

Ministers' Deputies

Notes on the Agenda

(Restricted) 16 November 2015

COMPILATION OF NOTES ON THE AGENDA

**1240 meeting
17 November 2015 (10 am)**

Ministers' Deputies

Notes on the Agenda

CM/Notes/1240/1. 2 **rev** 17 November 2015¹

1240 Meeting, 17 November 2015

1 General questions

1.2 Preparation of forthcoming meetings

Action

To approve the draft agenda of their meeting in December 2015.

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Financing assured: YES

DRAFT DECISION

1240th meeting – 17 November 2015

Item 1.2

Preparation of forthcoming meetings

Decision

The Deputies approved the draft agenda for their 1242nd meeting (1 (3 p.m.) – 2 (10 a.m.) December 2015), as it appears at Appendix ... to the present volume of Decisions. <see Appendix to these Notes>

¹ This document has been classified restricted at the date of issue; it will be declassified in accordance with Resolution Res(2001)6 on access to Council of Europe documents.
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Appendix
(Item 1.2)

1242 Meeting of the Ministers' Deputies (Strasbourg, 1 (3 p.m.) and 2 (10 a.m.) December 2015)

Preliminary Draft Agenda

In application of the rules for the dispatch of reference documents and Notes on the Agenda, the deadlines are:

CM: 4 November 2015

Notes: 20 November 2015

1. General questions

1.1 Adoption of the agenda

CM/Del/OJ(2015)1242

1.2 Preparation of forthcoming meetings

CM/Notes/1242/1.2 of ...

1.3 Dialogue with the Secretary General and the Deputy Secretary General

SG/Com(2015)1242, SG/Inf(2015)...

1.4 Report of the Bureau

CM/Bur/Del(2015)...

1.5 Conferences of specialised ministers – State of preparation

CM/Inf(2015)18

1.6 Co-operation between the Council of Europe and the European Union Agency for Fundamental Rights – Appointment of an alternate to the new independent person to sit on the organs of the Agency

CM/Del/Dec(2015)1232/1.7, CM/Del/Dec(2015)1237/1.8
CM/Notes/1242/1.6 of ...

1.7 Exchange of views with Ms Anna Rurka, President of the Conference of INGOs

1.8 Prevention of radicalisation and Implementation of the action plan “The fight against violent extremism and radicalisation leading to terrorism”

2. Democracy and political questions

2.1 The Council of Europe and the conflict in Georgia

CM(2008)150 rev, CM(2008)162, SG/Inf(2008)19, DD(2008)631, SG/Inf(2009)5, SG/Inf(2009)7, CM(2009)PV prov, SG/Inf(2009)10, SG/Inf(2009)5 add, SG/Inf(2009)9, CM/AS(2009)Quest572, DD(2009)447, SG/Inf(2009)15 final, SG/Inf(2009)5 add2, Parliamentary Assembly REC_1846 (2008), CM/AS(2009)Rec1846 final, Parliamentary Assembly REC_1857 (2009), CM/AS(2009)Rec1857 final, CM(2009)164, Parliamentary Assembly REC_1869 (2009), CM/AS(2010)Rec1869 final, DD(2010)71, DD(2010)95, SG/Inf(2010)7, SG/Inf(2010)8, DD(2010)238, CM/Del/Dec(2010)1090/2.1, SG/Inf(2010)19, DD(2010)559, SG/Inf(2011)8, SG/Inf(2011)24, SG/Inf(2012)5, SG/Inf(2012)28 rev, SG/Inf(2013)13, SG/Inf(2013)38, DD(2014)490, SG/Inf(2014)17, SG/Inf(2014)41, SG/Inf(2015)18, SG/Inf(2015)41

2.1bis Current political questions

2.2 Situation in Cyprus

- 2.3 Exchange of views with Ms Astrid Thors, OSCE High Commissioner on National Minorities
(1 December 2015 at 3 pm)

10. Legal questions

- 10.1 European Charter for Regional or Minority Languages
(Item to be prepared by the GR-J on 18.11.2015)

- a. 3rd report of the Committee of Experts in respect of the Czech Republic

CM(2015)155
CM/Notes/1242/10.1a of ...

- b. 2nd report of the Committee of Experts in respect of Poland

CM(2015)156
CM/Notes/1242/10.1b of ...

- 10.2 “Drones and targeted killings: the need to uphold human rights and international law” –
Parliamentary Assembly Recommendation 2069 (2015)
(Item to be prepared by the GR-J on 18.11.2015)

Parliamentary Assembly REC_2069 (2015), CM/AS(2015)Rec2069 prov
CM/Notes/1242/10.2 of ...

- 10.3 Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data
(ETS No. 108) – Request by Tunisia to be invited to accede
(Item to be prepared by the GR-J on 18.11.2015)

GR-J(2015)17
CM/Notes/1242/10.3 of ...

