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DG Human Rights and Rule of Law (DGI)

(June 2022)

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Venice Commission

The Venice Commission held its [131st plenary session](#) in Venice on 17 - 18/06/2022 and its [73^d meeting of the Council of Democratic Elections](#) on 16 June 2022.

In June 2022 the Commission organised additional online meetings in the framework of the preparation of the opinion on the draft law on the amendment of certain normative acts (Judiciary) of the **Republic of Moldova** on 06/06/2022.

The Commission organised a Training Workshop for the Constitutional Court of **Kosovo***ⁱ on electoral disputes and the European Convention on Human Rights on 06 - 07/06/2022.

The Commission participated in the following activities:

- **Senegal** - 9th Congress of the Association of French Speaking Constitutional Courts (ACCF) on "The constitutional judge and human rights" – 30/05 – 2/6/2022
- **Armenia** - "The Judiciary as Guardian of Democracy: Vice or Virtue?" - High Level Conference - 08 - 09/06/2022
- Global Summit for Democracy 2022 - European Regional online Forum - 08 - 09/06/2022
- European Parliament – Joint LIBE-AFCO public hearing - 20/06/2022
- **Ukraine** – International conference on the occasion of the Day of Constitution - 28/06/2022
- **Portugal** - Vth Assembly of the Conference of Constitutional Courts of Portuguese-Speaking Countries - 30/06 - 01/07/2022

On 20 June 2022 the Constitutional Tribunal of Equatorial Guinea joined the World Conference on Constitutional Justice ([WCCJ](#)), which now has 119 members. The [issue 2021/3](#) of the e-Bulletin on Constitutional Case-Law was published on 28 June 2022.

CPT

The CPT carried out a periodic visit to [Portugal](#) from 23 May – 3 June, as well as an ad hoc visit to [Montenegro](#) from 7-13 June. In addition, high-level talks were held with the Prime Minister and several Ministers of [Bulgaria](#) on 31 May and 1 June. On 20 June, the CPT President met with the Councillor for Justice of [Catalonia](#) (Spain).

Human Rights, Justice and Legal Co-operation Standard-Setting activities

Human Rights intergovernmental co-operation: The [Steering Committee for Human Rights \(CDDH\)](#) held its 96th meeting on 14-17 June. It adopted three draft Committee of Ministers instruments, namely Guidelines on the prevention and remedying of violations of the ECHR, a Recommendation on human rights and the protection of the environment, and a Recommendation on preventing and combating trafficking in human beings for the purpose of labour exploitation. It also exchanged views with the President of the European Court of Human Rights and established a new Drafting Group on issues relating to judges of the European Court of Human Rights (DH-SYSC-JC).

Legal Co-operation : The [European Committee on Legal Co-operation \(CDCJ\)](#) 98th plenary meeting took place on 1-3 June 2022. It adopted a report on the implementation of the Sofia Action Plan on judicial independence and impartiality and a comparative study on "Access of people conceived by gamete donation to information on their origins". It also provided guidance to the Committee of Experts on the Protection of Lawyers (CJ-AV) and discussed the implementation by member states of [Recommendation CM/Rec\(2015\)4 on preventing and resolving disputes on child relocation](#) and of [Recommendation CM/Rec\(2014\)7 on the protection of whistleblowers](#). In this respect, on the occasion of the Whistleblowers Day celebrated on 23 June 2022, the CDCJ also published a state of play [report](#).

The [CCPE](#) Working Group continued the discussions on the elaboration of a new opinion on the role of prosecutors in protecting the environment, with a view to its adoption at the October plenary meeting.

Human Rights and Biomedicine: At its 1st plenary meeting (31 May – 3 June 2022), the Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO) agreed on clarifications of the scope of and terms used in Article 13 (Intervention on the human genome) of the Oviedo Convention in the light of the developments of genome editing technologies. These clarifications will be presented in an addendum to the Explanatory Report to the Oviedo Convention.

