



12 July 2024

AS/Jur/Inf (2024) 01 Rev 3

Committee on Legal Affairs and Human Rights

Work programme¹

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This document indicates forthcoming events relevant to the committee's work programme and is regularly updated. It is not restricted to events in which the committee itself necessarily takes part or is represented.

Members are invited to let the Committee Secretariat know of items of particular interest.

Please note that all details are subject to separate confirmation.

¹ See also the ["Work of the Committee on Legal Affairs and Human Rights \(AS/Jur\): an overview"](#)

I. Timetable of meetings and proposed order for the presentation of reports in 2024

**10 September 2024
Paris**

Committee on Legal Affairs and Human Rights (plenary meeting)

October part-session 2024: The detention of Julian Assange and its chilling effects on human rights

Commemorating the 90th anniversary of the Holodomor - Ukraine once again facing the threat of genocide

Priorities for 2024:

- Implementation of the European Convention on Human Rights: shared responsibility
- Reinforcing European human rights standards and upholding the rule of law

II. Work programme

A. Reports/Opinions tabled but not yet debated

1. Commemorating the 90th anniversary of the Holodomor - Ukraine once again facing the threat of genocide

Rapporteur: Mr. Knut Abraham, Germany, EPP/CD (appointed on 10.10.2023)

- Origin: Doc. 15728, Reference 4733 of 26.05.2023
- Expiry date for adoption: 26.05.2025
- Presentation to the Assembly foreseen: 2024 – Fourth part-session
- State of work:
 - 20.06.2023: the committee made a call for a Rapporteur.
 - 04.03.2024: the committee agreed to hold a hearing at the May meeting, open to the public (subject to the agreement of invited experts) and subject to the availability of funds.
 - 21.05.2024: the committee considered an introductory memorandum and held a [hearing, livestreamed on the Assembly's YouTube channel](#), with the participation of:
 - Mr Andriy Kostin, Prosecutor General of Ukraine (online)
 - Professor Martin Schulze-Wessel, Professor of Eastern European History, Ludwig-Maximilian University, Munich, Germany;
 - Professor Yaroslav Hrytsak, Lviv University, Ukraine (online);
 - 24.06.2024: the committee considered a draft report, agreed to the change of title of the report as aforementioned and unanimously adopted a draft resolution;

B. Reports under preparation

i. Human rights

2. Legal aspects of the accession of the European Union to the European Convention on Human Rights

Rapporteur: Mr Titus Corlăţean, Romania, SOC (appointed on 29.06.2020)

- Origin: Doc. 15014, Reference 4488 of 27.01.2020
- Expiry date for adoption: 31.12.2024 (4th extension)(original deadline: 27.01.2022)
- Presentation to the Assembly foreseen: 2025 – First part-session (t.b.c.)
- State of work:
 - 29.09.2021: considered an introductory memorandum and decided to hold a hearing with experts at one of its next meetings, subject to the availability of funds.
 - 05.11.2021: the committee held a hearing with the participation of:
 - Ms Tonje Meinich, Chairperson of the CDDH ad hoc negotiation group ("47+1") on the accession of the European Union to the European Convention on Human Rights, Norway;
 - Mr Juan Fernando López Aguilar, Chair of the Committee on Civil Liberties, Justice and Home Affairs, European Parliament;
 - Mr Giuliano Pisapia, Vice-Chair of the Constitutional Affairs Committee, European Parliament;
 - 07.12.2021: the committee agreed to declassify the part of the minutes concerning the hearing with experts held on 05/11/2021 on "Legal aspects of EU accession to the European Convention on Human Rights".
 - 14.11.2022: agreed to request the Bureau to prolong the reference of the report until 27 January 2024.
 - 26.01.2023: the committee agreed to hold a hearing, during the next meeting with invited experts, subject to the availability of funds and that it be open to the public.
 - 22.03.2023: the committee held an exchange of views with Ms Tonje Meinich, Deputy Director General, Legislation Department, Ministry of Justice and Public Security, Norway, Chair of the "46+1 Group" (online).
 - 01.12.2023: the committee decided to request the Bureau for an extension of the reference until 30 June 2024.
 - 04.03.2024: the committee agreed to hold a hearing at the May meeting, open to the public subject to the

agreement of the invited experts

18.04.2024: the committee agreed to request the Bureau to extend the reference until 31.12.2024.

