



Strasbourg, 22 February 2012

CDDH(2012)R74

**STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)**

REPORT

74th meeting, Strasbourg, 7-10 February 2012

Summary

The Steering Committee for Human Rights (CDDH), at its 74th meeting, (Strasbourg, 7-10 February 2012), in particular:

- (i) adopted its Final Report on measures requiring amendment of the Convention (CDDH(2012)R74 Addendum I), for transmission to the Committee of Ministers, accompanied, as a reminder, by its Final Report on measures not requiring amendment of the Convention (CDDH(2012)R74 Addendum II);
- (ii) adopted its Contribution to the Ministerial Conference organized by the United Kingdom Chairmanship of the Committee of Ministers (CDDH(2012)R74 Addendum III), for transmission to the Committee of Ministers;
- (iii) adopted draft Guidelines on the selection of candidates for the post of judge at the European Court of Human Rights (CDDH(2012)R74 Addendum IV), for transmission to the Committee of Ministers with a view to their adoption, along with an accompanying explanatory memorandum, for transmission to the Committee of Ministers to take note;
- (iv) exchanged views with the the President of the European Court of Human Rights, Sir Nicolas BRATZA (see Appendix III below);
- (v) decided the method of appointing members of the Gender Equality Commission (GEC) and, on this basis, elected the 16 that will participate in its work at the expense of the Council of Europe (see Appendix IV below) ;
- (vi) established a drafting group on the rights of elderly persons (CDDH-AGE); instructed it to report to the CDDH at its 75th meeting (19-22 June 2012); identified the 12 members that will participate in its work at the expense of the Council of Europe and appointed Mr Jakub WOLASIEWICZ (Poland) as Chairperson of the Group (see paragraph 14 below);
- (vii) decided to invite Professor Frédéric MÉGRET (McGill University, Montreal, Canada) to an exchange of views on the promotion of the rights of the elderly at its 75th meeting (19-22 June 2012);
- (viii) decided, if possible, to exchange views with an expert in the field of corporate social responsibility at its 75th meeting (19-22 June 2012);
- (ix) adopted the calendar of its meetings and its subordinate bodies (see Appendix V below).

Appendices

- I. List of participants
- II. Agenda (as adopted)
- III. Speech of the President of the European Court of Human Rights, Sir Nicolas BRATZA
- IV. Members of the Gender Equality Committee (GEC) participating in its work at the expense of the Council of Europe
- V. Calendar of meetings of the CDDH and its subordinate bodies

Addenda

- Final Report on measures requiring amendment of the Convention (CDDH(2012)R74 Addendum I)
- Final Report on measures not requiring amendment of the Convention (CDDH(2012)R74 Addendum II)
- Contribution to the Ministerial Conference organised by the United Kingdom Chairmanship of the Committee of Ministers (CDDH(2012)R74 Addendum III)
- Draft Committee of Ministers' Guidelines on the selection of candidates for the post of judge at the European Court of Human Rights, accompanied by its explanatory memorandum (CDDH(2012)R74 Addendum IV)

* * *

Introduction

1. The CDDH held its 74th meeting from 7 to 10 February 2012 with Mr Derek WALTON (United Kingdom) in the Chair. The list of participants appears at Appendix I.¹ The agenda, as adopted, appears at Appendix II. The Committee took note of the general background information document prepared by the Secretariat and of the report of the last meeting of its Bureau.

ITEM 1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND ORDER OF BUSINESS

2. The CDDH adopted its order of business as it appears in document CDDH(2012)OT001, in order notably to have available the necessary time to examine the draft contribution to the Ministerial Conference organised by the United Kingdom Chairmanship of the Committee of Ministers (see Item 4 below).

ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY

3. The CDDH was informed of the recommendations recently adopted by the Parliamentary Assembly.²

ITEM 3: EXCHANGE OF VIEWS WITH PERSONALITIES

3.1 Exchange of views with the President of the European Court of Human rights

4. The CDDH held a most productive exchange of views with the President of the Court, Sir Nicolas BRATZA. His initial speech appears at Appendix III below.

3.2 Personalities to be invited

5. The CDDH decided to invite Professor Frédéric MEGRET (McGill University, Montréal, Canada) to an exchange of views on the promotion of the rights of elderly persons at its 75th meeting (19-22 June 2012). In addition, the CDDH invited those of its members who so wished to send to the Secretariat proposals for names concerning the

¹ Following Declaration CM(2009)68 - "Making gender equality a reality" and practical proposals elaborated by the Bureau of the Steering Committee on the media and new communication services (CDMC, document CDMC-BU(2010)001), the list of participants includes gender distribution figures for participants.

² Recommendations 1991(2012) on *Guaranteeing the authority and effectiveness of the European Court of Human Rights* and 1993(2012) on *Protecting human rights and dignity by taking into account previously expressed wishes of patients*. The Secretariat will have these texts circulated to CDDH members for information.

expert to be invited to the 75th meeting (19-22 June 2012) for an exchange of views on corporate social responsibility in the field of human rights.

ITEM 4: WORK CONDUCTED BY THE COMMITTEE OF EXPERTS ON THE REFORM OF THE COURT (DH-GDR)

6. The Chairperson of the DH-GDR, Mr Vit SCHORM (Czech Republic) reported on the DH-GDR's work since the last CDDH meeting.

7. The CDDH spend a considerable part of its meeting on a detailed examination of the texts approved by the DH-GDR, namely the CDDH Final Report on measures requiring amendment of the Convention, with appendices, and the draft CDDH Contribution to the Ministerial Conference to be organised at Brighton (United Kingdom) by the United Kingdom Chairmanship of the Committee of Ministers. The CDDH agreed the revised structure for the presentation of these documents, as proposed by the Bureau (see the Bureau meeting report, CDDH-BU(2012)R84, Appendix II).

4.1 Draft Final Report on measures requiring amendment of the Convention

8. The CDDH examined paragraph by paragraph the draft Final Report on measures requiring amendment of the Convention, along with two of its appendices³. It considered that the content of this report and its appendices corresponded to the terms of reference received from the Deputies, namely to present arguments in favour and against each proposal with a view to decisions being taken at political level. At the outcome of its examination, the CDDH adopted its Final Report on measures requiring amendment of the Convention, with its appendices, as it appears in document CDDH(2012)R74 Addendum I, and decided to transmit it to the Committee of Ministers.

9. The CDDH considered it useful to accompany the aforementioned report with another document that it had prepared in 2010 at the request of the Committee of Ministers in the framework of the Interlaken Process, namely its Final Report on measures not requiring amendment of the Convention.⁴ It decided to transmit it to the Committee of Ministers for the record (CDDH(2012)R74 Addendum II).

10. The CDDH considered that these two Final Reports complemented one another and provided particularly relevant perspective for a good understanding of its contribution to the Brighton Ministerial Conference.

4.2 Draft Contribution to the Ministerial Conference organised by the United Kingdom Chairmanship of the Committee of Ministers

11. The CDDH noted that the structure of the contribution corresponded, as it had requested, to the themes chosen by the UK authorities for the Conference and to the

³ The CDDH examined and adopted the other appendices at its 73th meeting (6-9 December 2011).

⁴ Originally adopted by the CDDH at its 71st meeting (2-5 November 2010).

instructions given at the 73rd meeting (6-9 December 2011). In the course of its paragraph-by-paragraph examination, the CDDH introduced modifications and additions which aimed, notably, at better expressing the close links between this contribution and the Interlaken and Izmir Declarations and at giving greater prominence to the responsibility shared between the States and the Court in protecting human rights. At the outcome of its examination, it adopted the Contribution as it appears in document CDDH(2012)R74 Addendum III and decided to transmit it to the Committee of Ministers.