Implementation of Human Rights, Justice and Legal Co-operation Standards

The [European Commission for the Efficiency of Justice \(CEPEJ\)](#) celebrated its **20th anniversary** and held its [38th plenary meeting](#) on 27-28 June. The Evaluation Report on European Judicial Systems 2022 (2020 data) was adopted (publication in the autumn). Recent CEPEJ cooperation work includes trainings with **Azerbaijani** courts and an updated report on the **Republic of Moldova**.



The **HELP** Programme (Human Rights Education for Legal Professionals) held its 2022 [Annual Network Conference](#) on 30 June-1 July, under the auspices of the Irish Presidency of the Committee of Ministers. The conference was opened by Thomas Byrne TD., the Irish Minister of State for European Affairs. The Council of Europe's response to the war in [Ukraine](#) was one of the Conference's key themes.

Among other activities to support **Ukraine** in line with the [Priority adjustments](#) to the Council of Europe Action Plan for Ukraine 2018-2022, an [expert opinion](#) was provided to the Ukrainian Ministry of Justice on the draft law on criminal proceedings in the time of war. Meetings were held in Strasbourg with the [President of the Ukrainian Supreme Court](#). A training was held on e-evidence in criminal proceedings.

Among other activities to support European justice systems, a [high-level conference “The judiciary as a guardian of democracy”](#) was co-organised with the **Armenian** Constitutional Court in Yerevan, on 8-9 June. High-level meetings with Council of Europe entities were organised in Strasbourg with the presidents and delegations from the **Turkish** Constitutional Court and the [Armenian Court of cassation](#). A new project was launched in **Croatia**, focusing on assistance in the digitalisation of the judiciary, in particular with the design of a tool for automated pseudonymisation of judicial decisions before their publication and further fostering e-communication. In the **Republic of Moldova**, expert assessments of draft laws on trials of criminal cases in absentia and alternatives to detention were prepared. Trainings on ECHR-related questions were held notably in **North Macedonia, Serbia** and **Türkiye**. Guidance was prepared on supporting women lawyers and their associations in **Armenia, Georgia, Republic of Moldova** and **Ukraine**.

A CoE-supported training camp for NGOs took place in Cres, Croatia. The camp is part of the Recharging Advocacy for Right in Europe (RARE) Project implemented by Hertie School, Hungarian Helsinki Committee and Netherlands Helsinki Committee.

Execution of Judgments of the ECtHR

The Execution Department was engaged in the 1436th CM Human Rights meeting, during which the CM adopted 35 decisions concerning 17 member States. Two interim resolutions were adopted in the context of the supervision of the group [Vasilescu v. Belgium](#) and the case [Georgia v. Russia \(I\)](#). [23 final resolutions](#) were also adopted by the Committee in respect of 41 judgments and decisions of the European Court concerning 13 States.

The Department issued a [new thematic factsheet on Protection of Property](#). It provides examples of general and individual measures reported by States in the context of the execution of the European Court’s judgments, concerning notably: protection of one’s possessions; access to justice and enforcement of property-related judicial decisions awarding damages; restitution of property in the context of nationalisations and expropriations, as well as compensation for loss of one’s property; the control of use of property.

Within the scope of the Joint Project on Strengthening the Capacity of Bar Associations and Lawyers on European Human Rights Standards implemented by the Council of Europe, the Department held a meeting in Strasbourg with the board members of the Union of **Turkish Bar Associations** and representatives of various bar associations. Participants were notably provided with information on the significance of Rule 9.1 communications to the Committee of Ministers.

The Department had virtual meetings with various ministries from the **United Kingdom, Ireland and Norway** to discuss pending cases before the Committee of Ministers. A meeting was held also with the UK Parliament’s Joint Committee on Human Rights in Strasbourg focusing on, among other things, the UK Government’s proposed reform of the Human Rights Act 1998 and implications for effective execution of European Court’s judgments. The possible impact of the Northern Ireland Troubles (Legacy and Reconciliation) Bill on the implementation of the McKerr group of cases was also discussed.

Lastly, the Department had an online meeting with a representative of the Office of the Government Agent of Ukraine before the European Court of Human Rights to discuss the situation with the execution of the Court’s judgments and possible measures to achieve progress despite the war of aggression in **Ukraine**.

