



CDDH(2017)05

01/12/2017

**STEERING COMMITTEE FOR HUMAN RIGHTS
CDDH**

88th Plenary meeting

Strasbourg, 5-7 December 2017

**Annotations
on the draft agenda and the draft order of business**

(containing changes suggested by the Bureau at its 98th meeting (21-22 November 2017))

The draft agenda and the meeting documents are available on the website

www.coe.int/t/dghl/standardsetting/cddh

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**PREPARATION OF THE 88TH CDDH MEETING
(5-7 December 2017, *Palais de l'Europe*, room 7)**

1. The Bureau will hold a meeting on Tuesday 5 December from 9:00 until 9:30 in room 3 of the *Palais de l'Europe*.
2. The 88th meeting of the Steering Committee for Human Rights (CDDH) will take place from **Tuesday 5 December (start at 9:30) until Thursday 7 December 2017 (end at 13:00), in room 7 of the *Palais de l'Europe*.**
3. The draft agenda (document CDDH(2017)OJ2) and the draft order of business appear in Appendix I and II below.

SYNOPSIS – Work to be carried out by the CDDH at its 88th meeting (5-7 December 2017)

The CDDH is called:

(1) to take note of four Recommendations of the Parliamentary Assembly and to adopt possible comments on them:

- 2104(2017) – “*Human rights of older persons and their comprehensive care*”;
- 2110(2017) – “*The implementation of judgments of the European Court of Human Rights*”;
- 2115(2017) – “*The use of new genetic technologies in human beings*”;
- 2116(2017) – “*Promoting the human rights of and eliminating discrimination against intersex people*”.

(2) as regards the system of the Convention:

- (i) to examine the on-going work of its Committee of experts on the system of the Convention (DH-SYSC) and to provide possible guidance concerning:
 - the follow-up to be given to the CDDH report on the longer-term future of the system of the Convention:
 - (a) work on the process of selection and election of judges of the European Court of Human Rights (Drafting Group DH-SYSC-I): in particular to examine, in view of its adoption, the revised draft Report on the process of selection and election of judges of the Court prepared by the Group (DH-SYSC-I(2017)020);
 - (b) work on the place of the European Convention on Human Rights in the European and international legal order (Drafting Group DH-SYSC-II);
 - the DH-SYSC exchange of views on the Committee of Ministers’ Recommendation Rec(2010)3 on effective remedies for excessive length of proceedings;
 - the DH-SYSC exchange of views on the state of signatures and ratifications of Protocols Nos. 15 and 16 to the Convention;
 - the organisation of the work to be carried out by the DH-SYSC in 2018-2019 concerning notably the updating of the Committee of Ministers’ Recommendation (2004)4 on the European Convention on Human Rights in university education and professional training;

(ii) to exchange views on the High level expert Conference “2019 and Beyond – Taking Stock and Moving Forward from the Interlaken Process” (Kokkedal, Denmark, 22-24 November 2017);

(3) as regards the development and promotion of Human Rights:

- (i) to examine the on-going work within its Drafting Group on Social Rights (CDDH-SOC) concerning the legal protection of social rights within the Council of Europe and, in particular, to take note of the compilation of national information received in response to a questionnaire by the Secretariat and to exchange views on the preparation of the next meeting;
- (ii) to examine the on-going work within its Drafting Group on Migration and Human Rights (CDDH-MIG) and, in particular, in view of its adoption, the revised draft Analysis of the legal and practical aspects of effective alternatives to detention in the context of migration; to exchange views on the International Conference “*Immigration Detention of Children: Coming to a Close?*” (Prague, 25-26 September 2017);
- (iii) to examine the on-going work within its Drafting Group on freedom of expression and links to other human rights (CDDH-EXP), to take note of the compilation of national information received and to provide possible guidance on the preliminary structure of the draft Guide to good practices on the way of reconciling freedom of expression with other human rights and freedoms, in particular in culturally diverse societies;
- (iv) to examine the on-going work within its Drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST) and to provide possible guidance on the developing of a draft Guide of good practices of implementation of existing national legislation regarding the protection and promotion of the civil-society space and on the possibility of developing a draft non-binding legal instrument which would be accompanied by the Guide of good practices;
- (v) to exchange views on the organisation of the work to be carried out during the next biennium (2018-2019) and, in particular, on the follow-up activities envisaged for (i) human rights and business; (ii) female genital mutilation and forced marriage; (iii) human rights of older persons; (iv) discrimination based on sexual orientation or gender identity; (v) access to public documents;

(4) as regards the bioethics, to examine the on-going work within the Committee on Bioethics (DH-BIO, 24-27 October 2017) and, in this context, to exchange views on the of the Conference “*20th anniversary of the Oviedo Convention*” (Strasbourg, 24-25 October 2017);

(5) to exchange views on the holding of a Workshop on the protection of victims of terrorist acts;

(6) to exchange views with its representatives before other bodies;

(7) to exchange views with its invitee Ms Carlien SCHEELE, Senior Gender Equality Advisor at the Directorate of Human Dignity and Equality, DGII, and with Mr Philippe WERY (Belgium), CDDH Gender Equality Rapporteur for 2017, and to select the persons to be invited at the forthcoming meetings;

(8) to exchange views, notably in light of the information provided by the DH-SYSC, on the conventions for which the CDDH is responsible;

(9) to proceed with elections;

(10) if necessary, to finalise its discussion on the organisation of work to be carried out in 2018-2019 as regards both the system of the Convention and the development and promotion of Human Rights;

(11) to adopt its calendar of meetings and that of its subordinate bodies.

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

3. The Bureau will examine in November the request put forward by the Conference of European Churches (CEC) to participate to the work of CDDH in December on items 4 (*Development and promotion of Human rights*) and 5 (*Bioethics*) of the draft agenda.

ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY

4. Following the decisions of the Ministers' Deputies adopted by at their 1289th (14 June 2017), 1291th (5 July 2017) and 1298th (25 October 2017) meetings, the texts of the following Recommendations of the Parliamentary Assembly have been communicated to the CDDH for information and possible comments: 2104(2017) – *“Human rights of older persons and their comprehensive care”*; 2110(2017) – *“The implementation of judgments of the European Court of Human Rights”*; 2115(2017) – *“The use of new genetic technologies in human beings”*; 2116(2017) – *“Promoting the human rights of and eliminating discrimination against intersex people”*.

5. The document CDDH(2017)06 contains the texts of the Recommendations and the draft comments for their examination by the Bureau in November, then by the CDDH in December, in view of their possible adoption.¹

ITEM 3: SYSTEM OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

6. The Chairperson of the Committee of experts on the system of the European Convention of Human Rights (DH-SYSC), Ms Isabelle NIEDLISPACHER (Belgium), will present to the CDDH the results of the 4th meeting (9-10 November 2017, DH-SYSC(2017)R4). It is recalled that this meeting covered the following items:

- (i) on-going follow-up work to the CDDH report on the longer-term future of the system of the European Convention on Human Rights: (a) the process of selection and election of judges of the European Court of Human Rights (Drafting Group DH-SYSC-I); (b) the place of the European Convention on Human Rights in the European and international legal order (Drafting Group DH-SYSC-II) (see below);
- (ii) comments by the DH-SYSC on the Recommendation of the Parliamentary Assembly 2110(2017) - *“The implementation of judgments of the European Court of Human Rights”*;
- (iii) organisation of work to be carried out during the next biennium (2018-2019), concerning notably (a) the eventual updating of the Committee of Ministers' Recommendation (2004)4 on the European Convention on Human Rights in university education and professional training; (b) the exchanges of views on the Committee of Ministers' Recommendation Rec(2010)3 on effective remedies for excessive length of proceedings; (c) the selection of a new theme in view of an exchange of information on the implementation of the Convention and the execution

¹ In light of possible comments of the CDDH, the Group of Rapporteurs of the Ministers' Deputies on Human Rights (GR-H) will prepare, for adoption by the Deputies, draft replies to the Parliamentary Assembly.

of the Court's judgments, where the Committee chose the theme of *third-party interventions*²;

- (iv) "tour de table" on the state of signatures and ratifications of Protocols Nos. 15 and 16 to the Convention;
- (v) Presentation from Judge of the Court, Mr Linos-Alexandre SICILIANOS (Greece) of his Guide "*Filing an application to the European Court of Human Rights. The procedure in virtue of the ECHR – Practical Guide*". The Committee expressed its interest to include the publication in its work in the manner it deems appropriate.

