



NEWSLETTER

DG Human Rights and Rule of Law (DGI)

(July - August 2022)

Follow the Directorate General Human Rights and Rule of Law on these websites:
[DG1 portal](#) and [COVID-19 webpage](#), and on the social media

 [Twitter](#)
 [LinkedIn](#)
 [Facebook](#)
 [YouTube](#)
 [Instagram](#)

Venice Commission

The Commission received /started working on the following **requests for opinion**:

- **Andorra** – the Law on the Creation and Functioning of the Ombudsman.
- **Bulgaria** - the draft amendments to the Judicial System Act (Inspectorate at the Supreme Judicial Council - countering corruption in the judiciary); the draft amendments to the Criminal Procedure Code and the Judicial System Act - Minister of Justice.
- **Georgia** - the draft amendments to the Criminal Procedure Code of Georgia (regarding covert investigative measures) – Presidential administration (Urgent Opinion).
- **Mexico** - the draft constitutional amendments in the field of the electoral system of Mexico - National Electoral Institute of Mexico (INE).
- **Republic of Moldova** - draft electoral code – Chairman of the Parliament.
- **Republic of Moldova** - *amicus curiae* Briefs (requested by the Constitutional Court) relating to:
 - the offence of illicit enrichment;
 - the clarity of provisions on combating extremist activity.

On 1 August 2022 the Commission organised **online meetings** in the framework of the preparation of the Urgent Opinion on the draft law on the amendments to the Criminal Procedure Code of **Georgia**. The Commission **issued its Urgent Opinion** on 26 August 2022.

The Commission **organised the following events**:

- International seminar on “**Bicameralism**: Models, evolution and current challenges of a “controversial institution” ” - 04-05/07/2022;
- **Serbia**: Post-election round tables – 05 and 06/07/2022.

The Commission participated in several activities concerning **Mongolia**, **Kazakhstan**, **Portuguese** speaking courts and **Arab** Electoral Management Bodies.

CPT

The CPT held its 108th [plenary](#) meeting from 4-7 July. The meeting was held entirely in person. On 7 July, the report on the 2021 visit to the [United Kingdom](#) was published, and on 13 July, the response of the Albanian authorities to the report on the Committee’s November 2021 ad hoc visit to [Albania](#) was published.

On 27 July, the Committee announced periodic visits to [eight countries](#) in 2023.

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

Legal Co-operation

The Committee of Experts on the Protection of Lawyers (CJ-AV) held its second meeting on 11-13 July and discussed the provisions of a future draft convention (see [meeting report](#)). The Committee held a fruitful exchange of views with the UN Special Rapporteur on the independence of judges and lawyers, Mr García-Sayán, who underlined the possible global impact that such a convention would have beyond Europe and the possibility and desirability of offering a stronger protection to lawyers worldwide.

Following the CCPE Working Group meeting held from 16 to 17 June 2022, the draft Opinion on the role of prosecutors in protecting environment was finalised and issued for a final round of consultations, in view of its examination and adoption by the CCPE at its upcoming plenary meeting (Strasbourg, 3-4 October 2022).

Human Rights intergovernmental co-operation

The [14th meeting](#) of the “46+1” CDDH ad hoc negotiation group on EU accession to the ECHR took place on 5-7 July in Strasbourg. The positive momentum of previous meetings was maintained, with provisional agreement being reached on a solution to the problem concerning inter-party applications under article 33 ECHR. The 46+1 group will meet again in early October.

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

The 2022 **HELP** (Human Rights Education for Legal Professionals) **Network Conference** summary, key interventions and recordings are available at <https://go.coe.int/m6u1r>. There are now more than 105 000 users in the HELP platform. New projects started: “Supporting contextualisation of HELP courses for legal professionals in times of war in **Ukraine**” and “**EU-CoE** Rule Judicial Training on Rule of Law and Fundamental Rights”. The [Asylum/Migration HELP e-Desks](#), with **EU** support, are connecting over 1000 legal professionals supporting those fleeing the war.

On 22 July, an online consultation was organised with the Supreme Court of **Ukraine** and other judicial authorities on the [improvement of the legislation on the remote justice in the context of the ongoing war](#) in the country, with the participation of members of the Parliament of Ukraine and on 29 July the first meeting of a working group with CEPEJ experts and representatives of Ukrainian judicial authorities for the development of a practical guide on remote hearings. An online round table on the occasion of the [25th anniversary of the European Convention on Human Rights in Ukraine](#) was held jointly with the Ukrainian Parliament. Meetings were held [with the newly appointed Ukrainian Ombudsperson](#), and [with the new Prosecutor General of Ukraine](#), to discuss needs and priorities.