ITEM 5: DRAFT NON BINDING INSTRUMENT CONCERNING THE SELECTION OF CANDIDATES FOR THE POST OF JUDGE AT THE EUROPEAN COURT OF HUMAN RIGHTS

12. The Chairperson of the group on the selection of candidates for the post of judge at the European Court of Human Rights, Mrs Isabelle NIEDLISPACHER (Belgium), reported to the CDDH on the draft Guidelines and Explanatory Report prepared by the Group. The CDDH welcomed the quality of the work achieved and, after examination paragraph-by-paragraph, adopted the draft Guidelines, to be transmitted to the Committee of Ministers with a view to their adoption, as well as the accompanying Explanatory Memorandum, to be transmitted to the Committee of Ministers for the latter to take note. These texts appear in document CDDH(2012)R74 Addendum IV.

ITEM 6: DEVELOPMENT AND PROMOTION OF HUMAN RIGHTS

13. The CDDH welcomed the preliminary study concerning the promotion of the rights and dignity of elderly persons prepared by the Secretariat. For further work on this issue, it gave terms of reference to its drafting group on the rights of elderly persons (CDDH-AGE) to report to the CDDH at its 75th meeting (19-22 June 2012) on the questions raised in document CDDH(2012)002, in particular the following key issues:

- (i) the nature of the non-binding instrument (recommendation, guidelines or other form, such as a “practical guide”), as well as the addressees of the instrument (governments or elderly people themselves);
- (ii) the scope of the instrument: the group should consider whether it would be preferable to focus on one or several specific aspects (such as discrimination) or particularly vulnerable groups, or to address the issue in a more general manner; it should also discuss whether the scope of the instrument should be limited to the rights set out in the ECHR or whether it should be broader and also address social and economic rights;
- (iii) the contents of the instrument: the CDDH considered it important to obtain a distinctive outcome which avoids mere duplication with

already existing standards, including where possible by providing practical guidance; the group should identify the contents and nature of existing gaps and set priorities;

- (iv) the group should also examine whether a definition of “elderly” should be included, and consider addressing the rights of the elderly bearing in mind the gender perspective.

14. As to the composition of the CDDH-AGE, it recalled that this drafting group was already foreseen in the CDDH’s terms of reference and that the national authorities could choose to be represented by their CDDH expert or by another person. The CDDH designated the following 12 member States to participate in the work of the group at the expense of the Council of Europe: Austria, Czech Republic, Finland, France, Germany, Greece, Italy, Poland, Russian Federation, Spain, Switzerland and the United Kingdom. It was understood that any member State could send other representative at its own expense. Other participants in and observers to the CDDH could also be represented at their own expense. In addition, the Secretariat would identify specialized NGOs whose presence could be useful to the work. The CDDH also noted that it would be important to take note of the work of other international bodies and other organs of the Council of Europe, notably in the field of social rights, the information society and bioethics. Finally, the CDDH elected Mr Jakub WOLASIEWICZ (Poland) Chairperson of the group.

ITEM 7: BIOETHICS

15. The CDDH noted that Professor Eugenijus GEFENAS (Lithuania), Chairperson of the new Bioethics Committee, had suggested to meet the Bureau at its meeting of 7-8 June 2012, which would allow him to present a more detailed report on the work in progress, completing the information provided by the DH-BIO Secretariat at the 73rd CDDH meeting (6-9 December 2011). The CDDH took note of the last report of the Steering Committee on Bioethics (CDBI) which had been replaced by the DH-BIO. It decided not to send in future a representative to DH-BIO meetings, but to invite its Chairperson and Secretariat, on an ad hoc basis, to report to a meeting of the Bureau and/or the plenary CDDH.

ITEM 8: GENDER EQUALITY

16. The CDDH took note of the last report of the former Steering Committee for Gender Equality (CDEG) and the constructive, productive exchange of views held by its Bureau with the outgoing Chairperson and Vice-chairperson of this committee on the subject of the work undertaken until now and the tasks that fell in 2012-2013 to the new

Gender Equality Committee (GEC), whilst bearing in mind the terms of reference that this Committee had received from the Committee of Ministers.⁵

17. For the designation of the 16 members that would participate in the GEC's work at the expense of the Council of Europe, the CDDH approved the method proposed by the Bureau and proceeded to election of its members on this basis. The method of designation and the results of the vote, with an indication of the length of mandate of each member, appear at Appendix IV to the present report.

18. Finally, the CDDH decided not to send in future a representative to GEC meetings, but to invite its Chairperson and Secretariat, on an ad hoc basis, to report to a meeting of the Bureau and/ or the plenary CDDH.

ITEM 9: CDDH CONTRIBUTION TO THE 31ST CONFERENCE OF COUNCIL OF EUROPE MINISTERS OF JUSTICE (VIENNA, 20-21 SEPTEMBER 2012)

19. The Secretariat informed the CDDH of the state of preparation of the 31st Conference of Council of Europe Ministers of Justice (Vienna, 20-21 September 2012), whose theme would be *Responses of justice to urban violence*. It noted that the CDDH Chairperson would speak on the basis of possible comments that CDDH members may wish to bring to his attention. To this end, the Secretariat will circulate, as quickly as possible once available, the preparatory documents of the conference.

ITEM 10: DESIGNATION OF EXPERTS FOR SUBORDINATE BODIES

(i) Drafting group on elderly persons (CDDH-AGE)

20. See paragraph 14 above.

(ii) Gender equality committee (GEC)

21. See paragraph 17 above and Appendix IV.

ITEM 11: CALENDAR

22. The calendar for 2012 as adopted by the CDDH appears at Appendix V. The CDDH decided to return to the question of the organization of future work concerning Court reform, in particular that undertaken by Drafting Group GT-GDR-B, in the light of the decisions to be taken at the Ministerial Session of 14 May 2012.

⁵ See document CDDH(2011)R73 Appendix VIII:

http://www.coe.int/t/dghl/standardsetting/cddh/Meeting%20reports%20committee/73_en.pdf

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23. Having learned that Mr Lipót HÖLTZL (Hungary) would no longer participate in its meetings, the CDDH expressed its gratitude to him for his contribution to its work over many years and wished him every success in his new functions.

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Appendix I**List of participants / Liste des participants****MEMBERS / MEMBRES****ALBANIA / ALBANIE**

Ms Agela FERIZAJ, Représentation Permanente d'Albanie auprès du Conseil de l'Europe
2, rue Waldteufel, 67000 Strasbourg

Tel: 00 33 3 88 36 02 06 - Fax: 00 33 3 88 35 15 79

E-mail: agela.ferizaj@mfa.gov.al

ANDORRA / ANDORRE

Mr Joan FORNER ROVIRA, Senior Legal Adviser Department of General and Legal Affairs,
Ministry of Foreign Affairs, Government of the Principality of Andorra

Tel.: 00 376 875 704 - Fax: 00 376 869 559

Email: joan_forner@govern.ad

Mr Andreu JORDI, Représentant Permanent Adjoint, Représentation Permanente d'Andorre
auprès du Conseil de l'Europe, 10, avenue du Président Robert Schuman, 67000 Strasbourg

Tel.: 00 33 3 88 35 61 55 - Fax: 00 33 3 88 36 85 77

E-mail: rpand@andorra.ad

ARMENIA / ARMENIE

Mr Levon AMIRJANYAN, Chef du département des affaires juridiques, Ministère des affaires
étrangères, Place de la République, Maison de Gouvernement 2, Yerevan 0010

Tel: 00 37410 54 40 41 (ext. 278)

E-mail: l.amirjanyan@mfa.am

AUSTRIA / AUTRICHE

Mrs Brigitte OHMS, Deputy Government Agent, Division for International Affairs and General
Administrative Affairs, Federal Chancellery, Dpt. V/5, Constitutional Service, Ballhausplatz 2,
1010 Wien