3. A Threats to life and safety of journalists and human rights defenders in Azerbaijan

Rapporteur: Ms Hannah Bardell, UK, NR (appointed on 11.10.2022)

- Origin: Doc. 15521, Reference 4659 of 24.06.2022
- Expiry date for adoption: 31.12.2024 (original deadline: 24.06.2024)
- Presentation to the Assembly foreseen: t.b.c.
- State of work:
 - 05.09.2022: the committee made a call for a Rapporteur.
 - 11.10.2022: the committee appointed, in absentia, Ms Hannah Bardell, UK, NR as Rapporteur, subject to her declaration of no conflict of interest at a future meeting.
 - 14.11.2022: the committee heard a declaration of no conflict of interest from Ms Bardell.
 - 22.03.2023: the committee considered an introductory memorandum (in the absence of the Rapporteur). It agreed to the declassification of the introductory memorandum, an eventual fact-finding visit, and to hold a hearing (open to the public) to be held jointly with the Committee on Honouring Obligations and Commitments by member States of the Council of Europe and the Committee on Culture, Science, Education and Media during the April part-session 2023 (the visit and hearing subject to the availability of funds). It also agreed to take into account “Growth in number of political prisoners in Azerbaijan (Doc. 15646, Reference 4702 of 23.01.2023)
 - 27.04.2023: the committee held a joint hearing with the Committee on Culture, Science, Education and Media and the Committee on the Honouring of Obligations and Commitments by member States of the Council of Europe (Monitoring Committee), with the participation of:
 - Ms Arzu Geybullayeva, Journalist;
 - Mr Ulvi Hasanli, Founder and Executive Director of AbzasMedia and
 - Ms Jeanne Cavelier, Head of Eastern Europe & Central Asia Desk, Reporters without borders.
 - 20.06.2023: the committee agreed to declassify the minutes of the above-mentioned joint hearing.
 - 04.03.2024: it took note of the Bureau’s request to take the following reference into account in the framework of this report:
 - “The need to investigate politically motivated persecution in Azerbaijan” ([Doc. 15852](#)).
 - 18.04.2024: the committee agreed to request the Bureau to extend the reference until 31.12.2024.

4. Implementation of judgments of the European Court of Human Rights – 12th report

Rapporteur: Mr Constantinos Efstathiou, Cyprus, SOC (appointed on 20.06.2023)

- Origin: Bureau decision, Reference 4729 of 28.04.2023
- Expiry date for adoption: 28.04.2025
- Presentation to the Assembly foreseen: t.b.c.
- State of work:
 - 22.05.2023: the committee made a call for a Rapporteur.
 - 08.09.2023: the committee considered an introductory memorandum and held a hearing with the participation of:
 - Professor Philip Leach, Professor of Human Rights Law, Faculty of Law, Middlesex University, United Kingdom;
 - Mr. Gerald Knaus, President of the European Stability Initiative (*ESI*), Berlin, Germany.
 - 09.10.2023: the committee agreed to the Rapporteur’s request to declassify the introductory memorandum.
 - 24.06.2024: the committee agreed to a request from the Rapporteur to conduct a fact-finding visit to Poland on 18-19 September 2024 in the framework of his report, subject to the availability of funds.

5. Private military companies, mercenaries, foreign fighters and their impact on human rights

Rapporteur: Mr. Andrea Orlando, Italie, SOC (appointed on 10.10.2023)

- Origin: Doc. 15771, Reference 4750 of 19.06.2023
- Expiry date for adoption: 19.06.2025

- Presentation to the Assembly foreseen: t.b.c.

- State of work:

20.06.2023: the committee made a call for Rapporteur.

10.10.2023: the committee appointed Mr Orlando (Italy, SOC) as rapporteur.

16.04.2024: the committee considered an introductory memorandum and agreed to its declassification. It agreed to a future hearing with invited experts, subject to the availability of funds (open to the public should the experts agree).

24.06.2024: the committee agreed to the Rapporteur's request to hold a hearing at the next meeting with invited experts, subject to the availability of funds and open to the public, provided that all experts agree.

6. The detention of Julian Assange and its chilling effects on human rights

Rapporteur: Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC (appointed on 23.01.2024)

- Origin: Doc. 15777, Reference 4762 of 09.10.2023

- Expiry date for adoption: 09.10.2025

- Presentation to the Assembly foreseen: -2024- fourth part-session

- State of work:

01.12.2023: the committee made a call for a Rapporteur to be appointed during the January part-session.2024

23.01.2024: the committee appointed Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC) *in absentia*, subject to her statement of no conflict of interest at a future meeting.

04.03.2024: the Rapporteur made a statement of no conflict of interest. The committee agreed to a future fact-finding visit to London, United Kingdom, date to be confirmed and subject to the availability of funds.

21.05.2024: the committee considered an introductory memorandum. It agreed to hold up to two hearings at future meetings (one on the journalistic aspect and the other on the possible impact of the case on whistleblowing), open to the public (should the experts agree), both subject to the availability of funds.

