



## NEWSLETTER

### DGI - Human Rights and Rule of Law

January 2024

#### CPT (Secretariat of the Committee for the Prevention of Torture and inhuman or degrading Treatments or Punishments)

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), published the reports on its March 2023 ad hoc visits to [Bulgaria](#), [Georgia](#) and [Serbia](#), along with the responses of the authorities and the report on its visit to [Albania](#), in May 2023.

A CPT delegation, headed by 1<sup>st</sup> Vice-President Hans Wolff, met with Rémy Heitz, the Public Prosecutor at the Court of Cassation, in Paris on 17 January. The meeting provided an opportunity for the CPT and the Public Prosecutor to discuss a number of issues relating to the CPT's mandate and working methodology and enabled the CPT to strengthen its constructive dialogue with a strategic player in the country's justice system.

A CPT delegation, led by President Alan Mitchell, held, on 29 January in [Tirana](#), high-level talks with the Ministers of Justice and Health of Albania on forensic psychiatry issues and participated on 30 January in a round table organised by the Cooperation in Police and Deprivation of Liberty Division on these issues.

On 30 January in Strasbourg, the CPT Secretariat met with Graciela Susana Gatti Santana, President of the United Nations International Residual Mechanism for Criminal Tribunals to discuss the challenges relating to the enforcement of sentences handed down by the ICTY.

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

In January, the **HELP Programme** participated in [EJTN event on "Training need assessment event"](#) including a workshop on Human Rights attended by representatives of judicial training institutions (including HELP Network members), the European Commission (including DG-Just and other DGs). The HRTF-funded HELP in the **Western Balkans** project held its 3<sup>rd</sup> Steering Committee with the attendance of the Ambassador of **Luxembourg**.



Key activities in January in bilateral cooperation projects included: **Armenia** – a [workshop on the reopening of cases at national level \(after judgments of the ECtHR\)](#), and a needs assessment mission on the protection of human rights of displaced population; **Georgia** - a [workshop for the](#)

[Independent Inspector's Office of the High Council of Justice](#), and a forum between the Constitutional Court and higher education institutions; **North Macedonia** – a Training for Trainers for 35 lawyers to improve usage of free legal aid; **Ukraine** – a visit of the President of the Supreme Court to CoE (photo); [technical equipment support was also provided to the Office of the Prosecutor General of Ukraine](#).



Under the Project “Support to the NPM [National Preventive mechanism] against torture in **Morocco**”, a training was organised on how to formulate proposals for law reform and the establishment of legal monitoring within an NPM, for the benefit of members and executives of the Moroccan NPM (photo).

Regarding multilateral cooperation projects, the [TJENI](#) project and the National Court Administration of **Lithuania** held two workshops in Vilnius, in which 47 judges and assistants discussed relevant human rights standards and challenges concerning the publication of judicial decisions and application of the ECHR. Under the ["Enhancing Subsidiarity" project](#), a testing phase has begun to assess the quality of translation solutions and effectively translate the [ECHR-KS platform](#) into Romanian and Ukrainian.

### Death Penalty:

The Committee of Ministers adopted a [declaration](#) on the death penalty in the United States of America expressing particular concern regarding the unprecedented use in the State of Alabama of a new and controversial method of execution referred to as nitrogen hypoxia. The coordinator for the Abolition of the death penalty had a series of meetings with the European Union institutions in order to reinforce the cooperation between the two Organisations on abolition. He contributed to the organisation of a hearing on the death penalty (global trends and situation in the United States of America) in the PACE Committee on Legal affairs and Human rights.

## Execution of Judgments of the ECtHR

The Department for the Execution of Judgments participated in the following events:

- [Exchange with representatives of the judiciary of Belgium, Greece, Moldova and the United Kingdom](#), at the margins of the Opening of the Judicial Year of the ECHR, with a view to strengthening cooperation in line with the **Reykjavík Declaration**.
- A [Meeting with the President of the Ukrainian Supreme Court](#) in Strasbourg to discuss in particular cases against **Ukraine**, scheduled to be examined by the Committee of Ministers at its Human Rights meetings in 2024.



- A [workshop on the reopening of domestic judicial proceedings following ECHR judgments and decisions](#) in Yerevan, **Armenia**.
- The [Visit of the Prosecutor General of the French Court of Cassation](#) to exchange on the execution of judgments against **France** pending under the supervision of the CM.



