



46+1(2022)OJ14

25 May 2022

**14<sup>TH</sup> NEGOTIATION MEETING BETWEEN THE CDDH AD  
HOC NEGOTIATION GROUP AND THE EUROPEAN  
COMMISSION ON THE ACCESSION OF THE EUROPEAN  
UNION TO THE EUROPEAN CONVENTION ON HUMAN  
RIGHTS**

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**Draft Agenda**

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Tuesday 5 July 2022 (10:00 a.m.) – Thursday 7 July 2022 (4:30 p.m.)

(Hybrid meeting through the KUDO videoconferencing system and Room 9 of the Palais  
de l'Europe)

Council of Europe

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**Draft Agenda**

1. Opening of the meeting and adoption of the agenda
2. Discussion of proposals submitted on Basket 2 (inter-party applications under Article 33 ECHR; requests for advisory opinion under Protocol No. 16)
3. Proposals submitted on amendments to Articles 6-8 of the Accession Agreement (including the relevant parts of the other accession instruments)
4. Any other business
5. Adoption of the meeting report

**Working documents**

Draft revised agreement on the accession of the European Union to the Convention for the Protection of Human Rights and Fundamental Freedoms	<a href="#">CM(2013)93 add1, Appendix 1, pp. 3-9</a>
Draft declaration by the European Union to be made at the time of signature of the Accession Agreement	<a href="#">CM(2013)93 add1, Appendix 2, p. 10</a>
Draft rule to be added to the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements in cases to which the European Union is a party	<a href="#">CM(2013)93 add1, Appendix 3, p. 11</a>
Draft model of memorandum of understanding between the European Union and X [State which is not a member of the European Union]	<a href="#">CM(2013)93 add1, Appendix 4, p. 12</a>
Draft explanatory report to the Agreement on the Accession of the European Union to the Convention for the Protection of Human Rights and Fundamental Freedoms	<a href="#">CM(2013)93 add1, Appendix 5, pp. 13-28</a>
Position paper for the negotiation on the European Union's accession to the European Convention for the protection of Human Rights and Fundamental Freedoms	<a href="#">47+1(2020)1</a>
Paper by the Chair to structure the discussion at the 6 <sup>th</sup> negotiation meeting	<a href="#">47+1(2020)2</a>
Compilation by the Secretariat of recent cases in the area of Basket 3 ("The principle of mutual trust between the EU member states")	<a href="#">47+1(2020)4rev</a>
Negotiation Document submitted by the European Union on 2 November 2020	Restricted
Compilation by the European Commission of recent and currently pending cases before the Court of Justice of the European Union in the area of Basket 4 ("Common Foreign and Security Policy")	<a href="#">Non-paper</a>
Proposals by the Secretariat for discussion of agenda items 4 and 5 [ <i>refers to the 8<sup>th</sup> meeting</i> ]	<a href="#">47+1(2021)5</a>
Non-paper prepared by the Secretariat regarding the estimated expenditure related to the Convention regarding Article 8 of the draft Accession Agreement	<a href="#">47+1(2021)6</a>
Proposals by the Secretariat for the discussion on Basket 1 ("The EU's specific mechanisms of the procedure before the European Court of Human Rights") [ <i>for the 10<sup>th</sup> meeting</i> ]	<a href="#">47+1(2021)7</a>
Proposals by the Secretariat for the discussion on Basket 3 ("The principle of mutual trust between the EU member states") [ <i>for the 10<sup>th</sup> meeting</i> ]	<a href="#">47+1(2021)8</a>