12. Congress of Local and Regional Authorities of the Council of Europe

- 12.1 Communication by the Secretary General of the Congress of Local and Regional Authorities of the
Council of Europe

13. Any other business

**SCHEDULE OF MEETINGS
OF THE COMMITTEE OF MINISTERS
2015**

No.		Month	Dates	Days
1240		November	17	Tuesday (10 a.m.)
1241	Budget		24-26	Tuesday, Wednesday, Thursday (10 a.m.)
1242		December	1-2	Tuesday (3 p.m.), Wednesday (10 a.m.)
1243	DH		8-10	Tuesday, Wednesday, Thursday (10 a.m.)
[1243bis			16	Wednesday (10 a.m.)]

2016

No.		Month	Dates	Days
1244		January	13	Wednesday (10 a.m.)
1245			20	Wednesday (10 a.m.)
1246		February	3	Wednesday (10 a.m.)
1247			10	Wednesday (10 a.m.)
1248			24	Wednesday (10 a.m.)
1249		March	2	Wednesday (10 a.m.)
1250	DH		8-10	Tuesday, Wednesday, Thursday (10 a.m.)
1251			15-16	Tuesday (3 p.m.), Wednesday (10 a.m.)
1252			30	Wednesday (10 a.m.)
1253		April	13	Wednesday (10 a.m.)
1254			27	Wednesday (10 a.m.)
1255		May	4	Wednesday (10 a.m.)
1256			11	Wednesday (10 a.m.)
126th Session (Sofia)	CM		18	Wednesday
1257			25	Wednesday (10 a.m.)
1258		June	1	Wednesday (10 a.m.)
1259	DH		7-9	Tuesday, Wednesday, Thursday (10 a.m.)
1260			14-15	Tuesday (3 p.m.), Wednesday (10 a.m.)
1261			29	Wednesday (10 a.m.)
1262		July	6	Wednesday (10 a.m.)
[1262bis			13	Wednesday (10 a.m.)]
1263		September	7	Wednesday (10 a.m.)
1264			14	Wednesday (10 a.m.)
1265	DH		20-22	Tuesday, Wednesday, Thursday (10 a.m.)
1266			27-28	Tuesday (3 p.m.), Wednesday (10 a.m.)
1267		October	5	Wednesday (10 a.m.)
1268			18	Tuesday (10 a.m.)
1269			26	Wednesday (10 a.m.)
1270		November	9	Wednesday (10 a.m.)
[1270bis			15	Tuesday – Transfer of Chairmanship]
1271			23	Wednesday (10 a.m.)
1272			29-30	Tuesday (3 p.m.), Wednesday (10 a.m.)
1273	DH	December	6-8	Tuesday, Wednesday, Thursday (10 a.m.)
[1273bis			14	Wednesday (10 a.m.)]

MINISTERIAL CONFERENCES IN 2016

April

25th Session of the Council of Europe Conference of Ministers of Education (Brussels, Belgium)

1240 Meeting, 17 November 2015

1 General questions

1.5 Review of action taken by the Committee of Ministers on Parliamentary Assembly recommendations

Reference document
CM(2015)153

Action – Item proposed for adoption without debate

To take note of the information memorandum prepared by the Secretariat listing all the recommendations adopted by the Parliamentary Assembly to which replies are still pending from the Committee of Ministers. This document recalls the state of progress of each recommendation.

Financing assured: YES

DRAFT DECISIONS

1240th meeting – 17 November 2015

Item 1.5

Review of action taken by the Committee of Ministers on Parliamentary Assembly recommendations CM(2015)153

Decisions

The Deputies

1. took note of the information memorandum prepared by the Secretariat (document CM(2015)153) drawing up a review of the follow-up given by the Committee of Ministers to recommendations adopted by the Parliamentary Assembly to which replies are still pending, up to and including Recommendation 2081 (2015) adopted at the fourth part of its 2015 Session (Strasbourg, 28 September-2 October 2015);
2. instructed the Secretariat to submit to them the Parliamentary Assembly recommendations for appropriate follow-up action in accordance with the indications set out in this document and with due consideration to providing an early and substantial reply to the Parliamentary Assembly texts;
3. agreed to forward document CM(2015)153 to the Parliamentary Assembly for information.

¹ This document has been classified restricted at the date of issue; it will be declassified in accordance with Resolution Res(2001)6 on access to Council of Europe documents.

Ministers' Deputies

Notes on the Agenda

CM/Notes/1240/1.7 9 November 2015¹

1240 Meeting, 17 November 2015

1 General questions

1.7 Thematic debate: “Freedom of assembly and association: current challenges and the response from the Council of Europe” – Follow-up

Reference documents

CM/Del/Dec(2015)1237 add, CM/Del/Dec(2015)1239/1.7, SG/Inf(2015)30, DD(2015)1163, DD(2015)1164

Action

To adopt the draft decisions hereafter.