- A Round table "Quality Education for All", held in Skopje, **North Macedonia**, organised by the Council of Europe Education Department, [addressing school segregation of Roma children following the European Court's judgment](#).

The Department also carried out a mission to **Romania**. It also met online with the relevant Finnish Ministries to discuss the *X. v. Finland* case to be examined at the Human Rights meeting in March 2024.

Finally, the Department had a number of meetings with the EU. It met with a delegation from the [EU Agency for Asylum \(EUAA\)](#), the [EUAA Fundamental Rights Officer](#) and the **FRA Migration Unit**, during their study visit to the CoE. An online exchange was held with representatives of the **EU Commission (DG Just)** working on its Rule of Law Report, regarding developments in cases under supervision by the Committee of Ministers. The Department gave an online presentation on the supervision of the execution of judgments to the [Network of national contact points on the rule of law](#), which supports the EU Commission in the preparation of its annual Rule of Law Report.

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

### Human Rights Intergovernmental Co-operation:

The CDDH Drafting Group on human rights and the environment ([CDDH-ENV](#)) held its [9th meeting](#) from 17 - 19 January, continuing its preparation of a [draft CDDH study](#) on the need for and feasibility of an additional instrument or instruments in the field of human rights and the environment. The [Access Info Group](#) established under the [Convention on access to official documents](#) (CETS No. 205, Tromsø Convention) held its [5th meeting](#) online on 22 January to examine the draft baseline evaluation reports with respect to 3 of the first 11 Parties to the Convention. These drafts will now be transmitted to the respective parties for comments, with a view to the adoption of the report at the end of May.

### Legal Co-operation:

The Committee of Experts on the Protection of Lawyers (CJ-AV) at its 7<sup>th</sup> meeting (30 January-1 February) continued examining the draft convention for the protection of the profession of lawyer and its explanatory report. This meeting focused primarily on Articles 6 (*professional rights of lawyers*) and 9 (*Protection*), the provisions dealing with the monitoring mechanism, the final clauses and the feedback received from the European Committee on Legal Co-operation (CDCJ). A general consultation on the draft will be launched in the next weeks.

### Human Rights and Biomedicine:



On 22-24 January 2024, a high-level delegation from National Assembly of the **Republic of Armenia** visited Strasbourg to discuss the possible ratification of the Council of Europe [Convention on Human Rights and Biomedicine](#) (Oviedo Convention) by Armenia. The visit was organised

in the framework of the Council of Europe Cooperation Project on "[Protection of Human Rights in Biomedicine II](#)".

### **European Commission for the Efficiency of Justice (CEPEJ):**

The CEPEJ study presenting key data and indicators of the judicial systems of European Union countries was submitted to the European Commission for the preparation of the Justice Scoreboard. The HELP course "Quality of Justice: the work of the CEPEJ" has been made available online. The Attorney General near the French Court of Cassation met with the CEPEJ Secretariat on 18 January. The CEPEJ conducted a workshop with the National Council of Prosecutors of **Kosovo**\*i on 16-17 January to enhance the quality of its statistics. A new training on mediation was organised in Latvia on 25-26 January for various justice professionals. On 29 January, the results of the first assessment visit by the CEPEJ to the pilot courts in Georgia (Zugdidi District Court and Batumi Municipal Court) were presented.

## **Digital Development and Governance**

### **Artificial intelligence**

The [Committee on Artificial Intelligence](#) (CAI) held its 9<sup>th</sup> Plenary meeting in Strasbourg, on 23 – 26 January 2024. During this 3<sup>rd</sup> reading of the draft Framework Convention on AI, the Drafting Group established by the CAI reached preliminary agreement on a number of outstanding issues in view of the final round of negotiations at the 10<sup>th</sup> Plenary meeting (11 – 14 March 2024). The issues still to be addressed primarily concern the scope of the draft treaty, as well as possible limitations to the application of the Framework Convention to matters of importance to national security.

### **Data Protection**

The 18th International Data Protection Day was marked with an [event](#) co-organized by the Data Protection Unit together with the organisers of the Computers, Privacy and Data Protection International Conference (CPDP) and the European Data Protection Supervisor (EDPS) on 25 January 2024 in Brussels. The event was opened by Patrick Penninckx, Head of the Digital Development and Governance Department who also moderated a panel on "[Convention 108+](#)". On the same day, the Chair of the Committee of Convention 108 (T-PD) and the Data Protection Commissioner of the Council of Europe have issued their respective [statements](#). The Secretariat of T-PD published a [compilation](#) of Data Protection Day initiatives based on the contributions received from parties and observers to the T-PD. It was also the occasion to announce the winners of 2024 [Stefano Rodotà Award](#) : Konrad Kollnig for his PhD thesis "Regulatory Technologies for the Study of Data and Platform Power in the App Economy", and Lin Kyi for her co-authored article "Investigating Deceptive Design in GDPR's Legitimate Interest".

