

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

TERMS OF REFERENCE

Drafting Committee on Human Rights and Drug Policies

(DH-PDA)

(as adopted by the Committee of Ministers at 1519th meeting, 12 February 2025)

Drafting Committee on Human Rights in Drug Policies (DH-PDA)

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\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Type of committee: Subordinate body

Terms of reference valid from: 1 May 2025 until 31 December 2026

PILLAR/PROGRAMME/SUB-PROGRAMME

Pillar: Human Rights / Rule of Law

Programme: Advancing social justice, good health and a sustainable environment

Sub-programme: Health and human rights

DELIVERABLE

Under the authority of the Committee of Ministers, and of the Steering Committee for Human Rights (CDDH), the DH-PDA is instructed to complete Draft recommendation on bringing human rights to the heart of drug and addiction policies, based notably on the policy document: "Guidance for aligning drug and addiction policies with human rights" adopted by the Permanent Correspondents of the Council of Europe International Cooperation Group on Drugs and Addictions (Pompidou Group) at their 95th meeting in November 2024, as well as on the relevant case law of the European Court of Human Rights.

COMPOSITION

Members

The Committee shall be composed of **13 designated members** with established expertise in one of the following policy areas:

- human rights law and case law of the European Court of Human Rights;
- drug control, prevention and harm reduction;
- substance and behavioural addictions;
- assistance and protection of people who use drugs and those with substance use disorder or with addictive behaviours;
- social rights.

The Drafting Committee will be comprised of three Pompidou Group representatives from member States; three experts designated by the CDDH; one expert designated by the Governmental Committee of the European Social Charter and the European Code of Social Security; one expert designated by the Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI); one expert designated by the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO); one expert designated by Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO); one expert designated by the Steering Committee for the Rights of the Child (CDENF); and two independent experts designated by the Secretary General.

The Chair of the Drafting Committee shall be designated by the CDDH.

The Chair of the DH-PDA will be invited to attend meetings of the CDDH and/or its Bureau to inform them on progress with its work.

The Committee shall be composed in accordance with Article 6 of Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

The Pompidou Group will bear the travel and subsistence expenses of these 13 members. Other member States of the Council of Europe and of the Pompidou Group may send a representative to the meetings of the Drafting Committee without defrayal of expenses.

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;
- 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 a representative 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) and the European Union Drug Agency (EUDA));
- observer States to the Council of Europe: Canada, Holy See, Japan, United States of America;
- Organization for Security and Co-operation in Europe (OSCE);
- Inter-American Drug Abuse Control Commission (CICAD/OAS);
- United Nations Office on Drugs and Crime (UNODC);
- United Nations High Commissioner for Human Rights (OHCHR);
- World Health Organisation (WHO).

Observers:

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

- non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities;
- Amnesty International;
- International Commission of Jurists (ICJ);
- International Organisation of Employers (IOE);
- International Federation of Human Rights (FIDH);
- European Network of National Human Rights Institutions (ENNHRI);
- International Drug Policy Consortium (IDPC);
- Correlation Network (C-EHRN);
- Harm Reduction International;
- Global Commission on Drug Policies.

Observer status may be requested in accordance with Article 8 of Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

WORKING METHODS

Meetings:

13 members, 2 meetings in 2025, 2 days each;
13 members, 2 meetings in 2026, 2 days each.

The rules of procedure of the Committee are governed by Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

The DH-PDA will appoint from amongst its members one Gender Equality Rapporteur.

Whenever appropriate, it will prioritise environmentally sound working methods, such as virtual meetings facilitated by information technology and written consultations.