

DRAFT TERMS OF REFERENCE OF THE COMMITTEE OF EXPERTS FOR THE DEVELOPMENT OF HUMAN RIGHTS (DH-DEV)

1. **Name of Committee:** **Committee of Experts for the development of human rights (DH-DEV)**
2. **Type of Committee:** Committee of Experts
3. **Source of terms of reference:** The Committee of Ministers on the proposal of the Steering Committee for Human Rights (CDDH)

4. **Terms of reference:**

Having regard to:

- the Resolution Res(2005)47 on committees and subordinate bodies, their terms of reference and working methods;
- the political texts adopted at the European Ministerial Conference on Human Rights (Rome, 3-4 November 2000);
- 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), in particular chapters I.2. "Protecting and promoting human rights through the other Council of Europe institutions and mechanisms" and III.6. "Fostering intercultural dialogue";
- the Convention for the Protection of Human Rights and Fundamental Freedoms (1950, CETS No. 005) and the European Social Charter revised (1996, CETS No. 163).

Under the authority of the Steering Committee for Human Rights (CDDH) and in relation to Projects 2008/DGHL/1408 "Coherence and synergies in the development of HR law and policy of different fora (UN, EU, OSCE)" and 2008/DGHL/1409 "Substantive legal analysis of HR issues and input in the development of COE policies on such issues" of the Programme of Activities, the Committee is instructed to:

- i. contribute to the strengthening, extension and promotion of the rights protected by the European Convention on Human Rights through the preparation of appropriate instruments (e.g. conventions, protocols, recommendations, declarations or guidelines) or documents (e.g. reports or surveys);
- ii. carry out any other activity which the CDDH might submit to it in the execution of its own terms of reference.

5. **Composition of the Committee:**

5.A **Members**

Governments of member states are entitled to appoint representatives with the relevant qualifications in human rights law and policy.

The Council of Europe budget will bear the travel and subsistence expenses of one representative from each member state (two in the case of the state whose expert has been elected Chairperson).

Each member state participating in the meetings of the Committee shall have one vote on procedural matters.

5.B **Participants**

- i. 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.

- ii. 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.
- iii. 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.
- iv. 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).

5.C Other participants

- i. The European Commission, the Council of the European Union and the European Union Agency for Fundamental Rights (FRA) 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 following intergovernmental organisations may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses:
 - the Organisation for Security and Co-operation in Europe (OSCE) / the Office for Democratic Institutions and Human Rights (ODIHR);
 - the Office of the United Nations High Commissioner for Human Rights

5.D Observers

The following non member state:

- Belarus

and the following organisations:

- Amnesty International;
- International Commission of Jurists (CIJ);
- International Federation of Human Rights (FIDH);
- European Roma and Travellers Forum;
- European Group of National Institutions for the Promotion and Protection of Human Rights

may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.

6. Working methods and structures:

- i. Within the limits of available budgetary appropriations and to expedite the progress of its work, the Committee may, where necessary, call on external experts or consultants.
- ii. Depending on its agenda and within the limits of available budgetary appropriations, the Committee may invite to its meetings or organise hearings with representatives of NGOs and of national institutions for the promotion and protection of human rights (NHRIs), as well as any other third party in a position to contribute to its work.

7. Duration:

These terms of reference will expire on 31 December 2011.