



CONFERENCE OF INGOs  
OF THE COUNCIL OF EUROPE

CONFERENCE DES OING DU  
CONSEIL DE L'EUROPE

## WINTER SESSION HUMAN RIGHTS COMMITTEE CONF/HR(2014)SYN1

Strasbourg, 20 May 2014

<b>DRAFT SYNOPSIS OF THE MEETING HELD ON 29 JANUARY 2014</b>
--

1. *Annelise Oeschger*, Chair of the Human Rights Committee, opened the meeting and welcomed the new INGOS which had obtained participatory status.

The Human Rights Committee,

2. **adopted** the draft agenda of the meeting
3. **adopted** the draft synopsis of the meeting held on 25 June 2013 [[CONF/HR\(2013\)SYN2](#)]
4. Joint Conference of INGOs/European Commission against Racism and Intolerance (ECRI) working project on "Combating hate speech, 2014-2016"

**heard** Marc Leyenberger, member of ECRI, comment on several subjects:

- the importance of genuine interaction with all European institutions engaged in combating hate speech;
- the key role played by civil society and in particular the INGOs of the Conference;
- inviting the NGOs to share their practical experience in combating racism.

The aims:

- raise the awareness of government, national parliaments, political parties, the media, those responsible for social networks, the Internet and the public at large;
- create synergy with the work carried out by the Council of Europe;
- use our experience to further develop our work;
- prepare a White paper with guidelines on how to combat hate speech. The Conference of INGOs could organise a forum, with a declaration to which all players would commit.

Proposed method: Set up a working group, which would, over a 2-year period:

- take stock of the work done by the INGOs and the resource persons;
- prepare the elements for a White Paper;
- put forward practical proposals;
- prepare the 2016 Forum

**listened to** Israël Mensah, Vice-Chair of the Committee on Democracy, Social Cohesion and Global Challenges, talk about the No Hate Speech Campaign and the work being carried out by the Youth Advisory Council. His contribution highlighted the activities of the European

Youth Centre, in particular the appeal to the Committee of Ministers to prolong the campaign until the end of 2014 on the grounds that it had not received enough media coverage and was not sufficiently well known.

The debate highlighted the importance of the project presented given that hate speech was on the rise, especially on social networks, which meant that it was particularly important that we uphold human rights by drawing up a White Paper and organising a Forum.

**Unanimously adopted** - with one abstention – the draft [decision “Combating hate speech”](#), which would be submitted for adoption at the Conference of INGOs on 30 January 2014.

## 5. The longer-term future of the European Convention on Human Rights and in particular of the European Court of Human Rights

**Heard** Jean-Bernard Marie, representative of the Conference of INGOs to the Steering Committee on Human Rights (CDDH), comment on the adoption by the Conference of INGOs in 2012 of a [recommendation](#) followed by a statement by the President, which had played a major role at the Brighton Conference on the Future of the European Court of Human Rights, and the importance for the Conference of INGOs of keeping a close eye on future developments in the reform.

At present, there was a long-term process of reform of the system of human rights protection within the context of the European Convention on Human Rights and in particular of the European Court of Human Rights. A consultation had been opened in early December calling for recommendations and proposals with regard to the future of the Court. The system of protection was based on the possibility for every person who comes within the jurisdiction of one of the Council of Europe’s 47 member states – to lodge an individual application with the Court. Some aspects of the system would have to change, given the growing number of applications. A special working group had been set up to study this problem. Jean-Bernard Marie was representing the Conference of INGOs on this group.

## 6. The European Social Charter and its monitoring system:

**heard** Danuta Wisniewska-Cazals, Governmental Committee of the European Social Charter and the European Code of Social Security, present the European Social Charter and its monitoring system. During her presentation she invited the INGOs to consult [the Social Charter website](#), which provided all the necessary information. During her contribution, she nevertheless underlined several key points: - the European Social Charter had been adopted by the Committee of Ministers in 1961 and revised in 1996. – It safeguarded rights to housing, health, education, employment, to legal and social protection, and to the free movement of people. - 10 States had still not ratified the revised Social Charter and 4 states had not ratified the Social Charter at all. – The monitoring of the application of the Charter was based on two procedures: the national reports procedure and the collective complaints procedure.

**heard** Marie-José Schmitt speak about the national reports, which this year concerned children’s rights, family rights and the rights of migrants. It was essentially from the standpoint of these rights that the European Committee of Social Rights would examine the reports to be submitted in late 2014 for consideration in 2015. The articles in question directly concerned the action taken by INGOs, which could draw up a memorandum on the situation in the countries where they worked to alert the aforementioned Committee (Articles 7, 8, 16, 17, 19, 27, and 31). Article 30 was currently being examined. It was proposed that the situation of children (Articles 7 and 17) should be studied in June. A document to be prepared by October could list all the violations of these rights of which national NGOs had

become aware and the administrative practices which were obstacles to the full enjoyment of these rights.

