

Strasbourg, 06/03/07

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**COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW  
(CAHDI)**

**33<sup>rd</sup> meeting  
Strasbourg, 22-23 March 2007**

**TERMS OF REFERENCE OF THE STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH)**

Secretariat Memorandum  
prepared by the Directorate General of Legal Affairs

1. **Name of committee :** **STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH)**

2. **Type of committee :** Steering Committee

3. **Source of terms of reference :** Committee of Ministers

4. **Terms of reference:**

**Having regard to :**

- the Declaration and the Action Plan adopted at the Third Summit of Heads of State and Government of the Council of Europe member states (Warsaw, 16-17 May 2005); CM(2005)80 final 17 May 2005);
- the Road map for the implementation of the Action Plan (974<sup>th</sup> meeting of the Deputies –27 September 2006, item1.6), Chapters I.1, I.2; I.3 II.1 and III.6 ;
- the Convention for the Protection of Human Rights and Fundamental Freedoms (1950, CETS No. 005), the European Social Charter revised (1996, CETS No. 163) and the Framework Convention for the Protection of National Minorities (1995, CETS No. 157).

**Within the framework of the Programme of Activities, under chapter I (Human Rights) Lines of Action I.1, I.2 and I.3 and chapter III (Democracy and Good Governance) Line of Action III.1, the Committee is instructed to implement European cooperation in the field of human rights in the priority areas assigned to it by the Road map for the implementation of the Action Plan and, in this context to :**

- i. *contribute to ensuring the continued effectiveness of the European Convention on Human Rights* (chapter I, Line of Action 1.1) by improving procedures, mechanisms and remedies. To this end, the CDDH is instructed to implement the three specific projects entitled “intergovernmental work to promote effective national measures in support of the reform of the HR system”; “reform of the system of the Convention for the Protection of Human Rights and Fundamental Freedoms”, and “securing effective national remedies, including special remedies for pilot cases” ;
- ii. *protect and promote human rights through the other Council of Europe institutions and mechanisms* (chapter I, Line of Action 1.2) by collaborating with the Steering committees, ad hoc Committees and other bodies referred to in the Road map for the implementation of the Action Plan. The CDDH is particularly instructed to play a dynamic role in protecting the right of individuals and promoting the engagement of NGOs to actively defend human rights and to encourage intergovernmental cooperation with respect to the protection and promotion of the rights of persons belonging to national minorities ;
- iii. *promote human rights in public policy* (chapter I, Line of Action 1.3). To this end, the CDDH is instructed to contribute to guaranteeing “coherence and synergies in the development of HR law and policy”; proceed to “substantive legal analysis of HR issues and input in the development of CoE policies on such issues” ;
- iv. regularly exchange views on recent developments concerning economic and social rights and their impact on the system of the European Convention on Human Rights ;
- v. contribute to consolidating *democracy and good governance* and the rule of law within member states (chapter III, Line of action III.1), by means of standard-setting work aimed at guaranteeing the right of the public to have access to official documents ;
- vi. contribute to the implementation of chapter II of the Plan of Action on strengthening security of European citizens with regard to item 1 (combating terrorism). The CDDH is instructed to follow as appropriate, in close cooperation with CODEXTER, the implementation of the Guidelines it elaborated in this field ;
- vii. contribute to the implementation of chapter III of the Plan of Action on building a more humane and

inclusive Europe, with regard to item 6 (fostering intercultural dialogue) ;

- viii. carry out any other activity which might be assigned to it by the Committee of Ministers and coordinate work of the bodies answerable to it;
- ix. while taking account of the progress of this work, prepare, under its responsibility, proposals for the Programme of Activities for the coming years.

## **5. Composition:**

### **5.A Members**

The governments of all member states are entitled to appoint representatives of the highest possible rank in the field of human rights and with the following desirable qualifications: senior officials and experts responsible for human rights questions or policies at national and international level or other renowned personalities in the field of human rights.

The Council of Europe's budget bears travelling and subsistence expenses for one expert per member state (two in the case of the state whose expert has been elected Chairperson).

It also bears travelling and subsistence expenses for a representative of a subordinate Committee of the CDDH to attend a CDDH meeting when that subordinate Committee has specifically been requested to be represented at the meeting.

### **5.B Participants**

- i. The following committees may send (a) representative(s) to meetings of the Committee without the right to vote and at the expense of corresponding budgetary articles of the Council of Europe :
  - European Committee on Legal Cooperation (CAHDI)
  - European Committee on Legal Cooperation (CDCJ)
  - European Committee on Crime Problems (CDPC)
  - Steering Committee on Bioethics (CDBI)
  - Steering Committee on the Media and New Communication Services (CDMC)
  - Steering Committee for Equality between Women and Men (CDEG)
  - European Committee for Social Cohesion (CDCS)
  - European Committee on Migration (CDMG)
- ii. The Parliamentary Assembly may send (a) representative(s) to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
- iii. The Congress of Local and Regional Authorities of the Council of Europe may send (a) representative(s) to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
- iv. The Council of Europe Commissioner for Human Rights may send (a) representative(s) to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
- v. The Registry of the European Court of Human Rights may send (a) representative(s) to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
- vi. The European Commission against Racism and Intolerance (ECRI) may send (a) representative(s) to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
- vii. The Conference of INGOs of the Council of Europe may send (a) representative(s) to meetings of the Committee, without the right to vote and at the expense of the body that (s)he (they) represent(s).

<b>5.C</b>	<b>Other participants</b>
i.	The European Commission and the Council of the European Union may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.
ii.	States with observer status of the Council of Europe (Canada, Holy See, Japan, Mexico, United States of America) may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.
iii.	The Organisation for Security and Co-operation in Europe (OSCE) / the Office for Democratic Institutions and Human Rights (ODIHR) may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.
iv.	The Office of the United Nations High Commissioner for Human Rights may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.
<b>5.D</b>	<b>Observers</b>
	<p>The following non member states :</p> <ul style="list-style-type: none"> <li>- Belarus</li> <li>- the Republic of Montenegro</li> </ul>
	<p>And the following non governmental organisations :</p> <ul style="list-style-type: none"> <li>- Amnesty International</li> <li>- International Commission of Jurists (CIJ)</li> <li>- International Federation of Human Rights (FIDH)</li> <li>- European Coordinating Group for National Institutions for the Promotion and Protection of Human Rights</li> <li>- European Roma and Travellers Forum</li> </ul> <p>may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.</p>
<b>6.</b>	<b>Working Methods and Structures:</b>
i.	The Steering Committee has a Bureau that comprises 8 members.
ii.	If need be, the Steering Committee may decide to associate any other person, committee or organisation with its work on a particular item on its agenda, in the manner which seems most relevant (participation in the plenary meeting or in that of the Bureau, hearing, exchange of views, written consultation, etc.).
iii.	Within the limits of available budgetary appropriations and to expedite the progress of its work, the Committee may entrust specific tasks to ad hoc advisory groups (i.e. groups of specialists, of limited composition, not necessarily drawn from the parent committee) and may, where necessary, call on external experts or consultants.
iv.	Within the limits of available budgetary appropriations, the Committee may organise hearings with representatives of NGOs and of national institutions for the promotion and protection of human rights (NHRIs), as well as with any other third party in a position to contribute to its work.
<b>7.</b>	<b>Duration:</b>
	These terms of reference will expire on 31 December 2008.