

Terms of reference for the CDDH and the DH-SYSC (2024–2027)

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

Category: **Steering committee**

Duration: **1 January 2024 until 31 December 2027¹**

PROGRAMME/SUB-PROGRAMME ▼

Programme: Securing human rights and fundamental freedoms

Sub-programme: Effective implementation of the European Convention on Human Rights at European and national level

MAIN TASKS ▼

Under the authority of the Committee of Ministers and bearing in mind the Council of Europe legal standards as well as the relevant case law 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 is instructed to:

- i. take due account of the Reykjavik Declaration² in conducting its activities and submit proposals for its implementation as appropriate;
- ii. take account of the relevant key findings and challenges set out in the Secretary General's 2023 Report on the state of democracy, human rights and rule of law "An Invitation to Recommit to the Values and Standards of the Council of Europe";
- iii. work on the protection, development and promotion of human rights in Europe to:
 - 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;
- iv. follow the implementation of the non-binding instruments that it has prepared as well as conventions for which it has been given responsibility by the Committee of Ministers;
- v. advise other bodies of the Organisation to ensure that their activities concerning human rights duly reflect the requirements of the European Convention on Human Rights and the case law of the European Court of Human Rights;
- vi. contribute to co-operation and support activities to national initiatives in the field of the protection, development and promotion of human rights;
- vii. without prejudice to the mandates 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;
- viii. orient and oversee the work of its subordinate bodies, notably the Committee of Experts on the System of the European Convention on Human Rights (DH-SYSC) and, subject to the result of main deliverable 2, the Drafting Committee on Human Rights and Environment (DH-ENV) (cf. separate terms of reference);
- ix. oversee and finalise the work on the accession of the European Union to the European Convention on Human Rights;
- x. respond to the human rights challenges that European societies face by means of providing guidance to member States through the preparation of non-binding instruments of the Committee of Ministers (e.g.

¹ These terms of reference are approved for the first biennial period 2024-2025. For the second biennial period 2026-2027, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2026-2027.

² [Reykjavik Declaration - United around our values](#).

- declarations, recommendations or guidelines) while ensuring co-ordination and co-operation with relevant Council of Europe bodies;
- xi. in co-ordination notably with the presidencies of the Committee of Ministers and representatives of civil society, ensure follow-up to the national implementation of various recommendations of the Committee of Ministers prepared by the CDDH;
 - xii. organise thematic debates on the right of access to official documents taking into account the entry into force of the Tromsø Convention (CETS 205);
 - xiii. raise-awareness about Council of Europe standards and tools in its field of competence in the member States and beyond, through the neighbourhood policy and in other international and global fora where relevant;
 - xiv. hold an exchange of views annually in order to evaluate its activities and advise the Committee of Ministers and the Secretary General on future priorities in its sector, including possible new activities and those that might be discontinued;
 - xv. take due account of the following mainstreamed perspectives in the performance of its tasks: gender, youth, children's rights, rights of persons with disabilities, and Roma and Traveller³ issues;
 - xvi. where relevant, contribute to strengthening meaningful engagement with civil society organisations and national human rights institutions in its work;
 - xvii. 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,⁴ in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers;
 - xviii. contribute to the achievement of, and review progress towards, the UN 2030 Agenda for Sustainable Development, in particular with regards to Goal 3: Good health and well-being, Goal 5: Gender equality, Goal 8: Decent work and economic work, Goal 10: Reduced inequalities, Goal 13: Climate action and Goal 16: Peace, Justice and Strong institutions;
 - xix. contribute, where appropriate, to activities related to the abolition of the death penalty;
 - xx. where relevant, take account of, and propose effective responses to, the challenges posed in its field of competence by the Russian Federation's war of aggression against Ukraine.

MAIN DELIVERABLES ▼

Under the authority of the Committee of Ministers, the CDDH is instructed to complete these deliverables, within the following deadlines:

| | Category ▼ | Priority ▼ | Deadline ▼ |
|--|---------------|---------------|---------------|
| 1. Draft non-binding legal instrument on the effective protection of human rights in situations of crisis based on lessons learnt from the Covid-19 pandemic | A | 1 | 30/06/2024 |
| 2. Study on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment | A | 1 | 30/06/2024 |
| 3. Report evaluating the effectiveness of the system for the selection and election of the judges of the European Court of Human Rights and the means to ensure due recognition for those judges' status and service on the Court and providing additional safeguards to preserve their independence and impartiality (cf. DH-SYSC terms of reference) | A | 1 | 31/12/2024 |
| 4. Final agreement on instruments setting out the modalities for the accession of the European Union to the European Convention on Human Rights | A | 1 | 31/12/2024 |

³ 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.