3.1 Selection and election of judges of the Court (DH-SYSC-I)

7. The Chairperson of the Drafting Group DH-SYSC-I on the follow-up to the CDDH report on the longer-term future of the system of the Convention (*selection and election of judges of the Court*), Mr Vít A. SCHORM (Czech Republic), will present to the CDDH the results of the 4th meeting (18-20 October 2017, DH-SYSC-I(2017)R4)

8. At this meeting, the Group finalised its revised draft report on the process of selection and election of judges of the European Court of Human Rights (DH-SYSC-I(2017)020). This document will be examined by the DH-SYSC in November (see the meeting report DH-SYSC(2017)R4), and then by the CDDH in December, in view of its adoption.

3.2 Place of the European Convention on Human Rights in the European and international legal order (DH-SYSC-II)

9. The Chairperson of the Drafting Group DH-SYSC-II on the follow-up to the CDDH report on the longer-term future of the system of the Convention (*the place of the ECHR in the European and international legal order*), Ms Florence MERLOZ (France), will present to the CDDH the results of the 2nd meeting (20-22 September 2017, DH-SYSC-II(2017)R2).

10. At this meeting, the Group notably (i) developed a general structure of the draft report; (ii) nominated Rapporteurs and Contributors for the three themes³ of the draft report; (iii) examined more in detail theme 1 *the challenge of the interaction between the Convention and other branches of international law, including international customary law* in order to give guidance to the Rapporteurs and Contributors concerned; (iv) identified the Council of Europe bodies and *ad hoc* experts to contact on specific topics; (v) adopted a provisional planning for its work, keeping in mind that the draft report should be finalised during its 7th meeting (September 2019).

3.3 Other work within the DH-SYSC

11. The Chairperson of the DH-SYSC will inform the CDDH of the exchange of views of the Committee of experts on the state of signatures and ratifications of Protocols Nos. 15 and 16 to

² In particular, *who may make third-party interventions; content of observations; procedures for identifying judgments of the European Court of Human Rights justifying a third-party intervention by the member States.*

³(i) *the challenge of the interaction between the Convention and other branches of international law, including international customary law;*
(ii) *the challenge of the interaction between the Convention and other international human rights instruments to which the Council of Europe member States are parties;*
(iii) *the challenge of the interaction between the Convention and the legal order of the EU and other regional organisations.*

the Convention (see Item 10 below) and the suggestion of the Committee of experts for the nomination of its future Chairperson (see Item 11 below).

3.4 High-level Expert Conference “2019 and Beyond – Taking Stock and Moving Forward from the Interlaken Process” (Kokkedal, Denmark, 22-24 November 2017)

12. The results of the High level Expert Conference “2019 and Beyond – Taking Stock and Moving Forward from the Interlaken Process” (Kokkedal, Denmark, 22-24 November 2017) will be presented to the CDDH by the Danish delegation within the Steering Committee. The CDDH is invited to exchange views on this event.

ITEM 4: DEVELOPMENT AND PROMOTION OF HUMAN RIGHTS

4.1 Social rights (CDDH-SOC)

13. The Chairperson of the Drafting Group on social rights (CDDH-SOC), Mr Vít A. SCHORM (Czech Republic) and the Secretariat will inform the CDDH of the preparation of the 2nd meeting, foreseen for spring 2018.⁴

14. It is recalled that at its 87th meeting (6-8 June 2017), the CDDH exchanged preliminary views on the draft report on the legal protection of social rights within the Council of Europe, developed by the Rapporteur of the Group, Ms Chantal GALLANT (Belgium). In order for the draft report to better reflect the various approaches present, the CDDH decided that the text should be divided into two so that proposals for future activities will be removed from the document in question and examined at a later stage.

15. The draft report revised on this basis by the Secretariat, in consultation with the Rapporteur and the Chairperson of the CDDH-SOC, will be transmitted in the beginning of 2018 to participants of the CDDH and the CDDH-SOC in view of the 2nd meeting of the Drafting Group (spring 2018; the CDDH will decide the exact dates in December).

16. The CDDH is called to examine the state of the preparation of the work in view of the next meeting of the CDDH-SOC and in particular to take note of the compilation of national information received in response to a questionnaire by the Secretariat (document CDDH(2017)04).

4.2 Freedom of expression and links to other human rights (CDDH-EXP)

17. The Chairperson of the Drafting Group of the CDDH on freedom of expression and links to other human rights (CDDH-EXP), Mr Hans-Jörg BEHRENS (Germany), will inform the CDDH of the results of the 2nd meeting (27-29 September 2017, CDDH-EXP(2017)R2).

18. At this meeting, the Group (i) exchanged views on the content and the thematic questions to include in the future Guide to good practices on the way of reconciling freedom of expression with other human rights and freedoms, in particular in culturally diverse societies; (ii) elaborated a pre-draft structure for the Guide; (iii) identified the addressees of the Guide; (iv) decided the

⁴ The 2nd CDDH-SOC meeting, initially planned for 6-8 November 2017, had to be postponed to 2018 for budgetary reasons.

method in which to collect the examples of good national practices⁵ and useful details on the manner in which, if appropriate, an internal evaluation of these practices has already been undertaken. For information, the compilation of contributions received will be available at the CDDH meeting in December.

19. The CDDH is called to (i) take note of the compilation of national information received and (ii) give possible guidance on the preliminary structure of the draft Guide to good practices.

4.3 Human rights and migration (CDDH-MIG)

20. The Chairperson of the Drafting Group on Migration and Human Rights (CDDH-MIG), Mr Morten RUUD (Norway) will inform the CDDH of the results of the 3rd meeting (24-26 October 2017, CDDH-MIG(2017)R3).

21. At this meeting, the Group (i) finalised its revised draft Analysis of the legal and practical aspects of effective alternatives to detention in the context of migration (CDDH-MIG(2017)02Rev), which it has transmitted to the CDDH for discussion and adoption in December; (ii) exchanged views on its future work (2018-2019) notably in the light of proposals appearing in paragraphs 275 and 276 of the revised draft Analysis as well as the results of the International Conference “*Immigration Detention of Children: Coming to a Close?*” (Prague, 25-26 September 2017).

22. The Chairperson of the CDDH-MIG and the Secretariat will inform the CDDH of the preparation of the 4th meeting (spring 2018; the CDDH will decide in December the exact dates).

4.4 Civil society and national human rights institutions (CDDH-INST)

23. The Chairperson of the Drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST), Ms Krista OINONEN (Finland) and the Secretariat will inform the CDDH on the preparation of the 3rd meeting (spring 2018; the CDDH will decide in December the exact dates).

24. It is recalled that, after adoption by the CDDH in June 2017 of the report presented by the CDDH-INST (“*Analysis on the impact of current national legislation, policies and practices on the activities of civil society organisations, Human Rights defenders and national institutions for the promotion and protection of Human Rights*”), a questionnaire will be sent in order to collect additional national examples of good practices of implementation of existing national legislation regarding the protection and promotion of the civil-society space (planned deadline for contributions: 15 February 2018).