25.06.2024: the committee held a [hearing](#) with the participation of:

Professor Fionnuala Ní Aoláin KC (Hons), Queen's University, Belfast, Northern Ireland, former UN Special Rapporteur on counter-terrorism and human rights (online)

Ms Rebecca Vincent, Director of Campaigns, Reporters without Borders (online)

Mr Simon Crowther, Legal Adviser, Amnesty International, London

7. Ensuring better protection of whistle-blowers in Europe

Rapporteur: Ms Anna-Kristiina Mikkonen, Finland, SOC (appointed on 21.05.2024)

- Origin: [Doc. 15919](#), Reference 4801 of 15.04.2024

- Expiry date for adoption: 15.04.2026

- Presentation to the Assembly foreseen: t.b.c.

- State of work:

21.05.2024: the committee appointed Ms Anna-Kristiina Mikkonen (Finland, SOC) as Rapporteur.

8. Proceeds of the crime denounced by Sergei Magnitsky found in Switzerland must not be returned to the presumed perpetrators

Rapporteur: to be appointed

- Origin: **Doc. 15981**, Reference 4815 of 24.06.2024

- Expiry date for adoption: 24.06.2026

- Presentation to the Assembly foreseen: t.b.c.

- State of work:

9. Legal and human rights aspects of the Russian Federation's aggression against Ukraine

Rapporteur: to be appointed

- Origin: Bureau decision, Reference 4825 of 28.06.2024
- Expiry date for adoption: 28.06.2026
- Presentation to the Assembly foreseen: t.b.c.
- State of work:

ii. Reinforcement of the Rule of Law

iii. Other matters

10. Civil society and the Parliamentary Assembly: towards greater transparency and engagement

Rapporteur: Ms Azadeh Rojhan Gustafsson, Sweden, SOC (appointed on 07.12.2021)

- Origin: Doc. 15330, Reference 4599 of 27.09.2021
- Expiry date for adoption: 27.09.2023
- Presentation to the Assembly foreseen: November 2024, Standing Committee
- State of work:
 - 07.12.2021: the committee appointed Ms Azadeh Rojhan Gustafsson, (Sweden, SOC) as Rapporteur.
 - 23.05.2023: the committee authorised a hearing to be held at a future meeting (open to the public) with an invitation to be extended to three experts, subject to the availability of funds.
 - 21.06.2023: the committee considered an introductory memorandum, authorised the Rapporteur to carry out an online survey of civil society organisations and to hold a hearing at a future meeting with invited experts, subject to the availability of funds.08.09.2023: the committee agreed to request the Bureau for an extension of this reference until 30 June 2024;
 - 11.10.2023: the committee agreed to the Rapporteur's request to declassify her introductory memorandum.
 - 25.01.2024: the committee agreed to hold a hearing, during the next meeting with invited experts, subject to the availability of funds and that it be open to the public (subject to the agreement of the experts).
 - 04.03.2024: the committee held a hearing with the participation of:
 - Mr Jeremy McBride, President of the Expert Council on NGO law at the Council of Europe's Conference on International Non-Governmental Organisations, Barrister, Monckton Chambers, London;
 - Mr Didier Migaud, President of the *Haute Autorité pour la transparence de la vie publique*, Paris, France;
 - Mr Gerhard Ermischer, President of the Conference of International Non-Governmental Organisations of the Council of Europe (CINGO), Strasbourg, France.It agreed to change the title from "Towards a transparency register within the Parliamentary Assembly" to the title reflected above.

iv. Follow-up of resolutions and recommendations after adoption by the Assembly

11. Transnational repression as a growing threat to the rule of law and human rights (Resolution 2509 (2023)) Rapporteur for follow-up: Sir Christopher Chope, United Kingdom, EC/DA

- 21.05.2024: the committee held a hearing with the participation of:
- Ms Lily Sparks, Advocacy Research Associate, Human Rights Watch, Paris
 - Ms Kanae Kanki, Senior Counsel, Notices and Diffusions Task Force (NDTF), INTERPOL
 - Ms Slavica Cubric, Legal officer, Notices and Diffusions Task Force (NDTF), INTERPOL

Mr Pouria Zeraati, television journalist, Iran International, London;
24.06.2024: the committee heard a statement by the Rapporteur for follow-up presented by the Vice-Chairperson in Sir Christopher Chope's absence. It adopted a draft motion for a resolution and agreed to table it on behalf of the Committee;

12. Examining the legitimacy and legality of the ad hominem term-limit waiver for the incumbent President of the Russian Federation” ([Resolution 2519 \(2023\)](#))

Rapporteur for follow-up: Mr Pieter Omtzigt, Netherlands, EPP/CD

21.05.2024: the committee agreed to hold a joint hearing with the Committee on Political Affairs and Democracy on the subject at the forthcoming part-session in June 2024, as follow-up to Resolution 2519 (2023).