The debate gave rise to numerous questions on the protocol for collective complaints and the INGOs were invited to send their contribution to [marie-jose.schmitt@nordnet.fr](mailto:marie-jose.schmitt@nordnet.fr). Richard Fischer informed the meeting that the CEC (Conference of European Churches) had submitted a collective complaint on behalf of the Protestant Church of the Netherlands on the subject of undocumented migrants and their rights to food, clothing and housing. The request had been found to be admissible and in October 2013 the Intergovernmental Committee of the Social Charter had proposed immediate measures to the Government before the decision on the merits was taken. The decision should be taken in the course of 2014.

## 7. Two texts on “Human rights and religions”

**heard** François Becker, Head of the former working group, describe the 3 years’ work that had culminated in a report on “Human rights and religions”, with proposals for the preparation of recommendations and texts. Three texts had been prepared: [a recommendation](#) to States, adopted in June 2013, proposed avenues of approach and action for members and leaders of religions, and an appeal to the men and women of Europe and to NGOs, . The two last-mentioned texts had been drawn up by a restricted group and subsequently submitted to members of the former working group after intense discussions, in particular on the introduction of the concept of gender identity, on which the Committee heard Nigel Warner (ILGA)

**adopted** - with 15 abstentions and one vote against - the [Decision “Religions and human rights: proposed avenues of approach and action for members and leaders of religions”](#)

**unanimously adopted** - with 3 abstentions – the text [“Human rights and religions - appeal to the men and women of Europe and to NGOs”](#).

## 8. Follow up to the Recommendation “Gender Equality: a universal value, principle and human right to be respected and promoted in all fields”

**heard** Jan Reynders, MenEngage, speak about “The role of men in achieving gender equality”. He spoke of their necessary involvement in the implementation of all gender equality policies. The economic crisis and unemployment had led to an increase in violence. Those who had power did not want to relinquish it. Respect and mutual understanding of differences were essential to the success of gender equality. Men had to forge links with women’s networks to improve mutual understanding.

**heard** Anje Wiersinga, Head of the “Including Gender perspectives in political and democratic processes” taskforce talk about the organisation of a “side event” during the June 2014 session on “Gender perspectives – security – peace”

## 9. Follow up to the [Recommendation “Sectarian excesses and human rights violations”](#)

**heard** Danièle Muller-Tulli (Fecris) on the follow up to the recommendation and in particular on the Parliamentary report presented by Rudy Salles, member of parliament, which set out the main thrusts of the conclusions of the Conference of INGOs’ taskforce. The report pointed out that such excesses concerned mainly minors. The report should be adopted by the Committee on Legal Affairs and Human Rights in March 2014 and presented to the Parliamentary Assembly in April for adoption.

## 10. Preparations for 17 October 2014 – International Day for the Eradication of Poverty

**heard** Maritchu Rall, head of the “Extreme poverty and human rights” working group, on the preparations for International Day for the Eradication of Poverty, 17 October 2014, to be held in Turin. The theme would be the European Social Charter and more specifically Article 30 (right to protection against poverty and social exclusion). It would coincide with the High-level conference organised by the Council of Europe in Turin on 17 and 18 October and would be attended by prominent political figures from the Council of Europe and its member states and from the European Union, with a view to finding solutions to human rights problems in a period of austerity so as to strengthen synergies between EU law and the Social Charter. She also described her visit to Moscow on behalf of the Conference of INGOs on 17 October 2013 (Duma and French Embassy).

**11. Committee of Ministers Recommendation on ensuring full, equal and effective participation of persons with disabilities in culture, sports, tourism and leisure activities [CM/Rec\(2013\)3](#) and**

the preparation of a **draft Additional Protocol to the Convention on Human Rights and Biomedicine, concerning the protection of the human rights and dignity of persons with mental disorder with regard to involuntary placement and treatment**

**heard** Marie-José Schmitt, Vice-Chair of the Human Rights Committee, on the work carried out by the Directorate General of Human Rights and in particular the Bioethics Committee, which had launched a consultation process entitled “process of reflection on the involuntary treatment or placement of persons with mental disorders”, which concerned the revision of the civil codes of various member states and questioned the appropriateness of existing legal protection measures used in Europe such as wardship or guardianship . The aim was to verify whether such custodial measures were compatible with human rights. A reply to the questionnaire had been sent to the Bioethics Committee on behalf of the Bureau of the Human Rights Committee.

**12. Other business**

The Chair invited the members of the Committee to take part in the side-event “Europe without torture”, which would take place that day at 1 p.m. in Room 2 of the Palais de l’Europe.

Maritchu Rall (AIC)  
Committee Rapporteur