25. The CDDH is called to (i) provide possible guidance on the preliminary structure of the future Guide of good practices, and (ii) hold a preliminary exchange of views on the future draft non-binding legal instrument to be developed before the end of 2018 and which will be accompanied by the Guide of good practices.

⁵ The CDDH-EXP agreed that the notion of a “good practice” includes legislation, policies, strategies, jurisprudence and jurisprudential developments, administrative practices, projects, training of specialized professionals, collection and analysis of data, awareness-raising measures, etc.

ITEM 5: BIOETHICS

5.1 Committee on bioethics (DH-BIO)

26. The Secretary of the Committee on bioethics (DH-BIO), Ms Laurence LWOFF, will inform the CDDH of the results of the 12th meeting of the Committee (24-27 October 2017, DH-BIO/RAPP12).

27. At this meeting, the Committee notably (i) exchanged views on the results of the Conference « 20th anniversary of the Oviedo Convention: relevance and challenges » (Strasbourg, 24-25 October 2017); (ii) agreed to proceed to the adoption of its draft Guide for the implementation of the principle of prohibition of financial gain by written procedure; (iii) examined the proposals for the revision of the draft Additional Protocol and its draft Explanatory Report on the protection of the human rights and dignity of persons with mental disorders with regard to involuntary placement and involuntary treatment; (iv); examined its working methods and future activities, ; (vi) proceeded to elections of its Chair and Vice-Chair.

28. The CDDH is called to take note of the on-going and future work within the DH-BIO and, in this context, to exchange views on the aforementioned Conference (see below).

5.2 Conference “20th anniversary of the Oviedo Convention” (Strasbourg, 24-25 October 2017)

29. The Chairperson of the CDDH, Ms Brigitte KONZ (Luxembourg) and the Vice-Chairperson of the CDDH, Mr. Hans-Jörg BEHRENS (Germany) will inform the CDDH of the results of the Conference at which they participated representing the Steering Committee.

ITEM 6: VICTIMS OF TERRORIST ACTS

30. The CDDH is called to exchange views on the holding, during the next biennium, of a Workshop on the protection of victims of terrorist acts. The document CDDH(2017)15 contains information and proposals by the Secretariat.

ITEM 7: IMPLEMENTATION OF THE CDDH TERMS OF REFERENCE FOR 2018-2019

7.1 Finalisation of the work undertaken in 2016-2017

31. In light of the terms of reference received from the Committee of Ministers for the biennium 2018-2019 (see [Appendix III](#) below), the CDDH is called to exchange views on the general organisation of work to be carried out, with the understanding that a part of the discussion will have already taken place in the context of items 3 (system of the Convention) and 4 (development and promotion of human rights) above. Document CDDH(2017)07 by the Secretariat will contain information on this issue. In particular, the document will evoke the follow-up activities concerning (i) human rights and business; (ii) female genital mutilation and forced marriage; (iii) human rights for older persons; (iv) discrimination on grounds of sexual orientation or gender identity; (v) promoting access to official documents, provided for by the terms of reference for 2018-2019.

7.2 Human Rights and Business

32. The Secretariat will present the document CDDH(2017)08 which lays out, in broad terms, the project to set up an online Platform to facilitate the exchange [and display] of:

- a) Good practices related to the implementation of Recommendation CM/Rec(2016)3 on Human Rights and Business and;
- b) National Action Plans, including best practice for their development and review, on the implementation of the UN Guiding Principles on Human Rights and Business.

7.3 Preventing and combating female genital mutilation and forced marriage

33. The CDDH was informed at its meeting in June 2017 that an international conference is envisaged for 2018 to facilitate communication and contacts between various actors involved in the fight against FGM and FM and to promote networking between these actors. It is expected that the CDDH takes note of information that will be communicated by the UK authorities, organisers of the event in partnership with the Council of Europe. In light of this information, the CDDH could decide the terms of its contribution to the Conference.

7.4 Human rights of older persons

34. The CDDH is called to exchange views on the most appropriate manner to examine the follow-up to the Recommendation CM (2014)2 on the promotion of human rights of older persons, adopted by the Committee of Ministers on 19 February 2014. The document CDDH(2017)11 contains information and proposals by the Secretariat.

7.5 Combating discrimination on grounds of sexual orientation or gender identity

35. The CDDH is called to exchange views on the most appropriate manner in which it could contribute to the follow-up to the Recommendation CM/Rec(2010)5 *on measures aimed at combating discrimination on grounds of sex or gender identity*, adopted by the Committee of Ministers on 31 March 2010. The document CDDH(2017)12 contains information and proposals by the Secretariat.

7.6 Access to official documents

36. The CDDH is called to exchange views on the issue of right of *access to official documents* and in this context, on the situation of member States regarding the Tromsø Convention of 18 June 2009 (CETS No. 205). The document CDDH(2017)13 contains information and proposals by the Secretariat.

ITEM 8: EXPERTS REPRESENTING THE CDDH IN OTHER BODIES

37. The current list of the representatives of the CDDH before other bodies appears in Appendix IV below. As was decided in December 2016, the CDDH is called to re-examine this list.

ITEM 9: INVITEES

38. The CDDH will exchange views with the *Senior Gender Equality Advisor* at the Directorate of Human Dignity and Equality, Ms Carlien SCHEELE, as well as with the CDDH Gender Equality Rapporteur, Mr Philippe WERY (Belgium).

39. The Bureau will make proposals in November on persons who could be invited to the forthcoming meetings. The CDDH is called to decide upon this.

ITEM 10: REVIEW OF THE COUNCIL OF EUROPE CONVENTIONS

40. This item will be examined within the framework of items 3.3 and 7.6 above.

ITEM 11: ELECTIONS

41. The table reflecting the current state of the mandates appears in Appendix V of this document. The CDDH is called to proceed to elections concerning its Bureau, the Chairperson of its Committee of experts on the system of the European Convention of Human Rights (DH-SYSC) and the Chairpersons of its various Groups: social rights (CDDH-SOC); freedom of expression and links to other human rights (CDDH-EXP); human rights and migration (CDDH-MIG); civil society and national human rights institutions (CDDH-INST). The CDDH is also called to confirm the Chairperson of the Committee on Bioethics (DH-BIO).

42. It is recalled that, at its 4th meeting (9-10 November 2017), the DH-SYSC renewed the terms of reference of its two Drafting Groups on the follow-up to the CDDH report on the longer-term future of the system of the Convention, namely the DH-SYSC-I (*selection and election of judges of the Court*) and the DH-SYSC-II (*the place of the ECHR in the European and international legal order*).

ITEM 12: CALENDAR OF THE MEETINGS

43. The table reflecting the current state of the calendar appears in Appendix VI of this document. The Bureau will in November make proposals for adjustments. The CDDH is called to decide upon this.

