



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

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CONSEIL DE L'EUROPE

JANUARY SESSION 2016 HUMAN RIGHTS COMMITTEE CONF/HR(2016)SYN1

DRAFT SYNOPSIS OF THE MEETING HELD ON 28 JANUARY 2016

FOR THE ATTENTION OF THE MEMBERS OF THE HUMAN RIGHTS COMMITTEE

1. The Committee Chair welcomed the new INGOs.
2. At the opening of the meeting, the Chair pointed out that item 9: "The fight against racism and intolerance" had been deferred to the June session given that Miléna Santérini, General Rapporteur on the fight against racism and intolerance and Co-ordinator of No Hate Parliamentary Alliance was unable to attend the meeting.

Gérard Gréneron explained that he had been seconded from the Ministry of the Interior to the Council of Europe in the DG1 à l'Unité de Coopération Police Prison. This mandate was incompatible with the position of Committee Vice-Chair. He expressed his warm thanks to the NGOs and assured them of his support.

The Human Rights Committee, with Michel Aguilar in the chair:

Adopted the draft agenda of the meeting

Unanimously **adopted** the draft synopsis of the meeting held on 23 June 2015 [[CONF/DH\(2015\)SYN2](#)].

Underlined the most important points, i.e.:

- The situation in general
 - Presentation and discussion of the challenges with regard to emerging technologies, human dignity and human rights
 - Social education
 - The life of the Committee (statements by the heads of the working groups)
3. Activities carried out by the Chair and the Vice-Chairs Iamvi Totsi and Gérard Gréneron since June 2015:-
 - **Information** on the contacts made with the task force sur le numérique
 - **Participation** in the seminar "Towards an inclusive Europe: learning to live better together with our different convictions" held by the Committee on Education and Culture and the Human Rights Committee in Strasbourg from 8 to 11 October 2015. This initiative was a transversal action of the Conference
 - **Participation** by the Committee at the invitation of the Committee of Ministers in the Exchange on the Religious Dimension of Intercultural Dialogue" in Sarajevo on the

themes: "Building inclusive societies together: - the role and place of religion in public space; - teaching about religions and non-religious beliefs at school".

- **Drafting** of the Committee's 2015 activity report appended to the Activity Report of the Conference
- **Participation in the** International Day for the Eradication of Poverty on 17 October in Ulyanovsk in Russia, with the President of the Province of Ulyanovsk, prominent figures from Russia and other countries, and in the events and a visit relating to social policies

Decided that a call for candidatures for the posts of vice-chair of the committee would be launched with an eye to the elections that would take place in June 2016;

The Chair described the dramatic situation in the Middle East and said that the agreements drawn up with Iran paved the way for a new geopolitical and geostrategic situation. Populism was on the rise everywhere in Europe and was creating tensions. He called on the INGOs to act.

4. The Chair of the Committee on Education and Culture drew attention to:

- the cross-cutting aspect of the work in the three committees;
- the importance of discussing a new description of our common values;
- the need to build a society in which our children can grow up in peace;
- the values of respect for and solidarity with the most vulnerable members of society.

The Chair of the Democracy, Social Cohesion and Global Challenges Committee drew attention to:

- the committee's working themes: debates on migration, social cohesion and global challenges;
- the participation in negotiations on behalf of the Conference of INGOS at COP 21 on the climate debate;
- the fact that an item relating to health and ethics would be discussed at the June session and would concern the disparity between the need for prevention and the healthcare offered to the population. This cross-cutting work would be carried out together with the Human Rights Committee

The Committee Chair stressed the need for genuine cohesion in civil using five verbs: decipher - inform- train - empower and anticipate

The Gender Equality Expert spoke about the events which had taken place in Cologne on New Year's Eve 2016 when 766 complaints were lodged with the police. A draft resolution on these incidents was currently being debated at the Parliamentary Assembly as well as a report on the same theme.

5. Laurence Lwoff, Head of the Bioethics Division at the Council of Europe addressed the Committee on the subject of emerging technologies and human rights. She:

- said that the Conference of INGOs had had the role of observer and would be invited to attend the meetings of the Bioethics Committee on which the 47 member states all had seats;
- thanked the Human Rights Committee for its contributions to the intergovernmental committee responsible for bioethics issues, and in particular to the protocol on the protection of persons with mental disorders with regard to involuntary measures;
- presented the Council of Europe's work at intergovernmental level on bioethics issues with particular focus on emerging technologies, which were the new subjects being studied by the Bioethics Committee;

- defined the concept of bioethics: a pluralist and multidisciplinary consideration of the human implications of developments in the field of biology and medicine;
- pointed out that the aim of the Council of Europe's activities in the field of bioethics was to protect human dignity and fundamental rights with regard to the Application of Biology and Medicine;
- said that it was an area that was constantly evolving and which had to be regularly re-examined and required a certain responsiveness to scientific and technological developments;
- said that the issues addressed by the Bioethics Committee were societal issues that concerned all citizens.

