



SECRETARIAT

AS/Jur (2022) CB 08 Rev

18 October 2022

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

### Synopsis of the meeting held in Strasbourg on 11, 12 and 13 October 2022

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg on 11, 12, 13 October 2022

- on Tuesday 11 October 2022 at 2pm, with Mr Damien Cottier (Switzerland, ALDE) in the Chair, as regards:
  - **Misuse of the Schengen system by Council of Europe member States as a politically-motivated sanction** (*Rapporteur: Mr Ziya Altunyaliz, Türkiye, NR*): took position on one amendment to the draft resolution and decided to present two oral amendments;
  - **The implementation of judgments of the European Court of Human Rights – 11<sup>th</sup> report** (*Rapporteur: Mr Constantinos Efstathiou, Cyprus, SOC*): heard a statement by the Rapporteur and authorised two fact-finding visits, one to Romania and one to Azerbaijan, subject to the availability of funds;
  - **Appointment of Rapporteurs:**
    - i) The right to freedom of information: ensuring access to historical documents ([Doc. 15523](#)): appointed Ms Klotilda Bushka (Albania, SOC) and heard from her a declaration of no conflict of interest;
    - ii) Threats to life and safety of journalists and human rights defenders in Azerbaijan ([Doc. 15521](#)): appointed Ms Hannah Bardell (UK, NR) in absentia and noted her declaration of no conflict of interest would be heard at a future meeting;
    - iii) UK reform of its human rights legislation: consequences for domestic and European Human Rights protection (Bureau decision): appointed Mr Kamal Jafarov (Azerbaijan, EC/DA) and heard from him a declaration of no conflict of interest;
  - **Call for expression of interest for a Rapporteur for opinion:**
    - i) Safeguarding future rights for future generations [Doc. 15513](#)  
Rapporteur for the Committee on Social Affairs, Health and Sustainable Development: Mr Pedro Cegonho (Portugal, SOC): made a call for a Rapporteur for opinion and noted the interest of Ms Margreet de Boer (Netherlands, SOC);

- **on Wednesday 12 October 2022 at 2pm**, with first, Mr Davor Ivo Stier (Croatia, EPP/CD), in the Chair and then Mr Damien Cottier (Switzerland, ALDE), as regards:
  - ***Legal and human rights aspects of the Russian Federation’s aggression against Ukraine*** (*Rapporteur: Mr Damien Cottier, Switzerland, ALDE*): held a hearing with the participation of:
 

Mr Jonathan Agar, Special Assistant to the Prosecutor of the International Criminal Court  
Ms Tamar Tomashvili, Associate Professor of Law, Free University of Tbilisi, Georgia;
  - ***European Convention on Human Rights and national constitutions*** (*Rapporteur: Mr George Katrougalos, Greece, UEL*): held an exchange of views with Professor Joseph Weiler, University Professor, New York University School of Law, USA;
- **on Thursday 13 October 2022 at 8.30am**, as regards:
  - ***The impact of the Covid-19 pandemic on prison population in Europe*** (*Rapporteur: Mr Givi Mikanadze, Georgia, SOC*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
  - ***General Rapporteur for the protection of whistleblowers***: following the end of the mandate of the current General Rapporteur (*Mr Pieter Omtzigt (Netherlands, EPP/CD)*) agreed to cease having a General Rapporteur for the protection of whistleblowers, and to revise the mandate of the General Rapporteur on the situation of human rights defenders, to include the protection of whistleblowers;
  - ***Procedures: Lessons learned from operating in hybrid format***: held an exchange of views on the letter from the Chair of the Committee on Rules of Procedure, Immunities and Institutional Affairs and noted the points to be transmitted to that committee;
  - ***Other business***:
    - ***Annual ticket 2023***: accepted the invitation from the Cypriot delegation to hold the Committee’s annual ticket meeting in Cyprus, next year, at a date to be determined;
    - ***World Forum for Democracy***: proposed the addition of 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 Vladimir Vardanyan, Armenia, EPP/CD  
Ms Maria Rizzotti, Italy, EPP/CD;
    - ***Sub-committee on the implementation of judgments of the European Court of Human Rights***: agreed to the nomination of Ms Isabel Alves Moreira (Portugal, SOC) as titular member to this sub-committee. Agreed to add Ms Margreet de Boer (Netherlands, SOC) to the waiting list for the next available seat;
- **on Thursday 13 October 2022 at 2pm**, as regards:
  - ***Preventing vaccine discrimination*** *Rapporteur: Ms Thórhildur Sunna Ævarsdóttir, Iceland, SOC* : took position on 20 amendments to the draft resolution and decided to table one sub-amendment and to present one oral amendment;
  - ***Appointment of a Rapporteur***:
    - i) Arbitrary arrest of Russian human rights defender and freedom fighter Vladimir Kara-Murza ([Doc. 15514](#))
    - ii) Systematic large-scale persecution against anti-war protesters in the Russian Federation ([Doc. 15578](#))

Agreed to merge the above-mentioned references into a single report entitled: “*The arbitrary detention of Vladimir Kara-Murza and the systematic persecution of anti-war protesters in the Russian Federation*”, appointed Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) as Rapporteur and heard from her a declaration of no conflict of interest;

- ***Allegations of systemic torture and inhuman or degrading treatment or punishment in places of detention in Council of Europe member States*** (*Rapporteur: Mr Constantinos Efstathiou, Cyprus, SOC*): considered an introductory memorandum and agreed to a hearing with up to 3 experts at a future meeting, subject to the availability of funds; noted that some fact-finding for this report may be done during the Rapporteur’s fact-finding visit to Azerbaijan in the context of his other report on “*The implementation of judgments of the European Court of Human Rights – 11<sup>th</sup> report*”;
- **Participation of members in conferences, meetings, seminars etc**
  - Feedback from the Chair following the meeting for the ad hoc Committee on the 4<sup>th</sup> Council of Europe Summit of Heads of State and Government, Sunday, 11 September 2022, in Paris: heard an oral report by Mr Damien Cottier (Switzerland, ALDE);
  - 131st plenary session of the Venice Commission of the Council of Europe, 17-18 June 2022, Mr Constantinos Efstathiou, Cyprus, SOC: heard an oral report by Mr Efstathiou;
  - 91st plenary meeting of GRECO, 13-17 June 2022: Mr Titus Corlăţean, Romania, SOC: took note of the written report provided by Mr Corlăţean;
- **Next meetings:** noted the next meetings as follows:

*Plenary Committee*

  - 14 November 2022, Paris Office
  - 12 December 2022, Paris Office

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**The Sub-Committee on Artificial Intelligence and Human Rights** (of the Committee on Legal Affairs and Human Rights), open to all members of the plenary, meeting in Strasbourg at 3pm on Tuesday 11 October 2022 with Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) in the Chair, as regards:

- ***The use of bots in the context of war and the undermining of democratic discourse:*** held an exchange of views with Dr Rolf Fredheim, Principal Scientist, Nato Strategic Communications Centre of Excellence, Riga, Latvia;
- ***Next meeting:*** left it to the Chairperson to convene the next meeting.

Günter Schirmer, Guillem Cano-Palomares, Eleanor Hourigan

Copy to:

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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  
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