



SECRETARIAT

AS/Jur (2021) CB 06

27 June 2022

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

Synopsis of the meeting held in in Strasbourg on 20, 21 and 23 June

The Committee on Legal Affairs and Human Rights, in Strasbourg on 20, 21 and 23 June 2022:

- on Monday 20 June 2022 at 2pm, with Mr Damien Cottier (Switzerland, ALDE) in the Chair, as regards:
 - **Review of the partnership for democracy in respect of the Parliament of the Kyrgyz Republic** (*Rapporteur for opinion: Mr Serhii Kalchenko, Ukraine, EC/DA; Rapporteur for the Committee on Political Affairs and Democracy: Mr Jacques Maire, France, ALDE*): considered and unanimously approved the Committee's opinion, including nine amendments to the draft resolution;
 - **Appointment of a Rapporteur for opinion:**
 - Child abuse in Europe: addressing, compensation and prevention** (*Rapporteur for the Committee on Social Affairs, Health and Sustainable, Development: Mr Pierre-Alain Fridez (Switzerland, SOC): appointed Ms Margreet De Boer (Netherlands, SOC) and heard from her a declaration of no conflict of interest;*
 - **World Forum for Democracy:** proposed the following members to the ad hoc committee of the Bureau attending the World Forum on Democracy on 7-9 November 2022 in Strasbourg:
Mr Ziya Altunyaliz, Türkiye, NR
Mr Damien Cottier Switzerland, ALDE
Mr Oleksii Goncharenko¹, Ukraine, EC/DA
Mr Davor Ivo Stier, Croatia, EPP/CD
 - **Participation of members in conferences, meetings, seminars etc:** heard reports by the following representatives concerning events below which they recently attended:
 - Conference on freedom of political speech, 28-29 April 2022, Lausanne, Switzerland: participation of the Rapporteur for follow-up to Assembly Resolution 2381 (2021), Mr Boriss Cilevičs (Latvia, SOC);
 - Colloquy on "International Law, Europe and Switzerland", 20 May 2022, Neuchâtel, Switzerland: Mr Damien Cottier (Switzerland, ALDE);
 - 91st plenary meeting of GRECO, 13-17 June 2022: Mr Titus Corlatean (Romania, SOC);

¹ It was later decided that Mr Goncharenko would represent the Committee on Migration, Refugees and Displaced Persons.

- 73rd meeting of the Council for Democratic Elections (of the Venice Commission), 16 June 2022: Mr Davor Ivo Stier (Croatia, EPP/CD);
 - 131st plenary session of the European Commission for Democracy through Law (Venice Commission), 17-18 June 2022 : Mr Constantinos Efstathiou (Cyprus, SOC).
- **Hearings during the next meetings:** agreed to hold a hearing at the next meeting on the *Emergence of lethal autonomous weapons systems (LAWS) and their necessary apprehension through European human rights law (Rapporteur: Mr Damien Cottier, Switzerland, ALDE)*² with experts, subject to the availability of funds, and that it be open to the public. Also agreed to open the following hearings scheduled for the same meeting to the public:
- *Pegasus and similar spyware and secret state surveillance (Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD)*
 - *European Convention on Human Rights and national constitutions (Rapporteur: Mr George Katrougalos, Greece, UEL),*
 - *The impact of the Covid-19 pandemic on prison population in Europe (Rapporteur: Mr Givi Mikanadze, Georgia, SOC).*
- **Other business:**
- **Extension of the geographical scope of the terms of reference of general rapporteurs:** noted the potential need to extend the geographical scope of the terms of reference of the mandates of general rapporteurs, in particular those on the abolition of the death penalty and on the situation of human rights defenders in Council of Europe member States, following the exclusion of the Russian Federation from the Council of Europe in order to cover a European non-member State that has neither observer nor partner for democracy status and decided to return to this issue at a future meeting following coordination with other committees confronted with the same issue;
 - **Next meetings:** noted the registration deadline of 3 July 2022 for the next meeting to be held in Switzerland (Bern and Neuchâtel, 5-6 September 2022);
- **on Tuesday 21 June 2022 at 2pm**, as regards:
 - **Other business:** owing to the resignation of two rapporteurs, agreed to appoint two new rapporteurs at the next meeting in order to maintain deadlines for the reports;
 - **Reported cases of political prisoners in the Russian Federation (Rapporteur: Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC):** took position on six amendments to the draft resolution and one amendment to the draft recommendation;
 - **Should politicians be prosecuted for statements made in the exercise of their mandate?: follow-up to [Resolution 2381 \(2021\)](#):** considered the follow-up report prepared by rapporteur for follow-up, Mr Boriss Cilevičs (Latvia, SOC), and agreed to declassify it. Took note that a dissenting opinion would be submitted by members of the Spanish delegation;
 - **The continuing need to restore human rights and the rule of law in the North Caucasus region (Rapporteur: Mr Frank Schwabe, Germany, SOC):** took position on one amendment to the draft resolution;
 - **on Thursday 23 June 2022 at 8.30am**, as regards:
 - **Ensuring accountability for the downing of flight MH 17: Rapporteur: Mr Titus Corlățean, (Romania, SOC):** took position on five amendments to the draft resolution;

