

97th meeting, 6 – 9 December 2022

1 General questions

1.1 Title

Abridged Report of the 97th meeting of the Steering Committee for Human Rights (CDDH), 6 – 9 December 2022

For examination by the GR-... during its meeting of ... 2023...

Information on the meeting

The Steering Committee for Human Rights (CDDH) held its 97th meeting in Strasbourg, from 6 to 9 December 2022, with Kristine LICIS (Latvia) in the Chair.

The agenda of the meeting appears in the Appendix.

Items for decision by the Committee of Ministers

The CDDH adopted the following draft instrument and decided to transmit it to the Committee of Ministers for possible adoption:

- draft Declaration of the Committee of Ministers on the effective processing and resolution of cases relating to inter-State disputes.

The CDDH adopted the following text and decided to transmit it to the Committee of Ministers for its consideration:

- Comments on Parliamentary Assembly Recommendations 2238(2022), “Safe third countries for asylum seekers”, and 2240(2022), “Preventing vaccine discrimination”.

The CDDH adopted the following texts and decided to transmit them to the Committee of Ministers for information:

- CDDH Report on the effective processing and resolution of cases relating to inter-State disputes;
- CDDH Report on member States’ practice in relation to derogations from European Convention on Human Rights in situations of crisis.

Items for information of the Committee of Ministers

- The CDDH re-elected Kristine LĪCIS (Latvia) as its Chair and Krista OINONEN (Finland) as its Vice-Chair, re-elected two Bureau members (Brigitte OHMS (Austria) and Babette KOOPMAN (Netherlands)), and elected Alain CHABLAIS (Switzerland) as the Chairperson of the DH-SYSC.

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

- exchanged views on the results of the written consultation of the Committee of Experts on the system of the European Convention on Human Rights (DH-SYSC) regarding the draft CDDH report on the effective processing and resolution of cases relating to inter-State disputes, as prepared by the DH-SYSC-IV;
- exchanged views on the results of the 6th meeting of the Drafting Group on the effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV), notably its completion of a draft CDDH report on this issue; considered that, following the adoption of the CDDH Report, the DH-SYSC-IV had fulfilled its mandate;
- exchanged views on the results of the 1st meeting of the Drafting Group on issues relating to judges of the European Court of Human Rights (DH-SYSC-JC), including the appointments of Maria AVERSAÑO (Italy) as Vice-chairperson and of Thibault DUFÉTEL (United Kingdom) and Adrian SCHEIDEGGER (Switzerland) as co-rapporteurs.

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

- held a Workshop on “Implementing Human Rights and Environmental Due Diligence” and exchanged views on its future activities in the field of business and human rights;

- exchanged views on the results of the 14th, 15th and 16th meetings of the CDDH ad hoc negotiation group (“46+1 Group”) on European Union accession to the European Convention on Human Rights;
- exchanged views on the results of the 5th meeting of the Drafting Group on human rights and the environment (CDDH-ENV), including the exchange of views held with independent experts on the need for and feasibility of a further instrument or instruments in this field, and on the Group’s future work on this issue;
- exchanged views on the results of the 2nd meeting of the Drafting Group on human rights in situations of crisis (CDDH-SCR), notably the finalisation of a draft CDDH Report on member States’ practice in relation to derogations from the ECHR in situations of crisis, and on the Group’s future work on a Toolkit for human rights impact assessment of the measures taken by the State in situations of crisis;
- took note of information concerning the Convention on Access to Official Documents (CETS No. 205 - Tromsø Convention) provided by the Secretariat, notably the results of the 1st meeting of the Council of Europe Access Info Group;
- exchanged views with Siobhán O’SULLIVAN, Chairperson of the Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO);
- exchanged views with Claire BAZY MALAURIE, chairperson of the European Commission for Democracy through law (Venice Commission);
- decided to leave to its Bureau the decision on whom to invite to its next meetings;
- took note of the information provided by its representatives in outside activities; appointed Liliya ELENKOVA (Bulgaria) as its representative to the European Commission for the Efficiency of Justice (CEPEJ) and Tim KOLK (Estonia) as its representative to the Committee on Artificial Intelligence (CAI);
- exchanged views on the ongoing work within the Committee on Artificial Intelligence (CAI), notably on the treatment of human rights issues in the “Zero Draft [Framework] Convention” currently under consideration, and gave guidance to its representative to the CAI;
- exchanged views with its Rapporteur on gender equality, Philippe WERY (Belgium), on the evaluations carried out by its subordinate groups of the gender equality aspects of their activities; agreed that in future, it would give preference to the use of the expression “droits humains” where appropriate in the French versions of documents prepared by the CDDH, without excluding the use of the expression “droits de l’homme”;
- exchanged views on the state of signatures and ratifications of the Council of Europe treaties for which the CDDH is responsible;
- took note of the recent publications of the work of the CDDH;
- took note of information regarding the preparations for a Fourth Summit of Head of State and Government of the Council of Europe (Reykjavik, Iceland, 16 – 17 May 2023) and the recent decision of the Ministers’ Deputies’ decision to prepare a new four-year Programme as from 2024, building on the outcome of the Fourth Summit;
- adopted its calendar of meetings during the first semester of 2023 and took note of a provisional calendar of meetings during the second semester of 2023.

Resource implications

The CDDH noted recent changes within its Secretariat, namely the recruitment of Yanna PARNIN as secretary of the CDDH-SCR, and the retirement of Merete BJERREGAARD and Edo KORLJAN.

Evaluation of completed activities

The CDDH welcomed the adoption by the Committee of Ministers, on 27 September 2022, of Recommendation CM/Rec(2022)20 of the Committee of Ministers to member States on human rights and the protection of the environment, of Recommendation CM/Rec(2022)21 of the Committee of Ministers to member States on preventing and combating trafficking in human beings for the purpose of labour exploitation, and of the Guidelines of the Committee of Ministers to member States on the prevention and remedying of violations of the Convention for the protection of human rights and fundamental freedoms.

Appendix I**Agenda**

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. Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)

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

3.1.2 Drafting Group on issues relating to judges of the European Court of Human Rights (DH-SYSC-JC)

3.2 CDDH ad hoc negotiation Group on the EU accession to the ECHR ("46+1 Group")

ITEM 4: ENVIRONMENT AND HUMAN RIGHTS

ITEM 5: HUMAN RIGHTS IN SITUATIONS OF CRISIS

ITEM 6: MEASURES AGAINST HUMAN TRAFFICKING FOR THE PURPOSE OF LABOR EXPLOITATION

ITEM 7: HUMAN RIGHTS AND BUSINESS

ITEM 8: BIOETHICS

ITEM 9: ACCESS TO OFFICIAL DOCUMENTS

ITEM 10: GENDER EQUALITY

ITEM 11: CONVENTIONS

ITEM 12: REPRESENTATIVES IN OUTSIDE ACTIVITIES

ITEM 13: ELECTIONS

ITEM 14: INVITEES

ITEM 15: PUBLICATIONS

ITEM 16: FOURTH SUMMIT

ITEM 17: CALENDAR

ITEM 18: OTHER BUSINESS