Tel: 00 43 1 53115 / 24 62 - Fax: 00 43 1 53109 / 24 62

E-mail: brigitte.ohms@bka.gv.at ; menschenrechte@bka.gv.at

AZERBAIJAN / AZERBAIDJAN

Mr Chingiz ASKAROV, Agent of the Government of the Republic of Azerbaijan at the European
Court of Human Rights, Prezident Sarayi, İstiqlaliyyət küç.19, Baku A-1066

Tel/Fax: 00 994 124 923 920

E-mail: agent@pa.gov.az

BELGIUM / BELGIQUE

Mr Philippe WERY, Chef du Service des droits de l'homme, SPF Justice, Service des Droits de
l'Homme, Boulevard de Waterloo 115, B-1000 Bruxelles

Tel: 00 32 2 542 67 97 - Fax: 00 32 2 542 70 09

E-mail: philippe.wery@just.fgov.be

Mme Isabelle NIEDLISPACHER, co-Agent du Gouvernement, SPF Justice, Service des Droits de l'Homme, Boulevard de Waterloo 115, B-1000 Bruxelles
Tel: 00 32 2 542 71 21 - Fax: 00 32 2 542 70 09
E-mail: isabelle.niedlispacher@just.fgov.be

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Apologised/excusé

BULGARIA / BULGARIE

Mr Ivan Velikov PETKOV, Ambassador, director of "human rights" directorate of the Ministry of foreign affairs of Republic of Bulgaria? 2 "Alexander Jendov" street, 1113 Sofia
Tel: 00 359 2 870 34 94 - Fax: 00 359 2 971 24 34
E-mail: Ivan.velikov.petkov@mfa.bg

CROATIA / CROATIE

Mrs Romana KUZMANIĆ OLUIĆ, Ministry of Foreign Affairs and European Integration, Directorate for Multilateral Affairs, Department for Human Rights and International Organization, N. Š. Zrinskog 7-8, HR 10000 Zagreb
Tel: 00 385 1 4597 783 - Fax: 00 385 1 4597416
E-mail: Romana.Kuzmanic-Oluic@mvpei.hr

CYPRUS / CHYPRE

Apologised/excusé

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Mr Vit SCHORM, Government Agent, Ministry of Justice, Vyšehradská 16, 128 10 Praha 2
Tel: 00 420 221 997 442 - Fax: 00 420 221 997 445
E-mail: vschorm@mzp.justice.cz

DENMARK / DANEMARK

Mr Rasmus KIEFFER-KRISTENSEN, Legal Adviser, Human Rights Unit, Danish Ministry of Justice, Slotsholmsgade 10, DK-1216 Copenhagen K
Tel: 00 7226 88 14; 00 7226 84 00
E-mail: rkk@jm.dk

ESTONIA / ESTONIE

Mrs Maris KUURBERG, Government Agent before the European Court of Human Rights, Ministry of Foreign Affairs Islandi väljak 1, 15049 Tallinn
Tel: 00 372 6377 400 - Fax: 00 372 6377 439
E-mail: maris.kuurberg@mfa.ee

FINLAND / FINLANDE

Mr Arto KOSONEN, Government Agent, Director, Unit for Human Rights Court and Conventions, Legal Service, Ministry of Foreign Affairs, P.O. Box 411, FI-00023 Government
Tel: 00 358 9 1605 5729 - Fax: 00 358 9 1605 5951
E-mail: arto.kosonen@formin.fi

FRANCE

Mme Anne-Françoise TISSIER, Sous-directeur des droits de l'homme, Agent du Gouvernement, Ministère des affaires étrangères, DJ/HOM, 57 boulevard des Invalides, F-75007 Paris
Tel: 00 33 1 53 69 36 18 - Fax: 00 33 1 53 69 36 74
E-mail: anne-francoise.tissier@diplomatie.gouv.fr

GEORGIA / GEORGIE

Ms Shorena MEZURNISHVILI, Head of Litigation Unit of the Department of State Representation to the International Courts of Human Rights, Ministry of Justice of Georgia
Tel: 00 995 322 40 51 39
E-mail: shmezurnishvili@justice.gov.ge

GERMANY / ALLEMAGNE

Mr Hans-Jörg BEHRENS, Head of Unit IVC1, Human Rights Protection; Government Agent before the European Court of Human Rights, Bundesministerium der Justiz, Mohrenstr. 37, 10117 Berlin
Tel: 00 49 30 18 580 94 31 - Fax: 00 49 30 18 580 94 32
E-mail: behrens-ha@bmj.bund.de

GREECE / GRECE

Mr Theofilos ZAFEIRAKOS, Adjoint au Représentant Permanent, Représentation Permanente de la Grèce auprès du Conseil de l'Europe, 67000 Strasbourg
Tel: 00 33 3 88 32 88 18 – Fax: 00 33 3 88 23 12 46
E-mail: greekdelegce@wanadoo.fr

Mme Ourania PATSOPOULOU, Membre du Conseil Juridique de l'État, Attachée à la Représentation Permanente de la Grèce auprès du Conseil de l'Europe, 67000 Strasbourg
Tel: 00 33 3 88 23 74 83 – Fax: 00 33 3 88 23 12 46
E-mail: patsopoulou@mfa.gr

HUNGARY / HONGRIE

Mr Lipót HÖLTZL, Head of Department, Agent of the Government, Ministry of Public Administration and Justice, Kossuth tér 4., H-1055 Budapest
Tel: 00 36 1 795 62 45 - Fax: 00 36 1 795 05 08
E-mail: lipot.holtzl@kim.gov.hu

ICELAND / ISLANDE

Ms María Rún BJARNADOTTIR, Senior Legal Adviser, Ministry of the Interior, Human Rights, Sölvhólgötu 7, 150 Reykjavík
Tel: 00 354 545 8249 - Fax: 00 354 552 7340
E-mail: maria.run.bjarnadottir@irr.is

IRELAND / IRLANDE

Mr Peter WHITE, Co-Agent for the Government of Ireland, Assistant Legal Adviser, Legal Division, Department of Foreign Affairs and Trade, 80 St Stephen's Green, Dublin 2
E-mail: peter.white@dfa.ie

ITALY / ITALIE

Ms Stefania ROSINI, Ministero Affari Esteri – Servizio per gli affari giuridici, del contenzioso diplomatico e dei trattati, Piazzale della Farnesina 1, 00194 Roma

Tel: 00 39 06 36 91 24 60 - Fax: 00 39 06 323 03 15

E-mail: stefania.rosini@esteri.it

Mr Mario REMUS, Conseiller juridique, Service des Affaires Juridiques du Ministère des Affaires Étrangères, Piazzale della Farnesina, 1, I - 00135 Roma

Tel: 00 39 06 369 124 60 - Fax: 00 39 06 323 03 15

E-mail : mario.remus@esteri.it

LATVIA / LETTONIE

Mrs Inga REINE, Government Agent, Representative of the Government of Latvia before International Human Rights Organizations, Ministry of Foreign Affairs, Brivibas blvd 36, Riga LV 1395

Tel: 00 371 70 16 340 - Fax: 00 371 72 88 121

E-mail: inga.reine@mfa.gov.lv

LIECHTENSTEIN

Mr Dominik MARXER, Deputy Permanent Representative to the Council of Europe, Office for Foreign Affairs, Heiligkreuz 14, Postfach 684, FL-9490 Vaduz