27.06.2024: the committee held a joint hearing with the Committee on Political Affairs and Democracy with the participation of:
Mr Mikhail Kasyanov, former Prime Minister of the Russian Federation
Dr. Gleb Bogush, Expert in public international law / Research Fellow, Cologne University, Germany
Ms Veronika Bílková, Vice-President of the European Commission for Democracy through Law (Venice Commission), Co-Rapporteur of the interim opinion on constitutional amendments and the procedure for their adoption in the Russian Federation, adopted by the Venice Commission

C. Reports on which the Committee is seized for opinion

Committee on Political Affairs and Democracy:

13. Accession of Belarus to the Council of Europe

Rapporteur for opinion: to be appointed

Rapporteur: to be appointed

•Origin: Request for an opinion from the Committee of Ministers, Doc 6814, Reference 1864 of 10.05.1993

•Expiry date for adoption:

•Presentation to the Assembly foreseen: t.b.c.

•State of work:

17.12.1998: Bureau decided to freeze the membership procedure.

30.01.2004: Bureau rejected granting special guest status to the Parliament of Belarus.

14. Review of the partnership for democracy in respect of the Parliament of the Kyrgyz Republic

Rapporteur for opinion: Mr Serhii Kalchenko, Ukraine, EC/DA (appointed on 25.01.2024)

Rapporteur: Ms Marietta Karamanli, France, SOC

•Origin: Bureau decision, Reference 4768 of 09.10.2023

•Expiry date for adoption: 09.10.2025

•Presentation to the Assembly foreseen: t.b.c.

•State of work:

23.01.2024: the committee appointed Mr Serhii Kalchenko (Ukraine, EC/DA) *in absentia*, subject to his statement of no conflict of interest at a future meeting

04.03.2024: the committee heard the Rapporteur's statement of no conflict of interest.

15. The Situation in Belarus

Rapporteur for opinion: to be appointed

Rapporteur: Mr Kimmo Kiljunen (Finland, SOC) (appointed on 30.05.2024)

- Origin: Bureau decision, Reference 4789 if 26.01.2024
- Expiry date for adoption: 26.01.2026
- Presentation to the Assembly foreseen: t.b.c.
- State of work:

24.06.2024: the committee made a call for a Rapporteur for opinion to be appointed at the next meeting.

16. Bürgenstock summit on peace in Ukraine: paving the way

Rapporteur for opinion: to be appointed

Rapporteur: to be appointed

- Origin: Doc. 16015, Reference 4821 of 28.06.2024
- Expiry date for adoption: 28.06.2026
- Presentation to the Assembly foreseen: t.b.c.
- State of work:

17. Support for political negotiations to enforce exchange and release of prisoners of war

Rapporteur for opinion: to be appointed

Rapporteur: to be appointed

- Origin: Doc. 16021, Reference 4823 of 28.06.2024
- Expiry date for adoption: 28.06.2026
- Presentation to the Assembly foreseen: t.b.c.
- State of work:

Committee on Culture, Science, Education and Media:

18. Media concentration and threats to media pluralism and independence

Rapporteur for opinion: Ms Gala Veldhoen, Netherlands, SOC (appointed on 24.06.2024)

Rapporteur: Ms Valentina Grippo, Italy, ALDE (appointed on 27.05.2024)

- Origin: Doc. 15916 Reference 4798 of 15.04.2024
- Expiry date for adoption: 15.04.2026
- Presentation to the Assembly foreseen: t.b.c.
- State of work:

16.04.2024; the committee called for a Rapporteur for opinion, to be appointed following the appointment of the Rapporteur for the Committee on Culture, Science, Education and Media.

24.06.2024: the committee appointed Ms Gala Veldhoen (Netherlands, SOC) as Rapporteur for Opinion.

19. Journalists matter: the need to step up efforts to liberate Ukrainian journalists held in captivity by the Russian Federation

Rapporteur for opinion: to be appointed

Rapporteur: to be appointed

- Origin: Doc. 16020, Reference 4822 of 28.06.2024
- Expiry date for adoption: 28.06.2026
- Presentation to the Assembly foreseen: t.b.c.
- State of work:

III. General Rapporteurships

1. **General Rapporteur on the abolition of the death penalty:** Mr Aleksandar Nikoloski, North Macedonia, EPP/CD (first term: appointed on 12.12.2022, mandate effective from 13.12.2022; second term: appointed on 30.11.2023).

- **Term of office:** one year renewable, subject to a maximum of two years.

The general rapporteur on abolition of the death penalty is mandated to intervene in matters relating to the abolition of the death penalty in different contexts (member and observer states, partners for democracy, states applying for such a status). He or she shall report periodically to the committee on the information collected and the action taken.

