *Invitation to the elected representatives of the Turkish Cypriot community to attend its meetings during the Assembly’s 2022 ordinary session:* agreed the invitation be extended;

- *Procedures followed by the committee:* agreed to return to this item at the next meeting;

- *Invitation by the Swiss delegation to hold an “annual ticket” meeting in Bern and Neuchâtel on 5 and 6 September 2022 (replacing the meeting on 14 September 2022):* took note of the invitation and decided to return to it at the next meeting;

- *Letter from the First Deputy Chairman of the Verkhovna Rada containing a proposal to hold a parliamentary hearing in Kyiv, Ukraine:* took note of the letter and postponed further discussion until the next meeting;

- *Two letters from the chairperson of the Armenian delegation on the situation in Nagorno-Karabakh:* took note of the letters;

– **Next meetings:**

- *Additional committee meeting:* noted that an additional committee meeting would be held on Friday 29 April 2022 from 2 to 4.30pm (hybrid manner in Strasbourg);

Plenary Committee:

- during the Assembly's 2nd part-session of 2022 (25-28 April 2022) (hybrid manner in Strasbourg)
- 29 April 2022, 2-4.30pm (hybrid manner in Strasbourg)
- 23 May 2022, t.b.c.
- during the Assembly's 3rd part-session of 2022 (20-24 June 2022)
- 14 September 2022, t.b.c.
- during the Assembly's 4th part-session of 2022 (10-14 October 2022)
- 14 November 2022, t.b.c.
- 12 December 2022, t.b.c.

Günter Schirmer, Guillem Cano-Palomares, Agnieszka Szklanna, Lilian Apostol

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