Tel: 00 423 236 60 63 - Fax: 00 423 236 60 59

E-mail: dominik.marxer@aaa.liv.li

LITHUANIA / LITUANIE

Mrs Elvyra BALTUTYTE, Agent of the Government of Lithuania to the European Court of Human Rights, Ministry of Justice, Gedimino ave. 30/1, LT-01104 Vilnius

Tel: 00 3705 266 29 90 - Fax: 00 3705 266 28 73

E-mail: e.baltutyte@tm.lt

LUXEMBOURG

Mme Brigitte KONZ, Conseillère à la Cour d'Appel, Bâtiment CR, Cité Judiciaire, L-2080 Luxembourg

Tel: 00 352 475981-279 - Fax: 00 352 475981-773

E-mail: brigitte.konz@justice.etat.lu

Ms Anne KAYSER-ATTUIL, Deputy to the Permanent Representative, Permanent Representation of Luxemburg to the Council of Europe, 65, allée de la Robertsau, 67000 Strasbourg

Tel: 00 33 3 88 15 26 36 - Fax: 00 33 3 88 15 26 37

E-mail: strasbourg.rp@mae.etat.lu

MALTA / MALTE

Dr Peter GRECH, Attorney General, Office of the Attorney General, The Palace, Valletta VLT 1115

Tel: 00 356 21 225 841 - Fax: 00 356 21 240 738

E-mail: peter.grech@gov.mt

MONACO

Mr Jean-Laurent RAVERA, Département des Relations Extérieures de Monaco/Cellule Droits de l'Homme, Agent du Gouvernement près la Cour Européenne des Droits de l'Homme

Tel: 00 377 98 98 21 88 - Fax: 00 377 98 98 85 54

E-mail: jlravaera@gouv.mc

MONTENEGRO

Ms Ivana JELIC, Assistant Professor in Human Rights Law and Legal expert to the Ministry, Law Faculty of University of Montenegro, Ministry for Human and Minority Rights of Montenegro, Pravni fakultet, Univerzitet Crne Gore, Ul. 13. jula br. 2, 81000 Podgorica

Tel: 00 382 69 385 287

E-mail: ijelic@yahoo.com

THE NETHERLANDS / PAYS-BAS

Mr Roeland BÖCKER, Ministry of Foreign Affairs, International Law Division, PO Box 20061, The Hague, NL-2500 EB

Tel: 00 31 70 348 48 98 - Fax: 00 31 70 348 51 28

E-mail: roeland.bocker@minbuza.nl

NORWAY / NORVEGE

Mrs Audgunn SYSE, Acting Legal Adviser, Norwegian Ministry of Justice and the Police, Legislation Department

Tel: 00 47 22 24 57 84

E-mail: audgunn.syse@jd.dep.no

POLAND / POLOGNE

Mr Jakub WOLASIEWICZ, Government Agent, Ministry of Foreign Affairs, Aleja Szucha 23, Warsaw 00580

Tel: 00 48 22 523 99 81 - Fax: 00 48 22 523 95 12

E-mail: jakub.wolasiewicz@msz.gov.pl

PORTUGAL

Mme Maria de Fátima GRAÇA CARVALHO, Agente du Gouvernement, Procureur-Général adjointe, Procuradoria Geral da Republica, rua de Escola Politécnica, N° 140, P-1249-269 Lisboa

Tel: 00 351 21 392 1900

E-mail: fatima.carvalho@pgr.pt

REPUBLIC OF MOLDOVA/ REPUBLIQUE DE MOLDOVA

Apologised/excusé

ROMANIA / ROUMANIE

Ms Irina CAMBREA, Government Agent, Ministry of Foreign Affairs, 14, Aleea Modrogan, Sector 1, Bucharest

E-mail: irina.cambrea@mae.ro

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Vladislav ERMAKOV, Deputy to the Permanent Representative, Chancery, 75 allée de la Robertsau, 67000 Strasbourg

Tel: 00 33 3 88 24 20 15 - Fax: 00 33 3 88 24 19 74

E-mail: representationpermderrussie@wanadoo.fr

Ms Maria MOLODTSOVA, 1st Secretary, Department for International Humanitarian Cooperation and Human Rights, Ministry of Foreign Affairs, 32/34, Sennaya sq., 119200 Moscow
Tel: 00 7 495 244 30 25
E-mail: m.molodtsova@mail.ru

SAN MARINO / SAINT-MARIN

Apologised/excusé

SERBIA / SERBIE

Mr Slavoljub CARIC, Government Agent, Ministry for Human and Minority Rights, Office of the Agent before the ECHR, Boul. Mihaola Pupina 2, 11000 Belgrade
Tel: 00 381 11 31 7074 - Fax: 00 381 11 311 73 56
E-mail: slavoljub.caric@mpravde.gov.rs

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mr Juraj KUBLA, Ministry of Foreign Affairs of the Slovak Republic, Human Rights Department Hlboka cesta 2, 833 36 Bratislava
Tel: 00 421 2 5978 3777 - Fax: 00 421 2 5978 3779
E-mail: juraj.kubla@mzv.sk

SLOVENIA/SLOVENIE

Ms Irena VOGRINCIC, Adviser, Ministry of Justice, Zupanciceva 3, 1000 Ljubljana
Tel: 00 386 1 369 52 40 - Fax: 386 (0)1 369 52 33
E-mail: irena.vogrincic@gov.si

SPAIN / ESPAGNE

Mr Fernando IRURZUN MONTORO, Chef du Service juridique des Droits de l'Homme, Ministère de la Justice, Madrid
Tel: 00 34 91 390 47 78/77 - Fax: 00 34 91 390 21 48
E-mail: f.irurzun@dsje.mju.es

SWEDEN / SUEDE

Ms Inger KALMERBORN, Senior Legal Adviser, Ministry for Foreign Affairs, SE 103 39 Stockholm
Tel: 00 46 8 405 41 75 - Fax: 00 46 8 723 11 76
E-mail: inger.kalmerborn@foreign.ministry.se

SWITZERLAND / SUISSE

Mr Frank SCHÜRMAN, Agent du Gouvernement, Chef de l'unité Droit européen et protection internationale des droits de l'homme, Office fédéral de la justice, Bundesrain 20, CH-3003 Berne
Tel: 00 41 31 322 84 01 - Fax: 00 41 31 322 78 64
E-mail: frank.schuermann@bj.admin.ch

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” / “L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE”

Ms Svetlana GELEVA, Head of Department for Multilateral affairs, Ministry of Foreign Affairs, Skopje
Tel: 00 389 23 12 40 77 - Fax: 00 389 23 15 07 90
E-mail: Svetlana.Geleva@mfa.gov.mk

TURKEY / TURQUIE

Mme Deniz AKÇAY, Adjointe au Représentant permanent de la Turquie auprès du Conseil de l'Europe, 23, boulevard de l'Orangerie, F-67000 Strasbourg
Tel: 00 33 3 88 36 50 94 - Fax: 00 33 3 88 24 03 73
E-mail: dakcay@mfa.gov.tr

Ms Gönül ERÖNEN, Adjointe au Représentant permanent de la Turquie auprès du Conseil de l'Europe, 23, boulevard de l'Orangerie, F-67000 Strasbourg
Tel: 00 33 3 88 36 50 94 - Fax: 00 33 3 88 24 03 73
E-mail: gonul.eronen@mfa.gov.tr

Ms Selin ÖZAYDIN, Adjointe au Représentant permanent de la Turquie auprès du Conseil de l'Europe, 23, boulevard de l'Orangerie, F-67000 Strasbourg
Tel: 03 88 24 85 77
E-mail: turkdel@fr.oleane.com

Mr Bayram TURGUT, Adjoint au Représentant permanent de la Turquie auprès du Conseil de l'Europe, 23, boulevard de l'Orangerie, F-67000 Strasbourg
Tel: 00 33 3 88 36 50 94 - Fax: 00 33 3 88 24 03 73
E-mail: bayram.turgut@adalet.gov.tr

