



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

CONFERENCE DES OING DU
CONSEIL DE L'EUROPE

SUMMER SESSION HUMAN RIGHTS COMMITTEE CONF/HR(2012)SYN2

Strasbourg, 15 July 2012

<p style="text-align: center;">DRAFT SYNOPSIS OF THE MEETING HELD ON 25 JUNE 2012</p>

1. Annelise Oeschger, Chair of the Committee, opened the meeting and underlined the importance of coming together even though many exchanges took place between the sessions and the committee's newsletter kept everyone up to date.

The committee:

2. **Adopted** the meeting agenda.
3. **Adopted** the synopsis of the meeting held on 26 January 2012 [CONF/HR(2012)SYN1].
4. **Heard** statements by Annelise Oeschger and Giuseppe Guarneri, representative of the Conference of INGOs on the Steering Committee for Human Rights (CDDH), concerning the reform of the European Court of Human Rights, in particular the **Brighton Declaration** and follow-up to it, the key points here being:
 - On 27 January 2012, the Conference of INGOs had adopted a recommendation specifying how important it was "*to maintain the outstanding mechanism for the protection of human rights by the European Court of Human Rights*", after which the President had on 15 April 2012 issued a statement in response to the draft Brighton declaration; both texts had been disseminated widely at national level by the INGO members of the Conference of INGOs;
 - The Brighton Declaration recognised the right of individual application "*as a cornerstone of the system for protecting the rights and freedoms set forth in the Convention*" and included some other points which the Conference of INGOs had recommended; however, it was necessary to remain vigilant, in particular regarding the principles of subsidiarity and the margin of appreciation;
 - On 23 May 2012, the Committee of Ministers had issued instructions to the CDDH for following up the Brighton Declaration, according to the following timetable:

- **15 April 2013:** submission of a draft protocol amending the European Convention on Human Rights, in particular concerning the above principles, and a draft optional protocol relating to advisory opinions,
 - **15 October 2013:** submission of a “*guide to good practice in respect of domestic remedies and a toolkit to inform public officials about the State’s obligations under the Convention*”;
- With regard both to implementation of the Convention at national level and to the execution of the judgments of the Court, INGOs could exert much greater influence than at present, in particular through their national sections;
 - It would also be necessary to explore the committee’s possibilities for action in these two areas.
5. **Heard** a statement by Stéphanie Bourgeois, co-ordinator of the project to design a **Toolkit for the full implementation of the European Convention on Human Rights at the national level**, which followed on from the Brighton Declaration. It was based on two observations:
- the first was that the Convention and the case-law of the Court were not accessible enough to many citizens, grassroots NGOs and public authorities;
 - the second concerned the Court, which was facing serious difficulties as a result of the large number of applications. The NGOs had a key role in implementing the solutions which were currently being studied to reform the Court. The project would be in three stages:
 1. Assessment of the needs of the grassroots players, in particular NGOs. To that end, a questionnaire would be sent to the INGOs and the findings would be communicated to them;
 2. Development and distribution of the first section of the toolkit;
 3. Assessment of the impact of the toolkit.

Heard statements by Mr Leif Berg, Registry of the Court, Head of the Case-Law Information and Publications Division, and Vanessa Aeby from the same division concerning the toolkit project, indicating that NGOs were excellent multipliers for implementation of the European Convention on Human Rights and that the Court should co-operate more with civil society. In particular, they demonstrated the usefulness of the **HUDOC** database and underlined that NGOs could be key vectors for distributing handbooks and other tools through their networks.

Heard a statement by Mr Fredrik Sundberg, Human Rights Directorate, Deputy to the Head of the Department for the Execution of Judgments of the Court, on the **mechanism for the effective execution of judgments**, an area where the NGOs could also play a much greater role.

6. **Heard** a statement by Nigel Warner, ILGA, on recent developments concerning discrimination on grounds of sexual orientation and gender identity (cf Recommendation of 27 January 2012). Given the attacks on freedom of expression in various countries (Hungary, Lithuania, Moldova, Russia and Ukraine), a follow-up recommendation would have to be drafted.