⁴ Cf. relevant decisions of the Committee of Ministers ([CM/Del/Dec\(2013\)1168/10.2](#)) and list of Conventions in document [CM\(2023\)132](#).

| | | | |
|---|---|---|------------------|
| 5. Report evaluating the first effects of Protocol No.16 (cf. DH-SYSC terms of reference) | A | 2 | 30/06/2025 |
| 6. Handbook on human rights and artificial intelligence | A | 1 | 31/12/2025 |
| 7. Report evaluating the first effects of Protocol No.15 (cf. DH-SYSC terms of reference) | A | 2 | 31/12/2025 |
| 8. Study on the need for and feasibility of (an) additional non-binding instrument(s) to complement the 2011 Committee of Ministers' Guidelines on the eradication of impunity for serious human rights violations | C | 2 | 31/12/2025 |
| 9. Subject to the result of main deliverable 3, follow-up to the report evaluating the effectiveness of the system for the selection and election of Court's judges etc. (cf. DH-SYSC terms of reference) | C | 1 | 30/06/2026 |
| 10. Study on the need for and the feasibility of updating Committee of Ministers' Recommendation No. R(97)22 to member States containing Guidelines on the Application of the Safe Third Country Concept | C | 2 | 30/06/2026 |
| 11. Subject to the result of main deliverable 8, draft (a) non-binding instrument(s) to complement the 2011 Committee of Ministers' Guidelines on the eradication of impunity for serious human rights violations | C | 2 | 31/12/2026 |
| 12. Subject to the result of main deliverable 2, draft (an) instrument(s) in the field of human rights and the environment (cf. DH-ENV terms of reference) | C | 1 | 30/06/2027 |
| 13. Subject to the result of main deliverable 10, updated Committee of Ministers' Recommendation No. R(97)22 to member States containing Guidelines on the Application of the Safe Third Country Concept | C | 2 | 31/12/2027 |
| 14. Report on the use of new technologies by the European Court of Human Rights (cf. DH-SYSC terms of reference) | C | 2 | 31/12/2027 |
| 15. Report on new tendencies in litigation before the European Court of Human Rights (cf. DH-SYSC terms of reference) | C | 2 | 31/12/2027 |
| 16. Report on its examination of implementation of the following Committee of Ministers' Recommendations to member States: - <u>CM/Rec(2018)11</u> on the need to strengthen the protection and promotion of civil society space in Europe - <u>CM/Rec(2019)5</u> on the system of the European Convention on Human Rights in university education and professional training - <u>CM/Rec(2019)6</u> on the development of the Ombudsman institution - <u>CM/Rec(2021)1</u> on the development and strengthening of effective, pluralist and independent national human rights institutions - <u>CM/Rec(2021)2</u> on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment - <u>CM/Rec(2021)4</u> on the publication and dissemination of the European Convention on Human Rights, the case-law of the European Court of Human Rights and other relevant texts - <u>CM/Rec(2022)20</u> on human rights and the protection of the environment | B | 3 | Up to 2 per year |
| Key A: deliverable under preparation (2022-2023 terms of reference or Committee of Ministers' decision) or deliverable foreseen in the terms of reference provisionally approved for 2024-2025 and reviewed where relevant in the framework of the preparation of the draft Programme and Budget 2024-2027 B: review of implementation/re-examination foreseen by the recommendation/protocol/convention C: newly proposed deliverable | | | |

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.

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;
- Commissioner for Human Rights of the Council of Europe;
- 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;
- 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 (OHCHR)).

• 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;
- 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 Roma and Travellers Forum);
- the Council of Bars and Law Societies in Europe (CCBE).
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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 ▼

| | Plenary meetings ▼ | | | Bureau meetings ▼ | | |
|------|--------------------|----------|------|-------------------|----------|------|
| | Members | Meetings | Days | Members | Meetings | Days |
| 2024 | 47 | 2 | 4 | 8 | 2 | 2 |
| 2025 | 47 | 2 | 4 | 8 | 2 | 2 |
| 2026 | 47 | 2 | 4 | 8 | 2 | 2 |
| 2027 | 47 | 2 | 4 | 8 | 2 | 2 |

The CDDH will appoint from amongst its members up to 5 Rapporteurs on mainstreamed perspectives, including a Gender Equality Rapporteur.

Subject to the agenda, the chairs of its subordinate structures may be invited to attend CDDH Bureau and/or plenary meetings.

The CDDH will hold regular exchanges of views with the Steering Committee on Human Rights in the fields of Biomedicine and Health (CDBIO).

SUBORDINATE STRUCTURE(S) ▼

The CDDH co-ordinates, supervises and follows the work of its subordinate bodies:

- Committee of Experts on the System of the European Convention on Human Rights (DH-SYSC) (cf. separate terms of reference);
- subject to the result of main deliverable 2, Drafting Committee on Human Rights and Environment (DH-ENV) (cf. separate terms of reference).