European Social Charter

The Committee of Ministers adopted on 15 June 2022 the procedure ([CM/Del/Dec\(2022\)1437/4.3E](#)) for filling the five seats on the [European Committee of Social Rights](#) falling vacant on 31 December 2022, with the terms for these seats beginning on 1 January 2023 and ending on 31 December 2028. In addition, following the resignation of one member, one seat is vacant in Group of States V (see the groups of States below). The term

of office for this seat will expire on 31 December 2024. The term for the candidate elected to this seat will begin immediately upon election. ([more...](#))

The [Governmental Committee](#) of the European Social Charter and the European Code of Social Security held its [144th meeting](#) from 30 May to 3 June 2022 in hybrid mode.

The Social Rights Department organised on 14 June 2022, together with the Council of Europe [Conference of INGOs](#), a training session for non-governmental organisations on the monitoring procedures of the [European Social Charter](#) and in particular on the use of the [collective complaints procedure](#) as a means of advancing the implementation of socio-economic rights at national level ([more...](#)).

The Mutual Information System on Social Protection of the Council of Europe (MISSCEO) network held its [23rd meeting](#) on 28 June 2022 in hybrid mode.

Police, Detention, Drugs and Addictions

The implementation of the new project "Developing a Drug Prevention Support Network for Parents and Professionals in **Georgia**" officially started on 1 June for a 19-month period. The project supports the operationalisation of Georgia's first Drug Prevention Strategy, targeting parents as well as social and health care professionals working with people who use drugs or are at risk of developing substance use disorders.

On 1-3 June 2022, the Pompidou Group hosted the 37th Annual Meeting of the Cooperation Group on Drug Control Services at European Airports and the 6th Annual Meeting of the Expert Group on General Aviation at the CoE headquarters. The main objective of these groups, which comprises law enforcement agencies, private sector and international bodies, is to reduce illegal trafficking through airports and aviation by developing and harmonising tools and systems to improve drug detection. The MedSPAD Committee met on hybrid mode at the Council of Europe Office in Paris on 14 June. The results of MedSPAD II in Egypt, MedSPAD III in Tunisia and MedSPAD IV in Morocco were presented.

The first study visit of the South-East European network on 'Developing comprehensive drug treatment systems in prisons' in **Ljubljana** and **Maribor**, on 14-16 June 2022. The central theme of the visit was challenges and solutions in introducing/improving treatment structures targeting people with substance use disorders in prison.

From 21 to 24 June 2022, the 2022 Executive Training focusing on the topic of "Substance use addictions and online practices" was held in **Dublin**. Participants gained knowledge on substance use habit formation, cognitive behavioural strategies for interrupting addictive behaviours and the links between the use of psychoactive substances and behavioural dependencies.

On the occasion of the international day against drug abuse and trafficking, celebrated on 26 June, the Portuguese Presidency published a statement expressing the Pompidou Group's solidarity for its newest member: [Ukraine. Solidarity with Ukraine : statement by the Pompidou Group Presidency.](#)

Co-operation in Police and Deprivation of Liberty Unit (CPDL):

A Conference on "Policing in digital age: how new technologies can help better policing our modern societies" held on 28-29 June and attended by 26 delegations, marked the launch of the new Network of National Correspondents of Police Authorities. It was an opportunity for heads of police and practitioners to discuss current challenges and trends, as well as learn about the Council of Europe work on artificial intelligence, digital partnership, the Budapest convention on cybercrime and activities of the Cooperation in Police and Deprivation of Liberty Unit.

An on-site-assessment mission of a provisional facility for forensic patients in Lezha, **Albania** was conducted on 7-8 June to evaluate material conditions, staff capability,

care/psychotherapeutic treatment, psycho-social programmes, compatibility with Council of Europe standards.

The Law on Probation of **Armenia** was adopted on 15 June reflecting, amongst others, recommendations on deferring execution of sentences for medical reasons and enforcement of the obligation to receive psychological assistance by probationers made by Council of Europe experts. Also in Armenia, the following guidelines were developed, adopted or disseminated: on utilisation of the criminogenic needs assessment electronic tool for adult and juvenile probationers; on individual supervision plan of the probationer; on managing hunger strikes in places of deprivation of liberty. Furthermore, 142 Armenian penitentiary medical staff completed a series of trainings on professional first aid, improving their capacity to provide better health care and prevent deaths in prison.