At their last meeting on 4 November 2015, the Deputies examined a first set of draft decisions on the follow-up to be given to the above-mentioned thematic debate in the light of proposed amendments submitted by two delegations (see DD(2015)1163 and DD(2015)1164).

At the close of the discussion, the Deputies agreed to resume consideration of this item at the present meeting, following consultations to be conducted by the Chair in the meantime.

In accordance with this decision, the Chair has conducted consultations and in the light of these, proposes to adopt the draft decisions below.

Financing assured: The possible establishment of a mechanism for the protection of human rights defenders is not covered by the draft Programme and Budget for 2016-2017.

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DRAFT DECISIONS

1240th meeting – 17 November 2015**Item 1.7****Thematic debate: “Freedom of assembly and association: current challenges and the response from the Council of Europe” – Follow-up***Decisions*

The Deputies

1. recalled the obligation of member States, **in accordance with Article 11 of the European Convention on Human Rights and the relevant jurisprudence of the European Court of Human Rights, to ensure respect for the right to freedom of assembly and association, the exercise of which cannot be subject to restrictions other than those provided for in paragraph 2 of this Article; recalled also that this** involves a positive obligation for member States to create a favourable environment for the exercise of that freedom;
2. underlined the particular importance they attach to this freedom which is key for democracy and for the full and effective exercise of other fundamental freedoms, and commended in this context the invaluable contribution of **civil society, including** non-governmental organisations and human rights defenders;
3. expressed their determination to secure the full ~~exercise of freedom of assembly and association~~ **implementation of Article 11 of the European Convention on Human Rights** within the geographical area of the Council of Europe, ~~in line with~~ **and recalled the relevant** declarations and recommendations adopted by the Committee of Ministers ~~in this field~~, in particular the Declaration on Council of Europe action to improve the protection of human rights defenders and promote their activities and Recommendation CM/Rec(2007)14 on the legal status of non-governmental organisations in Europe;
4. welcomed the efforts deployed to this end by the Commissioner for Human Rights and encouraged him to continue his action;
5. expressed their serious concern regarding undue restrictions placed on the creation, functioning and financing of non-governmental organisations as well as concerning attacks on and violations of the rights of **civil society representatives, including** human rights defenders, in Council of Europe member States or elsewhere;
6. ~~called on~~ **encouraged** member States to review their domestic legislation and practice regarding freedom of assembly and association in order to ensure that they meet the requirements posed by **Article 11 of the European Convention on Human Rights and other** the relevant Council of Europe instruments ~~and respond to~~, **with due regard to** conclusions and recommendations of its monitoring bodies;
7. encouraged member States to make use of the expertise of the Council of Europe to this end and to examine all appropriate ways of promoting the participation of civil society in democratic governance;
8. welcomed the increased focus proposed by the Secretary General on the promotion of freedom of assembly and association and of the participation of civil society in democratic governance in the Programme and Budget for 2016-2017, in particular through the preparation of guidelines on civil participation in political decision-making;
9. invited also the Secretary General to:
 - (i) examine the feasibility of a protection mechanism for human rights defenders, taking into account **its financial implications in the context of the programme and budget and the need to avoid overlapping with** existing initiatives, with a view to submitting operational proposals in this respect;
 - (ii) prepare an overview of good practices in respect of promoting freedom of assembly and association and of the contribution of civil society to democratic governance, on the basis of a compilation of national legislation, **including regarding the foreign funding of NGOs, and the results conclusions and recommendations of** the monitoring mechanisms. ~~with a view to its widest possible dissemination.~~

Ministers' Deputies

Notes on the Agenda

CM/Notes/1240/H46-1 rev 6 November 2015¹

1240 Meeting, 17 November 2015

4 Human rights

H46-1 Supervision of execution of judgments of the European Court of Human Rights – Adoption of final resolutions

Action – Item proposed for adoption without debate

To adopt the draft decision below.

It is recalled that the Deputies approved at their 1161st meeting (5 February 2013) the Bureau's recommendation to adopt, at the regular Deputies' meetings, final Human Rights resolutions relating to the supervision of the execution of judgments which do not raise any specific issue requiring debate.

Financing assured: YES

DRAFT DECISION

1240th meeting – 17 November 2015

Item H46-1

Supervision of execution of judgments of the European Court of Human Rights – Adoption of final resolutions

Decision

The Deputies adopted the final Resolutions CM/ResDH(2015)191 to CM/ResDH(2015)22¹ in respect of the judgments and decisions listed below.

