



CDDH(2021)OJ1Annotated
17/10/2022

STEERING COMMITTEE FOR HUMAN RIGHTS
CDDH

94th meeting

15–18 June 2021, including the *Pluricourts* Seminar (15 June 2021)

Via videoconference

Draft annotated agenda and order of business

Subject to any changes
that may be introduced by the Bureau
at its 105th meeting, 27-28 May 2021

This draft annotated agenda and the documents of the meeting are available on the website

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DRAFT ANNOTATED AGENDA

of the 94th CDDH meeting (16–18 June 2021)

ITEM 1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND ORDER OF BUSINESS	
<i>The Chair of the CDDH, Mr Morten RUUD (Norway) will open the meeting and invite the CDDH to adopt the agenda and order of business.</i>	
CDDH(2020)R93	Report of the 93 rd CDDH meeting (14-16 December 2020)
CDDH-BU(2020)R105	Report of the 105 th Bureau meeting (27 – 28 May 2021)
ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY	
<i>The Secretariat will present the texts approved by the CDDH by written procedure since its last meeting and subsequently sent to the Secretariat of the Committee of Ministers¹.</i>	
CDDH(2021)02	Comments adopted by the CDDH adopted after its 93 rd meeting (14-16 December 2020)
ITEM 3: WORK ON THE SYSTEM OF THE CONVENTION	
3.1. Follow-up to the Interlaken Declaration	
<i>The CDDH is invited to exchange views on the decisions adopted by the Committee of Ministers at its Ministerial Session on ... June 2021 regarding the follow-up to be given to the Interlaken process.</i>	
	Decisions of the Committee of Ministers – “Securing the long-term effectiveness of the European Convention on Human Rights” (21 May 2021)
	Contribution of the CDDH to the evaluation provided for by the Interlaken Declaration
3.2 CDDH ad hoc negotiation Group on the EU accession to the ECHR (“47+1 Group”)	
<i>The Chair of the “47+1 Group”, Ms. Tonje MEINICH (Norway) will present the conclusions of the 8th (2-4 February 2021) and 9th meetings (23-25 March 2021) of the Group as well as the organisation of its future work.</i>	
47+1(2021)R8	Report of the 8 th meeting of the “47+1 Group” (2 – 4 February 2021)

¹ To this end, the Bureau will be invited, at its May 2021 meeting, to exchange views on the draft comments prepared by the Secretariat (see CDDH (2021)02) on the following five Recommendations: 2180(2020) - “The impact of the Covid-19 pandemic on human rights and the rule of law”; 2182(2020) - “Justice by algorithm – the role of artificial intelligence in policing and criminal justice systems”; 2183(2020) - “Preventing discrimination caused by the use of artificial intelligence”; 2185(2020) - “Artificial intelligence in health care: medical, legal and ethical challenges ahead”; 2190(2020) - “Effective guardianship for unaccompanied and separated migrant children”.)

47+1(2021)R9	Report of the 9 th meeting of the “47+1 Group” (23 – 25 March 2021)
3.3 Drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)	
<i>The Chair of the DH-SYSC-IV, Mr Alain CHABLAIS (Switzerland) will inform the CDDH about the progress of work in the Drafting Group during and after its 3rd meeting (14 – 16 April 2021). The CDDH will be invited to hold a discussion on the continuation of the work of the DH-SYSC-IV.</i>	
<i>The Chair of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC), Mr Hans-Jörg BEHRENS (Germany) will inform on the results of the high-level Conference of experts on the effective processing and resolution of cases relating to inter-State disputes which took place on 12 – 13 April 2021, under the auspices of the German Presidency of the Committee of Ministers.</i>	
DH-SYSC-IV(2021)R3	Report of the 3 rd meeting of the DH-SYSC-IV (14 –16 April 2021)
3.4 Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V)	
<i>The Chair of DH-SYSC-V, Mr Vít Alexander SCHORM (Czech Republic) will present the conclusions of the 2nd meeting of the Group (29 – 31 March 2021). The CDDH will be invited to adopt the Draft Recommendation CM/Rec(2021)... of the Committee of Ministers to member States 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. The CDDH will be invited to exchange views on the Seminar “ Effective implementation of the European Convention on Human Rights – enhancing domestic dialogue and co-ordination” to be held on 15 June 2021 (see draft Programme in Appendix I below).</i>	
DH-SYSC-V(2021)R2	Report of the 2 nd meeting of the DH-SYSC-V (29 – 31 March 2021)
CDDH(2021)10Rev2	Draft Recommendation CM/Rec(2021)... of the Committee of Ministers to member States 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
CDDH(2021)11	Compilation of comments on the Draft Recommendation CM/Rec(2021)... of the Committee of Ministers to member States 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
CDDH(2021)09	Programme of the Seminar “ <i>Effective implementation of the European Convention on Human Rights – enhancing domestic dialogue and co-ordination</i> ”
ITEM 4: ENVIRONMENT AND HUMAN RIGHTS	
<i>The Chair of the CDDH-ENV, Ms Kristīne LĪCIS (Latvia) will inform the CDDH on the state of progress of the work of the Group on human rights and environment during and after its first meeting (28 – 30 April 2021). The CDDH will be invited to hold a discussion on the work of the CDDH-ENV and on the</i>	