APPENDIX I
Draft agenda

	ITEM 1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND ORDER OF BUSINESS
CDDH(2017)05	Annotations on the draft agenda and order of business
CDDH-BU(2017)R98	Report of the 98th Bureau meeting (Copenhagen, 21-22 November 2017)
CDDH(2017)R87	Report of the 87th CDDH meeting (6-9 June 2017)
	ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY
CDDH(2017)06	Texts of the Recommendations and elements for possible comments
	ITEM 3: SYSTEM OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS
DH-SYSC(2017)R4	Report of the 4th DH-SYSC meeting (9-10 November 2017)
DH-SYSC(2016)12Rev	Elements for a possible update of Recommendation Rec(2004)4 of the Committee of Ministers on the European Convention on Human Rights in university education and professional training
	3.1 Selection and election of judges of the Court (DH-SYSC I)
DH-SYSC(2017)R4Add	[Draft] Report on the process of selection and election of judges of the European Court of Human Rights adopted by the DH-SYSC at its 4th meeting (9–10 November 2017)
	3.2 Place of the Convention in the European and international legal order (DH-SYSC II)
DH-SYSC-II(2017)R2	Report of the 2nd meeting of the drafting Group DH-SYSC II (20-22 September 2017)
	3.3 Other work within the DH-SYSC
	3.4 High-level Expert Conference "2019 and Beyond – Taking Stock and Moving Forward from the Interlaken Process" (Kokkedal, Denmark, 22-24 November 2017)
	Concept note and programme
	ITEM 4: DEVELOPMENT AND PROMOTION OF HUMAN RIGHTS
	4.1 Social rights (CDDH-SOC)
CDDH-SOC(2017)R1	Report of the 1st meeting (19-21 April 2017)

CDDH(2017)07	Information from the Secretariat on the state of preparation of the report of the CDDH on the legal protection of the Council of Europe for the protection of social rights
CDDH-SOC(2017)04	Replies to the questionnaire related to the good practices on the implementation of social rights at national level
	4.2 Freedom of expression and links to other human rights (CDDH-EXP)
CDDH-EXP(2017)R2	Report of the 2nd meeting (27-29 September 2017) containing the provisional structure for the Guide of good practice on the way of reconciling freedom of expression with other human rights and freedoms, in particular in culturally diverse societies (see Appendix III)
CDDH-EXP(2017)06	Compilation of good practices received from member States
	4.3 Human Rights and migration (CDDH-MIG)
CDDH-MIG(2017)R3	Report of the 3rd meeting (24-26 October 2017)
CDDH-MIG(2017)02Rev	Draft analysis of the legal and practical aspects of effective alternatives to detention in the context of migration
	4.4 Civil society and national human rights institutions (CDDH-INST)
CDDH-INST(2017)R2	Report of the 2nd meeting (8-10 March 2017)
CDDH-INST(2017)06	Questionnaire to be sent to the CDDH
	ITEM 5: BIOETHICS
	5.1 Committee on bioethics (DH-BIO)
DH-BIO/abr RAP12	Abridged Report of the 12th meeting (24-27 October 2017)
	5.2 Conference "20th anniversary of the Oviedo Convention" (Strasbourg, 24-25 October 2017)
	Programme
	ITEM 6: VICTIMS OF TERRORIST ACTS
CDDH(2017)15	Note by the Secretariat
	ITEM 7: IMPLEMENTATION OF THE CDDH TERMS OF REFERENCE FOR 2018-2019
	7.1 Finalisation of the work undertaken in 2016-2017
CDDH(2017)08	Note by the Secretariat
	7.2 Human Rights and Business

CDDH(2017)09	Note by the Secretariat
	7.3 Preventing and combating female genital mutilation and forced marriage
[CDDH(2017)10]	[Information received by the British Authorities]
	7.4 Rights of older persons
CDDH(2017)11	Note by the Secretariat - possibility of a conference in 2018
	7.5 Combating discrimination on grounds of sexual orientation or gender identity
CDDH(2017)12	Note by the Secretariat
	7.6 Access to official documents
CDDH(2017)13	Note by the Secretariat
	ITEM 8: EXPERTS REPRESENTING THE CDDH IN OTHER BODIES
CDDH(2017)14	Note by the Secretariat
	ITEM 9: INVITEES
	ITEM 10: REVIEW OF THE COUNCIL OF EUROPE CONVENTIONS
CDDH(2017)16	Note by the Secretariat
	ITEM 11: ELECTIONS
CM/Res(2011)24	Resolution on intergovernmental committees and subordinate bodies, their terms of reference and working methods
CDDH(2017)17	Procedure for the elections within the CDDH
	ITEM 12: CALENDAR OF THE MEETINGS
CDDH(2017)05 (Appendix VI)	Annotations on the draft agenda and order of business

APPENDIX II
Draft order of business

TUESDAY 5 December	WEDNESDAY 6 December	THURSDAY 7 December
<i>Bureau meeting 9:00 Palais de l'Europe, room 3</i>		
9:30	9:00	9:30
<p>Plenary meeting, Palais de l'Europe, room 7</p> <p><u>Item 1</u> Opening <u>Item 2</u> PACE Recommendations <u>Item 3</u> DH-SYSC System of the Convention 3.1 DH-SYSC I <i>Selection and election of judges of the Court</i> 3.2 DH-SYSC II <i>Place of the Convention in the European and international legal order</i></p> <hr/> <p>12:15 <u>Item 9</u> Invitees</p>	<p><u>Item 4</u> (continuation) 4.2 CDDH-EXP <i>Freedom of expression and links to other human rights</i> 4.3 CDDH-MIG <i>Human Rights and migration</i></p> <hr/> <p>11:15 <u>Item 11</u> Elections</p> <hr/> <p>12:15 <u>Item 6</u> Victims of terrorist acts <u>Item 7</u> CDDH Terms of reference for 2018-2019 7.1 Finalisation of the on-going work</p>	<p>Presentation of the CDDH Web site</p> <p><u>Item 5 : Bioethics</u>⁶ 5.1 DH-BIO Committee on Bioethics 5.2 <i>Conference on the Oviedo Convention (24-25 October 2017)</i></p> <p><u>Item 8</u> Experts in other bodies</p> <p><u>Item 10</u> Council of Europe's Conventions</p> <p><u>Item 12</u> Calendar of meetings calendar</p> <p>Adoption of the meeting conclusions</p>
13:00 <i>Lunch break</i>	13:00 <i>Lunch break</i>	13:00 <i>End of the meeting</i>
14:30	14:30	
<p><u>Item 3</u> (continuation) 3.3 Other work within the DH-SYSC 3.4 <i>Denmark Conference (22-24 November 2017)</i></p> <p><u>Item 4</u> Development and promotion of Human Rights 4.4 CDDH-INST <i>Civil society and national human rights institutions</i> 4.1 CDDH-SOC <i>Social Rights</i></p>	<p><u>Item 7</u> (follow-up) 7.2 Human rights and business 7.3 Female mutilation and forced marriage 7.4 Rights of older persons 7.5 Discrimination on grounds of sexual orientation or gender identity 7.6 Access to official documents</p>	
<p>17:45 <i>End of session</i></p> <p>18:15-20:15 <i>Reception at the Permanent Representation of Luxembourg to the Council of Europe</i></p>	18:00 <i>End of session</i>	

⁶ Due to the unavailability of the Secretary of the DH-BIO on 6 December, date initially foreseen.

APPENDIX III

Terms of reference 2018-2019 for the CDDH, the DH-SYSC and the DH-BIO

Steering Committee for Human Rights (CDDH)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with *Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods*.