### **Cybercrime**

The following capacity building activities have been supported by the [Cybercrime Programme Office](#) (C-PROC) in January:

- [GLACY+/GLACY-e](#) organised the Training of Trainers (training skills and certification programme for CoE judicial trainers) and the Refresher on Introductory course and advanced training on cybercrime and electronic evidence for judges and prosecutors (national trainers) for the Philippines (15-23 January).
- Meeting with Egypt (Ministry of Justice) to discuss co-operation and activities under the CyberSouth+ project (16 January 2024).



- [Octopus project](#) further advanced the work on [CYBOX](#) – online training platform on cybercrime and electronic evidence, as well as [cyberviolence resource](#).

Through GLACY+ and [Octopus Project](#), participation of 53 experts from 48 countries in the [concluding session](#) of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes (29 January - 9 February 2024, New York) was supported.

## Counter-terrorism

The newly established Working Group of the Committee on Counter-Terrorism (CDCT) tasked with producing draft Guidelines on strategies for the prosecution of violent extremism conducive to terrorism met on 30-31 January 2024, to discuss the main themes to be covered by the draft Guidelines, its outline and the process for collecting data from CDCT members. During the two days, practitioners from 13 countries and two international organisations discussed their experiences with processing violent extremist groups under terrorism charges and best ways to formulate guidance for other colleagues based on their practices. The meeting is expected to be followed by a questionnaire to CDCT members whose data is expected to inform the draft Guidelines.

## Criminal law

Ms Iliana Taneva, PC-CP Secretary and CDPC Co-Secretary was the key speaker at a Multiplier event and Training of staff from the probation services linked to Result 4 "Restorative justice and recidivism" of project PROBATIONET (Sofia, **Bulgaria**, 11-12 January 2024). She also had a meeting with the Bulgarian Deputy Minister of Justice, Mr Georgi NIKOLOV and with Mr Ivaylo YORDANOV, Director of the Prison Administration to discuss the forthcoming 29<sup>th</sup> Council of Europe Conference of Directors of Prison and Probation Services (Sofia, 25-26 June 2024).

## GRECO



Group of States against Corruption  
Groupe d'États contre la corruption

GRECO published five **new reports**: three concerning the 4<sup>th</sup> Round on preventing corruption and promoting integrity in respect of members of parliament, judges and prosecutors: the Second Addendum to the Second Compliance Report on [Cyprus](#), the Third Interim Compliance Report on [Portugal](#), the 2nd Addendum to the Second Compliance Report on [France](#) and the Addendum to the Second Compliance Report on [Ireland](#) while one Evaluation Report concerning the 5<sup>th</sup> Round on preventing corruption and promoting integrity in the central government and in law enforcement on [Portugal](#).

## Economic crime and corruption

### MONEYVAL and Criminal Asset Recovery

In the preparation of the next cycle of assessments, which will place an even greater focus on effective application of anti-money laundering, counter terrorism financing and proliferation financing measures, MONEYVAL and the Financial Action Task Force (FATF) organised a week-long assessors training in Helsinki (15-19 January 2024). The participants were provided with theoretical tools and practical exercises enabling them to identify gaps in

the national frameworks and to provide to the assessed jurisdictions objective and constructive recommendations for improvement. In total, 44 experts from 26 MONEYVAL and the FATF members attended the training. The successful completion of an assessors' training is needed for all experts to qualify them to act as evaluators in the context of the new evaluation round.

Within the framework of its assessment process of the **UK Crown Dependency of Jersey**, MONEYVAL held a pre-meeting on 16-17 January 2024. The Secretariat contributed to Egmont Group of Financial Intelligence Units' meeting held in Malta.