[Draft] Resolution	Application No.	Case	Judgment or decision of	Final on
ARMENIA				
CM/ResDH(2015)191	27651/05	MINASYAN AND SEMERJYAN	23/06/2009 07/06/2011	23/09/2009 07/09/2011
	5065/06	HOVHANNISYAN AND SHIROYAN	20/07/2010 15/11/2011	20/10/2010 15/02/2012
	13916/06	YERANOSYAN AND OTHERS	20/07/2010	20/10/2010
	25825/05	DANIELYAN AND OTHERS	09/10/2012	09/01/2013
	22812/05	TUNYAN AND OTHERS	09/10/2012	11/02/2013
	43242/05	BAGHDASARYAN AND ZARIKYANTS	13/11/2014	13/02/2015
	19940/05	GHARIBYAN AND OTHERS	13/11/2014	13/02/2015
	23566/05	GHASABYAN AND OTHERS	13/11/2014	13/02/2015

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[Draft] Resolution	Application No.	Case	Judgment or decision of	Final on
AUSTRIA				
CM/ResDH(2015)192	44602/11	Roman KERSCHNER	24/03/2015	Decision
BULGARIA				
CM/ResDH(2015)193	29476/06	D.M.T. AND D.K.I.	24/07/2012	24/10/2012
CM/ResDH(2015)194	10907/04	IORDANOVI	27/01/2011	27/04/2011
CROATIA				
CM/ResDH(2015)195	37421/13	Boris BORVIČANOVIĆ	07/04/2015	Decision
	27951/13	Darinka COC-ŠTOKIĆ	07/04/2015	Decision
	56599/14	Lovorka DEVČIĆ	21/04/2015	Decision
	24271/13	Juraj MARKULIN	21/04/2015	Decision
	51899/13	Viktor SIMONČIĆ	21/04/2015	Decision
CM/ResDH(2015)196	32806/09	EGIĆ	05/06/2014	05/09/2014
GEORGIA				
CM/ResDH(2015)197	51247/10	Zaza JAKELI	12/05/2015	51247/10
GREECE				
CM/ResDH(2015)198	552/10	I.B.	03/10/2013	03/01/2014
HUNGARY				
CM/ResDH(2015)199	24212/09	Gábor HAVAS	10/03/2015	Decision
	68392/14	Gyula HOLLÓSI	07/04/2015	Decision
	12166/11	Aron KISS	21/04/2015	Decision
	32805/09	Péter KUN	17/02/2015	Decision
	49069/13	Rezső AND Éva KÜTVÁRI	19/05/2015	Decision
	69814/13	Rezsőné KÜTVÁRI	19/05/2015	Decision
	13071/11	László NAGY	07/04/2015	Decision
	74821/13	Béla POHÁNKA	19/05/2015	Decision
	66003/09	György PURGER	10/03/2015	Decision
	34306/10	REKULTIM KFT	07/04/2015	Decision
	80988/13	Csaba SÁRAI	19/05/2015	Decision
	17007/11	Tímea SOMOSINÉ TÉSENYI	21/04/2015	Decision
	11604/09	Lászlóné SZABÓ-NÉMETH	10/03/2015	Decision
	27070/10	Katalin SZAMOSI	07/04/2015	Decision
	50461/13	János SZEKERES AND OTHERS	19/05/2015	Decision
	724/11	András TARTALLY AND Emőke TARTALLYNÉ TIHANYI	07/04/2015	Decision
	49177/13	Sándor VISNYEI	19/05/2015	Decision
	5454/11	Róbert WEIMBER	07/04/2015	Decision
	11082/09	Jánosné ZSOLDOS	10/03/2015	Decision
ICELAND				
CM/ResDH(2015)200	20161/06	VÖRÐUR ÓLAFSSON	27/04/2010	27/07/2010
CM/ResDH(2015)201	31930/04	SARA LIND EGGERTSDÓTTIR	05/07/2007	05/10/2007
CM/ResDH(2015)202	39731/98	SIGURÐSSON	10/04/2003	10/07/2003
ITALY				
CM/ResDH(2015)203	17120/09	DHAHBI	08/04/2014	08/07/2014
CM/ResDH(2015)204	246/07	BEN KHEMAIS	24/02/2009	06/07/2009
	50163/08	TRABELSI	13/04/2010	13/07/2010
	25716/09	TOUMI	05/04/2011	28/11/2011
	9961/10	MANNAI	27/03/2012	27/06/2012
CM/ResDH(2015)205	40020/03	M. AND OTHERS ¹	31/07/2012	17/12/2012
CM/ResDH(2015)206	8681/05	UMBERTO AND PIERPAOLO PEDICINI	10/03/2009	10/06/2009
THE NETHERLANDS				
CM/ResDH(2015)207	43108/12	Khaliel BASARAT	21/04/2015	Decision
	23816/08	Q.A.	02/06/2015	Decision
POLAND				
CM/ResDH(2015)208	71845/10	Zdzisław CICHOWSKI	10/03/2015	Decision
	79256/13	Mariusz JANEK	31/03/2015	Decision
	26072/14	Robert KAŻMIERCZAK	31/03/2015	Decision
	56640/13	Jarosław KAŻMIERCZAK	31/03/2015	Decision
	13571/10	Aleksander KOBIZ	10/03/2015	Decision
	60731/12	Krzysztof PRZEWOŹNIK	10/03/2015	Decision
CM/ResDH(2015)209	55339/00	ROŻAŃSKI	18/05/2006	18/08/2006
CM/ResDH(2015)210	53315/09	BARAN	28/05/2013	28/08/2013
CM/ResDH(2015)211	14612/02	WIKTORKO	31/03/2009	30/06/2009

