

47+1(2020)OJ07
5 November 2020

**7TH 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**

Agenda

Tuesday 24 November 2020 (10:00 a.m.) – Thursday 26 November 2020 (4:30 p.m.)

(Due to the COVID-19 situation, the meeting will be held through the KUDO
videoconferencing system)

Council of Europe

Draft Agenda

1. **Opening of the meeting and adoption of the agenda**
2. **Discussion of proposals submitted on the EU's specific mechanisms of the procedure before the European Court of Human Rights**
3. **Discussion of proposals submitted on the operation of inter-party applications (Article 33 ECHR) and of references for an advisory opinion (Protocol No. 16) in relation to EU member states, and of proposals submitted in respect of Article 53 ECHR**
4. **Discussion of other issues which are not contained in the Chair's "Paper to structure the discussion at the 6th negotiation meeting" (including issues regarding Articles 6-8 of the draft Accession Agreement, and its appendices)**
5. **Exchange of views with representatives of civil society and of national human rights institutions** *(Note that this item will take place on Wednesday, 25 November, from 10 a.m. to 12.30 p.m.)*
6. **Discussion of the principle of mutual trust between the EU member states**
7. **Discussion of 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**
8. **Any other business**
9. **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	CM(2013)93 add1, Appendix 1, pp. 3-9
Draft declaration by the European Union to be made at the time of signature of the Accession Agreement	CM(2013)93 add1, Appendix 2, p. 10
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	CM(2013)93 add1, Appendix 3, p. 11

Draft model of memorandum of understanding between the European Union and X [State which is not a member of the European Union]	CM(2013)93 add1, Appendix 4, p. 12
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	CM(2013)93 add1, Appendix 5, pp. 13-28
Position paper for the negotiation on the European Union's accession to the European Convention for the protection of Human Rights and Fundamental Freedoms	47+1(2020)1
Paper by the Chair to structure the discussion at the 6 th negotiation meeting	47+1(2020)2
Compilation by the Secretariat of recent cases in the area of Basket 3 ("The principle of mutual trust between the EU member states")	47+1(2020)4
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")	Non-paper basket 4

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 th meeting (26 May 2010)	CDDH(2010)008
Decision by the Minister's Deputies Committee of Ministers at its 1364 th 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	CM/Del/JAN(2020)1364/4.3
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	DD(2019)1301
Opinion 2/13 of 18 December 2014 of the Court of Justice of the European Union	A-2/13 ; EC LI: EU: C : 2014: 2454
Protocol No. 16 to the European Convention on Human Rights and its explanatory memorandum	Council of Europe Treaty Series No. 214