



SECRETARIAT

AS/Jur (2021) CB 03

4 May 2022

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

Synopsis

of the meeting held in a hybrid manner in Strasbourg on 26 and 28 April 2022

The Committee on Legal Affairs and Human Rights, meeting in a hybrid manner in Strasbourg on 26 and 28 April 2022:

- on Tuesday 26 April 2022 at 8.30am, with Mr Damien Cottier (Switzerland, ALDE) in the Chair, as regards:
 - **Debate under urgent procedure on “The Russian Federation’s aggression against Ukraine: ensuring accountability for serious violations of international humanitarian law and other international crimes”** (Rapporteur: Mr Aleksander Pocij, Poland, EPP/CD - appointed by written procedure after the Bureau decision): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
- on Tuesday 26 April 2022 at 2.20pm, as regards:
 - **Ad hoc sub-committee of the Committee on Legal Affairs and Human Rights on carrying out a fact-finding visit to Ukraine for the purpose of gathering information on possible war crimes and crimes against humanity committed during the war of aggression launched by the Russian Federation against Ukraine:** agreed in principle on the constitution of an ad hoc sub-committee by applying the apportionment ratio based on the D’Hondt system, also taking into account geographical and gender balance, with three members and substitutes to be appointed by the EPP and SOC groups, two by the EC and ALDE groups and one by the UEL group, in addition to the chairperson of the Committee on Legal Affairs and Human Rights;
 - **Annual ticket, meeting on 5-6 September 2022, Bern and Neuchâtel, Switzerland:** confirmed this meeting, subject to authorisation by the Bureau and the availability of funds;
 - **Threats against former Committee Chair and rapporteur Mr Dick Marty:** took note of information regarding the threats against Mr Marty, possibly related to his report on [Inhuman treatment of people and illicit trafficking in human organs in Kosovo¹](#); agreed that the Chair would inform the President of the Assembly and the Secretary General of the Council of Europe in writing of this issue and that he would raise it in the free debate that afternoon reminding member States of their obligations towards Assembly members as underlined in the Assembly [Resolution 2392 \(2021\)](#);

¹ All reference to Kosovo, whether to the territory, institutions or population shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

- **Fighting and preventing excessive and unjustified use of force by the law enforcement officers** (*Rapporteur: Mr Oleksandr Merezhko, Ukraine, EC/DA*): noted that no amendments had been tabled to this report;
- **How to put confiscated criminal assets to good use?** (*Rapporteur: Mr André Vallini, France, SOC*): took position on 4 amendments tabled to the draft resolution;
- **Sub-Committee on Human Rights**: took note of an oral report by Ms Inese Lībiņa-Egnere (Latvia, EPP/CD), Chairperson of the Sub-Committee, on the meeting held in a hybrid manner in Strasbourg on Tuesday 26 April 2022 and endorsed the proposals of the Sub-Committee therein concerning the lists of candidates to the European Committee for the Prevention of Torture submitted by the delegations of Monaco and Georgia;
- **Other business:**
 - **Detention of Mr Vladimir Kara-Murza**: agreed that the Chair would issue, on behalf of the committee, a [statement](#) calling for the immediate release of Russian opposition politician and historian, Mr Vladimir Kara-Murza, who testified before the Committee on 4 April 2022 in Paris;
- **on Thursday 28 April 2022 at 8.30am**, as regards:
 - **Debate under urgent procedure on “The Russian Federation’s aggression against Ukraine: ensuring accountability for serious violations of international humanitarian law and other international crimes”** (*Rapporteur: Mr Aleksander Pocij, Poland, EPP/CD*): took position on two amendments to the draft resolution;
 - **Appointment of rapporteurs:**
 - 1) **Allegations of systemic torture and inhuman or degrading treatment or punishment in places of detention in Council of Europe member States** ([Doc. 15331](#) and [Doc. 15420](#)): appointed Mr Constantinos Efstathiou (Cyprus, SOC), and heard from him a statement of no conflict of interest;
 - 2) **Examining the legitimacy and legality of the ad hominem term-limit waiver for the incumbent President of the Russian Federation** ([Doc.15446](#)): appointed Mr Pieter Omtzigt (Netherlands, EPP/CD) and heard from him a statement of no conflict of interest;
 - 3) **Legal and human rights aspects of the Russian Federation’s aggression against Ukraine** ([Doc. 15481](#)): appointed Mr Damien Cottier (Switzerland, ALDE) and heard from him a statement of no conflict of interest;
- **Appointment of Rapporteur for opinion:**
 - 1) **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): appointed Ms Alexandra Louis (France, ALDE) in absentia, subject to her statement of no conflict of interest in writing or at a future meeting;
- **Ad hoc sub-committee of the Committee on Legal Affairs and Human Rights on carrying out a fact-finding visit to Ukraine for the purpose of gathering information on possible war crimes and crimes against humanity committed during the war of aggression launched by the Russian Federation against Ukraine**: took note of recent security concerns and noted that an element of flexibility would be required as regards the date and the composition of the sub-committee and that final authorisation of such a visit would lie with the Bureau; decided to return to this issue at the next meeting;
- **The right to freedom of information: ensuring access to historical documents**: agreed to table a motion for resolution on this matter on behalf of the committee;

- **Preventing vaccine discrimination** (*Rapporteur: Ms Thórhildur Sunna Ævarsdóttir, Iceland, SOC*): considered an introductory memorandum, agreed to a hearing with up to three experts at a future meeting and a fact-finding visit to the headquarters of the World Health Organisation in Geneva (Switzerland), both subject to the availability of funds, and to send out a questionnaire via the European Centre for Parliamentary Research and Documentation (ECPRD);
- **Václav Havel Human Rights Prize 2022**: made a call for nominations;²
- **Next meetings**: confirmed the date of the next meeting in Paris on 23 May 2022 and noted the meeting on 5-6 September in Bern and Neuchâtel (Switzerland) replaces the meeting previously scheduled for 14 September 2022;

Plenary Committee:

- 29 April 2022 (2-4.30pm), Strasbourg, hybrid
- 23 May 2022, Paris Office, fully presential
- during the Assembly's 3rd part-session of 2022 (20-24 June 2022)
- 5-6 September 2022, Bern and Neuchâtel (Switzerland), subject to approval by the Bureau and the availability of funds
- during the Assembly's 4th part-session of 2022 (10-14 October 2022) session of 2022 (20-24 June 2022)
- 14 November 2022, t.b.c.
- 12 December 2022, t.b.c.

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on Tuesday 26 April 2022 at 2pm, with Ms Inese Lībiņa-Egnere (Latvia, 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 Monaco and Georgia. Agreed on an order of preference amongst the candidates on each of those lists, to be transmitted to the plenary Committee for endorsement;
- **Next meeting**: left it to the Chair to convoke the next meeting.

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

² The deadline extended until 30 June 2022, [Václav Havel Human Rights Prize website](#)

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