On 20-21 July, CEPEJ supported a study visit of judges and members of the [Kosovo](#)*ⁱ Judicial Council to Latvian judiciary.

Practical Guides on the new Criminal Procedural and Criminal Codes of **Armenia** were [provided](#) to legal professionals. A [Summer School on Arbitration](#) allowed more than 20 students from all over Armenia to familiarise themselves with the key legal tools on arbitration and to engage in discussions on alternative dispute settlement mechanisms. In the **Republic of Moldova** judges, prosecutors, and lawyers enhanced their knowledge on [alternatives to imprisonment](#) on 3 August 2022. In **Türkiye**, around 160 candidate judges and prosecutors enhanced their knowledge on standards of the European Court of Human Rights related to fairness of proceedings in criminal proceedings. In **Montenegro**, Council of Europe experts provided support to the process of amending the Law on Judicial Council and Judges. The Judicial Training Centre adopted a Communication Protocol and integrated it into its institutional communication policy with the Council's support. In **North Macedonia**, visits were organised in 12 local communities, through which citizens were directly informed about the Law on Free Legal Aid. In **Serbia**, the working groups of the Ministry of Justice which are developing a new set of judicial and prosecutorial legislation finalised the drafts of five laws. The Council of Europe launched its co-operation with the judicial authorities of **Kyrgyzstan** with seminars on child-friendly justice as well as criminal procedure and human rights.

Execution of Judgments of the ECtHR

In July and August, the Department was involved in the preparation of the **1443rd DH meeting** of the CM scheduled for 20-22 September, during which it is expected that about 30 judgments/groups of judgments of the ECHR will be examined by the CM (see indicative list of cases [CM/Del/OT\(2022\)1443-prel](#)).

In August, the Department participated in a meeting in **Serbia**, on the execution of the ECHR judgment in the Kostić case concerning the non-execution of a demolition order concerning an unauthorised construction in Belgrade. Meetings were held with representatives of the Voždovac municipality, which is conducting the "legalisation" procedure, in order to ensure that these procedures are completed, thus paving the way for the execution of the demolition order before the December 2022 CM DH meeting, when the Kostić case will be considered by the Committee of Ministers.

In July and August, the Department held online meetings with the Office of the Prosecutor General of **Ukraine** to discuss recent developments in the investigation of cases, including those necessary for the execution of ECHR judgments where primarily violations of Article 3 of the Convention have been found (Kaverzin group). Also, the Department had an online meeting, organised by the Council of Europe Office in Ukraine, with the Ministry of Justice and MPs to jointly redefine priorities as to measures required to implement ECHR judgments, in view of the changed human rights situation as a result of aggression of the Russian Federation against Ukraine and the authorities' capacity to follow up on execution.

European Social Charter

The [European Committee of Social Rights](#) (ECSR) held its 328th session from 4 to 8 July in hybrid mode. The Committee continued the examination of the national reports on labour rights and examined several pending collective complaints. The Committee also invited the countries concerned (**Albania, Finland, North Macedonia and Türkiye**) by the procedure

on “non-accepted provisions” to submit a written report. The ECSR adopted a [decision on admissibility in European Federation of National Organisations working with the Homeless \(FEANTSA\) v. Belgium, Complaint No. 203/2021](#) and a decision on the merits in *Syndicat CFDT de la métallurgie de la Meuse v. France*, Complaint No. 175/2019, which will not be made until after the Committee of Ministers has adopted a resolution, or no later than four months after it has been transmitted to the Committee of Ministers.

The [decision of the ECSR in Unione sindacale di base \(USB\) v. Italy, Complaint No. 170/2018](#), became public on 5 July 2022. [More ...](#)

On 6 July 2022, the ECSR held an informal exchange of views with a delegation from the [European Trade Union Confederation](#) (ETUC) headed by Ms Esther Lynch, Deputy General Secretary. On 7 July 2022, the ECSR adopted amendments to its Rules during its 328th session on 6 July 2022. The amended Rules can be consulted at the [following link](#).