Adopted unanimously less seven abstentions the principle of the **recommendation “Attacks on the right to freedom of expression of LGBT people and those who advocate for their rights”**, to be submitted to the Conference of INGOs on 27 June.

7. **Heard** François Becker, working group co-ordinator, present a progress report on the report on Human Rights and Religions, giving details of the main results of the group's work and indicating that the draft final report would be submitted to the committee in January 2013.
8. **Heard** a statement by Sophia Koukoulis-Spiliotopoulos, attorney and member of the board of the EU Fundamental Rights Agency, on the subject of "Women and men, equal holders of human rights", with the following key points:
 - the legal instruments were not limited to prohibiting discrimination on grounds of sex; they also required the active promotion of gender equality;
 - the current trend towards cultural relativism and the measures taken by certain states undermined the irrevocable *acquis* of gender equality, which was a universal fundamental right (cf her article "The Limits of Cultural Traditions" on the internet);
 - the committee's proposal to adopt a recommendation on the subject was therefore very timely.

Adopted unanimously the principle of the **recommendation "Gender Equality: a universal value, principle and human right to be respected and promoted in all fields"**, to be submitted to the Conference of INGOs on 27 June.

9. **Heard** a statement by civil society representatives from Belarus on the preparation of the parliamentary elections and the current situation in Belarus, where very many people were being held in prison on political grounds, where civil society found it very difficult to organise and function normally, where lawyers defending civil society activists were coming under great pressure and where civil society activists were prevented from leaving the country.
10. Cyril Ritchie, Conference of INGOs Rapporteur on Belarus, drew attention to the resolution adopted on 27 January 2012 and said that a fresh **resolution concerning civil society in Belarus** would be presented to the Conference of INGOs on 27 June for adoption.
11. With regard to representation of the Conference of INGOs on the Steering Committee on Media and Information Society (CDMSI), an update would be published in the committee's next newsletter.
12. **Heard** a statement by Gérard Greneron, Vice-Chair of the committee and representative on the European Committee on Crime Problems (CDPC), on his first CDPC meeting and the preparation of the Conference of Ministers of Justice to be held in Vienna from 19 to 21 September 2012. In particular, he:
 - mentioned two projects, one involving a resolution on dangerous offenders and raising political and media awareness of the issue and the role of victims, which should not be forgotten, and the other involving foreign prisoners and how they could practise their religion or beliefs;
 - said that a resolution had been prepared on children and minors as perpetrators and victims of urban violence and would be posted on the CDPC website;
 - asked the INGOs to provide him with information on the issue.
13. **Heard** Marie-José Schmitt, treasurer of the INGO-Service Association, issue a reminder of the need to contribute to INGO-Service, given the importance of the issues addressed and the action to be taken. It was a financial tool which served the INGOs' joint action.

14. **Activities of the committee's working groups**

The Chair pointed out that details of the work of the various groups were given in the committee's newsletter and on the website.

- Human rights defenders: better use of existing tools and co-operation with the new Commissioner for Human Rights;
- Violence against the elderly and human rights: the working group was preparing a charter for the legal protection of vulnerable elderly people;
- Extreme poverty and human rights: preparation of a conference at the Council of Europe on 17 October (International Day for the Eradication of Poverty), with the support of the Albanian Chairmanship of the Committee of Ministers, Jean-Claude Mignon, President of the Parliamentary Assembly, Keith Whitmore, President of the Congress of Local and Regional Authorities, and in co-operation with people living in poverty;
- European Social Charter: presentation and distribution of the proceedings of the Round Table held at ENA, Strasbourg, on 17 October 2011 on "Human rights in the context of economic crisis: the contribution of the European Social Charter".

15. **Enter!** – A Council of Europe project on access to social rights for all young people: information on the website

16. Other business

- The **report "A World of Torture"** would be presented at the Council of Europe by FIACAT on 26 June 2012, International Day in Support of Victims of Torture;
- The 2nd Human Rights Festival ("*Chante-moi les Droits de l'Homme*") would be held at the Palais des Congrès in Strasbourg from 8 to 10 June 2013 by the *Regards d'Enfants* association.

Maritchu Rall (AIC), Committee Rapporteur