



SECRETARIAT

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21 May 2019

To the members of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

Synopsis of the meeting held in London on 16 and 17 May 2019

The Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), meeting in London on 16 and 17 May 2019 in camera, with Sir Roger Gale (United Kingdom, EC) in the Chair:

- on Thursday, 16 May 2019 at 9.00 am., as regards:
 - **Hearing on “Media freedom and the functioning of the democratic institutions”**: held a public hearing with the participation of Mr Alastair King-Smith, Co-ordinator for Global Campaign on Media Freedom, Deputy Director, Foreign and Commonwealth Office, Mr Jamie Angus, Director, BBC World Service Group, Ms Rebecca Vincent, UK Bureau Director, Reporters Without Borders (RSF) and Lord George Foulkes, General Rapporteur on media freedom and safety of journalists, Committee on Culture, Science, Education and Media, Parliamentary Assembly of the Council of Europe;
 - **Turkey** (co-rapporteurs: Ms Marianne Mikko, Estonia, SOC and Mr Nigel Evans, United Kingdom, EC): held an exchange of views on the local elections that took place on 31 March 2019, with the participation of Mr Andrew W. Dawson (United Kingdom, ECR), Head of the election observation mission of the Congress of Local and Regional Authorities and held an exchange of views on recent developments regarding the follow-up to Resolution 2260 (2019) on “The worsening situation of opposition politicians in Turkey: what can be done to protect their fundamental rights in a Council of Europe member State?”; entrusted the Chair with asking the Bureau of the Assembly to consider the possibility for the Assembly, and in particular the co-rapporteurs on Turkey of the Monitoring Committee, to be associated with the observation of the re-run of local elections in Istanbul on 23 June 2019 by the Congress of Local and Regional Authorities, subject to receiving an invitation by the Turkish authorities; agreed to put the appointment of a new rapporteur to replace Ms Mikko, who is leaving the Assembly, on the agenda of its next meeting;
 - **Honouring of membership obligations to the Council of Europe by France**: held an exchange of views on the decision of the Bureau not to seize the Committee for a periodic review report on the honouring of membership obligations to the Council of Europe by France and agreed to ask the Bureau of the Assembly to request an opinion from the Committee on Rules of Procedure, Immunities and Institutional Affairs on the competence of the Committee in this matter;
 - **Honouring of membership obligations to the Council of Europe by Hungary, Malta and Romania**: in light of its request to the Bureau to ask the Committee on Rules of Procedure, Immunities and Institutional Affairs to clarify the right of the Committee to select countries for periodic review, decided to suspend the preparation of the periodic review reports on these countries and agreed to return to this issue at a next meeting;

• on Thursday, 16 May 2019 at 2.00 pm., as regards:

– **The functioning of democratic institutions in Poland** (co-rapporteurs: Ms Azadeh Rojhan Gustafsson, Sweden, SOC and Mr Pieter Omtzigt, Netherlands, EPP/CD): held an exchange of views on the reform of the Justice system in Poland and the progress made in implementing the European Rule of Law mechanism, with the participation of Mr Richard Clayton, Member of the Venice Commission, Mr Nicolaas Bel, Deputy Head of the rule of law Unit, Directorate General for Justice and Consumers, European Commission, Ms Agnieszka Golaszewska and Mr Krzysztof Masło, Directors, Ministry of Justice of Poland, Mr Dariusz Zawistowski President of the Civil Chamber of the Supreme Court of Poland, Ms Małgorzata Szuleka, Polish Helsinki Foundation for Human Rights and Mr Tymoteusz Zych, Member of the Board, Ordo Iuris;

– **Post-monitoring dialogue with Bulgaria** (co-rapporteurs: Mr Frank Schwabe, Germany, SOC and Mr Zsolt Németh, Hungary, EPP/CD): considered the comments made by the Bulgarian delegation on the preliminary draft report, considered a draft report and adopted unanimously a preliminary draft resolution as amended with a view to its presentation to the Assembly at the June 2019 part-session;

• on Friday, 17 May 2019 at 9.30 am., as regards:

– **Serbia** (co-rapporteurs: Ms Maria Guzenina, Finland, SOC and Mr Ian Liddell-Grainger, United Kingdom, EC): considered the comments made by the Serbian delegation on the preliminary draft report and urged the co-rapporteurs to make a fact-finding visit to the country without further delay;

– **Exchange of views with Mr Thomas Markert, Executive Secretary of the Venice Commission**: held an exchange of views; asked the Venice Commission to expedite the preparation of the opinion on the Citizens Security Law (and possible amendments to it) of Spain; agreed to ask the Venice Commission, when drafting its opinion on public gathering in the Republika Srpska, to also include an assessment of the legal framework governing freedom of peaceful assembly in Bosnia and Herzegovina, its two entities and in the Brčko district in general;

• on Friday, 17 May 2019 at 2.00 pm., as regards:

– **Georgia** (co-rapporteurs: Mr Titus Corlăţean, Romania, SOC, and Mr Claude Kern, France, ALDE): held an exchange of views with Mr Thomas Markert, Executive Secretary of the Venice Commission, on the opinion of the Venice Commission on “The provisions on the prosecutorial council in the draft organic law on the prosecutor’s office and on the provisions on the high council of justice in the existing organic law on general courts of Georgia”;

– **Ukraine** (co-rapporteurs: Ms Dzhema Grozdanova, Bulgaria, EPP/CD and Mr Alfred Heer, Switzerland, ALDE): held an exchange of views on the conduct of the presidential election in Ukraine (31 March and 21 April 2019); agreed to ask the Venice Commission for an opinion on the law on “Ensuring the functioning of the Ukrainian language as a State language”;

– **Representation of the Committee at various events**: heard an oral report by the Chairperson of the Committee on his participation in the UniDem Seminar, co-organised by the Venice Commission with the Law Faculty of Lund, Sweden on 6-7 May 2019 entitled “The State of democracy thirty years after the fall of the iron curtain”;

– **Authorisation of fact-finding visits**: authorised the co-rapporteurs to conduct a fact-finding visit to Ukraine and Azerbaijan, and re-confirmed the authorisations granted to the co-rapporteurs to conduct fact-finding visits to Serbia and Turkey, subject to the availability of financial resources:

– **Other business:**

- **Follow-up to the opinion on the “Establishment of a European mechanism on democracy, the rule of law and fundamental rights”** (rapporteur: Mr Andrej Šircelj, Slovenia, EPP/CD): agreed to invite Mr Michael O’flaherty, Director of the European Union Agency for Fundamental Rights for an exchange of views at one of its next meetings;

- **Next meetings:** decided to hold its upcoming meetings on the following dates:

Strasbourg, 24-28 June 2019 (during the Assembly part-session)
Paris, 10 September 2019 (Council of Europe Office, tbc)
Strasbourg, 30 September - 4 October 2019 (during the Assembly part-session)
Paris, 13 November 2019 (Council of Europe Office, tbc)
Paris, 11 December 2019 (Council of Europe Office, tbc).

Agnieszka Nachilo, Bas Klein, Sylvie Affholder

Copy to:

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