Mme Işık BATMAZ, Legal Expert, Représentation permanente de la Turquie auprès du Conseil de l'Europe, 23, boulevard de l'Orangerie, F-67000 Strasbourg
Tel: 00 33 3 24 87 12 - Fax: 00 33 3 88 24 03 73
E-mail: turkdel@fr.oleane.com

UKRAINE

Mr Yevgen PERELYGIN, Director, Bureau for European Integration, Secretariat of the Cabinet of Ministers of Ukraine, Ministry of Foreign Affairs, 1 Mykhaylivska square, Kiev
Tel: 00 38 044 256 63 10
E-mail: perelygin@apu.gov.ua

Ms Oksana PASHENINK, Deputy to the Permanent Representative, Permanent Representation of Ukraine to the Council of Europe, 21, rue Trubner - 67000 Strasbourg
Tel: 00 33 (3) 88 61 44 51 - Fax: 00 33 (3) 88 60 01 78
E-mail: eu_fr@mfa.gov.ua

Ms Olena PETRENKO, Deputy to the Permanent Representative, Permanent Representation of Ukraine to the Council of Europe, 21, rue Trubner - 67000 Strasbourg
Tel: 00 33 (3) 88 61 44 51 - Fax: 00 33 (3) 88 60 01 78
E-mail: eu_fr@mfa.gov.ua

UNITED KINGDOM / ROYAUME-UNI

Mr Derek WALTON, Chairman of the CDDH / Président du CDDH, Legal Counsellor, Foreign and Commonwealth Office, King Charles Street, London SW1A 2AH
Tel: 00 44 207 270 37 85 - Fax: 00 44 207 270 22 80
E-mail: derek.walton@fco.gov.uk

Mr Rob LINHAM, Head of Council of Europe Human Rights Policy, Ministry of Justice, 102 Petty France, London, SW1H 9AJ
Tel: 00 44 20 3334 3851 - Fax: 00 44 20 3334 3744
E-mail: rob.linham@justice.gsi.gov.uk

PARTICIPANTS

Parliamentary Assembly / Assemblée parlementaire

Mr Andrew DRZEMCZEWSKI, Head of Department, Legal Affairs & Human Rights Department of Parliamentary Assembly / Chef du Service des questions juridiques et des droits de l'homme de l'Assemblée parlementaire
Tel: 00 33 3 88 41 23 26 - Fax: 00 33 3 88 41 27 02
E-mail: andrew.drzemczewski@coe.int

European Court of Human Rights / Cour européenne des droits de l'homme

Sir Nicolas BRATZA, President of the European Court of Human Rights / Président de la Cour européenne des droits de l'Homme
Tel : 00 33 3 88 41 44 80
E-mail: nicolas.bratza@echr.coe.int

Registry of the European Court of Human Rights / Greffe de la Cour européenne des droits de l'homme

Mr Erik FRIBERGH, Registrar of the European Court of Human Rights / Greffier de la Cour européenne des droits de l'homme
Tel : 00 33 3 88 41 23 60
E-mail: Erik.Fribergh@echr.coe.int

Mr Patrick TITIUN, Head of Office, Private Office of the President of the European Court of Human Rights / Chef de Cabinet, Cabinet du Président de la Cour européenne des droits de l'homme
Tel: 00 33 3 88 41 32 76
E-mail: Patrick.Titiun@echr.coe.int

Mr John DARCY, Adviser to the President and the Registrar, Private Office of the President, European Court of Human Rights / Conseiller du président et du greffier, Cabinet du Président, Cour européenne des droits de l'homme
Tel: 00 33 3 88 41 31 56
E-mail: john.darcy@echr.coe.int

Secretariat of the Committee of Ministers / Secrétariat du Comité des Ministres

Apologised/excusé

Department for the Execution of Judgments of the Court/ Service de l'Exécution des Arrêts de la Cour

Mr Fredrik SUNDBERG, Deputy to the Head of Department, Department for the Execution of Judgments of the Court / Adjoint à la Chef de Service, Service de l'exécution des arrêts de la Cour
Tel: 00 33 3 88 41 28 07
E-mail: fredrik.sundberg@coe.int

Directorate of Legal Advice and Public International Law/ Direction du Conseil juridique et du droit international public / (CAHDI)

Apologised / Excusé

Office of the Commissioner for Human Rights of the Council of Europe / Bureau du Commissaire aux droits de l'homme du Conseil de l'Europe

Ms Anne WEBER, Adviser / Conseillère, Office of the Commissioner for Human Rights of the Council of Europe / Bureau du Commissaire aux droits de l'homme du Conseil de l'Europe

Tél : 00 33 3 88 41 39 95

e-mail : anne.weber@coe.int

Conference of INGOs of the Council of Europe / Conférence des OING du Conseil de l'Europe

Mr Giuseppe GUARNERI, 18, rue Eugène Carrière, F-67000 Strasbourg

Tel: 00 33 3 88 60 25 48

E-mail: gguarneri@noos.fr

Council of the European Union / Conseil de l'Union européenne

Apologised/excusé

European External Action Service / Service européen d'action extérieure

Mr Luis Pablo TARIN MARTIN, Deputy to the Head of Delegation, EU Delegation to Council of Europe, 18 Bd. de l'Orangerie, F-67000 Strasbourg

Tel: 00 33 (0)3 90 40 60 83

E-mail: luis.tarin-martin@ec.europa.eu

Mr Lórant HAVAS, Legal Advisor, Legal Affairs Division, EEAS,

Tel: 00 32 (0) 42 29 95 373

E-mail: lorant.havas@eeas.europa.eu

OBSERVERS / OBSERVATEURS

HOLY SEE / SAINT-SIÈGE

Mr Grégor PUPPINCK, 4 quai Koch, F-67000 Strasbourg

Tel: 00 33 (0) 3 88 24 94 40 - Fax: 00 33 (0) 3 88 24 94 47

E-mail: g.puppinck@gmail.com

Mlle Andrea POPESCU, 4 quai Koch, F-67000 Strasbourg

Tel: 00 33 (0) 3 88 24 94 40- Fax: 00 33 (0) 3 88 24 94 47

JAPAN / JAPON

Mr Hideaki GUNJI, Consul (Attorney), Consulate-General of Japan, Consulate-General of Japan, "Tour Europe" 20 Place des Halles, F-67000 Strasbourg

Tel: 00 33 (0) 3 88 52 85 05 - Fax 00 33 (0) 3 88 22 62 39

E-mail: hideaki.gunji@mofa.go.jp

MEXICO / MEXIQUE

Mr Alejandro MARTINEZ PERALTA, Adjoint à l'Observateur Permanent du Mexique,
Permanent Representation of Mexico to the Council of Europe, 8, boulevard du Président
Edwards, 67000 Strasbourg

Tel: 00 33 3 88 24 26 81 - Fax: 00 33 3 88 24 10 87

E-mail: repmex.strasbourg@orange.fr

Non-member State / Pays non-membre**BELARUS**

Mr Alexander OPIMAKH, Head of OSCE and Council of Europe Unit, Department of Europe,
Ministry of Foreign Affairs of Belarus

E-mail: belmission_coe@mail.by

European Group of National Institutions for the Promotion and Protection of Human Rights (NHRI) / Groupe européen des institutions nationales de promotion et de protection des droits de l'Homme (INDH)

Mr Bruce ADAMSON, Legal Officer, Scottish Human Rights Commission

Tel: 00 44 131 240 2992; 00 44 7 833 402 286

E-mail: bruce.adamson@scottishhumanrights.com

Ms Mary CUNNEEN, Senior Lawyer with the UK Equality and Human Rights Commission

E-mail: mary.cunneen@equalityhumanrights.com

Ms Sinead LUCEY, Senior Enquiries and Legal Officer, Irish Human Rights Commission