Following her presentation, the following points were made:

- What could the Council of Europe do to prevent breaches of the principles of protection of dignity and human rights, including by private enterprises?
- The relationship between new medical technologies and personal data, the cost of health with the question of equal access to health care, as these technologies would have a cost and would not necessarily be accessible to everyone in every country.
- The use of medical data by insurance companies and possible refusals to provide insurance cover.
- INGOs play an active role in these countries.

In conclusion, Laurence Lwoff stressed the importance of biomedical research for human health but also the possibility for individuals to be able to decide how their personal health data should be used. (<http://www.coe.int/fr/web/bioethics/dh-bio>)

6. Jean-Bernard Marie spoke about the latest developments in the Steering Committee for Human Rights

- Working documents:
 - the report on the long-term future of the system of the European Human Rights Convention following the 2012 Brighton Conference;
 - the draft Recommendation of the Committee of Ministers to member states on human rights and business;
 - the draft guidelines on the protection and promotion of human rights in culturally diverse societies;
 - the feasibility study on the impact of the economic crisis and austerity measures on human rights.

These instruments would be adopted by the Committee of Ministers, in principle in March 2016.

- The outcome of the texts concerning:
 - the reform of the Human Rights Convention with the adopted report consolidating the system and reinforcing the Court's authority and the execution of its judgments by member states;
 - The INGO Conference had made a substantial contribution to the Recommendation on human rights and business. The outcome was the result of considerable interaction between the CDDH and its intergovernmental experts;
 - The guidelines on the protection and promotion of human rights in culturally diverse societies. They stipulated the measures to be taken by states;
 - The forthcoming feasibility study on the impact of the economic crisis and austerity measures on human rights would have to be adopted by the Committee of Ministers. **The NGOs were invited to send in their contributions.**
- The themes for 2016 and 2017 concerned: social rights, female genital mutilations and forced marriage, freedom of expression and links with other human rights, migration, civil society and national human rights institutions.

7. Bodil Hoyer Damsgaard from the International Association of Social Educators:

- stressed the importance of the work done by on-site professional social educators working on citizenship and empowerment in relation with children's rights;
- mentioned two documents: the [Social educational work – with refugee minor asylum seekers](#) report on unaccompanied migrants and [The Madrid Declaration](#) ;
- mentioned a project launched in 2013 entitled "Social educators and vulnerable groups", highlighting the numerous difficulties: isolation, insecurity, being far from home;
- underlined the importance of gaining children's trust and the difficulty for educators to manage the situation;
- said that the further training of social indicators was essential;
- said that facilitating the work done on the ground was a priority for the Association.

8. Loredana Tassone, from the European Bar Federation (FBE) barrister in Strasbourg and Rome, specialising in international law and EU law, expressed her Federation's reservations and concerns with regard to data protection and respect for professional secrecy. Her address concerned mainly the following points:

- The Federation had been founded in Barcelona in 1992 and had its headquarters in Strasbourg. It comprised 250 bar associations, representing 800 000 barristers in Europe;
- The Federation met annually to discuss topical themes such as migration, protection of professional secrecy, the impact of new technologies on legal professions, the HELP training programme, human rights protection and so on;
- The Federation was registered on the list of NGOs entitled to lodge collective complaints in the context of the protocol of the revised European Social Charter;
- The Federation had concerns with regard to developments in Internet and in the introduction of new technologies which might constitute a risk with regard to the protection of professional secrecy. Protection standards had not yet been harmonised and that could cause major problems, in particular where cross-border matters were concerned;
- The Federation had taken into consideration the developments in European legislation, in particular the consequences of the annulment of the directive on the retention of data, which the EU Court of Justice had declared nul and void. A [Report](#) had been published on this subject and 15 recommendations had been drawn up.

Decided that the Committee would propose a draft text based on the proposals concerning professional secrecy, client protection and right of access to personal files, which would be submitted to the Standing Committee in April for adoption at the meeting of the INGO Conference in June 2016;

9. Deferred to the June session the item on the fight against racism and intolerance by Miléna Santerini, General Rapporteur on the fight against racism and intolerance and Co-ordinator of the No Hate Parliamentary Alliance.

10. Update on the working groups

The heads of the working groups were invited to present their work.

- "Extreme poverty and human rights" by Jean-Gabriel Prieur and Maritchu Rall
 - organisation on behalf of the INGO Conference of the International Day for the Eradication of Poverty. Publication of the report on the Day for "Tackling Child Poverty" held on 16 October 2015. International Day for the Eradication of Poverty (17 October 2016) in Strasbourg would continue on the same theme concerning

children and poverty and would be attended by two delegations from Greece and Poland. **NGOs had been called on to take part; priority would be given to the participation of young people;**