¹ Case against Italy and Bulgaria but the Court declared inadmissible the complaints in respect of Bulgaria.

[Draft] Resolution	Application No.	Case	Judgment or decision of	Final on
PORTUGAL				
CM/ResDH(2015)212	26671/09	PINTO PINHEIRO MARQUES	22/01/2015	22/04/2015
ROMANIA				
CM/ResDH(2015)213	75300/01	IEREMEIOV No. 1	24/11/2009	24/02/2010
	4637/02	IEREMEIOV No. 2	24/11/2009	24/02/2010
	4710/04	DUMITRU	01/06/2010 03/06/2014	01/09/2010 13/10/2014
	13824/06	BUGAN	12/02/2013	12/05/2013
	17437/03	CORNELIA POPA	29/03/2011	29/06/2011
	17590/02	PAPAIANOPOL	16/03/2010	16/06/2010
	19452/02	ANDREESCU	08/06/2010	08/09/2010
	34828/02	CĂRLAN	20/04/2010	20/07/2010
	32104/06	COJOCARU	10/02/2015	10/05/2015
CM/ResDH(2015)214	57884/00	KALANYOS AND OTHERS	26/04/2007	26/07/2007
	57885/00	GERGELY	26/04/2007	26/07/2007
CM/ResDH(2015)215	4238/03	MIHAI MOLDOVEANU	19/06/2012	19/09/2012
CM/ResDH(2015)216	1051/06	MIHAI TOMA	24/01/2012	24/04/2012
CM/ResDH(2015)217	42716/02	TOMA	24/02/2009	24/05/2009
CM/ResDH(2015)218	24788/14	Vasile BOTOMEI	17/03/2015	Decision
	6315/14	Maria CONSTANTIN AND OTHERS	31/03/2015	Decision
	44659/13	Ghiorghe ENACHE	17/02/2015	Decision
	12127/11	Doina GANCEA AND Dalina Liana SUCIU	21/04/2015	Decision
	5796/14	H.A.U.	17/03/2015	Decision
	22307/12	Elena HIDECH	21/04/2015	Decision
	17672/14	Constantin Vlăduț IORGU	21/04/2015	Decision
	6/14	LICA	17/03/2015	Decision
	13191/13	Maria OLARU	31/03/2015	Decision
	10304/13	Tudor PANDELE	31/03/2015	Decision
	31935/11	Ștefan Octavian PETROFF	21/04/2015	Decision
	65057/11	Emil ȘANDOR	21/04/2015	Decision
	6368/14	Neculai STAMATE	31/03/2015	Decision
SWEDEN				
CM/ResDH(2015)219	68519/10	A.A.M.	03/04/2014	03/07/2014
UKRAINE				
CM/ResDH(2015)220	14826/08	ALEKSEYEV	30/01/2014	Decision
	194/12+	Aleksandr Mikhaylovich BIDASH AND 5 OTHER APPLICATIONS	25/03/2014	Decision
	65916/11	BOZHKOVA	17/09/2013	Decision
	49773/07	GRYTSENKO	15/10/2013	Decision
	4341/08	Tatyana Pavlovna KORZHOVA	17/06/2014	Decision
	24340/12	Roman Leonidovych MOKRENKO	04/11/2014	Decision
	29883/03	NIKIFOROVA AND NIKIFOROV	19/11/2013	Decision
	33474/10+	Lyubov Pavlovna ZHARIKOVA AND 13 OTHER APPLICATIONS	25/03/2014	Decision
UNITED KINGDOM				
CM/ResDH(2015)221	24029/07	M.M.	13/11/2012	29/04/2013

Please note that the above draft Resolutions can be consulted on-line (through the link on each reference number).

CM/Notes/1240/4.2 9 November 2015¹

1240 Meeting, 17 November 2015

4 Human rights

4.2 European Commission against Racism and Intolerance (ECRI) –

Appointment of a member and reappointment of the deputy to the member of ECRI in respect of Monaco

Item to be prepared by the GR-H on 17 November 2015

Reference documents

Resolutions Res(2002)8, CM/Res(2013)12 and CM/Res(2014)2, DGII/Inf(2015)6

Action – Item proposed for adoption without debate²

To take note of the names and curricula vitae of the persons appointed by Monaco to serve as member and deputy to the member of ECRI in respect of that country for a term of office of five years, starting on 7 December 2015.