### **Economic Crime and Cooperation**

- Conducted regional workshop for representatives of specialised anti-corruption bodies and policy making institutions from the Eastern Partnership region (**Armenia, Azerbaijan, Georgia, the Republic of Moldova, Ukraine**) on the comparative practices related to identifying and assessing corruption risks in the public and private sectors.
- Held a training on Anti-Money Laundering/Counter Terrorist Financing compliance and Implementation of targeted financial sanctions for Representatives of Financial Institutions and Designated Non-Financial Businesses and Professions (DNFBPs) in **Armenia**
- Organised a workshop to present a comprehensive review of the draft addenda and amendments to the Law on Political Party Financing in **Bosnia and Herzegovina**, as set forth by the Central Election Commission of Bosnia and Herzegovina.
- Provided expert advice on international standards and practice related to verification procedures and auditing techniques of asset declarations to the **Kosovo\*** Agency for Prevention of Corruption in the process of developing internal regulation on procedures for the declaration and control of assets and gifts for public officials.
- AML/CFT compliance officers of the Financial Institutions in **Kosovo\*** benefited from a workshop which focused on implementation of a new approach in accessing the AML/CFT risks and conducting off-site/on-site AML/CFT inspections.
- Conducted an online training on investigation of money laundering and terrorist financing cases involving virtual assets, for operatives, investigators and analysts of the Security Service of **Ukraine**.
- Participated and presented the Council of Europe's technical assistance activities in the Technical Assistance and Training Working Group (TATWG) meeting of the Egmont Group of Financial Intelligence Units.

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### **A new Directorate in DGI: Directorate of Social Rights, Health and Environment**

As part of the reform and in order to secure the follow up to the Reykjavík Declaration, the Secretary General decided to set up a new Directorate as of 1st January 2024. The Directorate is headed by Rafael Benitez and includes 4 Departments dealing respectively with: 1. Social Rights 2. Reykjavík Process and Environment 3. Health, Detention and Addictions, including the Pompidou Group, and 4. Partial Agreement on the Council of Europe Development Bank.

## Social Rights

The [European Committee of Social Rights](#) (ECSR) held its first session in 2024 from **22 to 26 January**. It adopted the conclusions prepared in 2023 by its Sub-Committees on children, family and migrants. It also adopted the findings for 2023 in the follow-up to collective complaints in respect of **Belgium, Bulgaria, Finland, France, Greece, Ireland, Italy and Portugal**. The conclusions and findings will be published in March 2024. The Committee also deliberated on a number of [collective complaints](#), and planned its work on the ad hoc reports on the cost-of-living crisis submitted by states parties to the Charter.

In addition, the Committee held an exchange of views with the UN Committee on the Rights of the Child and was informed about the organisation of a high-level conference “as a step to take further commitments under the Charter” as proposed in the Reykjavik Declaration; **Lithuania** proposed to host the Conference in the framework of its upcoming Committee of Ministers presidency.

Two new collective complaints were registered in the course of **January 2024**. [Complaint No. 234/2024](#) – **Confederazione Unitaria di Base (CUB) v. Italy** – relates to Articles 1 (the right to work), 4 (the right to a fair remuneration), 12 (the right to social security) and 30 (the right to protection against poverty and social exclusion) of the revised European Social Charter. [Complaint No. 235/2024](#) – **Unión General de Trabajadores (UGT) v. Spain** – relates to Article 4§2 (the right to a fair remuneration) and Article E (non-discrimination) of the revised Charter.

## Reykjavik Process and Environment



The Secretariat was reorganised in order to enhance and better co-ordinate the existing Council of Europe activities related to the environment, with the creation of a new Directorate of Social Rights, Health and Environment including a Department on “the Reykjavik process and the environment” in DGI. In this respect, a Council of Europe wide **Inter-secretariat Taskforce on the Environment** was set up to focus, streamline and co-ordinate the Organisation’s activities, and held its first meeting on 29 January 2024. The second one is foreseen on 19 February 2024. It will

prepare proposals to the Committee of Ministers to identify the challenges raised by the triple planetary crisis of pollution, climate change and loss of biodiversity for human rights and the protection of the environment and contribute to the development of common responses thereto. Following a stocktaking survey of existing activities, planned activities, and proposals for new activities, the Task Force will identify any gaps or overlaps with a view to increasing focus, coordination and consistency. The results will feed into the development of elements for a Council of Europe Strategy on the Environment and a related action plan for consideration of the Ministerial session of the Committee of Ministers in May 2024.

## Health, Detention and Addictions

### Pompidou Group

Following the successful completion of the first Pompidou Group country-specific project on drug prevention implemented in **Georgia**, a six-month gap project was granted funding focusing on prevention in the criminal justice system under the Council of Europe project ‘Support to Penitentiary System Reforms in Georgia’. This component of € 150K will ensure

the short-term follow-up of the project activities implemented in Georgia running up till 30 June 2024, pending funding for a fully-fledged second project cycle on drug prevention.

