



Strasbourg, 6 October 2017

DH-SYSC-I(2017)OJ004

**STEERING COMMITTEE FOR HUMAN RIGHTS  
(CDDH)**

---

**COMMITTEE OF EXPERTS ON THE SYSTEM OF THE EUROPEAN  
CONVENTION ON HUMAN RIGHTS  
(DH-SYSC)**

---

**DRAFTING GROUP I ON THE FOLLOW-UP  
TO THE CDDH REPORT  
ON THE LONGER-TERM FUTURE OF THE CONVENTION  
(DH-SYSC-I)**

---

**4<sup>th</sup> meeting**

**Wednesday 18 October (9:30 a.m.) – Friday 20 October 2017  
(end of the meeting: 1 p.m.)**

**Strasbourg, Agora building, Meeting room G02**

---

**DRAFT ANNOTATED AGENDA**

---

**Item 1:      **Opening of the meeting, adoption of the agenda and order of business******General documents**

- Draft annotated agenda DH-SYSC-I(2017)OJ004
- Draft order of business [DH-SYSC-I\(2017\)OT004](#)
- Report of the 87<sup>th</sup> CDDH meeting (6–9 June 2017) [CDDH\(2017\)R87](#)
- Report of the 3<sup>rd</sup> DH-SYSC meeting (10–12 May 2017) [DH-SYSC\(2017\)R3](#)
- Report of the 3<sup>rd</sup> DH-SYSC-I meeting (27 February – 1 March 2017) [DH-SYSC-I\(2017\)R3](#)
- Report of the 86<sup>th</sup> CDDH meeting (6–8 December 2016) [CDDH\(2016\)R86](#)
- Report of the 2<sup>nd</sup> DH-SYSC meeting (8–10 November 2016) [DH-SYSC\(2016\)R2](#)
- Report of the 2<sup>nd</sup> DH-SYSC-I meeting (19–21 October 2016) [DH-SYSC-I\(2016\)R2](#)
- Report of the 1<sup>st</sup> DH-SYSC-I meeting (29 June – 1 July 2016) [DH-SYSC-I\(2016\)R1](#)
- Report of the 85<sup>th</sup> CDDH meeting (15–17 June 2016) [CDDH\(2016\)R85](#)
- Report of the 1<sup>st</sup> DH-SYSC meeting (25–27 April 2016) [DH-SYSC\(2016\)R1](#)
- CDDH report on the longer-term future of the system of the European Convention on Human Rights [CDDH\(2015\)R84 Addendum I](#)
- Brussels Declaration [CDDH\(2015\)004](#)
- Brighton Declaration [CDDH\(2012\)007](#)
- Izmir Declaration [CDDH\(2011\)010](#)
- Interlaken Declaration [CDDH\(2010\)001](#)
- Rome Declaration
- Decisions adopted at the 1252<sup>nd</sup> meeting of the Ministers' Deputies on the CDDH Report on the longer-term future of the system of the European Convention on Human Rights (30 March 2016) [DH-SYSC\(2016\)009](#)
- Terms of reference of the Committee of Experts on the System of the European Convention on Human Rights (DH-SYSC) for 2016–2017 [DH-SYSC\(2016\)003](#)

After the opening of the meeting by the Chairperson, Mr Vít A. SCHORM (Czech Republic), the Group is invited to adopt the agenda and order of business.

## **Item 2 :    **Work on the selection and election process of judges of the European Court of Human Rights****

### Working documents

- Revised draft report on the process of selection and election of judges of the European Court for Human Rights in view of the 4<sup>th</sup> DH-SYSC-I meeting  
*(prepared by the Chair and the Secretariat)* [DH-SYSC-I\(2017\)020](#)
- Tables on the recognition of service as a judge of the European Court of Human Rights  
*(prepared by the Secretariat)* [DH-SYSC-I\(2017\)018](#)
- Selection of candidates for Election as Judge to the European Court of Human Rights: procedure and selection criteria in member States  
*(prepared by the Secretariat)* [DH-SYSC-I\(2017\)017](#)

### Main reference documents

#### ***Current work***

- Research on the appointment procedures of judges at the highest national courts by national parliaments *(prepared by the Secretariat)* [DH-SYSC-I\(2017\)021](#)
- Contribution submitted in view of the 4<sup>th</sup> DH-SYSC-I meeting [DH-SYSC-I\(2017\)019](#)
- Exchange of views between Mr John Murray, President of the Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights and the Ministers' Deputies [DH-SYSC-I\(2017\)016](#)
- Legal opinion from the Directorate of legal advice and public international law [DH-SYSC-I\(2017\)015](#)
- Contribution submitted in view of the 3<sup>rd</sup> DH-SYSC meeting [DH-SYSC-I\(2017\)013](#)
- Contribution from the European Court of Human Rights [DH-SYSC-I\(2017\)011](#)
- Contributions in view of the 3<sup>rd</sup> DH-SYSC-I meeting [DH-SYSC-I\(2017\)009REV](#)
- Contributions in view of the 2<sup>nd</sup> DH-SYSC-I meeting [DH-SYSC-I\(2016\)005 REV](#)
- Exchange of views with Mr Wojciech Sawicki, Secretary General to the Parliamentary Assembly of the Council of Europe, during the 2<sup>nd</sup> meeting of DH-SYSC-I (summary prepared by the Secretariat) [DH-SYSC-I\(2016\)008](#)
- Information regarding the various opinions and experiences concerning the national processes of selection of the candidates for the post of judge at the Court and of election of the judges of the Court [DH-SYSC-I\(2016\)006](#)  
Restricted
- Relevant provisions relating to other International or Regional Courts or tribunals [DH-SYSC-I\(2016\)004](#)

