

94th meeting, 15 – 18 June 2021

1 General questions

1.1 Title

Abridged Report of the 94th meeting of the Steering Committee for Human Rights (CDDH), via KUDO, 15 – 18 June 2021

For examination by the GR-... during its meeting of ... 2021...

Information on the meeting

The Steering Committee for Human Rights (CDDH) held its 94th meeting via KUDO due to the current health crisis, from 15 to 18 June 2021, with Mr Morten RUUD (Norway) in the Chair.

The agenda of the meeting appears in the Appendix. The full report of the meeting, as well as the list of participants, can be made available by the Secretariat (DGI-CDDH@coe.int).

Items for decision by the Committee of Ministers

At this meeting, the CDDH decided submit to the Committee of Ministers, for possible adoption, its draft Recommendation CM/Rec(2021)... of the Committee of Ministers to member States on the publication and dissemination of the European Convention on Human Rights, the case-law of the European Court of Human Rights and other relevant texts.

Items for information by the Committee of Ministers

At this meeting, the CDDH:

- adopted its comments on the five Recommendations of the Parliamentary Assembly communicated to it by the Committee of Ministers since the 93rd meeting of the CDDH (14 – 16 December 2020)¹;
- transmitted to the Committee of Ministers, for information, its revised text for the 3rd edition of the CDDH Manual on Human Rights and the Environment.

Regarding the system of the European Convention on Human Rights, the CDDH:

- took note of the Decisions of the Committee of Ministers – “Securing the long-term effectiveness of the system of the European Convention on Human Rights” (21 May 2021);
- took note of the progress and remaining questions in the ongoing work of the CDDH Ad Hoc negotiation Group on the European Union accession to the European Convention on Human Rights (“47+1 Group”; 8th and 9th meetings (2 – 4 February and 23 – 25 March 2021) and of the preparation for the 10th, 11th and 12th meetings (29 June – 2 July, 5 – 8 October and 7 – 10 December 2021);
- exchanged views on the ongoing work within its Drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV : 3rd meeting, 14 – 16 April 2021) and, taking into account, *inter alia*, the reflections of the high-level Conference of experts on the effective processing and resolution of cases relating to

¹ Recommendations of the Parliamentary Assembly 2180(2020) - “The impact of the Covid-19 pandemic on human rights and the rule of law”; 2182(2020) - “Justice by algorithm – the role of artificial intelligence in policing and criminal justice systems”; 2183(2020) - “Preventing discrimination caused by the use of artificial intelligence”; 2185(2020) - “Artificial intelligence in health care: medical, legal and ethical challenges ahead” and 2190(2020) - “Effective guardianship for unaccompanied and separated migrant children”.

inter-State disputes (12 – 13 April 2021), gave orientation to the Group with a view of the preparation of its 4th meeting (22 – 24 September 2021);

- exchanged views on the ongoing work within its Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V, 2nd meeting, 29 – 31 March 2021) and, in the light notably of the conclusions of the Seminar *PluriCourts – CDDH* (15 June 2021; see below), gave orientation to the Group with a view to preparing at its 3rd meeting (6 – 8 October 2021) the draft Guidelines on the prevention and remedying of violations of the European Convention on Human Rights;
- Held the *PluriCourts - CDDH Seminar: National implementation of the European Convention on Human Rights – enhancing domestic dialogue and co-ordination* (15 June 2021).

As regards the other items on its agenda, the CDDH:

- exchanged views on the ongoing work within its Drafting Group on Human Rights and the Environment (CDDH-ENV, 1st meeting, 28 – 30 April 2021) and, in the light notably of the conclusions of the Workshop *"Environment, Human Rights and Business: a framework for addressing environmental protection challenges"* (April 2021), provided guidance to the Group with a view to preparing, at its 2nd meeting (October 2021), a draft non-binding instrument on Human Rights and the protection of the Environment;
- exchanged views on the follow-up to the implementation of Recommendation CM/Rec(2021)1 of the Committee of Ministers to member states on the development and strengthening of effective, pluralist and independent national human rights institutions (31 March 2021), in particular the high-level meeting (26 April 2021) jointly organised by ENNHRI, the German Chairmanship of the Committee of Ministers and the CDDH, to promote this new instrument;
- exchanged views on the follow-up to the implementation of Recommendation CM/Rec(2021)2 of the Committee of Ministers to member states on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment (31 March 2021) in particular the Webinar (17 May 2021) jointly organised by Amnesty International, The Omega Research Foundation, the German Chairmanship of the Committee of Ministers and the CDDH to promote this new instrument;
- exchanged views on the state of preparation on the future CDDH report on the implementation of the Recommendation CM/Rec(2016)3 on human rights and business, in the light notably of the conclusions of the Workshop: *"Environment, Human Rights and Business: a framework for addressing environmental protection challenges (27 April 2021) ;*
- exchanged views on the preparation of the CDDH and the DH-SYSC Programme of activities for 2022 – 2025;
- appointed the members in respect of the CDDH of the Drafting Committee on trafficking for the purpose of labour exploitation (DH-TET) and exchanged views on its terms of reference and the organisation of work, with a view to the CDDH being able to submit a draft Recommendation to the Committee of Ministers before 30 June 2022;
- regarding the Council of Europe Convention on access to official documents (Tromsø Convention CETS No. 205), took note of (i) the adoption by the Committee of Ministers on 3 March 2021 of Resolution CM/Rec(2021)2 on the rules on the election procedure of the members of the Group of Specialists on Access to Official Documents; (ii) the procedure of nomination of candidates to the Group by the Parties; (iii) the methodology for the preparation of reports by the Parties under Article 14, paragraph 1 of the Tromsø Convention; (iv) the meeting of the Consultation of the Parties which is planned to take place on 29 September 2021 to elect the members of the Group of Specialists and (v) the meeting of the Group to be held on 6 – 7 December 2021;

- appreciated the fact that all the CDDH subordinate bodies that have met since the last meeting of the CDDH (December 2020) have made good use of the thematic form *"Taking into account the gender equality dimension in the work of the CDDH and its subordinate bodies"*;
- exchanged views on the current and future work of the Committee on bioethics (DH-BIO);
- took note of the information provided by its focal points in other fora;
- decided on the personalities to be invited to its next meetings;
- exchanged views on the status of signatures and ratifications of the conventions for which the CDDH is responsible;
- took note of the recent publications of the work of the CDDH and decided on the forthcoming publications by the end of 2021;
- adopted its provisional calendar of meetings for the second semester 2021 and the first of 2022.

Resource implications

The CDDH noted that the implementation of its future programme 2022 - 2025 will require an increase in the human resources of its Secretariat.

Evaluation of completed activities

The CDDH welcomed the adoption by the CM, on 31 March 2021, of Recommendation CM/Rec(2021)1 of the Committee of Ministers to member states on the development and strengthening of effective, pluralist and independent national human rights institutions, and Recommendation CM/Rec(2021)2 of the Committee of Ministers to member states on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment, which the Steering Committee prepared in 2019 and 2020. It also welcomed the follow-up work carried out during the first half of 2021 through high-level events organised under the aegis of the German presidency of the CM and in cooperation with representatives of the civil society, regarding several instruments for which the CDDH is responsible.

Appendix I**Agenda**

(94th meeting of the CDDH, 15 – 18 June 2021)

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

ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY

ITEM 3: WORK ON THE SYSTEM OF THE CONVENTION

3.1. Follow-up to the Interlaken Declaration

3.2 CDDH ad hoc negotiation Group on the EU accession to the ECHR (“47+1 Group”)

3.3 Drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)

3.4 Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V)

ITEM 4: ENVIRONMENT AND HUMAN RIGHTS

ITEM 5: CIVIL SOCIETY AND NATIONAL HUMAN RIGHTS INSTITUTIONS

ITEM 6: MEASURES AGAINST THE TRADE IN GOODS USED FOR THE DEATH PENALTY, TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

ITEM 7: HUMAN RIGHTS AND BUSINESS

ITEM 8: MEASURES AGAINST TRAFFICKING FOR THE PURPOSE OF LABOR EXPLOITATION

ITEM 9: PREPARATION OF THE CDDH PROGRAMME OF ACTIVITIES FOR 2022 – 2025

ITEM 10: ACCESS TO OFFICIAL DOCUMENTS

ITEM 11: GENDER EQUALITY

ITEM 12: BIOETHICS

ITEM 13: CONVENTIONS

ITEM 14: FOCAL POINTS

ITEM 15: INVITEES

ITEM 16: PUBLICATIONS

ITEM 17: CALENDAR

ITEM 18: ACKNOWLEDGEMENTS

ITEM 19: OTHER BUSINESS