Type of committee: Steering Committee

Terms of reference valid from: **1 January 2018 until 31 December 2019**

<p>PILLAR/SECTOR/PROGRAMME</p> <p>Pillar: Human Rights Sector: Protecting Human Rights / Promoting Human Rights and dignity Programme: Effectiveness of the ECHR System at national and European level / Bioethics</p>
<p>MAIN TASKS</p> <p>Under the authority of the Committee of Ministers, and bearing in mind the Council of Europe legal standards as well as the relevant jurisprudence of the European Court of Human Rights, the CDDH will conduct the intergovernmental work of the Council of Europe in the human rights field and will advise and give its legal expertise to the Committee of Ministers on all questions within its field of competence. In particular, the CDDH will:</p> <ul style="list-style-type: none"> (i) work on the protection, development and promotion of human rights in Europe to: <ul style="list-style-type: none"> (a) contribute to enhancing the protection of human rights by improving the effectiveness of the control mechanism of the European Convention on Human Rights and the implementation of the Convention at national and European levels, this work being a permanent priority for the CDDH; (b) provide effective responses at the normative and general policy levels to the challenges posed to human rights in European societies; (ii) follow the implementation of the non-binding instruments that it has prepared as well as conventions for which it has been given supervision by the Committee of Ministers; (iii) advise other bodies of the Organisation to ensure that their activities concerning human rights duly reflect the requirements of the Convention and the case-law of the Court; (iv) contribute to co-operation and support activities to national initiatives in the field of the protection, development and promotion of human rights; (v) without prejudice to the missions of intergovernmental committees of the Council of Europe that already follow the work of monitoring mechanisms, follow the activities of the relevant monitoring and other bodies protecting human rights; (vi) where necessary, co-ordinate transversal intergovernmental activities in the field of human rights including bioethics; (vii) take due account of a gender perspective and to building cohesive societies in the performance of its tasks; (viii) in accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind its priorities, an examination of some or all of the conventions for which it has been given responsibility,⁷ in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers.
<p>SPECIFIC TASKS</p> <p>1. Protection of human rights Oversee the work of the Committee of experts on the reform of the Court (DH-SYSC) (see DH-SYSC terms of reference).</p> <p>2. Development and promotion of human rights If necessary, and to avoid any duplication, appropriate co-ordination and co-operation with relevant</p>

⁷ Cf. Relevant decision of the Committee of Ministers ([CM/Del/Dec\(2013\)1168/10.2](#)) and list of Conventions in [CM\(2017\)132](#).

conventional and monitoring bodies and other Council of Europe bodies involved is to be ensured.

Social rights

On the basis of the analysis of the legal framework of the Council of Europe for the protection of social rights in Europe, identify good practices and make, as appropriate, proposals with a view to improving the implementation of social rights and to facilitate in particular the relationship between the Council of Europe instruments with other instruments for the protection of social rights (deadline: 31 December 2019).

Links between freedom of expression and other human rights and freedoms

On the basis of work conducted in 2016-2017 and the evolving case-law of the European Court of Human Rights, and in close co-operation in particular with CDMSI and ECRI, prepare if appropriate a draft non-binding instrument (e.g. guidelines, guide to good practices, recommendation) on the way of reconciling freedom of expression and other human rights and freedoms, in particular in culturally diverse societies (deadline: 31 December 2019).

Migration

On the basis of work conducted in 2016-2017, prepare one or more draft non-binding instruments of the Committee of Ministers (for example a recommendation, guidelines, good practice handbooks) concerning human rights issues in the context of migration, in particular effective alternatives to detention of migrants and asylum seekers (deadline: 31 December 2019).

Civil Society, Human Rights Defenders and National Human Rights Institutions

- (i) On the basis of work conducted in 2016-2017, prepare a draft non-binding instrument of the Committee of Ministers and a guide of good practice with the aim that member States, through their legislation, policies and practices, effectively protect and promote the civil society space (activities of organisations of the civil society, human rights defenders and national institutions for the promotion and protection of human rights) (deadline: 31 December 2018).
- (ii) In particular, proceed to the revision of Recommendation No R(97)14 of the Committee of Ministers to member States on the establishment of independent national institutions for the promotion and protection of human rights (deadline: 31 December 2019).

Dissemination and awareness-raising

Organise, if needed, thematic debates on the following items (deadline: 31 December 2019):

- (i) follow-up given by states to Recommendation CM(2014)2 of the Committee of Ministers to member States on the promotion of human rights of older persons;
- (ii) follow-up given by states to Recommendation CM/Rec(2010)5 of the Committee of Ministers to member States on measures to combat discrimination on grounds of sexual orientation or gender identity;⁸
- (iii) situation in member States in respect of the right of access to official documents, in particular concerning signatures and ratifications of the 2009 Tromsø Convention (CETS No. 205);
- (iv) contribution to work which may be conducted by other bodies of the Council of Europe (e.g. GEC, GREVIO, GRETA, CAHENF and CDPC) to combat female genital mutilation and forced marriage.

Bioethics

Oversee from the human rights perspective the intergovernmental work in the field of bioethics (see terms of reference of the DH-BIO).

COMPOSITION

Members

⁸ Several delegations made declarations upon adoption of this Recommendation at the Deputies' 1081st meeting (31 March 2010).

Governments of member States are invited to designate one or more representatives of the highest possible rank in the field of human rights.

The Council of Europe will bear the travel and subsistence expenses of one representative from each member State (two in the case of the State whose representative has been elected Chair).

Each member of the committee shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.

In accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.

Participants

The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly of the Council of Europe;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send representatives, without the right to vote and without defrayal of expenses:

- European Union (one or more representatives, including, as appropriate, the European Union Agency for Fundamental Rights (FRA));
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- Representatives of other international organisations (Organisation for Security and Co-operation in Europe (OSCE) / Office for Democratic Institutions and Human Rights (ODIHR), Office of the United Nations High Commissioner for Human Rights).

Observers

The following may send representatives, without the right to vote and without defrayal of expenses:

- Belarus;
- Non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities;
- European Network of National Human Rights Institutions (ENNHRI);
- Non-governmental organisations (Amnesty International, International Commission of Jurists (ICJ), European Trade Union Confederation (ETUC), International Federation of Human Rights (FIDH), European Roma⁹ and Travellers Forum).

⁹ The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "*Gens du voyage*", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

WORKING METHODS
<p>Plenary meetings 48 members, 2 meetings in 2018, 4 days 48 members, 2 meetings in 2019, 4 days</p> <p>Bureau 8 members, 2 meetings in 2018, 2 days 8 members, 2 meetings in 2019, 2 days</p> <p>The Committee will also appoint a Gender Equality Rapporteur from amongst its members.</p> <p>The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.</p> <p>Subject to the agenda, the Chairs of the subordinate structures to the CDDH may be invited to attend CDDH Bureau and/or plenary meetings.</p>
SUBORDINATE STRUCTURE(S) TO THE CDDH
<p>The CDDH has a coordinating, supervising and monitoring role in the functioning of its subordinate bodies:</p> <ul style="list-style-type: none"> - Committee of experts on the system of the European Convention on human rights (DH-SYSC) (see separate terms of reference) and Drafting Groups; - Committee on Bioethics (DH-BIO) (see separate terms of reference).

APPENDIX 1 - RELEVANT DECISION OF THE COMMITTEE OF MINISTERS AND LIST OF CONVENTIONS

CM/Del/Dec(2013)1168/10.2 (Review of Council of Europe conventions)

9. [The Deputies] instructed the steering and ad hoc committees to carry out, at regular intervals, within the limits of the available resources and bearing in mind the priorities of each committee, an examination of some or all of the conventions for which they have been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, in order to:
- propose ways of improving the visibility, impact and efficiency of some or all of the conventions for which they have been given responsibility;
 - draw the attention of member States to the relevant conventions;
 - where necessary, identify any operational problems or obstacles to ratification of the relevant conventions, and draw the attention of member States to reservations which impact substantively on the effectiveness of their implementation;
 - encourage States to regularly examine the possibility and/or desirability of becoming a Party to new Council of Europe conventions;
 - assess the necessity or advisability of drafting amendments or additional protocols to the conventions for which they have been given responsibility or drafting supplementary conventions;
 - and to report back to the Committee of Ministers.