Responsibilities:

The role of the general rapporteur is to:

- follow activities and maintain working relations with different Council of Europe bodies dealing with issues relating to the abolition of the death penalty (including the Committee of Ministers, the Commissioner for Human Rights, the Committee for the Prevention of Torture and relevant departments of the Council of Europe Secretariat);
- follow activities and maintain working relations with Council of Europe observer states, partners for democracy and other states applying for such status, seeking advice as necessary from international organisations working in the field;
- represent the Committee on behalf of the Assembly when relevant and appropriate;
- in appropriate cases make statements and launch appeals on behalf of the Committee;
- follow up previous resolutions and recommendations of the Assembly on death penalty issues, including [Resolution 1807](#) (2011) on “The death penalty in Council of Europe member and observer states: a violation of human rights”, [Resolution 1560](#) (2007) on “Promotion by Council of Europe member states of an international moratorium on the death penalty”, [Recommendation 1760](#) (2006) on “Position of the Parliamentary Assembly as regards the Council of Europe member and observer states which have not abolished the death penalty”; [Recommendation 1627](#)(2003) and [Resolution 1349](#) (2003) on “Abolition of the death penalty in Council of Europe observer states”, and continue to promote the Assembly’s decisions which appear in these texts.

Activities to date:

- 14.10.2020: the committee considered a revised introductory memorandum and agreed to declassify it.
- 07.12.2021: the committee considered a revised information note, agreed to declassify it and held a hearing with the participation of:
Ms Chiara Sangiorgio, Policy Adviser/Death Penalty, Amnesty International, London, and
Mr Gilberto Jeronimo, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Portugal to the Council of Europe, Strasbourg.
- 30.11.2023: the committee considered a revised information note and agreed to its declassification.
- 01.12.2023: the committee agreed to hold a hearing on the abolition of the death penalty in observer and “partner for democracy” States, during the January part-session (open to the public if the experts agree), subject to the availability of funds and subject to time constraints in meeting slots allocated to the Committee.
- 25.01.2024: the committee held a hearing with the participation of:
Mr Raphaël Chenuil-Hazan, Director General, Ensemble contre la peine de mort (ECPM), Paris ;
Ms Robin Maher, Executive Director of the Death Penalty Information Center (DPIC), Washington (online);
Ms Bronwyn Dudley, Program Manager, World Coalition Against the Death Penalty, Paris.

2. General Rapporteur on the situation of human rights defenders and whistleblowers:
Mr Emanuelis Zingeris (Lithuania, EPP/CD) (re-appointed for a second term on 27.06.2024 ; first term: appointed on 20.06.2023)

- **Term of office:** one year renewable, subject to a maximum of two years

The general rapporteur on the situation of human rights defenders is mandated to intervene in matters relating to cases of intimidation of, and reprisals against, human rights defenders as well as of serious impediments to their work in Council of Europe member States and other European States (such as, for example, killings, attacks on their physical and psychological integrity, arbitrary arrests, judicial and administrative harassment, public defamation or restrictions to freedom of movement). A 'human rights defender' is a person or a group of persons (non-governmental organisation/entity) who, individually or together with others, acts peacefully to promote and protect human rights. This term may refer to lawyers, journalists, NGO activists or other individuals and groups (see, in this connection, the 1999 UN [Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#)). It may also include whistleblowers, namely persons reporting illegal activities or abuses of rights that may harm the public interest.

The general rapporteur shall report periodically, at least annually, to the committee on information collected and any action taken.

Responsibilities:

The role of the general rapporteur is to:

- follow activities and maintain working relations, when need arises, with different Council of Europe institutions and bodies which deal with (issues relating to) human rights defenders, including the Committee of Ministers, the Commissioner for Human Rights, the Secretary General and the Conference of INGOs;
- follow activities and maintain, when appropriate, working relations with bodies and agencies of the United Nations (including its Special Rapporteur on the situation of human rights defenders), the European Union, with the Organisation for Security and Cooperation in Europe (OSCE), other international governmental and non-governmental organisations;
- represent the committee on behalf of the Assembly *vis-à-vis* any of the above mentioned bodies and groups, when relevant and appropriate;
- in specific cases, make statements and launch appeals on his/her own behalf or propose to do so to the Committee;
- follow up previous resolutions and recommendations of the Assembly on issues related to human rights defenders and the protection of whistleblowers.

Activities to date:

08.09.2023: the committee agreed to a possible exchange of views with the Commissioner for Human Rights of the Council of Europe, Ms Dunja Mijatović (t.b.c.);

12.10.2023: the committee examined an information note, agreed to declassify it and held an exchange of views with the Council of Europe Commissioner for Human Rights, Ms Dunja Mijatović. Agreed to hold a hearing focused on whistleblowers during the November/December meeting with invited experts, subject to availability of funds.