<i>results of the Workshop on Environment, Human Rights and Business, which took place on 27 April 2021 under the auspices of the German Presidency of the Committee of Ministers.</i>	
CDDH-ENV(2021)R1	Report of the first CDDH-ENV meeting (28 – 30 April 2021)
CDDH-ENV(2021)R1_AddendumRev	Draft Manual on Human Rights and the Environment 3rd edition "Principles emerging from the case-law of the European Court of Human Rights and from the conclusions and decisions of the European Committee on Social Rights"
CDDH-ENV(2021)07Rev1	Updating the Manual on human rights and the environment (2nd edition), Compilation des contributions reçues des membres et des observateurs du CDDH-ENV
CDDH-ENV(2021)03Rev	Preliminary elements for consideration in view of a possible future non-binding instrument on human rights and the protection of the environment
CDDH-ENV(2021)08	Rédaction de propositions pour un texte préliminaire d'un instrument non contraignant sur les droits de l'homme et l'environnement, Compilation des contributions reçues des membres et des observateurs du CDDH-ENV
CDDH-ENV(2021)04Rev1	Legal survey on existing principles and standards to be used as a background document by the Drafting Group on Human Rights and Environment (CDDH-ENV), Prepared by Juliëtte RIERINK (LL.M.), Human Rights Research Consultant
CDDH Publication "Environmental Protection and Human Rights"	
ITEM 5: CIVIL SOCIETY AND NATIONAL HUMAN RIGHTS INSTITUTIONS	
<i>The Chair of the Drafting Group on civil society and national human rights institutions (CDDH-INST), Ms. Krista OINONEN (Finland) will inform on the adoption by the Ministers' Deputies on 31 March 2021 of Recommendation CM/Rec(2021)1 of the Committee of Ministers to member States on the development and strengthening of effective, pluralist and independent national human rights institutions. In particular, she will refer to the high-level online meeting organised on 26 April 2021 jointly by ENNHRI, the German Chairmanship of the Committee of Ministers and the CDDH to promote the new instrument.</i>	
ITEM 6: MEASURES AGAINST THE TRADE IN GOODS USED FOR THE DEATH PENALTY, TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT	
<i>The CDDH Rapporteur, Ms. Nicola WENZEL (Germany) will inform on the adoption by the Ministers' Deputies on 31 March 2021 of Recommendation CM/Rec(2021)2 of the Committee of Ministers to member States on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment, as well as on the follow-up given or foreseen of its implementation. She will also refer to the Webinar organised on 17 May 2021 jointly by Amnesty International, The Omega Research Foundation, the German Chairmanship of the Committee of Ministers and the CDDH to promote the new instrument.</i>	
ITEM 7: BUSINESS AND HUMAN RIGHTS	
<i>The CDDH will be invited to examine a draft report on the implementation of the Recommendation CM/Rec(2016)3 on Human Rights and Business</i>	