1. On 13 June 2002, the Ministers' Deputies adopted Resolution Res(2002)8 on the Statute of ECRI. In accordance with Article 2 of ECRI's Statute, the members of ECRI should have high moral authority and recognised expertise in dealing with racism, racial discrimination, xenophobia, antisemitism and intolerance. They should serve in their individual capacity and should be independent and impartial in fulfilling their mandate. They should not receive any instructions from their government.
2. In accordance with Article 3.3 of ECRI's Statute, if the Committee of Ministers considers that the appointment of one or more members of ECRI would not be in conformity with the provisions of Article 2 of ECRI's Statute, it will ask the member State(s) concerned to make another appointment.
3. In accordance with Article 3.6 of the Statute, the members of ECRI shall be appointed for a term of office of five years, which may be renewed twice. During their term of office, they may only be replaced if they have tendered their resignation, or are no longer able to exercise their functions.
4. In accordance with Article 4 of the Statute, if the Government so wishes, a deputy to the ECRI member may be appointed. The provisions of Articles 2 and 3 of the Statute shall also apply to the appointment of deputy members except that their mandate shall in all cases expire at the same time as that of the ECRI member.
5. Document DGII/Inf(2015)6 reproduces the curricula vitae of the persons appointed by the authorities of Monaco as member and deputy to the member of ECRI. They were communicated to the Secretary General together with the appointment notifications.
6. The GR-H will examine this appointment and reappointment at its meeting on 17 November 2015 with a view to formulating a recommendation to the Deputies.

Financing assured: YES

¹ This document has been classified restricted at the date of issue; it will be declassified in accordance with Resolution Res(2001)6 on access to Council of Europe documents.

² Subject to discussions of the GR-H on 17 November 2015.

DRAFT DECISION

1240th meeting – 17 November 2015

Item 4.2

**European Commission against Racism and Intolerance (ECRI) –
Appointment of a member and reappointment of the deputy to the member in respect of Monaco**
Resolutions Res(2002)8, CM/Res(2013)12 and CM/Res(2014)2, DGII/Inf(2015)6

Decision

The Deputies took note of the names and curricula vitae of the persons appointed by Monaco to serve as member and deputy to the member of ECRI in respect of that country for a term of office of five years, starting on 7 December 2015, as contained in document DGII/Inf(2015)6.

Ministers' Deputies

Notes on the Agenda

CM/Notes/1240/11.1

6 November 2015.¹

1240 Meeting, 17 November 2015

11 Programme, Budget and Administration

11.1 Committee of Experts on Buildings (CAHB) – Appointment of members and alternate members for the period until 31 March 2018

Reference documents

CM/Del/Dec(2015)1219/11.2, CM/Del/Dec(2015)1224/11.3, CM/Del/Dec(2015)1229/11.1, CM/Del/Dec(2015)1233/11.5, CM(2015)54 add10, CM(2015)54 add11, CM(2015)54 add12, CM(2015)54 add13

Action – Item proposed for adoption without debate

To appoint 1 member and 3 alternate members of the Ad hoc Committee of Experts on Buildings (CAHB) for the period until 31 March 2018. To invite member States to submit candidatures for the remaining vacancies of 2 members and alternate members as a matter of priority and, pending completion of the appointment procedure, to authorise the CAHB to exercise its terms of reference.

1. The composition of the Ad hoc Committee of Experts on Buildings is laid down in Article 5 of the terms of reference of the CAHB (cf. CM(2015)28 final). Consequently, a member and alternate member shall be appointed upon nomination by the governments of each of the major contributor member States to the general budget for the Organisation. The other members and their alternate members are to be appointed upon nomination by the governments of other member States. Alternate members are appointed in respect of each state whose candidate is appointed a titular member insofar as the States concerned nominate candidates for alternate members.
2. To date, five experts have been appointed upon nomination by the major contributor member States (France, Germany, Italy, Russian Federation and United Kingdom) and three others upon nomination by other member States (Spain, Switzerland and Turkey). Seven alternate members still remained to be appointed. A new call for candidatures for the remaining members and alternate members was launched with a deadline of 30 October 2015.
3. The Secretary to the Committee of Ministers has since received notification of the following candidates:
 - Mr Alexei Ochnev as alternate member on behalf of the Russian Federation (CM(2015)54 add10);
 - Ms Hanni Sippo as member on behalf of Finland (CM(2015)54 add11).
 - Mr Luis Eduardo Bardon Rubio as alternate member on behalf of Spain (CM(2015)54 add12);
 - Ms Catherine Arnold as alternate member on behalf of the United Kingdom (CM(2015)54 add13).
4. It is proposed that the Deputies approve the nomination of the above candidates bringing the total number of members to 9 and invite member States to submit candidatures for the remaining 2 members as a matter of priority. Updated information on the call for candidatures is set out in Appendix to these notes.
5. The CAHB's next meeting is scheduled for early 2016. Should the remaining 2 members not be nominated before then, the Deputies are invited to authorise the CAHB to nevertheless exercise its mandate.