CDDH	
5	Convention for the Protection of Human Rights and Fundamental Freedoms
9	Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms
12	European Interim Agreement on Social Security Schemes Relating to Old Age, Invalidity and Survivors
13	European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors
14	European Convention on Social and Medical Assistance

CDDH	
20	Agreement on the Exchange of War Cripples between Member Countries of the Council of Europe with a view to Medical Treatment
35	European Social Charter
40	Agreement between the Member States of the Council of Europe on the issue to Military and Civilian War-Disabled of an International Book of Vouchers for the repair of Prosthetic and Orthopaedic Appliances
46	Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto
48	European Code of Social Security
67	European Agreement relating to Persons participating in Proceedings of the European Commission and Court of Human Rights
68	European Agreement on Au Pair Placement
78	European Convention on Social Security
078A	Supplementary Agreement for the Application of the European Convention on Social Security
83	European Convention on the Social Protection of Farmers
93	European Convention on the Legal Status of Migrant Workers
114	Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty
117	Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms
126	European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
139	European Code of Social Security (Revised)
142	Protocol amending the European Social Charter
148	European Charter for Regional or Minority Languages
154	Protocol to the European Convention on Social Security
157	Framework Convention for the Protection of National Minorities
158	Additional Protocol to the European Social Charter Providing for a System of Collective Complaints
161	European Agreement relating to persons participating in proceedings of the European Court of Human Rights
163	European Social Charter (revised)
164	Convention for the protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine
168	Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings
177	Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms
186	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin
187	Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances
195	Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research
197	Council of Europe Convention on Action against Trafficking in Human Beings

CDDH	
203	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Genetic Testing for Health Purposes
205	Council of Europe Convention on Access to Official Documents
210	Council of Europe Convention on preventing and combating violence against women and domestic violence
213	Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms
214	Protocol No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms

Committee of experts on the system of the European Convention on human rights (DH-SYSC)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution [CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods

Type of committee: Subordinate body

Terms of reference valid from: **1 January 2018 until 31 December 2019**

PILLAR/SECTOR/PROGRAMME
<p>Pillar: Human Rights Sector: Protecting Human Rights Programme: Effectiveness of the ECHR System at national and European level</p>
MAIN TASKS
<p>Under the supervision of the Steering Committee for Human Rights (CDDH), the DH-SYSC will conduct the intergovernmental work intended to enhance the protection of human rights by improving the effectiveness of the system of the European Convention on Human Rights and the implementation of the Convention at national level, as assigned by the Committee of Ministers to the Steering Committee.</p>
SPECIFIC TASKS
<ul style="list-style-type: none"> (i) Concerning the place of the European Convention on Human Rights in the European and international legal order, as well as the related challenges, prepare a draft report for the Committee of Ministers containing conclusions and possible proposals for action (deadline: 31 December 2019). (ii) Concerning the authority of the Court and its case-law: follow-up to the decisions that may be taken by the Committee of Ministers further to the submission, in December 2017, of the CDDH report on the process of selection and election of the judges at the European Court of Human Rights with a view to improving the current system (deadline: 31 December 2019). (iii) In light of the results achieved in the framework of the above-mentioned activities, contribute to the evaluation set out by the Interlaken Declaration, before the end of 2019, with a view to formulating proposals to the Committee of Ministers as to whether the measures adopted so far have proven to be sufficient to ensure sustainable functioning of the system of the Convention or whether more profound changes are necessary (deadline: 31 December 2019). (iv) Concerning the implementation of the Convention and execution of the Court's judgments: ensure that information is exchanged regularly - in order to assist member States in developing their domestic capacities and facilitate their access to relevant information (see paragraph 29 (a) i) of the Brighton Declaration and paragraph C. 1. g) of the Brussels Declaration); to this end, consider the different means to promote quicker exchange of information and experiences, to reinforce the status of the government agents, of the co-ordinators (c.f. para. 1 CM/Rec(2008)2), and to provide sufficient means to the state authorities involved in the functioning of the Convention and in the process of the execution of judgments. (v) Concerning university education and professional training in human rights, update Recommendation Rec(2004)4 in light of important developments taken place over more than 10 years in the field in the 47 member States of the Council of Europe, notably as a result of the European Programme for Human Rights Education for Legal Professionals (HELP) of the Council of Europe (deadline: 31 December 2019). (vi) Concerning effective remedies for excessive length of proceedings, update the accompanying Guide to Good Practice to Recommendation CM/Rec(2010)3 (deadline: 31 December 2019).

COMPOSITION

Members:

Governments of member States are invited to designate one or more representatives of the highest possible rank in the field of human rights.

The Council of Europe will bear the travel and subsistence expenses of one representative from each member State (two in the case of the State whose representative has been elected Chair).

Each member of the committee shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.

Participants:

The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly of the Council of Europe;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- HELP Network Consultative Board;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send representatives, without the right to vote and without defrayal of expenses:

- European Union (one or more representatives, including, as appropriate, the European Union Agency for Fundamental Rights (FRA));
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- representatives of other international organisations (Organisation for Security and Co-operation in Europe (OSCE) / Office for Democratic Institutions and Human Rights (ODIHR), Office of the United Nations High Commissioner for Human Rights, Office of the United Nations High Commissioner for Refugees).

Observers:

The following may send representatives, without the right to vote and without defrayal of expenses:

- Belarus;
- Non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities;
- Non-governmental organisations (Amnesty International, European Trade Unions Confederation (ETUC), International Commission of Jurists (ICJ), International Federation of Human Rights (FIDH), European Roma¹⁰ and Travellers Forum, Open Society Justice Initiative (OSJI)), as well as the European Network of National Human Rights Institutions (ENNHRI).

WORKING METHODS

Plenary meetings:

48 members, 1 meeting in 2018, 3 days

48 members, 2 meetings in 2019, 3 days

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution [CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

¹⁰ The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "*Gens du voyage*", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

Committee on Bioethics (DH-BIO)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution [CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods

Type of committee: Subordinate body

Terms of reference valid from: **1 January 2018 until 31 December 2019**

<p>PILLAR/SECTOR/PROGRAMME</p> <p>Pillar: Human Rights Sector: Promoting Human Rights and Dignity Programme: Bioethics</p>
<p>MAIN TASKS</p> <p>Under the authority of the Committee of Ministers, the DH-BIO shall carry out the tasks assigned to the Steering Committee on Bioethics (CDBI) by the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine.</p> <p>Under the supervision of the Steering Committee for Human Rights (CDDH), the DH-BIO will conduct intergovernmental work on the protection of human rights in the field of biomedicine assigned to it by the Committee of Ministers. The DH-BIO will in particular:</p> <ul style="list-style-type: none"> (i) conduct regular re-examinations foreseen in the Convention and its Additional Protocols; (ii) develop further the principles laid down in the Convention on Human Rights and Biomedicine, as appropriate, also in the light of the relevant case-law of the ECHR; (iii) contribute to raising awareness and facilitating the implementation of these principles; (iv) assess ethical and legal challenges raised by developments in the biomedical field; (v) co-operate with the European Union and relevant intergovernmental bodies, in particular with a view to promoting consistency between the normative texts; (vi) in accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind its priorities, an examination of some or all of the conventions¹¹ for which it has been given responsibility and report back to the Committee of Ministers.
<p>SPECIFIC TASKS</p> <ul style="list-style-type: none"> (i) A draft Additional Protocol on the protection of human rights and dignity of persons with mental disorders with regard to involuntary placement and involuntary treatment is finalised. (ii) On the basis of the results of the international conference organised on the occasion of the 20th anniversary of the Oviedo Convention, a draft Strategic Action Plan on human rights and technologies is finalised. (iii) A training course on essential principles for the protection of human rights in the biomedical field intended for legal and health professionals is launched in the framework of the HELP programme. (iv) A round table is organised, in co-operation with the Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data (T-PD), on the challenges for human rights raised by developments in the field of genetics, including for children's rights. (v) Subject to the results of the international conference organised on the occasion of the 20th anniversary of the Oviedo Convention, draft guidelines for the promotion of public debate on human rights challenges raised by developments in science and technologies are developed.
<p>COMPOSITION</p> <p>Members:</p> <p>Governments of the member States are invited to designate one or more representatives of the highest possible rank, with appropriate expertise in the various aspects of bioethics, including in relation to emerging technologies, and able to consider these from a human rights perspective.</p> <p>The Council of Europe will bear the travel and subsistence expenses of one representative from each member State (two in the case of the State whose representative has been elected Chair).</p> <p>Each member of the committee shall have one vote. Where a government designates more than one</p>

¹¹ Cf. Relevant decision of the Committee of Ministers ([CM/Del/Dec\(2013\)1168/10.2](#)) and list of Conventions in [CM\(2017\)132](#).

member, only one of them is entitled to take part in the voting.