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\(2021\)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 January 2024 until 31 December 2027⁵**

PROGRAMME/SUB-PROGRAMME ▼

Programme: Securing human rights and fundamental freedoms

Sub-programme: Effective implementation of the European Convention on Human Rights at European and national level

DELIVERABLES ▼

Under the authority of the Committee of Ministers, and of the Steering Committee for Human Rights (CDDH), the DH-SYSC is instructed to complete these deliverables, within the following deadlines:

| | Category ▼ | Priority ▼ | Deadline ▼ |
|---|---------------|---------------|---------------|
| 1. Report evaluating the effectiveness of the system for the selection and election of Court's judges and the means to ensure due recognition for judges' status and service on the Court and providing additional safeguards to preserve their independence and impartiality | A | 1 | 31/12/2024 |
| 2. Report evaluating the first effects of Protocol No.16 | A | 2 | 30/06/2025 |
| 3. Report evaluating the first effects of Protocol No.15 | A | 2 | 31/12/2025 |
| 4. Subject to the result of deliverable 1, follow-up to the report evaluating the effectiveness of the system for the selection and election of Court's judges | C | 1 | 30/06/2026 |
| 5. Report on the use of new technologies by the European Court of Human Rights | C | 2 | 31/12/2027 |
| 6. Report on new tendencies in litigation before the European Court of Human Rights | C | 2 | 31/12/2027 |

Key

A: deliverable under preparation (2022-2023 terms of reference or Committee of Ministers' decision) or deliverable foreseen in the terms of reference provisionally approved for 2024-2025 and reviewed where relevant in the framework of the preparation of the draft Programme and Budget 2024-2027

B: review of implementation/re-examination foreseen by the recommendation/protocol/convention

C: newly proposed deliverable

COMPOSITION ▼

• Members

Governments of member States are invited to designate one or more representatives of the highest possible rank in the field of the system of the European Convention on 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.

⁵ These terms of reference are approved for the first biennial period 2024-2025. For the second biennial period 2026-2027, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2026-2027.

- **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;
- Commissioner for Human Rights of the Council of Europe;
- 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;
- 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 (OHCHR), Office of the United Nations High Commissioner for Refugees (UNHCR)).

- **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;
- European Network of National Human Rights Institutions (ENNHRI);
- non-governmental organisations (Amnesty International, European Trade Unions Confederation (ETUC), International Commission of Jurists (ICJ), International Federation of Human Rights (FIDH), European Roma and Travellers Forum and Open Society Justice Initiative (OSJI)).

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 ▼

| Plenary meetings ▼ | | | |
|--------------------|---------|----------|------|
| | Members | Meetings | Days |
| 2024 | 47 | 1 | 3 |
| 2025 | 47 | 1 | 3 |
| 2026 | 47 | 1 | 3 |
| 2027 | 47 | 1 | 3 |

The DH-SYSC will appoint from amongst its members a Gender Equality Rapporteur.

DRAFTING COMMITTEE ON HUMAN RIGHTS AND THE ENVIRONMENT (DH-ENV)

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.

Category: Subordinate body

Duration: second half of 2024 - 31 December 2027⁶

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

Sub-programme: Protection of the environment and human rights

Deliverables

Under the authority of the Committee of Ministers, and of the Steering Committee for Human Rights (CDDH), the DH-ENV is instructed to complete this deliverable(s), within the following deadline(s):

| | Category ▼ | Priority ▼ | Deadline ▼ |
|--|------------|------------|------------|
| 1. Subject to the result of the study on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment, draft (an) instrument(s) in the field of human rights and the environment | C | 1 | 31/12/2027 |
| Key A: deliverable under preparation (2022-2023 terms of reference or Committee of Ministers' decision) or deliverable foreseen in the terms of reference provisionally approved for 2024-2025 and reviewed where relevant in the framework of the preparation of the draft Programme and Budget 2024-2027 B: review of implementation/re-examination foreseen by the recommendation/protocol/convention C: newly proposed deliverable | | | |

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 and the environment.

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;
- Commissioner for Human Rights of the Council of Europe;
- 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;
- 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 (OHCHR), Office of the United Nations High Commissioner for Refugees (UNHCR)).

⁶ These terms of reference are approved for the first biennial period 2024-2025. For the second biennial period 2026-2027, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2026-2027.

- **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;
- European Network of National Human Rights Institutions (ENNHRI);
- non-governmental organisations (Amnesty International, European Trade Unions Confederation (ETUC), International Commission of Jurists (ICJ), International Federation of Human Rights (FIDH), European Roma and Travellers Forum, Open Society Justice Initiative (OSJI)).

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

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.

| | Plenary meetings ▼ | | |
|------|------------------------|----------------------|---------------------|
| | Members incl. Chair | Meetings per year | Days per meeting |
| 2024 | 47 | 1/2 | 3 |
| 2025 | 47 | 3 | 3 |
| 2026 | 47 | 3 | 3 |
| 2027 | 47 | 3 | 3 |

The DH-ENV will appoint from amongst its members a Gender Equality Rapporteur.