Financing assured: YES

¹ This document has been classified restricted at the date of issue; it will be declassified in accordance with Resolution Res(2001)6 on access to Council of Europe documents.

DRAFT DECISIONS

1240th meeting – 17 November 2015**Item 11.1****Committee of Experts on Buildings (CAHB) – Appointment of members and alternate members for the period until 31 March 2018**

CM/Del/Dec(2015)1219/11.2, CM/Del/Dec(2015)1224/11.3, CM/Del/Dec(2015)1229/11.1, CM/Del/Dec(2015)1233/11.5, CM(2015)54 add10, CM(2015)54 add11, CM(2015)54 add12, CM(2015)54 add13

Decisions

The Deputies

1. in accordance with Article 5 of the terms of reference, appointed the following members of the Ad hoc Committee of Experts on Buildings (CAHB) for a period until 31 March 2018:

- Ms Hanni Sipponen as member on behalf of Finland;
- Mr Alexei Ochnev as alternate member on behalf of the Russian Federation;
- Mr Luis Eduardo Bardon Rubio as alternate member on behalf of Spain;
- Ms Catherine Arnold as alternate member on behalf of the United Kingdom.

2. invited member States to submit candidatures for the remaining vacancies of members and alternate members of the CAHB as a matter of priority and, pending completion of the appointment procedure, authorised the CAHB to nevertheless exercise its terms of reference.

Appendix: Information on the call for candidatures² for appointment of members and alternate members of the Ad hoc Committee of Experts on Buildings (CAHB) of the Council of Europe

Function: 2 members and 4 alternate members of the Ad hoc Committee of Experts on Buildings (CAHB) of the Council of Europe.

Required qualifications: trained architects or engineers and/or experience in real-estate management (*Article 5.d of the terms of reference*).

Nationality: the 2 remaining members must be nationals of different member States³. Two alternate members shall also be appointed in respect of each State whose candidate is appointed member. Additionally, 1 alternate member is still to be appointed in respect of Switzerland and 1 alternate member to be appointed in respect of Finland.

Term of office: three years, renewable (*Article 5.a of the terms of reference*). The term of office of the CAHB began on 1 April 2015.

Working languages: the official languages of the Council of Europe are English and French.

Meetings: the CAHB meets at least once a year (*Article 6 of the terms of reference*); each meeting lasts between 1 and 3 days, according to the workload.

Allowances: the reimbursement of travel and subsistence expenses of the members of the CAHB is subject to the Council of Europe rules. The daily allowance has been set for each meeting day at €175 for 2015 (50% for hotel accommodation, 15% for each main meal and 20% for miscellaneous expenses). Travel expenses are reimbursed under certain conditions. The members of the CAHB receive no remuneration.

Department/authority responsible for receiving candidatures: the Secretariat of the Committee of Ministers of the Council of Europe. The candidature may also reach the Council of Europe by electronic mail to the Secretariat of the Committee of Ministers (CM@coe.int).

Gender balance: Recommendation Rec(81)6 on the participation of women and men in an equitable proportion in committees and other bodies set up in the Council of Europe should be borne in mind when submitting candidates.

² In conformity with CM/Bur/Del(2010)25 final harmonising the procedures for calls for candidatures, approved by the Deputies at their 1098th meeting (17 November 2010).

³ Member States having nominated members are: Finland, France, Germany, Italy, Russian Federation, Spain, Switzerland, Turkey and the United Kingdom.

Ministers' Deputies

Notes on the Agenda

CM/Notes/1240/12.1 9 November 2015¹

1240 Meeting, 17 November 2015

12 Congress of Local and Regional Authorities of the Council of Europe

12.1 Congress of Local and Regional Authorities of the Council of Europe –

29th Plenary Session of the Congress (Strasbourg, 20-22 October 2015) – Adopted texts

Reference document
Compendium of adopted texts

Action – Item proposed for adoption without debate

To adopt the decisions appearing below in respect of Congress Declaration on the reception of refugees in Europe, Recommendations 376 to 383 (2015) and Resolutions 383 to 395 (2015), adopted during the 29th Plenary Session.