01.12.2023: the committee held a hearing with the participation of:

Mr Sergei Cristo, Whistleblower

Ms Anna Myers, Executive Director of the Whistleblowing International Network (WIN), United Kingdom

Mr Jean-Philippe Foegle, Expert on whistleblowers and researcher and doctoral student in public and European law.

3. **General Rapporteur for Political Prisoners:** Ms Thorhildur Sunna Ævarsdóttir, Iceland, SOC (re-appointed for a second term on 21 May 2024; first term: appointed on 22 May 2023)

Term of office: one year, renewable once, subject to a maximum of two years

The general rapporteur for Political Prisoners is mandated to intervene in matters relating to alleged cases of politically motivated arrests and criminal prosecutions in Europe and in other countries having an observer or cooperative status with the Council of Europe or the Parliamentary Assembly.

Definition:

A “political prisoner” is a person who is deprived of his or her liberty in circumstances fulfilling one or more of the criteria reaffirmed in Assembly Resolution 1900 (2012), namely:

- a. if the detention has been imposed in violation of one of the fundamental guarantees set out in the European Convention on Human Rights and its Protocols (ECHR), in particular freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association;
- b. if the detention has been imposed for purely political reasons without connection to any offence;
- c. if, for political motives, the length of the detention or its conditions are clearly out of proportion to the offence the person has been found guilty of or is suspected of;
- d. if, for political motives, he or she is detained in a discriminatory manner as compared to other persons; or,
- e. if the detention is the result of proceedings which were clearly unfair and this appears to be connected with political motives of the authorities.” (SG/Inf(2001)34, paragraph 10).

The finding by the European Court of Human Rights, in favour of a person deprived of his or her liberty, of a violation of Articles 5 in conjunction with Article 18 of the European Convention of Human Rights is a strong indication that such a person is a “political prisoner”.

Responsibilities:

The role of the general rapporteur is to:

- follow activities and maintain working relations, when need arises, with different Council of Europe institutions and bodies which deal with issues relating to political prisoners, including the Committee of Ministers, the Commissioner for Human Rights, the Secretary General and the Conference of INGOs;
- follow activities and maintain, when appropriate, working relations with bodies and agencies of the United Nations (including its Working Group on Arbitrary Detentions), the European Union, with the Organisation for Security and Cooperation in Europe (OSCE), in particular the OSCE Parliamentary Assembly’s Special Representative on Political Prisoners, and with other international governmental and non-governmental organisations;
- represent the committee on behalf of the Assembly *vis-à-vis* any of the above mentioned bodies and groups, when relevant and appropriate;
- in appropriate cases, make statements and launch appeals on his/her own behalf or propose to do so to the Committee;
- in appropriate cases, engage in communication with alleged political prisoners or their families and their lawyers;
- follow up previous resolutions and recommendations of the Assembly on issues related to alleged cases of political prisoners.

The general rapporteur shall report periodically, at least annually, to the committee on information collected and any action taken.

IV. Bureaux of the Committee and of the Sub-Committees

Plenary Committee

Chairperson: Lord Richard Keen (United Kingdom, EC/DA)
1st Vice-Chairperson: Ms Lesia Vasylenko (Ukraine, ALDE)
2nd Vice-Chairperson: Mr Pablo Hispán (Spain, EPP/CD)
3rd Vice-Chairperson: Ms Thorhildur Sunna Ævarsdóttir (Iceland, SOC)

Sub-Committee on Human Rights

Chairperson: Ms Octavie Modert (Luxembourg, EPP/CD) (elected 23.01.2024)

Vice-Chairperson: ZZ...

Sub-Committee on Artificial Intelligence and Human Rights

Chairperson: Mr Damien Cottier (Switzerland, ADLE) (elected on 25.01.2024)

Vice-Chairperson: ZZ...

Sub-Committee on the Implementation of the Judgments of the European Court of Human Rights

Chairperson: Mr. Givi Mikanadze (Georgia, SOC) (elected on 24.01.2024)

Vice-Chairperson: ZZ...

V. Representation of the Committee at various events in 2023

Representatives appointed by the Bureau for 2023

- i. European Commission for Democracy through Law (Venice Commission):
Mr Antonio Gutiérrez Limones (Spain, SOC) – Titular
Mr Sergiy Vlasenko (Ukraine, EPP/CD) – Substitute
- ii. Council for Democratic Elections (of the Venice Commission):
Mr Pablo Hispán (Spain, EPP/CD) – Titular
Ms Octavie Modert (Luxembourg, EPP/CD) – Substitute
- iii. Group of States against Corruption (GRECO):
Ms Agnes Sirkka Prammer (Austria, SOC) – Titular
Ms Elena-Simona Spătaru (Romania, ALDE) – Substitute
- iv. Moneyval:
ZZ – Titular
Ms Klotilda Bushka (Albania, SOC) – Substitute
- v. Committee of Experts on the Protection of the Environment through Criminal Law (PC-ENV):
Mr Constantinos Efstathiou (Cyprus, SOC) – Titular
ZZ... – Substitute