Non governmental Organisations / Organisations non-gouvernementales**Amnesty International**

Mr Sébastien RAMU, Senior Legal Adviser, Law and Policy Programme,
Amnesty International - IS, 1 Easton Street, UK - London WC1X 0DW

Tél: 00 44 (0) 203 036 5456 - Fax: 00 44 (0) 207 956 1157

E-mail: sramu@amnesty.org

International Commission of Jurists (ICJ) / Commission internationale de Juristes (CIJ)

Ms Róisín PILLAY, Senior Legal Advisor, Europe programme, International Commission of Jurists,
PO Box 91, 33 rue des Bains, CH-1211 Geneva 8

Tel: 00 41 22 979 38 30 - Fax: 00 41 22 979 38 01

E-mail: pillay@icj.org

* * *

SECRETARIAT**DG I – Human Rights and Rule of Law / Droits de l’Homme et État de droit
Council of Europe / Conseil de l’Europe, F-67075 Strasbourg Cedex**

Mr Philippe BOILLAT, Director General / Directeur Général, Directorate General of Human Rights and Rule of Law / Direction Générale des droits de l’Homme et de l’Etat de droit
Tel: 00 33 3 88 41 34 10
E-mail: philippe.boillat@coe.int

Mr Christos GIAKOUMOPOULOS, Director / Directeur, Human Rights Directorate / Direction des droits de l’Homme
Tel: 00 33 3 88 41 21 16
E-mail: christos.giakoumopoulos@coe.int

Mr Jörg POLAKIEWICZ, Head of Department / Chef de Service, Human Rights Policy and Development Department / Service des politiques et du développement des droits de l’Homme
Tel: 00 33 3 88 41 29 19
E-mail: jorg.polakiewicz@coe.int

Mr Alfonso DE SALAS, Head of Division / Chef de Division, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l’Homme, Secretary of the CDDH / Secrétaire du CDDH
Tel: 00 33 3 88 41 23 24
E-mail: alfonso.desalas@coe.int

Mr David MILNER, Administrator / Administrateur, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l’Homme
Tel: 00 33 3 90 21 53 27
E-mail: david.milner@coe.int

Mr Daniele CANGEMI, Head of Division / Chef de Division, Human Rights Law and Policy Division / Division du droit et de la politique des droits de l’Homme
Tel: 00 33 3 88 41 22 24 - Fax: 00 33 3 88 41 37 39
E-mail: nicola-daniel.cangemi@coe.int

Mr Matthias KLOTH, Administrator, Human Rights Law and Policy Division / Division du droit et de la politique des droits de l’Homme
Tel: 00 33 3 90 21 49 84
E-mail: matthias.kloth@coe.int

Mme Virginie FLORES, Lawyer / Juriste, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l’Homme
Tel: 00 33 3 90 21 40 95
E-mail: virginie.flores@coe.int

Mr Simon TONELLI, Head of Division / Chef de Division, Gender Equality Division / Division de l’Égalité entre les femmes et les hommes
Tel: 00 33 3 88 41 21 62 - Fax: 00 33 3 88 41 27 94 / 27 05
E-mail: simon.tonelli@coe.int

Mme Anne-Marie FARADJI, Administrator/ Administratrice, Gender Equality Division /
Division de l'Égalité entre les femmes et les hommes
Tel: 00 33 3 88 41 21 30 - Fax: 00 33 3 88 41 27 94 / 27 05
E-mail: anne-marie@faradji@coe.int

Mme Paula HINCHY, Assistant / Assistante, Gender Equality and Violence against Women
DG I - Human Rights and Rule of Law Council of Europe
Tel: 00 33 3 88 41 37 36
E-mail: Paula.HINCHY@coe.int

Mme Szilvia SIMOND, Assistant / Assistante, Human Rights Intergovernmental Cooperation
Division / Division de la coopération intergouvernementale en matière de droits de l'Homme
Tel: 00 33 3 90 21 55 44 - Fax: 00 33 3 88 41 37 39
E-mail: szilvia.simond@coe.int

Mlle Aurélie JACQUOT, Assistant / Assistante, Human Rights Intergovernmental Cooperation
Division / Division de la coopération intergouvernementale en matière de droits de l'Homme
Tel: 00 33 3 90 21 45 02 - Fax: 00 33 3 88 41 37 39
E-mail: aurelie.jacquot@coe.int

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INTERPRETERS / INTERPRÈTES

Ms Sally BAILEY-RAVET
Ms Corinne McGEORGE
Ms Chloé CHENETIER

* * *

Appendix II**Agenda (as adopted)****ITEM 1: OPENING OF THE MEETING OF THE CDDH, ADOPTION OF THE AGENDA AND ORDER OF BUSINESS**

Draft order of business	CDDH(2012)OT001
Reference document	CDDH(2012)001
Report of the 73 rd meeting of the CDDH (6-9 December 2011)	CDDH(2011)R73
Report of the 84 th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)	CDDH-BU(2012)R84

ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY

Reference document	CDDH(2012)001
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ITEM 3: EXCHANGE OF VIEWS WITH PERSONALITIES

Reference document	CDDH(2012)001
Report of the 73 rd meeting of the CDDH (6-9 December 2011)	CDDH(2011)R73
Report of the 84 th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)	CDDH-BU(2012)R84

- 3.1 Exchange of views with the President of the European Court of Human rights**
- 3.2 Personalities to be invited**

ITEM 4: WORK CONDUCTED BY THE COMMITTEE OF EXPERTS ON THE REFORM OF THE COURT (DH-GDR)

Reference document	CDDH(2012)001
Report of the 1 st meeting of the DH-GDR (17-20 January 2012)	DH-GDR(2012)R1
Report of the 84 th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)	CDDH-BU(2012)R84

4.1 Draft CDDH Final Report on measures requiring amendment of the Convention

Reference document	CDDH(2012)001
Report of the 1 st meeting of the DH-GDR (17-20 January 2012)	DH-GDR(2012)R1
Report of the 73 rd meeting of the CDDH (6-9 December 2011)	CDDH(2011)R73

4.2 Draft CDDH report on increasing the Court's capacity to process applications

Reference document	CDDH(2012)001
Report of the 1 st meeting of the DH-GDR (17-20 January 2012)	DH-GDR(2012)R1
Report of the 73 rd meeting of the CDDH (6-9 December 2011)	CDDH(2011)R73

4.3 Draft CDDH report on possible new procedural rules or practices concerning access to the Court

Reference document	CDDH(2012)001
Report of the 1 st meeting of the DH-GDR (17-20 January 2012)	DH-GDR(2012)R1
Note submitted by Switzerland and the UK on possible new procedural rules or practices concerning access to the Court (English only)	DH-GDR(2011)020
German proposal – Amendment of Article 35(3)(b) ECHR	DH-GDR(2011)024
Compendium of written contributions to the draft preliminary report on possible new procedural rules of practices concerning access to the Court	DH-GDR(2011)035
Report of the 73 rd meeting of the CDDH (6-9 December 2011)	CDDH(2011)R73

4.4 Draft CDDH Contribution to the Ministerial Conference organised by the United Kingdom Chairmanship of the Committee of Ministers

Reference document	CDDH(2012)001
Report of the 1 st meeting of the DH-GDR (17-20 January 2012)	DH-GDR(2012)R1
Conference report – 2020 Vision for the European Court of Human Rights (Wilton Park, United Kingdom)	
Report of the 73 rd meeting of the CDDH (6-9 December 2011)	CDDH(2011)R73