Recommendations were provided for improving the effectiveness of investigations into police misconduct by the Special Investigative Service of **Georgia**. In May and June, over 170 staff of more than 30 prison facilities in **Kosovo*** and Serbia completed a series of trainings on the use of evidence-based methodology in screening and risk and needs assessment of violent and extremist prisoners.

A group of **North Macedonian** prison doctors, senior public health and penitentiary officials visited Spain from 31 May to 2 June for an exchange of experience, good practices and lessons learnt on healthcare provision in prisons.

Information Society

Artificial Intelligence



The International Chamber of Commerce and The LEGO Group have joined the Council of Europe's [Digital Partnership](#).

The Digital Development Unit contributed to the session on [Regulating emerging technologies: artificial intelligence and data governance](#) within the framework of EuroDIG 2022. Director of Information Society - Action against Crime Jan

Kleijssen opened the event with a keynote speech, whilst the Chair of the Committee on Artificial Intelligence of the Council of Europe Thomas Schneider moderated the subsequent panel debate. The session included representatives of academia, government and civil society and revolved around issues of policy choices, multilateral cooperation and interaction with civil society on the road to trustworthy AI.

Media

The [CDMSI](#) meeting in plenary session on 1-2 June 2022, in a hybrid format, took note of the draft outlines of the instruments under preparation by its expert committees: [Committee of Experts on the Integrity of Online Information \(MSI-INF\)](#); [Committee of Experts on increasing resilience of the Media \(MSI-RES\)](#), and [Committee of Experts on Strategic Lawsuits against Public Participation \(MSI-SLP\)](#) and held an exchange with representatives of Meta on the Metaverse and potential impacts on fundamental values. The CDMSI also discussed, in the light of the Russian war in Ukraine, relevant freedom of expression and media freedom issues, including possible ways to counter disinformation and propaganda. The Council of Europe participated, from 6-10 June 2022, in the [RightsCon 2022](#) to discuss the benefits and challenges of human rights in the digital age, as well as. On 16 of June 2022 a new Council of Europe publication entitled ["The Digital Era? Also my Era!"](#) was launched in Rome at the [UNECE Ministerial Conference on Ageing](#) promoting the spread of digital literacy among senior citizens.

Cooperation on Freedom of Expression



A **Western Balkans** (HF2-JUFREX) [Regional Conference](#) brought together in **Albania**, judicial and legal practitioners to discuss development of relevant European standards, ECtHR case-law and domestic jurisprudence on freedom of expression. An [International Conference](#) to promote the Right to information and its institutional and legislative application in the Republic of **Moldova** brought together more than 100 participants in Chisinau. A Study [on Violence Against women in the media in the MENA region](#) developed under the South Programme IV, was presented at the Closing Conference & 10th anniversary Event which took place in Spain; while the launching of the SP V programme is expected to take place on September 22.

In **Azerbaijan**, three training events on “Access to information and official documents”; “Conflict-sensitive reporting” and “Countering hate-speech in the Media” were offered to 78 participants from judiciary, legal profession, and media/journalism sector[s]. **Albania’s** Media Council (enabled by JUFREX) hosted three [discussions](#) with experts on media ethics with law and journalism students from the universities of Durrës, Elbasan, and Korçë. The **Georgian** Charter of Journalistic Ethics was supported through a functional web-platform promoting ethical journalism. In **Kosovo***, several capacity building events focussing on [defamation and the protection of reputation](#), [safety and the protection of journalists](#), [protection of whistleblowers](#), the right to access information in official languages, were offered to judicial and legal practitioners, law enforcement, journalists, and media actors. A [policy workshop](#) for the Audiovisual Council and Competition Council on the ways of improving transparency of mass-media ownership, took place in the Republic of **Moldova**.

