



SECRETARIAT

AS/Jur (2022) CB 09

16 November 2022

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

### Synopsis of the meeting held in Paris on 14 November 2022

The Committee on Legal Affairs and Human Rights, meeting in Paris on 14 November 2022, with first Mr Damien Cottier (Switzerland, ALDE) in the Chair who opened the meeting and noted the lack of a quorum, then with Mr Davor Ivo Stier (Croatia, EPP/CD), First Vice-Chairperson, in the Chair, as regards:

- **Emergence of lethal autonomous weapons systems (LAWS) and their necessary apprehension through European human rights law** (*Rapporteur: Mr Damien Cottier (Switzerland, ALDE)*): considered a draft report and unanimously adopted a draft resolution;

then Mr Damien Cottier (Switzerland, ALDE) resumed as Chair, as regards:

- **Transnational repression as a growing threat to the rule of law and human rights** (*Rapporteur: Sir Christopher Chope (United Kingdom, EC/DA)*): held a hearing with the participation of:

Mr Bruno Min, Legal Director (UK & International), Fair Trials, London, United Kingdom  
Mr Vytis Jurkonis, Project Director, Freedom House, Vilnius, Lithuania;

- **Contact tracing applications: ethical, cultural and educational challenges** (*Rapporteur for opinion: Mr Vladimir Vardanyan, Armenia, EPP/CD*) (*Rapporteur for the Committee on Culture, Science, Education and Media: Mr Duncan Baker, United Kingdom, EC/DA*): approved the Committee's opinion;

- **Appointment of Rapporteurs:**

- **Rapporteur for opinion:** "Safeguarding future rights for future generations" ([Doc. 15513](#)) (*Rapporteur for the Committee on Social Affairs, Health and Sustainable Development: Mr Pedro Cegonho, Portugal, SOC*): appointed Ms Margreet de Boer (Netherlands, SOC) in absentia as Rapporteur for opinion, subject to her declaration of no conflict of interests at a future meeting;

- **Declaration of no conflict of interests:** "Threats to life and safety of journalists and human rights defenders in Azerbaijan" ([Doc. 15521](#)): heard a declaration of no conflict of interests from Ms Hannah Bardell (UK, NR), appointed in absentia as Rapporteur on 11 October 2022;

- **References for inclusion in other reports or for information:**

- Legal aspects of preventing the use of explosive weapons in populated areas and explosive contamination ([Doc. 15583](#))
- Urgent need to combat state terrorism ([Doc. 15599](#)):

agreed that the above references be integrated into the report on "Legal and human rights aspects of the Russian Federation's aggression against Ukraine" (*Rapporteur: Mr Damien Cottier, Switzerland, ALDE*) as proposed by the Bureau;

- iii) The right to movement: addressing the challenges faced by Turkish citizens and other non EU citizens in visa applications to Schengen Area States (Doc. 15560)
  - iv) Persecution against political opponents as a new basis of discrimination (Doc. 15563):
- took note of references iii) and iv) sent to the Committee for information by the Bureau;

– **Reference for consultation:**

“Public regulation of the freedom of expression in digital platforms” (Doc. 15555): agreed that the subject matter of this reference falls within the remit of the mandate of the Committee on Culture, Science, Education and Media regarding freedom of expression and internet governance (2.7 and 2.8 of its terms of reference); agreed to request the Bureau to take note of this position while stressing the urgent need for a report on this subject;

– **The implementation of judgments of the European Court of Human Rights – 11<sup>th</sup> report** (Rapporteur: Mr Constantinos Efstathiou, Cyprus, SOC): held a hearing with the participation of:

Ms Clare Ovey, Head of the Department for the Execution of Judgments, Council of Europe, Strasbourg, France

Professor Dr. Başak Çalı, Professor of International Law, Co-director of the Centre for Fundamental Rights, Hertie School, Berlin’s University of Governance, Germany

and noted the Rapporteur’s intention to hold country specific exchanges of views during the January part-session;

Then with Mr Davor Ivo Stier (Croatia, EPP/CD) in the Chair, as regards:

- **Legal and human rights aspects of the Russian Federation’s aggression against Ukraine** (Rapporteur: Mr Damien Cottier, Switzerland, ALDE): considered an introductory memorandum and noted the Rapporteur’s intention to hold a further hearing with experts on the issue of compensation at the next meeting, subject to the availability of funds;

Mr Damien Cottier (Switzerland, ALDE) resumed as Chair, as regards:

– **General Rapporteurships:**

- i) Considered and agreed on a revised mandate of the General Rapporteur on the situation of human rights defenders, to be sent to the Bureau for approval;
- ii) Considered a possible General Rapporteurship on political prisoners and decided to return to this matter at the January 2023 meeting, on the basis of draft terms of reference.

- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the reply to [Recommendation 2231 \(2022\)](#) on “The Russian Federation’s aggression against Ukraine: ensuring accountability for serious violations of international humanitarian law and other international crimes” [Doc. 15645](#);

- **Functioning of sub-committees:** considered the current functioning of the sub-committees and decided to return to this subject at a future meeting;

- **Participation of members in conferences, meetings, seminars etc:** heard reports regarding the following:

74th meeting of the Council for Democratic Elections (20 October 2022): report by Mr Davor Ivo Stier (Croatia, EPP/CD)

Parliamentary Assembly of La Francophonie (APF), European Regional Assembly (AER) in Barcelona 23-26 October 2022: report by Mr Damien Cottier, (Switzerland, ALDE)

132nd meeting of the Venice Commission (21-22 October 2022): report by the secretariat;

- **Hearings during the next meeting:** took note of the following hearings to be held at the committee meeting on 12<sup>th</sup> December 2022 and agreed to open them to the public:

- Exchange of views with the Joint Committee on Human Rights from the UK parliament (to be confirmed)
- Pegasus and similar spyware and secret state surveillance (Rapporteur: Mr Pieter Omtzigt (Netherlands, EPP/CD))

- Legal and human rights aspects of the Russian Federation's aggression against Ukraine (*Rapporteur: Mr Damien Cottier, Switzerland, ALDE*), hearing on the issue of compensation;
- **Other business:**
- Invitation of Mr Vallini (France, SOC) to address the Conference of State Parties on Convention 198 to present the Assembly's Recommendation 2229 (2022) on 'How to put confiscated criminal assets to good use' (Strasbourg 17 November 2022): agreed to this;
  - 4th Summit and New Chairmanship of Iceland: noted the dates of the 4<sup>th</sup> Summit of Heads of State and Government of the Council of Europe on 16-17 May 2023 in Reykjavik, Iceland;
  - Reference extension: agreed to request the Bureau to prolong the reference of the report on "Legal aspects of the accession of the European Union to the European Convention on Human Rights" (*Rapporteur: Mr Titus Corlăţean, Romania, SOC*) until 27 January 2024;
- **Next meetings:**
- Plenary Committee:*
- 12 December 2022, Paris Office
  - during the Assembly's 1<sup>st</sup> part-session of 2023 (23-27 January 2023)
  - 22 March 2023, Paris Office

Günter Schirmer, Guillem Cano-Palomares, Eleanor Hourigan

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