- promotion of the handbook for the application of the UN's Guiding Principles on Extreme Poverty and Human Rights. A *side-event* had been scheduled during the June session;
 - publication of the digest of relevant texts on extreme poverty;
 - a call for action for the Turin Process had been initiated by the working group. A meeting would be held in Brussels on 16 and 17 February.
- "Disability" by Marie-José Schmitt
 - follow-up of the Recommendation adopted by the INGO Conference in June 2015 with a 6-year strategy. Instructions had been given for the drafting of the strategy in 2016; it would concern the period 2017-2023. An ad hoc committee had been set up to prepare a recommendation for adoption by the Conference, asking that the Committee of Ministers continue its disability programme.
 - four key aims: greater public awareness of the disability, steps taken to counter violence against people with disabilities, need to ensure that people with disabilities themselves were properly informed, every disabled person to be legally recognised, and recognition as a legal personality;
 - in 2017 a colloquy would be held on the theme "New full legal capacity of all people with disabilities", Article 12 of the UN Convention, providing for such legal capacity;
 - The working group would discuss and gather examples of good practices in civil society.
 - "Human rights, co-development and migration" by Robert Simon
 - Robert Simon based his comments mainly on the work carried out by the Steering Committee for Human Rights (CDDH) and in particular on the draft Recommendation "human rights and business": How do European business comply with human rights? A letter had been sent to all INGOs of the Conference so that they could gather examples in their countries. At the June session, a *side-event* would be held on the theme "human rights and business" and a draft recommendation would be presented.
 - "Human Rights Defenders"

The working group had been set up following an incident in the Russian Federation. It was important to establish a forum where they could talk about human rights defenders who were being persecuted and to respond to urgent cases. In June 2014 the INGO Conference had adopted a recommendation. The working group proposed action to protect human rights and took part in the meetings of the different Council of bodies working in this field.
 - "No Hate Speech" campaign by Gilles Bloch

Gilles Bloch invited the INGOs to join this working group which had recently been set up. Two activities had taken place in late 2015:

 - a workshop in October "Réagir: zéro" during which 280 young people had been trained in fighting hate speech on the Internet and on the social networks of the European Parliament;
 - a round table on the occasion of the World Forum for Democracy had been attended by some one hundred young people at the Strasbourg City Hall;

Current projects: An enquiry was being carried out into "un net plus net", a thematic day on "les maux, des mots", a training course for trainers in fighting hate speech and a range of tools for fighting hate speech.

11. The Vice-Chair described the three *side-events* which would be presented to the Standing Committee: the events organised by the "Extreme poverty and human rights"

working group, the working group on “human rights, co-development and migration” and the side event entitled "Are religions a place of emancipation for women? Progress and setbacks".

12. The Chair underlined the importance of the [committee's action plan](#) , available for consultation on website

13. As no other business had been raised, the meeting rose.

Maritchu Rall
Committee Rapporteur

Annexe (in French only)

Déclaration sur l'antisémitisme, le 24 janvier 2016

Le 21 janvier dernier nous commémorions le triste anniversaire de l'assassinat de Ilan HALIMY.

Cet acte antisémite d'une rare barbarie était le prélude d'une série d'autres actes qui nous inquiètent, qui sont autant de sonnettes d'alarmes pour notre Europe et nous invitent à réagir énergiquement.

Toulouse, Bruxelles, Paris, Marseille ... d'autres villes en France et en Europe ont été touchées par ce fléau. Fléau qui interpelle aussi nos gouvernements. Jugez-en : rien qu'en France, Monsieur Cazeneuve, Ministre de l'Intérieur, annonçait à la mi-janvier lors de son interview à La Croix que 806 actes antisémites ont fait l'objet d'une plainte, d'un suivi par la police ou la justice en France. Le nombre d'actes islamophobes, que nous condamnons tout autant, s'élève à 429 ; les actes dirigés contre des sites chrétiens est aussi inquiétant et dépasse les 800. Rapportés à leur importance numérique en France, 806 actes touchent moins de 1% de la population française. Autre constatation, on a crié « mort aux juifs » et « Hitler avait raison » dans les rues de Paris en 2015, chose qui ne s'était pas produite depuis la dernière guerre mondiale. Vous avez certainement été informés de la déferlante des propos antisémites en Hongrie suite au film « Le Fils de Saül » de Laszlo Nemes et qui a reçu un Oscar. On vise des juifs pour les insulter, pour les tuer. Monsieur Valls n'a pas caché sa détermination de combattre l'antisémitisme ; Angela Merkel a déclaré la semaine dernière à propos de la recrudescence de l'antisémitisme que ce qui est connu est bien en-dessous de la réalité. Se rapporter aussi au rapport du P.E. du 12 janvier 2016 – Margot Wallström). Autre triste constatation, près de 90% des actes antisémites sont commis par des personnes qui se réclament de l'Islam.

Il est temps d'agir ; il est temps que tous les pays d'Europe et leurs gouvernants comprennent que les juifs sont les canaris des mines, que lorsqu'on commence par eux, c'est toute la société qui est ensuite visée. L'arsenal législatif existe pour condamner les auteurs des actes antisémites. Une application rigoureuse des lois est indispensable. Il faut arrêter toute propagation des appels à ces actes, n'accepter aucun prétexte pour exprimer impunément la haine du juif, surveiller les sites internet qui relayent les messages de haine et de discrimination, fermer tous les lieux où cela se produit et agir aussi au niveau de l'éducation.

Nous demandons, le Docteur Gilbert Nerson et moi-même, que cette courte déclaration fasse l'objet d'une alerte adressée à tous les gouvernements d'Europe.