- Comment from the Court on the report of the CDDH on the longer-term future of the Convention system [#5281071](#)

Working documents of previous meetings

- Working document in view of the 3<sup>rd</sup> DH-SYSC-I meeting [DH-SYSC-I\(2017\)010](#)
- Working document in view of the 2<sup>nd</sup> DH-SYSC-I meeting [DH-SYSC-I\(2016\)007](#)
- Working document in view of the 1<sup>st</sup> DH-SYSC-I meeting [DH-SYSC-I\(2016\)003](#)

Meeting reports

- Report of the 87<sup>th</sup> CDDH meeting (6–9 June 2017) [CDDH\(2017\)R87](#)
- Report of the 3<sup>rd</sup> DH-SYSC meeting (10–12 May 2017) [DH-SYSC\(2017\)R3](#)
- Report of the 3<sup>rd</sup> DH-SYSC-I meeting (27 February – 1 March 2017) [DH-SYSC-I\(2017\)R3](#)

***Previous work***

- Guidelines of the Committee of Ministers on the selection of candidates for the post of judge at the European Court of Human Rights [CM\(2012\)40-final](#)  
[CM\(2012\)40-addfinal](#)
- Comparative survey on the recognition of service as a Judge of the European Court of Human Rights [DD\(2013\)1321](#)

CDDH

- CDDH report on the longer-term future of the system of the European Convention on Human Rights [CDDH\(2015\)R84 Addendum I](#)
- Report of the CDDH on the review of the functioning of the Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights [CDDH\(2013\)R79 Addendum II](#)
- Contributions submitted in the framework of the GT-GDR-F work [DH-SYSC-I\(2016\)001](#)
- Compilation of information submitted in the framework of the national reports on the implementation of the Brighton Declaration [DH-SYSC-I\(2016\)002](#)

Advisory Panel of Experts on Candidates for Election as Judge to the Court

- Third Activity Report of the Advisory Panel of Experts on Candidates for Election as Judge to the Court (2016–2017) [Advisory Panel \(2017\)2](#)
- Second Activity Report of the Advisory Panel of Experts on Candidates for Election as Judge to the Court (2014–2015) [Advisory Panel \(2016\)1](#)
- Activity Report of the Advisory Panel of Experts on Candidates for Election as Judge to the Court (2010–2013) [Advisory Panel \(2013\)12 EN](#)

### Parliamentary Assembly

- Procedure for electing judges to the European Court of Human Rights Information document prepared by the Secretariat of the Parliamentary Assembly – Committee on the election of judges to the Court [AS/Cdh/Inf \(2017\) 01](#)
- Country-by-country table of progress – Information document prepared by the Secretariat of the Parliamentary Assembly – Committee on the election of judges to the Court

*During its 3<sup>rd</sup> meeting (10–12 May 2017), the Committee of experts on the system of the European Convention of Human Rights (DH-SYSC) welcomed the inclusive approach of the work conducted in close co-operation with all actors concerned (the Court and its Registry, the Secretary General of the Parliamentary Assembly and the Secretary of the Advisory Panel). The Committee has examined the elements identified by the Drafting Group during its 3<sup>rd</sup> meeting (27 February – 1 March 2017) and pronounced itself on the four themes identified (the selection procedure, the election process, conditions of employment and working conditions at the Court and ad hoc judges) and gave guidance for the future work (see document DH-SYSC-I(2017)R3, §§ 3–14). The DH-SYSC has instructed the Chair and the Secretariat to prepare a revised version of the draft report based on comments formulated during the discussions of DH-SYSC during its 3<sup>rd</sup> meeting (10–12 May 2017) and of the 87<sup>th</sup> CDDH meeting (6–9 June 2017), as well as all new contributions of experts, who were invited to send them by Friday 23 June 2017.*

*During its 87<sup>th</sup> meeting, the CDDH endorsed the guidance given by the DH-SYSC to the Drafting Group and noted that a revised version of the draft report was to be prepared under the responsibility of the Chair and the Secretariat in view of the 4<sup>th</sup> meeting of the drafting Group. The Committee noted that the past Appendixes I and II, such as they appear in document DH-SYSC-I(2017)014, will be presented in two distinct reference documents in order to serve as basis for possible follow-up work.*

The Group is invited to examine the working documents prepared by the Secretariat in light of the comments and the guidance given by the DH-SYSC and the CDDH, the comments formulated at the 3<sup>rd</sup> meeting of the DH-SYSC-I, as well as new contributions received from experts and all actors concerned.

### **Item 3 :      Organisation of future work**

The Group is invited to take any further decisions necessary to the organisation of its future work.

### **Item 4 :      Adoption of the conclusions and the meeting report**

#### Working document

- Draft Report of the 4<sup>th</sup> DH-SYSC-I meeting (18–20 October 2017) DH-SYSC-I(2017)R4

The Group is invited to adopt the conclusions and the meeting report.

\* \* \*