4.5 Organisation of future work

Reference document	CDDH(2012)001
Report of the 1 st meeting of the DH-GDR (17-20 January 2012)	DH-GDR(2012)R1
Report of the 73 rd meeting of the CDDH (6-9 December 2011)	CDDH(2011)R73
Committee of Ministers' Resolution on intergovernmental committees and subordinate bodies, their terms of reference and working methods	CDDH(2011)012

ITEM 5: DRAFT NON BINDING INSTRUMENT CONCERNING THE SELECTION OF CANDIDATES FOR THE POST OF JUDGE AT THE EUROPEAN COURT OF HUMAN RIGHTS

Reference document	CDDH(2012)001
Report of the 2 nd meeting of the CDDH-SC (11-13 January 2012)	CDDH-SC(2012)R2
Draft Guidelines	CDDH-SC(2012)R2 Appendix III
Draft explanatory memorandum	CDDH-SC(2012)R2 Appendix IV
Report of the 84 th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)	CDDH-BU(2012)R84

ITEM 6: DEVELOPMENT AND PROMOTION OF HUMAN RIGHTS

Reference document	CDDH(2012)001
Preliminary study on the promotion of the rights and dignity of elderly persons	CDDH(2012)002
Report of the 84 th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)	CDDH-BU(2012)R84

ITEM 7: BIOETHICS

Report of the 73rd meeting of the CDDH (6-9 December 2011)
Report of the 84th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)

CDDH(2011)R73
CDDH-BU(2012)R84

ITEM 8: GENDER EQUALITY

Report of the 73rd meeting of the CDDH (6-9 December 2011)
Report of the 84th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)

CDDH(2011)R73
CDDH-BU(2012)R84

ITEM 9: CDDH CONTRIBUTION TO THE VIENNA CONFERENCE – 2012

Report of the 84th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)

CDDH-BU(2012)R84

ITEM 10: DESIGNATION OF EXPERTS FOR SUBORDINATE BODIES

Reference document
Suggestions of the Secretariat on the modalities of designation of GEC members
Report of the 84th meeting of the Bureau of the CDDH (Paris, 30-31 January 2012)

CDDH(2012)001
CDDH(2012)003
CDDH-BU(2012)R84

ITEM 11: OTHER BUSINESS

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Appendix III**Speech of the President of the European Court of Human Rights,
Sir Nicolas BRATZA**

Chairman,

Members of the Steering Committee,

Thank you for your inviting me to meet with you today.

I need hardly say that these are crucial times for the European Convention on Human Rights, and for the Court. Within just over two months the reform process will move into a new phase, with key decisions being taken at the high-level conference in Brighton.

You have been working this week on your contribution to the conference, and the Court is doing likewise. I will say something about that in a moment.

You are also bringing the first phase of the reform to a close, as you finalise your report to the Committee of Ministers following up on Interlaken and Izmir, setting out possible reforms to the Convention.

The Court has followed all of this work closely, and has been closely involved in the process.

Let me say a word of special thanks to you, Chairman, and your colleagues in Strasbourg and London for the close contacts you have maintained with myself and the Registrar over the past few months.

May I also reiterate what I said during the annual press conference two weeks ago about the alleged conflict between the Court and the United Kingdom Government which the Press are so keen to exploit. I pointed out then that there was a great deal said by the Prime Minister during his speech to the Parliamentary Assembly with which we agreed. In particular, we agreed that the Court should not act as a Court of “fourth instance”, that it should not see itself as an immigration tribunal or as a small claims court. Our disagreement was with the suggestion that this is in fact how we viewed ourselves or how we behaved as a Court. Where we wholly agreed with the Prime Minister was in his statement that the Court’s backlog is unacceptably high, being overburdened with inadmissible cases and with repetitive cases with which we should not have to deal. And here we were gratified by his acknowledgement of the impressive steps taken by the Court itself to filter out inadmissible cases. Where we also agreed was in his view that there was still room for improving the efficiency of the Court and for this reason I made clear that we would as a Court give our support to any proposal for reform which would in our view achieve this aim without sacrificing the right of individual petition which had been the hallmark of the Convention system.

The reform process is anything but easy, and demands a shared responsibility, a strong collaborative effort from all involved in it:

- the States, as the authors of the Convention, and guarantors in the first place of human rights;

- the Court, as the centrepiece of Europe's unrivalled human rights system;
- the Parliamentary Assembly, civil society, national human rights institutions – all of them already actors in the system in their different ways and strong advocates for the Convention, and all of them joining in the reform debates.

This process, initiated at Interlaken, began with a clear-eyed assessment of the situation of the Court, and the consequences of this on its functioning. For a great number of applicants, the experience at Strasbourg was one of excessive delay. That assessment was accompanied by a strong re-affirmation by States of the great value of the Convention, and their firm support for the Court.

The past two years can be described as a phase both exploratory and analytical, where ideas are brought forward to be weighed and tested through discussion, and both the arguments and counter-arguments laid out. Being deliberative, it is not a speedy process – this is reflected in the Interlaken time-frame.

One of the merits of this is that it allows the process to respond and adjust to developments. I refer specifically to the improved functioning of the filtering system last year. It was both encouraging news in its own right, and helpful for the reform discussions, allowing the focus to move on to the bigger issue of the backlog of cases pending at the higher levels of the Court.

The repetitive case phenomenon is nothing new – all that changes are the numbers. Along with these is the challenge posed by applications that are not repetitive and which – under the Court's prioritisation policy – are but medium priorities. The techniques that have proven to be effective for repetitive cases - such as the pilot-judgment procedure, simplified judgments and grouped judgments – are not directly transposable. Innovation and development is required, from the Court but also from States.

This brings me to the points that the Court is currently discussing internally as it prepares to make its contribution to the Brighton Conference. The discussions are focusing not merely on the proposals for reform already indicated by the United Kingdom Government but on further possible proposals for reform. It is hoped that the Plenary Court will be able to discuss and adopt at least a provisional paper on 20 February, and it will be forwarded to the Committee of Ministers as soon as can be arranged thereafter.

Pending the Plenary's considered view on the matter, I will already give an indication of the points under our consideration.

Our Committee on Working Methods undertook an intensive review in late 2011 of the Court's practice and procedures for dealing with the different types of case before it. Whatever Convention amendments are ultimately enacted, it is clear that we will have to work within the system as it is today for some years yet. Its analysis and proposals were discussed at length by the Court's Sections last month, in preparation for consideration at the next Plenary.

The ideas before us include wider use of the Well-Established Case Law procedure - the WECL procedure -, which so far has been used essentially to deal with repetitive cases. As you will know, though, a broader, more significant role was clearly envisaged by the drafters of Protocol No. 14. A more extensive approach based on the idea that established case-law in relation to one respondent State could also be relied on in relation to other respondent States

would enable far more cases to be dealt with under a summary procedure and would allow the Court's WECL committees to act more effectively, with the benefit of a "varied" legal diet.

There are other ideas relating to admissibility and filtering. These include:

- first, a stricter application of the 6-month rule, in particular by requiring the lodging not merely of an informal letter of complaint within the 6-month period permitted but of a fully completed and detailed application form with the essential supporting documents within that period ;
- second, the generalisation within the Court of the new methods developed by the filtering Section so as to cover all States and not merely those with the highest number of inadmissible complaints. As already foreshadowed, with additional resources, it is hoped by these methods to meet the twin challenges of dealing with all new applications within a short time of their arrival and disposing of all applications now pending before single judges by the year 2015. I will leave it if I may to the Registrar, Erik Fribergh, to add something on the question of the necessary resources;
- third, possible simpler procedures for communicating cases, both repetitive and "normal" Chamber cases which would entail less processing at the outset by the Registry and the sharing of the administrative burden with the relevant State authorities.