Financing assured: YES

DRAFT DECISIONS

1240th meeting – 17 November 2015

Item 12.1

Congress of Local and Regional Authorities of the Council of Europe – 29th Plenary Session of the Congress (Strasbourg, 20-22 October 2015) – Adopted texts

Compendium of adopted texts

Decisions

The Deputies

1. took note of the Congress Declaration on the reception of refugees in Europe (2015);

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2. concerning Recommendation 376 (2015) – “Bringing down barriers to youth participation: adopting a lingua franca for local and regional authorities and young people”

- a. took note of Recommendation 376 (2015);

¹ This document has been classified restricted at the date of issue; it will be declassified in accordance with Resolution Res(2001)6 on access to Council of Europe documents.

b. agreed to transmit it to the Joint Council on Youth (CMJ) for information and possible comments before 17 January 2016;

c. invited their Rapporteur Group on Education, Culture, Sport, Youth and Environment (GR-C) to prepare a draft reply for adoption at one of their forthcoming meetings;

3. concerning Recommendation 377 (2015) – “Observation of local elections in Albania (21 June 2015)”

a. took note of Recommendation 377 (2015);

b. agreed to bring it to the attention of the authorities of Albania;

4. concerning Recommendation 378 (2015) – “Observation of local elections in the Republic of Moldova (14 June 2015)”

a. took note of Recommendation 378 (2015);

b. agreed to bring it to the attention of the authorities of the Republic of Moldova;

5. concerning Recommendation 379 (2015) – “Local democracy in Montenegro”

a. took note of Recommendation 379 (2015);

b. agreed to bring it to the attention of the authorities of Montenegro;

6. concerning Recommendation 380 (2015) – “Local democracy in Luxembourg”

a. took note of Recommendation 380 (2015);

b. agreed to bring it to the attention of the authorities of Luxembourg;

7. concerning Recommendation 381 (2015) – “Fighting the increasing poverty of women: the responsibility of local and regional authorities”

a. took note of Recommendation 381 (2015);

b. agreed to transmit it to the Gender Equality Commission (GEC) for information and possible comments before 17 January 2016;

c. invited their Rapporteur Group on Human Rights (GR-H) to prepare a draft reply for adoption at one of their forthcoming meetings;

8. concerning Recommendation 382 (2015) – “Championing children’s rights in times of austerity”

a. took note of Recommendation 382 (2015);

b. agreed to transmit it to the Committee of Experts on the Council of Europe strategy for the rights of the child (2016-2019) (DECS-ENF) for information and possible comments before 17 January 2016;

c. invited their Rapporteur Group on Social and Health Questions (GR-SOC) to prepare a draft reply for adoption at one of their forthcoming meetings;

9. concerning Recommendation 383 (2015) – “Conditions of office of elected representatives”

a. took note of Recommendation 383 (2015);

b. agreed to transmit it to the European Committee on Democracy and Governance (CDDG) and to the Venice Commission, for information and possible comments before 17 January 2016;

c. invited their Rapporteur Group on Democracy (GR-DEM) to prepare a draft reply for adoption at one of their forthcoming meetings;

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10. took note of the following resolutions:

Resolution 383 (2015): “Verification of new members’ credentials and new appointment procedures”

Resolution 384 (2015): “Guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at the grassroots level”

Resolution 385 (2015): “Fostering active citizenship by building partnerships with civil society”

Resolution 386 (2015): “Bringing down barriers to youth participation: adopting a lingua franca for local and regional authorities and young people”

Resolution 387 (2015): “Voting at 16 – Consequences on youth participation at local and regional level”

Resolution 388 (2015): “Observation of local elections in Albania (21 June 2015)”

Resolution 389 (2015): “New forms of local governance”

Resolution 390 (2015): “Trends in regionalisation in Council of Europe member States”

Resolution 391 (2015): “Fighting the increasing poverty of women: the responsibility of local and regional authorities”

Resolution 392 (2015): “Championing children’s rights in times of austerity”

Resolution 393 (2015): “Conditions of office of elected representatives”

Resolution 394 (2015): “E-media: game changer for local and regional politicians”

Resolution 395 (2015): “Revised Rules and Procedures of the Congress”

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11. adopted the following reply to the texts adopted by the Congress of Local and Regional Authorities of the Council of Europe at its 29th Plenary Session (Strasbourg, 20-22 October 2015):

“The Committee of Ministers has taken note of the Declaration on the reception of refugees in Europe (2015), Recommendations 376 to 383 (2015) and Resolutions 383 to 395 (2015) adopted by the Congress of Local and Regional Authorities of the Council of Europe at its 29th Plenary Session (Strasbourg, 20-22 October 2015).

The Committee of Ministers has forwarded the recommendations to the competent intergovernmental committees and Council of Europe bodies for information and comments, as appropriate.

Finally, the Committee of Ministers has entrusted Recommendations 376, 381, 382 and 383 (2015) to its relevant Rapporteur Groups to prepare a draft replies for adoption at one of its forthcoming meetings.”