The ECSR received a significant number of shadow reports by social partners and civil society organisations on labour rights or on simplified reports on the follow-up actions taken by States in response to the decisions of the ECSR in collective complaints. [More...](#) The [decision of the ECSR on the merits](#) in *Associazione Professionale e Sindacale (ANIEF) v. Italy*, Complaint No. 159/2018, became public on 23 August 2022. [More...](#) On 18 August 2022, the Ministry of Foreign Affairs of **Finland** organised a national roundtable discussion on the implementation of the [European Social Charter](#) ([link to programme in Finnish](#)). [More...](#)

Police, Detention, Drugs and Addictions

Pompidou Group

On 1 July, the Executive Secretary of the Pompidou Group met Ambassador Ragnhildur Arnliótsdóttir, Permanent Representative of **Iceland** to the Council of Europe, to discuss cooperation prospects during the forthcoming Icelandic Chairmanship of the Committee of Ministers, in particular in view of the Ministerial Conference of the Pompidou Group in Lisbon on 13-14 December 2022.

On 4 July, the Executive Secretary met Ambassador Daniela Cujbă, Permanent Representative of the **Republic of Moldova** to the Council of Europe, to discuss the country's cooperation with the Pompidou Group. He briefed the Ambassador about his visit to Chisinau in April 2022, and mutual satisfaction was expressed about the implementation of the “Criminal Justice and Prisons” programme in the Republic of Moldova.

The Pompidou Group launched a new project ‘Developing a Drug Prevention Network for Parents and Professionals in **Georgia**’ in June 2022. The project will provide international expertise and technical support to the Georgian authorities for translating Georgia's first Drug Prevention Strategy (2021-2026) into concrete action and introducing evidence-based methods and targeted programmes of prevention. An assessment mission took place in Tbilisi on 11-13 July, with the purpose of meeting project partners, discussing their needs and expectations and define specific activities to be implemented till the end of December 2023.

MedNET: a workshop on “Prevention and care of adolescent and youth who use drugs” was held in **Amman** on 18-19 July. It was facilitated by high-level experts from the General Secretariat of Mental Health of Egypt. The course provided all the participants from the Anti-Narcotics Department, the Ministry of Health and the Ministry of Social Development with expertise that are consistent with their current and future work needs in the field of adolescent

and youth care, treatment, awareness and prevention of relapse, as well as how to involve their families on their care and follow-up.

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

On 11 July the Council of Europe presented the findings of a needs assessment report on attracting health care workers to the Penitentiary Service in **Romania**. It aims to help the authorities to honour their commitment to improving health care provided to prisoners in line with the Council of Europe standards, in particular by addressing the shortage of medical personnel. As a follow-up to this work, policy documents are now being drafted.

The Network of Civil Society Organisations of **Serbia** completed the implementation of a Council of Europe grant for post-release assistance to former offenders. In total, 70 former offenders (10 percent of them women) have benefited from the mentoring programme helping them to reintegrate into society.

Representatives of the **Georgian** National Prevention Mechanism reviewed and adopted a new monitoring tool to observe the treatment of juveniles in police custody, in line with Council of Europe standards and recommendations. In four regions of Georgia (Adjara, Samegrelo, Imereti and Kakheti) law enforcement and civil society met with representatives of the Special Investigation Service to discuss its mandate and operational procedures for notifications and complaints related to alleged police misconduct.

A study visit to North Macedonia provided representatives of prison staff from **Bosnia and Herzegovina** and **Kosovo*** with an opportunity to exchange good practices and learn from the hosts about screening, risk assessment, management of and post-release support to violent extremist prisoners.

Information Society

Cooperation on Freedom of Expression



The 27th anniversary of the country's accession to the Council of Europe, was marked also by the [week of human rights documentary screenings](#) was organised across five regions in **Moldova**, showing five films developed through support by media and freedom of expression programme[s] during the last three years. The 4th e-Bulletin on the "Latest developments in the case-law of the European Court of

Human Rights on Freedom of Expression" was [published](#) in English and all languages of the **Western Balkans**. Guidance and advice tailored for media regulator and other media literacy stakeholders was made available and disseminated through the publication of the study on '[Media and Gender](#)' within the framework of [MIL](#) project in **Bosnia and Herzegovina** to provide. **Albania**' journalists, media outlets, parliamentarians and the Audiovisual Media Authority were brought together by Council of Europe project's partner (Albanian Media Council) to discuss protection of copyright in media products. The 3rd Cascade Training on Protection and Safety of Journalists for Judges and Public Prosecutors of **North Macedonia** was made possible by supporting the country's academy of judges.