In accordance with decisions [CM/Del/Dec\(2013\)1168/10.2](#) of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.

Participants:

The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly of the Council of Europe;
- Consultative Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (T-PD), Committee (Partial Agreement) on Transplantation of Organs and Tissues (CD-P-TO) and Committee (Partial Agreement) on Blood Transfusion (CD-P-TS);¹²
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send representatives, without the right to vote and without defrayal of expenses:

- European Union;
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- Other international organisations: European Science Foundation (ESF), OECD, UNESCO and WHO.

Observers:

The following may send representatives, without the right to vote and without defrayal of expenses:

- Australia, Israel;
- the Conference of European Churches (KEK);
- other non-governmental organisations, including professional organisations, which could be invited by the DH-BIO to attend specific meetings of the DH-BIO in accordance with [CM/Res\(2011\)24](#).

WORKING METHODS

Meetings:

48 members, 2 meetings in 2018, 4 days

48 members, 2 meetings in 2019, 4 days

Bureau

7 members, 2 meetings in 2018, 2 days

7 members, 2 meetings in 2019, 2 days

The Chair or Vice-Chair of DH-BIO may be invited to attend the meetings of the CDDH and its Bureau in order to inform on progress with its work.

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution [CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

APPENDIX 1 - RELEVANT DECISION OF THE COMMITTEE OF MINISTERS AND LIST OF CONVENTIONS

CM/Del/Dec(2013)1168/10.2 (Review of Council of Europe conventions)

9. [The Deputies] instructed the steering and ad hoc committees to carry out, at regular intervals, within the limits of the available resources and bearing in mind the priorities of each committee, an examination of some or all of the conventions for which they have been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, in order to:

¹² European Directorate for the Quality of Medicines and Healthcare.

- propose ways of improving the visibility, impact and efficiency of some or all of the conventions for which they have been given responsibility;
- draw the attention of member States to the relevant conventions;
- where necessary, identify any operational problems or obstacles to ratification of the relevant conventions, and draw the attention of member States to reservations which impact substantively on the effectiveness of their implementation;
- encourage States to regularly examine the possibility and/or desirability of becoming a Party to new Council of Europe conventions;
- assess the necessity or advisability of drafting amendments or additional protocols to the conventions for which they have been given responsibility or drafting supplementary conventions;
- and to report back to the Committee of Ministers.

DH-BIO	
164	Convention for the protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine
168	Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings
186	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin
195	Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research
203	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Genetic Testing for Health Purposes

APPENDIX IV
Experts representing the CDDH in other bodies¹³
[Focal points of the CDDH in other bodies]¹⁴

*Situation further to the decisions taken by the CDDH
at its 86th and 87th meetings (6-8 December 2016; 6-9 June 2017)
For re-examination by the CDDH at its 88th meeting (5-7 December 2017)*¹⁵

1. Committee on Bioethics (DH-BIO): Ms Brigitte KONZ (Luxembourg)
2. Commission for Democracy through Law (Venice Commission): Ms Brigitte OHMS (Austria)
3. European Commission for the Efficiency of Justice (CEPEJ): Mr Vít A. SCHORM (Czech Republic)
4. Committee of Legal Advisers on Public International Law (CAHDI): [...]
5. European Committee on Legal Co-operation (CDCJ): Ms Maria de Fátima GRAÇA CARVALHO (Portugal)
6. Steering Committee on Media and Information Society (CDMSI): Ms Kristine LICE (Latvia)
7. Ad hoc Committee of experts on Roma and Traveller Issues (CAHROM): Ms Svetlana GELEVA ("The former Yugoslav Republic of Macedonia")
8. European Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data (T-PD): Ms Brigitte OHMS (Austria)
9. Committee of Experts on Terrorism (CODEXTER): Mr Chanaka WICKREMasinghe (United Kingdom)
10. Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse ("the Lanzarote Committee"): Mr Joan FORNER ROVIRA (Andorra)
11. United Nations Forum on Human Rights and Business: Prof. René LEFEBER (Netherlands)
12. European Social Cohesion Platform (PECS): Ms Chantal GALLANT (Belgium)
13. Ad hoc Committee for the Rights of the Child (CAHENF) : M. Frank SCHÜRMAN (Switzerland)
14. European Committee on Democracy and Governance (CDDG) : Ms Krista OINONEN (Finland)
15. Mr Philippe WERY (Belgium) is the CDDH Gender Equality Rapporteur for 2017
16. Ms Svetlana GELEVA ("The former Yugoslav republic of Macedonia") is the CDDH Rapporteur on Roma and Traveller Issues

¹³ This list will be revised at the end of the current biennium, at the 88th CDDH meeting (5-7 December 2017).

¹⁴ Suggestion of the Bureau in November 2017.

¹⁵ The CDDH decided that the list will be revised at the end of each biennium.

APPENDIX V
Composition of the Bureau, chairs and rapporteurs

BUREAU OF THE CDDH	END OF THE MANDATE	REFERENCES
Ms Brigitte KONZ (Luxembourg), Chair	31 December 2017 (elected for 1 year not renewable)	86 th meeting of the CDDH (December 2016)
Mr Hans-Jörg BEHRENS (Germany), Vice-Chair	31 December 2017 (elected for 1 year not renewable)	86 th meeting of the CDDH (December 2016)
Mr Rob LINHAM (United Kingdom), Member	31 December 2018 (elected for 2 years not renewable)	86 th meeting of the CDDH (December 2016)
Mr Morten RUUD (Norway), Member	31 December 2018 (elected for 2 years not renewable)	86 th meeting of the CDDH (December 2016)
Mr Joan FORNER ROVIRA (Andorra), Member	31 December 2018 (elected for 2 years not renewable)	86 th meeting of the CDDH (December 2016)
Ms Brigitte OHMS (Austria), Member	31 December 2017 (elected for 2 years not renewable)	84 th meeting of the CDDH (December 2015)
Ms Kristine LICE (Latvia), Member	31 December 2017 (elected for 2 years renewable once)	84 th meeting of the CDDH (December 2015)
Ms Zinovia STAVRIDIS (Greece), Member	31 December 2017 (elected for 2 years renewable once)	84 th meeting of the CDDH (December 2015)
CHAIRS¹⁶		
DH-BIO Ms Beatrice IOAN (Romania), Chair	31 December 2018 (elected for 1 year non-renewable)	12 th meeting of the DH-BIO (October 2017) [88 th meeting of the CDDH (December 2017)]
DH-SYSC Ms Isabelle NIEDLISPACHER (Belgium), Chair	31 December 2017 (elected for 1 year not renewable)	86 th meeting of the CDDH (December 2016)
CDDH-SOC Mr Vít A. SCHORM (Czech Republic), Chair	31 December 2017	85 th meeting of the CDDH (June 2016)
CDDH-MF Mr Rob LINHAM (United Kingdom), Chair	31 December 2017	86 th meeting of the CDDH (December 2016)

¹⁶ The CDDH-MF has ended its work

CDDH-EXP Mr Hans-Jörg BEHRENS (Germany), Chair	31 December 2017	85 th meeting of the CDDH (June 2016)	
CDDH-MIG Mr Morten RUUD (Norway), Chair	31 December 2017	85 th meeting of the CDDH (June 2016)	
CDDH-INST Ms Krista OINONEN (Finland), Chair	31 December 2017	86 th meeting of the CDDH (December 2016)	
RAPPORTEURS¹⁷			
CDDH-SOC Ms Chantal GALLANT (Belgium)	31 December 2017	84 th meeting of the CDDH (December 2015)	
CDDH-MF Mr Rob LINHAM (United Kingdom)	31 December 2017	86 th meeting of the CDDH (December 2016)	
CDDH-EXP Ms Kristine LICE (Latvia)	31 December 2017	84 th meeting of the CDDH (December 2015)	
CDDH-MIG Mr Frank SCHÜRMAN (Switzerland)	31 December 2017	84 th meeting of the CDDH (December 2015)	
CDDH-INST Ms Krista OINONEN (Finland)	31 December 2017	86 th meeting of the CDDH (December 2016)	
DRAFTING GROUPS			
CDDH-SOC	CDDH-EXP¹⁸	CDDH-MIG	CDDH-INST
Austria	Azerbaijan	Armenia	Armenia
Belgium	Estonia	Bulgaria	Azerbaijan
Czech Republic	France	Czech Republic	Finland
Greece	Hungary	Greece	Ireland
Italy	Republic of Moldova	Iceland	Montenegro
Republic of Moldova	Montenegro	Italy	the Netherlands
Poland	Russian Federation	Latvia	Russian Federation
Portugal	"The former Yugoslav Republic of Macedonia"	Norway	Slovenia
Russian Federation	Turkey	Spain	Spain
Slovenia	United Kingdom	Turkey	"The former Yugoslav Republic of Macedonia"

¹⁷ The Rapporteur of the CDDH-SOC is now part of the Secretariat of the Council of Europe (Department for the execution of judgments) and has ended her work as a Rapporteur. The CDDH-MD finalised its work. The Rapporteur and Chair of the CDDH-INST has terminated her work as a Rapporteur.

¹⁸ Chair: Germany. The expenses of the Chair will be covered by the budget of the Council of Europe.

APPENDIX VI
Draft calendar of meetings of the CDDH and its subordinate bodies

(with the suggestions of the Bureau in November 2017)

Reminder: 2nd semester 2017	
2 nd meeting of the DH-SYSC Drafting Group II on the follow-up to the CDDH report on the longer-term future of the Convention (DH-SYSC-II)	20-22 September
<i>International Conference "Immigration Detention of Children: Coming to a Close?"</i>	<i>Prague, 25-26 September</i>
2 nd meeting of the CDDH Drafting Group on freedom of expression and links to other human rights (CDDH-EXP)	27-29 September
<i>Informal meeting of the Agents of Government before the European Court of Human Rights</i>	<i>Prague, 13 October</i>
4 th meeting of the DH-SYSC Drafting Group I on the Follow-up to the CDDH report on the longer-term future of the Convention (DH-SYSC-I)	18-20 October
3 rd meeting of the CDDH Drafting Group on human rights and migration (CDDH-MIG)	24-26 October
12 th meeting of the Committee on Bioethics (DH-BIO) (with the international conference "20 th anniversary of the Oviedo Convention - relevance and challenges")	24-27 October
4 th meeting of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)	9-10 November
98 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	Copenhagen 21-22 (morning) November
<i>High-level expert Conference "2019 and beyond - taking stock and moving forward from the Interlaken process"</i>	<i>Copenhagen 22 (afternoon)-24 November</i>
Meeting of the Agents of the Government with the Court	4 December
88 th meeting of the Steering Committee for Human Rights (CDDH)	5-7 December

2018	
5 th meeting of the DH-SYSC Drafting Group I on the Follow-up to the CDDH report on the longer term future of the Convention (DH-SYSC-I)	24-26 January
2 nd meeting of the CDDH Drafting Group on social rights (CDDH-SOC)	14-16 March
3 rd meeting of the drafting Group on Civil Society and national human rights institutions (CDDH-INST)	21-23 March
4 th meeting of the drafting Group on Human Rights and Migration (CDDH-MIG)	7-9 February End of March
3 rd meeting of the DH-SYSC Drafting Group on the place of the ECHR in the European and international legal order (DH-SYSC-II)	3-5 April
<i>High-level Conference under the Danish chairmanship of the Committee of Ministers concerning the future of the ECHR system</i>	Copenhagen, 11-13 April
3 rd meeting of the CDDH Drafting Group on freedom of expression and links to other human rights (CDDH-EXP)	21-23 February] 18-20 April
99 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	Andorra la Vella 17-18 May
13 th meeting of the Committee on Bioethics (DH-BIO)	29 May-1 June 22-25 May
89 th meeting of the Steering Committee for Human Rights (CDDH) and Workshop [under the Croatian Chairmanship of the Committee of Ministers] on the promotion of human rights of older persons	19-22 June 21 June (afternoon)
3 rd meeting of the CDDH Drafting Group on social rights (CDDH-SOC)	26-28 September 5-7 September
4 th meeting of the drafting Group on Civil Society and national human rights institutions (CDDH-INST)	19-21 September
4 th meeting of the DH-SYSC Drafting Group II on the follow-up to the CDDH report on the longer-term future of the Convention (DH-SYSC-II)	25-28 September
4 th meeting of the CDDH Drafting Group on freedom of expression and links to other human rights (CDDH-EXP)	3-5 October
5 th meeting of the drafting Group on Human Rights and Migration (CDDH-MIG)	17-19 October
5 th meeting of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)	24-26 October [25-26 October]

100 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	8-9 November
90 th meeting of the Steering Committee for Human Rights (CDDH) [and Workshop on the protection of victims of terrorist acts]	4-7 December 27-30 November [29 November (afternoon)]
2019	

The number of meetings in 2019 will be similar to that in 2018. The dates will be decided by the CDDH at its meeting in December 2017.

6 th meeting of the drafting Group on Human Rights and Migration (CDDH-MIG)	February
5 th meeting of the drafting Group on Civil Society and national human rights institutions (CDDH-INST)	February
5 th meeting of the DH-SYSC Drafting Group on the place of the ECHR in the European and international (DH-SYSC-II)	March
4 th meeting of the CDDH Drafting Group on social rights (CDDH-SOC)	April
5 th meeting of the CDDH Drafting Group on freedom of expression and links to other human rights (CDDH-EXP)	April
101 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	May
6 th meeting of the DH-SYSC Drafting Group II on the follow-up to the CDDH report on the longer-term future of the Convention (DH-SYSC-II)	May
14 th meeting of the Committee on Bioethics (DH-BIO)	May
91 th meeting of the Steering Committee for Human Rights (CDDH) [and Workshop/Conference on non-discrimination on grounds of sex or gender identity or Workshop on the protection of victims of terrorist acts or Workshop on access to official documents]	June
7 th meeting of the DH-SYSC Drafting Group II on the follow-up to the CDDH report on the longer-term future of the Convention (DH-SYSC-II)	September
5 th meeting of the CDDH Drafting Group on social rights (CDDH-SOC)	September
6 th meeting of the drafting Group on Civil Society and national human rights institutions (CDDH-INST)	September

7 th meeting of the drafting Group on Human Rights and Migration (CDDH-MIG)	October
6 th meeting of the CDDH Drafting Group on freedom of expression and links to other human rights (CDDH-EXP)	October
6 th meeting of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)	October
102 nd meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	November
92 nd meeting of the Steering Committee for Human Rights (CDDH) [and Workshop/Conference on non-discrimination on grounds of sex or gender identity or Workshop on the protection of victims of terrorist acts or Workshop on access to official documents]	December