VI. Secretariat of the Committee

Head of the Committee Secretariat:

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Committee on Legal Affairs and Human Rights

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Appendix: Terms of reference of the Committee and its Sub-Committees

A. General terms of reference applicable to all Assembly committees

(Extract from Appendix to Resolution 1842 (2011), The terms of reference of Parliamentary Assembly committees – Implementation of Resolution 1822 (2011) on the reform of the Parliamentary Assembly, adopted on 7 October 2011)

The Assembly decides to revise the general terms of reference applicable to all its committees as follow:

1. Committees may examine any matter within their specific terms of reference (Rule 43.1 of the Rules of Procedure) and, possibly, table information reports on these matters (Rule 48.6).
2. Committees shall only prepare reports for debate in the Assembly:
 - 2.1. on matters referred to them (Rule 25);
 - 2.2. when so instructed by texts adopted by the Assembly (taking account of Rule 24.1.b);
 - 2.3. when stipulated by the Assembly's Rules of Procedure;
 - 2.4. when mandated to do so by their specific terms of reference;
3. The committees ensure the appropriate follow-up to resolutions and recommendations adopted by the Assembly in the fields covered by their specific terms of reference.
4. Committees may organise conferences and other events on matters within their specific terms of reference and which are linked to their work programme, subject to availability of funds.
5. Committees shall establish and maintain working relations with:
 - 5.1. the competent bodies (committees, etc.) of national parliaments of member States;
 - 5.2. the competent bodies (committees, etc.) of European parliamentary assemblies (European Parliament, Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE), Interparliamentary Assembly of the Commonwealth of Independent States (CEI) and others) and of the Interparliamentary Union (IPU);
 - 5.3. subject to decision by the Bureau of the Assembly, the competent bodies (committees, etc.) of national parliaments holding special guest, observer or partner for democracy status;
 - 5.4. subject to decision by the Bureau of the Assembly, the competent bodies (committees, etc.) of national parliaments of non-member States.
6. Committees shall follow the activities of the Committee of Ministers in the fields covered by their specific terms of reference.
7. Committees shall follow the activities of, and maintain working relations with:
 - 7.1. the relevant rapporteur groups, working groups and liaison committees of the Ministers' Deputies and rapporteurs of the Ministers' Deputies;
 - 7.2. the relevant Council of Europe structures and bodies such as the European Court of Human Rights, the Congress of Local and Regional Authorities of the Council of Europe, the Commissioner for Human Rights, the Council of Europe partial agreements, the Council of Europe monitoring bodies and the relevant Council of Europe expert committees.
8. Committees are entitled to be represented in the Assembly's delegations to the relevant European conferences of specialised ministers and to follow their activities.

9. Committees shall follow the activities of, and maintain working relations with, the European and international organisations and bodies which carry out activities in the fields covered by their specific terms of reference, in particular the European Union, the OSCE, the United Nations and their agencies and institutions.

10. Committees are entitled to develop and maintain working relations with the European and international non-governmental organisations which carry out activities in the fields covered by their specific terms of reference.

11. Committees shall promote the ratification and the implementation by Council of Europe member States of relevant conventions covered by their specific terms of reference.

B. Committee on Legal Affairs and Human Rights (AS/Jur)

i. Background information

Number of seats: 86

The Committee was established in 1949 with the title “Legal and Administrative Questions” and known from 1956 until the end of 1989 as the “Legal Affairs Committee”, when the title was changed to the “Committee on Legal Affairs and Human Rights”.

ii. Specific terms of reference

(Extract from Appendix to Resolution 1842 (2011), The terms of reference of Parliamentary Assembly committees – Implementation of Resolution 1822 (2011) on the reform of the Parliamentary Assembly, as amended by Resolution 2002 (2014), § 9.10)²

[...]

2. Committee on Legal Affairs and Human Rights (AS/Jur)

2.1. The Committee shall consider all legal and human rights matters (including proposals for and the preparation of statutory opinions on draft Council of Europe conventions) which fall within the competence of the Council of Europe.

2.2. The Committee shall in particular consider:

2.2.1. all matters concerning the human rights treaties and mechanisms of the Council of Europe, notably the European Convention on Human Rights (ETS No. 5) and its protocols, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126), and other international instruments;

2.2.2. other issues concerning the state of human rights and fundamental freedoms and the rule of law in Europe, as well as in the observer States and in the States whose parliaments enjoy observer or partner for democracy status, including allegations of serious human rights violations of a systemic or otherwise widespread nature;

2.2.3. the functioning of national and international judicial institutions (as well as ombudspersons and national human rights institutions), the police, detention centres and prisons in the member States of the Council of Europe;

2.2.4. national and international criminal law and criminology; the treatment of offenders and conditions of detention (including pre-trial detention); alternatives to imprisonment;

2.2.5. legal and human rights issues relating to the fight against terrorism.