The cooperation with **Ukraine** will continue in the framework of the new project DECOPRIS – ‘Towards More Humane Detention Conditions and Reduced Reoffending in Ukraine’ which will include a Pompidou Group component at an amount of 500.000 Euros to be implemented in 2024-2025.

The Steering Committee of the 2021-2024 Action Plan between the Council of Europe and **Moldova** took place in **Chisinau** on 23-24 January. There was a general agreement that the work carried out with the Council of Europe in the field of prisons, including its drug component, will remain priority in the new Action Plan (2025-2027).

The implementation of MedNET 2024 programme started with contracts for funding participation of 30 students in addictology in the Medicine faculties of **Marrakech** and **Tangiers**. The project on fathers who use substances was launched with a series of online meetings among the 12 country participants in the qualitative research from **Cyprus, Bosnia-Herzegovina, Czechia, Greece, Iceland, Ireland, Italy, Morocco, North Macedonia, Malta, Mexico and Switzerland**.

### **Medicrime and Trafficking in Human Organs**

Work has mainly been centred around the preparation of the implementation of the MEDICRIME convention in **Armenia** and **Ivory Coast** through different meetings with national authorities. The MEDICRIME Convention was introduced at the Interagency Working Group organised by **UNODC** on “Access to Controlled Drugs for Medical and Scientific Purposes, whilst preventing diversion, non-medical use, and misuse” (26 January). The [MEDICRIME Strategy 2024-2025](#), which offers new tools and concrete responses to continuous and emerging challenges faced by state authorities, has been published. The convention was introduced to national authorities from **Kazakhstan**.

### **Co-operation in Police and Deprivation of Liberty**

Following the publication of the [CPT report on Albania](#), a Roundtable “On the achievements and challenges of the Albanian Penitentiary system” was organised in Tirana on 30 January. The focus of the event was on the next steps which would help improve the treatment and protection of human rights of people in prisons and closed institutions. The event was attended by all major stakeholders, which underlined the relevance of the assistance provided by the CoE through this programme that is the only one that targets mental health in prisons and closed institutions in **Albania**.

[Proposed amendments to the legislation](#) regulating disciplinary sanctions and reward practices for prisoners in **Türkiye** were well received by a broad range of stakeholders in Ankara on 18 and 19 January. When adopted, the amendments will help to improve safety and security in prisons while fostering the rehabilitation of prisoners.



### **Partial agreement on the COE Development Bank (CEB)**

On 24 January, the CEB Governor, Carlo Monticelli, exchanged with several PACE delegations on the occasion of his visit to **Strasbourg**. Moreover, he took part in the memorial event for the victims of the Holocaust.

On 26 January, the first Administrative Council (AC) meeting of 2024 took place in **Paris**. The meeting was chaired for the first time by the newly elected Chairperson, Wioletta Barwicka-Lofthouse (**Poland**). The AC meeting resulted in the approval of two new projects



(**Lithuania** and **Spain**), two additional loan requests for existing projects (**Bosnia and Herzegovina**, and **Italy**) and one modification request for an existing project (**Republic of Moldova**). Two projects were in favour of Target Group countries, representing 25.3% of the combined amount of €241 million.

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## Venice Commission

Throughout January, the Commission was engaged in the preparation of forthcoming draft opinions on **Bosnia and Herzegovina, Bulgaria Hungary, Lebanon, Spain, France** as well as a number of reports.

The Commission conducted a country visit in the framework of the preparation of the draft opinion on the Code of Ethics for **Bulgarian** Judges and the Code of Ethics for Bulgarian Prosecutors and Investigators (25-26 January, Sofia).

In addition, the Commission took part in the "Helsinki Dialogue: A democratic future for Belarus" organised by PACE in co-operation with the Finnish Parliament (12 January, **Helsinki**).

Lastly, Ms Veronika Bílková, Vice-President of the Venice Commission, participated in a meeting of the Committee on Culture, Science, Education and Media of the PACE on "Propaganda and freedom of information" and in a joint hearing of the PACE Committee on Equality and Non-Discrimination and the Monitoring Committee on "National minorities in **Ukraine**" (23 January 2024, Strasbourg).

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<sup>i</sup> \* *This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence*