

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 20 May 2022

CDCJ-MIG(2022)01

EUROPEAN COMMITTEE ON LEGAL CO-OPERATION

(CDCJ)

CDCJ WORKING GROUP ON MIGRATION (CDCJ-MIG)

Working methods and workplan

CDCJ-MIG: WORKING METHODS AND WORKPLAN

Note by the secretariat

This document was prepared by the CDCJ secretariat.

At its 1st meeting on 19-20 May 2022, the CDCJ-MIG reviewed and approved the working methods and workplan below.

Role and specific task

1. In line with [Resolution CM/Res\(2021\)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods](#) (applicable as of 1 January 2022), and article 14 (b)¹ of Appendix I, the limited working group of CDCJ on migration (CDCJ-MIG) has been established to assist the CDCJ in its mandate related to the elaboration of a Guide for practitioners on administrative detention of migrants to support the implementation of existing standards in this field (deliverable 8 of its terms of reference).
2. The CDCJ-MIG will support the work of the CDCJ by :
 - a) Finalising, for examination and adoption by the CDCJ in December 2022, the draft Guide for practitioners, taking into account the work previously carried out by the Committee of experts on administrative detention of migrants (CJ-DAM) and any relevant legal developments since then;
 - b) referring to the CDCJ any significant issues arising in the context of the drafting process, with proposed solutions if possible;
 - c) providing, upon CDCJ's request, support to the implementation of actions or activities related to statelessness decided by the CDCJ as a follow-up to the 2021 International Conference.

Working methods and expected results

3. The working group will perform its functions and responsibilities online between February and October 2022, with a possible finalisation of the handbook for adoption by the CDCJ in December 2022.
4. It shall be assisted in its work by the Secretariat of the CDCJ, and within the limits of budgetary appropriations, by up to 2 consultants with specific knowledge and expertise relating to immigration detention issues at international level and/or in different member States, as well as relevant case law of the European Court of Human Rights.
5. CDCJ delegations' substantive input and comments would also be sought by electronic means, in between meetings and at appropriate stages, to enable the working group to deliver a proposed text that would reflect the views of the membership. The CDCJ will take the final decision on any changes of a substantive nature of the draft text of the Guide for practitioners submitted by the CDCJ-MIG.

¹ « Where necessary, in order to expedite the progress of their work, committees may entrust a rapporteur or a limited number of committee members with a specific task to be fulfilled by their next meeting, using primarily information technologies.»

Workplan
(last update: 20 May 2022)

ACTIVITIES/TASK	DATES / PLACES	Responsibility
- Elaboration of a preliminary draft outline of the draft Guide for practitioners on immigration detention	March – April 2022	CoE Secretariat
- Circulation to CDCJ-MIG of the draft outline of the Guide for practitioners on immigration detention	Early May 2022	CoE Secretariat
1st meeting of CDCJ-MIG	19-20 May 2022	CDCJ-MIG
- Review of the preliminary outline of the draft Guide for practitioners on immigration detention and exchange of views on its elements	Videoconference (morning sessions only)	
- Elaboration of the draft Guide for practitioners on immigration detention (version 1)	May - June 2022	Consultants
98th CDCJ plenary meeting	1-3 June 2022	CDCJ
- Progress review	Strasbourg	
- Circulation, for comments, to CDCJ-MIG (and professional associations – checklists only) of the draft Guide for practitioners on immigration detention (version 1)	July 2022 (Deadline 20 August)	CoE Secretariat
- Translation of the draft Guide	July/August 2022	CoE Secretariat
- Review of the draft Guide (version 1) in light of the written comments received from CDCJ-MIG	August 2022	Consultants
- Circulation to CDCJ-MIG and CDCJ of the draft Guide for practitioners on immigration detention for comments (version 2)	September 2022	CoE Secretariat
2nd meeting of CDCJ-MIG	Early/Mid-October (Rome, Italy)	CDCJ-MIG
- Examination of the draft Guide (version 2) and finalisation of the proposed text (version 3)	(2 days meeting, dates to be confirmed)	
- Circulation of the draft Guide (version 3) for a final consultation of CDCJ delegations	October 2022	CoE Secretariat
- Review of the draft Guide in light of the comments received from the CDCJ	November 2022	Consultants & CoE Secretariat
99th CDCJ plenary meeting	End November or Early December 2022	CDCJ
- Examination with a view to adoption of the draft Guide for practitioners on immigration detention (version 4), and decision on publication and dissemination.	(dates to be confirmed)	