Proposal prepared by the Norwegian delegation on “Inter-Party applications under Article 33 of the European Convention of Human Rights” <i>[for the 10<sup>th</sup> meeting]</i>	<a href="#">47+1(2021)9</a>
Revised proposal on “Inter-Party applications under Article 33 of the European Convention of Human Rights” by the Norwegian delegation and the Secretariat <i>[for the 11<sup>th</sup> meeting]</i>	<a href="#">47+1(2021)10</a>
Revised proposals by the Secretariat on issues contained in Basket 3 (“The principle of mutual trust between the EU member states”) <i>[for the 11<sup>th</sup> meeting]</i>	<a href="#">47+1(2021)11</a>
Revised proposals by the Secretariat on certain issues contained in Basket 1 (“The EU’s specific mechanisms of the procedure before the European Court of Human Rights”) <i>[for the 11<sup>th</sup> meeting]</i>	<a href="#">47+1(2021)12</a>
Consolidated version of the draft Accession Instruments (as of 31 October 2021) <i>[for the 12<sup>th</sup> meeting]</i>	<a href="#">47+1(2021)13</a>
Revised proposals by the Secretariat on issues contained in Basket 3 (“The principle of mutual trust between the EU member states”) <i>[for the 12<sup>th</sup> meeting]</i>	<a href="#">47+1(2021)14</a>
Background paper by the Secretariat on scenarios in the context of Article 7 of the draft Accession Agreement <i>[for the 12<sup>th</sup> meeting]</i>	<a href="#">47+1(2021)15</a>
Overview of treaty clauses on EU voting rights in Council of Europe treaties – background paper prepared by DLAPIL <i>[for the 12<sup>th</sup> meeting]</i>	<a href="#">Non-paper</a>
Proposals by the European Union on the situation of EU acts in the area of the Common Foreign and Security Policy that are excluded from the jurisdiction of the Court of Justice of the European Union (Basket 4) <i>[for the 12<sup>th</sup> meeting]</i>	Restricted
Proposals and Amendments submitted by the EU Delegation regarding the procedure for initiating the co-respondent mechanism <i>[for the 12<sup>th</sup> meeting]</i>	<a href="#">47+1(2021)16</a>
Revised proposals by the Secretariat for the termination of the co-respondent mechanism (Article 3, paragraph 5a. of the draft Accession Agreement) and other remaining issues in Basket 1 <i>[for the 13<sup>th</sup> meeting]</i>	<a href="#">47+1(2022)18</a>
Document by the Secretariat on the state of play of the proposals for Basket 2 <i>[for the 13<sup>th</sup> meeting]</i>	<a href="#">47+1(2022)19</a>
Text proposals and amendments submitted by Türkiye regarding the revision of Articles 6, 7 and 8 of the Accession Agreement including the relevant parts of the other accession instruments <i>[for the 13<sup>th</sup> meeting]</i>	Restricted

Consolidated version of the draft Accession Instruments (as of 13 May 2022)	<a href="#">46+1(2022)20REV</a>
Numerical analysis by the Secretariat of the effects of the different majorities being proposed under the proposal to amend Rule 18 [ <i>for the 14<sup>th</sup> meeting</i> ]	46+1(2022)21 (Restricted)
Proposal by the Secretariat on “Inter-Party applications under Article 33 of the European Convention of Human Rights” [ <i>for the 14<sup>th</sup> meeting</i> ]	<a href="#">46+1(2022)22</a>
Proposal by the EU Delegation on “Requests for an advisory opinion pursuant to Protocol No. 16” [ <i>for the 14<sup>th</sup> meeting</i> ]	<a href="#">46+1(2022)23</a>

### **Reference documents**

Ad hoc terms of reference concerning accession of the EU to the Convention given to the CDDH by the Ministers’ Deputies during their 1085 <sup>th</sup> meeting (26 May 2010)	CDDH(2010)008
Decision by the Minister’s Deputies Committee of Ministers at its 1364 <sup>th</sup> meeting (15 January 2020) on the continuation of the ad hoc terms of reference for the CDDH to finalise the legal instruments setting out the modalities of accession of the European union to the European Convention on Human Rights	<a href="#">CM/Del/JAN(2020)1364/4.3</a>
Letter of 31 October 2019 by the President and the First Vice-President of the European Commission to the Secretary General of the Council of Europe	<a href="#">DD(2019)1301</a>
Opinion 2/13 of 18 December 2014 of the Court of Justice of the European Union	<a href="#">A-2/13 ; EC LI: EU: C : 2014: 2454</a>
Protocol No. 16 to the European Convention on Human Rights and its <a href="#">explanatory memorandum</a>	<a href="#">Council of Europe Treaty Series No. 214</a>