Data Protection



Thanks to [Austria](#), on 13 July and [Albania](#) on 22 July, at the heart of the Summer, Convention 108+ crossed the threshold of 50% of ratifications, an important step towards its entry into force for which 38 ratifications are needed. The States parties to Convention 108 should maintain the effort and drastically accelerate the ratification rhythm.

The teams of the HELP programme and of data protection launched, in [Tunis](#), the HELP course on Personal data protection and Privacy, on 12 July, with an audience of over 50 multidisciplinary professionals from public and private sectors on the standards applicable in the country. This is the first of this HELP course to be launched in Arabic.

Cybercrime



The Cybercrime Programme Office (C-PROC) supported a series of capacity building activities such as training of trainers courses for judges and prosecutors ([Benin](#)), law enforcement officers ([Cape Verde](#), [Gambia](#), [Ghana](#), [Liberia](#), [Nigeria](#), [Sierra Leone](#)), and judicial training courses on international cooperation for judges and prosecutors ([Lebanon](#)), refresher training on the Budapest Convention, cybercrime and electronic evidence ([Sri Lanka](#)) and specialised judicial training on training skills for prosecutors ([Serbia](#)). A series of consultative workshops on tracing, seizing and confiscating the proceeds of online crime ([Nigeria](#), [Ghana](#), [Chile](#), [Paraguay](#) and the [Philippines](#)), a pilot exercise on combating ransomware attacks ([Albania](#), [Bosnia and Herzegovina](#), [Montenegro](#), [North Macedonia](#), [Kosovo*](#), [Serbia](#), [Turkiye](#), [Bulgaria](#), [Croatia](#) and [Romania](#)). [Côte d'Ivoire](#) was invited to join the Budapest Convention on Cybercrime and [Nigeria](#) became a Party.

Action against crime

GRECO published five new reports concerning its 4th Evaluation Round on preventing corruption and promoting integrity among MPs, judges and prosecutors: the Compliance Report on [Liechtenstein](#), the Second Compliance Report on [Ireland](#), and the Addendum to the Second Compliance Report on [Cyprus](#), [Georgia](#) and [North Macedonia](#). GRECO also published its 5th Round Evaluation Report on [Serbia](#) concerning preventing corruption and promoting integrity in central governments and in law enforcement.

The Executive Secretary of GRECO, Hanne Juncher, spoke at a High Level Conference on the Armenian Model Code of Conduct for Public Servants organised under the EU/Council of Europe PGG II Project "Strengthening institutional capacities to fight and prevent corruption in Armenia" in Yerevan on 4 July, and held meetings with Armenian Deputy Prime Minister Mher Grigoryan, Minister of Justice Karen Andreasyan, Chairperson of the Corruption Prevention Commission Haykuhi Harutyunyan, and Head of the EU delegation to Armenia Ambassador Andrea Wiktorin.

Economic Crime and Cooperation (ECCD)

The division conducted a training for **Albanian** public officials on advancing the effectiveness of internal audit and administrative investigations to fight corruption and money laundering;

Held a meeting with the **Azerbaijani** authorities to discuss the national legislative framework and legal reform process on parallel financial investigations and non-conviction-based confiscation;

Held an awareness raising workshop on the terrorist financing risk assessment process for the Non-Profit Organisations' sector of **Bulgaria** as well as a workshop on effective money laundering and terrorist financing regulation and supervision;

Supported the newly created Independent Authority against Corruption in **Cyprus** (IAAC);

Conducted online webinars on international cooperation in the field of recovery of proceeds of crime for representatives of state authorities and law enforcement agencies from **Kazakhstan** and **Kyrgyzstan**;

Organized a webinar on conducting money laundering and terrorism financing risk assessment of the sector of virtual assets and virtual assets service providers for representatives of state authorities of **Kyrgyzstan**;

Developed and presented a comparative analysis of the conflict-of-interest systems to the National Authority for Probity, Prevention and the Fight against Corruption of **Morocco**;

Trained representatives of **Romanian** financial intelligence and law enforcement agencies on financial investigation and prosecution of terrorism financing and of money laundering;

Held a workshop with the representatives of **Turkish** judicial authorities to discuss the legislative framework for international judicial cooperation.

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