CDDH(2021)13	Draft report on the implementation of the Recommendation CM/Rec(2016)3 on Human Rights and Business
ITEM 8: MEASURES AGAINST TRAFFICKING FOR THE PURPOSE OF LABOR EXPLOITATION	
<i>The Secretariat will inform about the terms of reference given by the Ministers' Deputies² to the Drafting Committee on Trafficking for the purpose of Labour Exploitation (DH-TET) to elaborate a draft Recommendation of the Committee of Ministers before 30 June 2022. In the light of the Bureau's suggestions, the CDDH will be invited to designate five members of the DH-TET.</i>	
CDDH(2021)05	Terms of reference of the DH-TET
CDDH(2021)05add	List of candidates
ITEM 9: PREPARATION OF THE CDDH PROGRAMME OF ACTIVITIES FOR 2022 – 2025	
<i>In the light of the proposals made by the Bureau (105th meeting, 27 – 28 May 2021) the CDDH will be invited to exchange views on its programme of activities for 2022 – 2025.</i>	
CDDH(2021)06	Document prepared by the Secretariat including proposals made by the Bureau (105 th meeting, 27 – 28 May 2021)
ITEM 10: ACCESS TO OFFICIAL DOCUMENTS	
<i>The Secretariat will inform the CDDH on the work to set up the monitoring mechanisms provided for in the Council of Europe Convention on Access to Official Documents (CETS No. 205) following its entry into force on 1 December 2020.</i>	
CDDH(2020)12	Information provided by the Secretariat
ITEM 11: GENDER EQUALITY	
<i>The CDDH will be informed by its Rapporteur on gender equality, Mr Philippe WERY (Belgium) about the gender-equality thematic form proposed to be used in CDDH sub-ordinate bodies.</i>	
CDDH(2021)04	Taking into account the gender equality dimension in the work of the CDDH and its subordinated bodies
ITEM 12: BIOETHICS	
<i>The CDDH will be invited to exchange views with the Secretary of the Committee on bioethics (DH-BIO), Ms. Laurence LWOFF on the ongoing and future work of the DH-BIO.</i>	
DH-BIO / AbrRAP18	Abridged report of the 18 th meeting of the Committee on bioethics (DH-BIO) (1 – 4 June 2021)
ITEM 13: CONVENTIONS	
<i>The CDDH will be invited to exchange views on the forthcoming entry into force of Protocol No. 15 to the ECHR (1 August 2021) following the ratification by Italy on 21 April 2021 as well as on the state of</i>	

² 1401st meeting, 14 – 15 April 2021.

<i>signature/ratification of other instruments in charge of the CDDH, in particular concerning Protocol No.16 to the ECHR.</i>	
CDDH(2021)07	Information provided by the Secretariat
ITEM 14: FOCAL POINTS	
<i>The CDDH will be invited to exchange views on possible information provided by the focal points representing the Steering Committee in other bodies / events.</i>	
CDDH(2021)08	Information provided by the focal points representing the CDDH in other bodies / events
ITEM 15: INVITEES	
<i>The CDDH will be invited to exchange views on possible invitees to the forthcoming CDDH meetings.</i>	
CDDH-BU(2020)R105 (see link to document, Item 1 above)	Report of the 105 th Bureau meeting (27 – 28 May 2021)
ITEM 16: PUBLICATIONS	
<i>The CDDH will be invited to exchange views on the current and future publications.</i>	
CDDH Publications' website	
ITEM 17: CALENDAR	
<i>The CDDH will be invited to exchange views on the draft calendar for the second semester of 2021 and the first semester of 2022, in the light of the suggestions put forward by the Bureau at its meeting in May 2021.</i>	
CDDH-BU(2021)R105 Appendix IX (see link to document, Item 1 above)	Proposals provided by the Bureau
ITEM 18: ACKNOWLEDGEMENTS	
ITEM 19: OTHER BUSINESS	
CDDH(2021)03	Comments of the CDDH concerning the preliminary draft Recommendation CM/Rec(2021)XX of the Committee of Ministers to member states on measures aimed at protecting children against radicalisation for the purpose of terrorism

DRAFT ORDER OF BUSINESS
of the 94th CDDH meeting (15–18 June 2021)

TUESDAY 15 June	WEDNESDAY 16 June	THURSDAY 17 June	FRIDAY 18 June
10:00	10:00	10:00	10:00
Seminar <i>Pluricourts</i>	<p><u>Item 1</u> Opening, adoption draft agenda and order of business</p> <p><u>Item 2</u> PACE Recommendations</p> <p><u>Item 3</u> System of the Convention</p>	<p><u>Item 3</u> (if necessary) System of the Convention</p> <p>3.2 “47+1 Group” EU Accession to the Convention</p> <p><u>Item 4</u> Environment and Human Rights</p>	<p><u>Item 11</u> Gender equality</p> <p><u>Item 13</u> Conventions</p> <p><u>Item 14</u> Focal points</p> <p><u>Item 15</u> Invitees</p>
12:00 – 14:00 Lunch break	12:30 – 14:00 Lunch break	12:30 – 14:00 Lunch break	12:30 – 14:00 Lunch break
Seminar <i>Pluricourts</i>	<p><u>Item 12</u> Bioethics</p> <p><u>Item 3</u> System of the Convention</p>	<p><u>Item 5</u> Civil society and Human Rights National Institutions</p> <p><u>Item 6</u> Prohibition of the trade of goods used for torture</p> <p><u>Item 7</u> Human Rights and Business</p> <p><u>Item 8</u> Trafficking for the purpose of labor exploitation</p> <p><u>Item 9</u> Activity Programme 2022 - 2025</p> <p><u>Item 10</u> Access to official documents</p>	<p><u>Item 16</u> Publications</p> <p><u>Item 17</u> Calendar</p> <p><u>Item 18</u> Acknowledgements</p> <p><u>Item 19</u> Other business</p> <p>Adoption of the draft abridged report</p>
17:00 End of the Seminar	16:30 End of session	16:30 End of session	16:30 End of the meeting