Cybercrime



The Cybercrime Programme Office (C-PROC) supported a range of capacity building activities such as judicial training courses (**Senegal, Kiribati, Paraguay, Benin, Dominican Republic, Türkiye**), LEA training courses on cybercrime and e-evidence (**Chile, Senegal, Georgia and Moldova**), streamlining the international cooperation and promotion of the Second Additional Protocol (SAP) to the Budapest Convention (**Dominican Republic, Algeria and Lebanon**), reinforcing of public-private cooperation (**Georgia, Moldova, Bosnia and Herzegovina and Kosovo***). The legislation on cybercrime and e-evidence in **Fiji** was assessed and guidance was provided to the internal adoption process. **Costa Rica** signed the SAP and became the 24 signatory country. Version 3.0 of the Electronic Evidence Guide was released and a dedicated workshop on the introduction of the guide was organised for **Western Balkans** and **Türkiye**. Preparations were made – in cooperation with Ukrainian counterparts – for additional training courses and a review of standard operating procedures for electronic evidence. A Result Oriented Monitoring (ROM) Mission was initiated by the European Commission for assessing the iPROCEEDS 2 project. The Cybercrime Division participated in the 2nd session of the UN Ad Hoc Committee in Vienna tasked to prepare a new international treaty on ICT crimes; C-PROC supported the participation of over 30 experts in this session to ensure consistency with the Convention on Cybercrime and human rights and rule of law requirements.

Data Protection

Strong presence of Data protection in the **Southern Mediterranean** in June with a regional conference “Data protection – an opportunity and an imperative for the region” in **Tunis**, and at the [conference](#) in **Alicante** “Building a common legal space” marking 10 years of the South Programme. Data Protection Unit was also among the speakers at a conference on “EU Law in the Digital Age” of the Swedish Network for European Studies (SNELS) and Uppsala

University, at the ERA Summer University on Data Protection in Trier and at an Administrative Law Training seminar on the rights to data protection and privacy, in **Zadar**.

Finally, two important PACE events: the [hearing](#) of Jean-Philippe Walter, CoE Commissioner on Data Protection, by the Committee on Culture, Science, Education and Media on tracking and trace applications in the field of public health and the presentation of a [report related to the impacts on human rights of the Pegasus spyware](#).

Action against crime

GRECO

GRECO carried out evaluation visits to [Austria](#), [Bosnia and Herzegovina](#), [Bulgaria](#) and [Portugal](#) (5th Round - preventing corruption and promoting integrity in central government and in law enforcement).

The President of GRECO addressed the Committee of Ministers at the annual exchange of views on 1 June and presented **GRECO's 2021 General Activity Report**. The publication of the Report generated extensive media coverage across the GRECO membership.

The President of GRECO and the Executive Secretary met with the **President of the Venice Commission** to exchange views and discuss continued cooperation.

During its 91st [Plenary Meeting](#) on 13-17 June, GRECO **adopted** 3 evaluation reports relating to the 5th evaluation round (preventing corruption and promoting integrity in central government and in law enforcement) on **Hungary**, **Ireland** and **Montenegro**. It also adopted 2 compliance reports relating to the 3rd evaluation round (incriminations of corruption and transparency of party funding) on **Denmark** and **Switzerland**, and 7 reports relating to the 4th evaluation round (corruption among MPs, judges and prosecutors) on **Belgium**, **Georgia**, **Germany**, **Italy**, **Liechtenstein**, **Portugal**, and **San Marino**.

GRECO published the Joint 1st and 2nd Round Evaluation report on [Kazakhstan](#) covering the independence, specialisation and means available to national anti-corruption bodies, immunities, proceeds of corruption, public administration and corruption, and legal persons and corruption. It published three new reports concerning the 4th Round : the addendum to the second compliance report on [Greece](#), the compliance report on [San Marino](#) and the 3rd interim report on [Türkiye](#).

The Executive Secretary of GRECO, Hanne Juncher, spoke at a High-level conference in **Armenia** on "The Judiciary as Guardian of the Democracy".

MONEYVAL

MONEYVAL published the mutual evaluation reports on [Bulgaria](#) and [Liechtenstein](#), and follow-up reports on [Albania](#), [Hungary](#), [Republic of Moldova](#) and [Slovenia](#). A delegation of MONEYVAL attended the FATF Plenary meeting in Berlin.