² On 26 January 2015 the AS/Jur's Sub-Committee on the election of judges was replaced by a new general Committee on the Election of Judges to the European Court of Human Rights (AS/Cdh): see <http://assembly.coe.int/nw/Committees/as-cdh/as-cdh-main-EN.asp>

2.3. The Committee shall give an opinion on the law, legal practice and the observance of human rights and fundamental freedoms of applicant States for membership of the Council of Europe, and of States whose parliaments seek to acquire partner for democracy status with the Parliamentary Assembly, to assess compliance with Council of Europe standards.

2.4. The Committee shall promote Council of Europe standard-setting legal instruments in the field of respect for human rights, fundamental freedoms and the rule of law in non-member States.

2.5. The Committee shall be in charge of interviewing all candidates for the post of Council of Europe Commissioner for Human Rights, before his or her election by the Assembly. It shall also examine the curricula vitae of candidates to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

2.6. The Committee shall follow the activities of the European Ombudsmen Conference.

2.7. The Committee shall share the Assembly representation in the European Commission for Democracy through Law (Venice Commission) and in its Council for Democratic Elections.

2.8. The Committee shall represent the Assembly in the Council of Europe Group of States against Corruption (GRECO) and shall participate in the work of the European Commission for the Efficiency of Justice (CEPEJ).

2.9. The Committee shall represent the Assembly in, and follow the work of, the relevant expert committees of the Council of Europe.

[...]

C. Terms of reference of the Sub-Committee on Human Rights (AS/Jur/DH)³

(Approved by the Committee on 29 January 2015)

1. The Sub-Committee shall consider any matter falling within the terms of reference of the Committee on Legal Affairs and Human Rights relating specifically to the state of human rights and fundamental freedoms. In particular, the Sub-Committee shall monitor relevant human rights developments in Council of Europe member, observer and applicant States, as well as States whose parliaments enjoy Partner for Democracy status with the Assembly. It shall also follow activities of and maintain working relations with relevant Council of Europe bodies.

2. Moreover, the Sub-Committee shall review and make recommendations to the Committee on lists of candidates for membership of the European Committee on the Prevention of Torture and Inhuman or Degrading Treatment of Punishment (CPT) submitted by States Parties to the European Convention for the Prevention of Torture.

D. Terms of reference of the Sub-Committee on Artificial Intelligence and Human Rights (AS/Jur/AI)

(Approved by the Committee on 13 December 2018)

1. Having regard to paragraph 2.2.2. of the terms of reference of the Committee on Legal Affairs and Human Rights, the Sub-Committee shall consider issues relating to the maintenance of Council of Europe standards on human rights and the rule of law – notably those deriving from the European Convention on Human Rights – in connection with the implementation of new technologies, in particular machine learning and other forms of artificial intelligence, including in the fields of privacy, criminal justice and legal liability for actions taken by systems involving artificial intelligence.

2. The Sub-committee shall seek to identify areas in which greater regulation and co-operation at

³ Note from the Secretariat: in line with previous practice, the Sub-Committee shall also interview the candidates shortlisted by the Committee of Ministers for the post of Council of Europe Commissioner for Human Rights and address a recommendation to the Assembly's Bureau in this respect (see Resolution CM (99)50, Order 547 (1999) and AS/Jur/DH (1999) OJ 4, AS/Jur/DH (2005) OJ 6 and AS/Jur/DH (2011) OJ 05 Rev.)

European and international level are required, including by taking account of work undertaken by the national parliaments of member and observer states and those with partnership for democracy status. It shall follow, with a view to contributing where appropriate, Council of Europe work in this area being undertaken at inter-governmental area.

E. Terms of reference of the Sub-Committee on the Implementation of Judgments of the European Court of Human Rights (AS/Jur/CourDH)

(Approved by the Committee on 29 January 2015)

1. Having regard to the terms of reference of the Committee on Legal Affairs and Human Rights, the Sub-Committee shall consider issues relating to the implementation, at the domestic level, of the judgments of the European Court of Human Rights (ECHR) finding a violation of the European Convention on Human Rights and/or its protocols.

2. The Sub-Committee shall, in particular, address the most pertinent cases of non-implementation of judgments, especially those pointing to the existence of systemic shortcomings or requiring urgent individual measures, especially in cases concerning serious human rights violations. It shall seek to identify, together with Committee's Rapporteur on the Implementation of Judgments of the ECHR, the reasons for failure to execute judgments in co-operation with, in particular, the parliamentary national delegation of the State concerned in order to find solutions to outstanding problems.