² On 23 June 2022, the Committee appointed Mr Cottier to replace Mr Fabien Gouttefarde (France, ALDE), who resigned as Rapporteur.

– **Appointment of rapporteurs:**

The impact of the Covid-19 restrictions for civil society space and activities: following the resignation of Ms Alexandra Louis (France, ALDE) as rapporteur, appointed Ms Margreet De Boer (Netherlands, SOC) and heard from her a declaration of no conflict of interest;

Emergence of lethal autonomous weapons systems (LAWS) and their necessary apprehension through European human rights law: following the resignation of Mr Fabien Gouttefarde (France, ALDE) as rapporteur, appointed Mr Damien Cotter (Switzerland, ALDE) and heard from him a declaration of no conflict of interest;

– **Call for candidates for Rapporteur for opinion:**

Countering SLAPPs: an imperative for the democratic society (Doc. 15419): following the resignation of Ms Alexandra Louis (France, ALDE) as rapporteur, made a call for candidates for a new rapporteur; Rapporteur for the Committee on Culture, Science, Education and Media: Mr Stefan Schennach (Austria, SOC). Called for candidates to notify their interest to the secretariat before the next meeting (candidature already noted: Mr Davor Ivo Stier, Croatia, EPP/CD);

– **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, Netherlands, EPP/CD):** in the absence of the rapporteur considered a draft report and unanimously adopted a draft resolution and a draft recommendation;

– **Misuse of the Schengen system by Council of Europe member States as a politically-motivated sanction (Rapporteur: Mr Ziya Altunyaliz, Türkiye, NR):** considered a draft report and unanimously adopted a draft resolution, and agreed to change the title of the report to “Misuse of the Schengen Information system by Council of Europe member States as a politically-motivated sanction”,

– **Other business**

- **Sub-committees:** agreed to the following requests made by the Portuguese delegation:

Sub-Committee on Human Rights: Ms Catarina Rocha Ferreira (EPP/CD) to replace Mr Pedro Bacelar de Vasconcelos (SOC);

Sub-Committee on Artificial Intelligence and Human Rights: Ms Catarina Rocha Ferreira (EPP/CD) proposed as a new titular member.

Sub-Committee on the implementation of judgments of the European Court of Human Rights : Ms Isabel Moreira (SOC) to be added to the waiting list and to be given priority as soon as a seat becomes available;

• **on Thursday 23 June 2022 at 2pm, as regards:**

– **The impact of the Covid-19 restrictions for civil society space and activities (Rapporteur: Ms Margreet De Boer, Netherlands, SOC):** in the absence of the rapporteur, held a hearing with the participation of:

Mr Filip Pazderski, Head of the Democracy and Civil Society Programme/Analyst
Institute of Public Affairs, Warsaw, Poland

Mr Jeremy McBride, barrister, President of the Expert Council on NGO Law, Conference of INGOs, Council of Europe

– **Next meetings:**

Plenary Committee

- 5 and 6 September in Bern and Neuchâtel
- 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, Yeva Sushko

Copy to:

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