Economic Crime and Cooperation (ECCD)

The Division held the workshop to launch the AML/CFT National Risk Assessment of **Albania**, based on the Council of Europe methodology; trained national authorities in **Azerbaijan** on terrorist financing risks and the impact of financial flows to and from high-risk jurisdictions on related threats and vulnerabilities; held a training on ML/TF risks related to virtual assets for banks and investment companies in **Azerbaijan**; conducted a workshop on preventing proliferation financing in the private sector for representatives of military items manufacturers, dual use items manufacturers, and trading and export companies in the **Czech Republic**, developed and presented a technical paper analysing the Integrity and Anti-Corruption Law of **Jordan**.

The Division conducted outreach for Designated Non-Financial Businesses and Professions of **Kosovo*** to strengthen their compliance with Anti-Money Laundering and Countering the Financing of Terrorism obligations and develop capacities in applying a risk-based approach and provided advice for the improvement of the methodology for “Fit and Proper” supervision of the financial sector in **Serbia**.

Criminal law and Counter-terrorism

Criminal Law

The 81st CDPC plenary meeting (14-15 June 2022) held in **Strasbourg** its usual format took note of the work carried out by its subordinate bodies, namely the Committee of Experts on the operation of European conventions on co-operation in criminal matters (PC-OC) and the Council for Penological Co-operation (PC-CP) and discussed a number of other important criminal law issues related to the environment, AI, victims’ rights, hate speech and smuggling of migrants.

The Council for Penological Co-operation Working Group held its 29th meeting on 19-20 June 2022 in **Sevilla (Spain)**. It considered and revised a draft White Paper on dealing with persons with mental health disorders by prison and probation services and a draft CM Recommendation on the Ethical and Organisational Aspects of the Use of Artificial Intelligence and related Digital Technologies by Prison and Probation Services.

The 27th Council of Europe Conference of Directors of Prison and Probation Services “Prisons and Probation: Sharing and Refocusing Knowledge and Practice” was held in **Sevilla (Spain)** on 21-22 June 2022. It gathered together 130 participants and discussed a number of key issues related to the selection and management of staff, to prison design and architecture, to equal access to services for women and to dealing with offenders’ mental health.

The Drafting Committee to elaborate an instrument on AI and Criminal Law (CDPC-AICL) held its 2nd meeting on 1-2 June. Experts from **Finland, Germany, Türkiye** and the **United Kingdom** made presentations on evolutions of their relevant national legal frameworks and on general issues they have identified in this field. Participants also discussed possible provisions to be included in a future instrument and agreed to work towards the drafting of a Recommendation, which would be useful to provide guidance to states which have limited relevant frameworks and/or are not EU members.

MEDICRIME, Trafficking in Human Organs and Cultural property



The [Nicosia Convention](#), which aims to prevent and combat the illicit trafficking and destruction of cultural property, was presented both at a capacity building activity for law-enforcement officers in **Spain** (6-8 June) and at the **UNESCO/EU** Conference, in **France** (9 June). The [MEDICRIME Convention](#) was also at the centre of the discussions of the 31st meeting of the Group of Enforcement Officers, in particular concerning its work on medical devices and veterinary medicines. The implications for law-enforcement work

in the fight against counterfeiting medical products was also highlighted at the Conference on policing in the digital age (28-29 June).

Counter-terrorism

Next steps in the implementation of the Recommendation on conflict zones

Following the adoption of the Recommendation on the use of information collected in conflict zones as evidence in criminal proceedings related to terrorist offences by the Committee of Ministers in March 2022, the Committee on Counter-Terrorism (CDCT) organised a meeting on 10 June 2022 with key external partners to discuss follow-up to this effort, namely in terms of implementation by member States.

Preparation of the new Counter-Terrorism Strategy

The CDCT working group tasked with preparing the new Council of Europe Counter-Terrorism Strategy met on 30 June and 1 July 2022 and produced a draft text at the meeting, which will be finalised beginning of autumn.

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