I stress that these are just indications of the points tabled for discussion within the Plenary.

Another issue that the Court will almost certainly stress in its contribution is the vital responsibility of the States themselves to ensure the more effective implementation of the Convention at national level as well as the urgent need to improve the execution of judgments. As I emphasised in my address at the formal Opening of the Legal Year, the only effective solution for a situation in which the Court has over 30,000 repetitive cases on its docket lies with the States themselves and with a stronger and more effective means of execution of the Court's judgments. It is a constant weakness in the Convention system with the damaging consequences that we all know too well. States need to take a harder look at the matter, and strong measures – possibly going as far as fines or levies being imposed on States in default – should be brought into the discussion. But it is also important that assistance should be provided to enable States to tackle and resolve underlying structural problems where these exist.

The Court will also address the issue of case-law consistency, a point raised by States at both Interlaken and Izmir. You will have seen from the Jurisconsult's paper on this last year the existing internal means that the Court has to detect and deal with potential contradictions or divergences of case-law. These will be strengthened, with amendments to the relevant Rules of Court and an internal presidential instruction.

Finally, the Court will issue a reflection paper on the subject of advisory opinions. The issue has been analysed and discussed at length and in depth since last summer. The detailed proposal elaborated by the Dutch and Norwegian delegates to this committee was, I should say, very helpful for us. It provided a ready-made structure for our consideration of the issue, and gave us a good insight into the diverse views of the CDDH membership. Since views diverge within the Court as well on this issue, we thought the format of a reflection paper to be the most appropriate. What is clear is that there should be further detailed consideration given to the issue in which the Court is directly involved.

Appendix IV**Gender Equality Commission (GEC)
Members participating in the work at the expense of the Council of Europe****Method of appointing (as adopted by the Steering Committee for Human Rights (CDDH) at its 74th meeting (7-10 February 2012))**

1. The list of candidates, along with the relevant CVs, would be definitively closed on Tuesday 7 February 2012 at 6 p.m., in order to allow delegations having expressed their interest in participating in the GEC's work but had not yet been able to send their application to do so.
2. Mandates would be for two years. In order, however, to ensure the rotation foreseen in the GEC's terms of reference:
 - (i) the eight members whose mandate would be for three years instead of two would be drawn by lot from amongst the elected members;
 - (ii) GEC members would not be eligible for a second consecutive mandate;
 - (iii) countries that had had a member participating in the GEC's work at the Organisation's expense would not be able to present a new candidate at the immediately following elections.
3. It was not necessary to proceed to designation of alternates.
4. Voting slip would be prepared on which would appear all the candidates presented in English alphabetical order of their respective countries. Voters could vote for a maximum of 16 candidates. The 16 candidates having obtained the highest number of votes would be retained to participate in the work of the GEC at the expense of the Organisation, it being understood that any other member State could send at any point other experts at its own expense. During designation of candidates, each voter would be invited to bear in mind, as general criteria, the need to ensure geographical and gender balance, as well as the qualities of the members in the light of the CVs received;
5. The election would take place on Thursday 9 February 2012, from 10.15 – 11.15 a.m.
6. It would fall to the GEC to propose the names of its Chairperson and Vice-chairperson, who would subsequently be confirmed by the CDDH.

**Results of the election held at the 74th meeting of the CDDH (7-10 February 2012)
to appoint members participating in the work of the Gender Equality Commission
(GEC) at the expense of the Council of Europe**

	END OF TERM OF OFFICE	REFERENCES
Ms Karine SOUDJIAN (Armenia)	31 December 2013	74 th meeting (7-10 February 2012)
Dr Eva FHERINGER (Austria)	31 December 2014	74 th meeting (7-10 February 2012)
Ms Päivi YLI-PIETILÄ (Finland)	31 December 2013	74 th meeting (7-10 February 2012)
Ms Sophie DEL CORSO (France)	31 December 2013	74 th meeting (7-10 February 2012)
Ms Pauline MOREAU (Ireland)	31 December 2013	74 th meeting (7-10 February 2012)
Mr Michele PALMA (Italy)	31 December 2013	74 th meeting (7-10 February 2012)
Ms Vanda JURSENIENE (Lithuania)	31 December 2014	74 th meeting (7-10 February 2012)
Ms Carlien SCHEELE (the Netherlands)	31 December 2014	74 th meeting (7-10 February 2012)
Mr Inge OVESEN (Norway)	31 December 2014	74 th meeting (7-10 February 2012)
Ms Monika KSINIOWICZ (Poland)	31 December 2014	74 th meeting (7-10 February 2012)
Ms Isabel ROMÃO (Portugal)	31 December 2014	74 th meeting (7-10 February 2012)
Mr Andrey NIKIFOROV (Russian Federation)	31 December 2013	74 th meeting (7-10 February 2012)
Ms Violeta NEUBAUER (Slovenia)	31 December 2013	74 th meeting (7-10 February 2012)
Mr Guillaume MONFORT JUAREZ (Spain)	31 December 2014	74 th meeting (7-10 February 2012)
Ms Sylvie DURRER (Switzerland)	31 December 2014	74 th meeting (7-10 February 2012)
Mr Sergiy KYSLYTSYA (Ukraine)	31 December 2013	74 th meeting (7-10 February 2012)

Appendix V**Calendar of meetings of the CDDH and its bodies**As adopted by the CDDH at its 74th meeting (7-10 February 2012)

First Semester 2012		
Meeting of the Group on national practices for the selection of candidates for the post of judge at the European Court of Human Rights		11-13 January
1st meeting of the Committee of experts on the Reform of the Court (DH-GDR)		17-20 January
<i>Opening of the judicial year of the European Court of Human Rights</i>		27 January
84 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)		Paris, 30-31 January
74 th meeting of the Steering Committee for Human Rights (CDDH)		7-10 February
<i>Ministers' Deputies</i>		22 February
1 st meeting of Drafting Group A on the Reform of the Court (GT-GDR-A)		14-16 March
Meeting of the Bureau of the Committee on Bioethics (DH-BIO-BU)		22-23 March
1 st meeting of the Drafting Group on the rights of the elderly (CDDH-AGE)		21-23 March
<i>High-level Conference organised by the UK chairmanship of the CM</i>		Brighton, 18-20 April
1 st meeting of the Gender Equality Committee (GEC)		25-27 April
4 th meeting of the Committee of Experts on a simplified amendment procedure (DH-PS)		14-16 May
1st meeting of Drafting Group A on the Reform of the Court (GT-GDR-A)		30 May -1 st June
85 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)		Paris, 7-8 June
1 st meeting of the Committee on Bioethics (DH-BIO)		19-22 June
75 th meeting of the Steering Committee for Human Rights (CDDH)		19-22 June

Second semester 2012		
<i>Seminar on human rights and the environment</i>		<i>Białowieża (Poland) [September]</i>
<i>Council of Europe Ministers of Justice Conference (Vienna) – “Responses of Justice to Urban Violence”</i>		<i>Vienna 20-21 September</i>
1 st meeting of Drafting Group B on the Reform of the Court (GT-GDR-B)		12-14 September
2 nd meeting of the Drafting Group on the rights of the elderly (CDDH-AGE)		24-26 September
2 nd meeting of Drafting Group B on the Reform of the Court (GT-GDR-B)		10-12 October
2 nd meeting of the Gender Equality Committee (GEC)		24-26 October
2 nd meeting of the Committee of experts on the Reform of the Court (DH-GDR)		29-31 October
86 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)		15-16 November
2 nd meeting of the Committee on Bioethics (DH-BIO)		[November]
76 th meeting of the Steering Committee for Human Rights (CDDH)		27-30 November