Appendix I**Draft Programme
Seminar *Pluricourts*****Effective implementation of the European Convention on Human Rights
– enhancing domestic dialogue and co-ordination**

co-organised by the Centre for the Study of the Legitimate Roles of the Judiciary in the Global Order (*PluriCourts*), University of Oslo and the Steering Committee for Human Rights (CDDH)

Strasbourg, 15 June 2021 by videoconference

10:00 Opening and welcome addresses

Mr Christophe POIREL, Director of Human Rights (DGI), Council of Europe (10 min)
Mr Robert SPANO, President of the European Court of Human Rights (10 min)
Mr Morten RUUD, Chair of the Steering Committee for Human Rights (CDDH) (10 min)

10:30 Execution of the Strasbourg Court judgments as the cornerstone of the implementation of the Convention at the national level

This session will take stock of the main issues at the stage of execution of judgments, notably those relating to domestic capacities, resources, action plans and political will.

Framing intervention: *Ms Clare OVEY*, Head of Department of the Execution of Judgments, Council of Europe (10 min)

Discussants:

One government Agent (national experiences of limitations/ barriers in respect of domestic structures and mechanisms for the implementation of judgments) (10 min)

One government Agent (national experiences of limitations/ barriers in respect of domestic structures and mechanisms for the implementation of judgments) (10 min)

Ms Debbie KOHNER, Secretary General, *European Network of National Human Rights Institutions* (ENNHRI) (*barriers/limitations encountered by NHRIs in participating in the execution of judgments*) (10 min)

Ms Başak ÇALI, Professor, Hertie School, Berlin (Germany) (10 min)

Discussion and intervention by *Mr Matthew SAUL*, Associate Professor, Inland University of Applied Sciences (Norway) and *Mr Øyvind STIANSEN*, Postdoctoral Fellow, University of Oslo (Norway) (30 min)

12:00**LUNCH BREAK**

14:00 Inter-agency co-ordination and multi-stakeholder dialogue as a pre-condition for an effective execution of judgments

While acknowledging that the conditions for an effective execution of the Strasbourg Court's judgments are country-specific and there is no one-size-fits-all strategy this session will seek to identify good practices in establishing, building and strengthening working relationships that are conducive to better results. This session will seek to engage government agents to share their experiences on dissemination of information amongst government agencies and other stakeholders, timely preparation and submission of Action Plans, monitoring progress in the execution of judgments.

Framing intervention: *Mr Philip LEACH, Professor, Middlesex University (United Kingdom) (5 min)*

Discussants:

Mr Vit Alexander SCHORM, Chair of the Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V) (sharing best practices on creation of multi-stakeholder working group – Committee of experts on the execution of the Court's judgments and the implementation of the Convention) (10 min)

Mr Murray HUNT, Legal Adviser to the Joint Committee on Human Rights of the United Kingdom Parliament (mainstreaming accountability of the executive on execution matters in legislative oversight and budget approvals) (10 min)

Mr Leif BERG, Head of Knowledge Management – Senior Legal Adviser, Directorate of the Jurisconsult (the role of dialogue with superior national courts in promoting the application of the Convention at the national level) (10 min)

Dr Marcin SZWED, Lawyer, Strategic Litigation Programme, Helsinki Foundation for Human Rights (sharing good experiences of engagement with the executive, the parliament or national courts) (10 min)

Discussion and intervention by *Ms Janneke GERARDS, Professor, Utrecht Law School (Netherlands) (10 min)* and *Mr Fredrik SUNDBERG, former Head of the Department for the Execution of judgments of the European Court of Human Rights (10 min)*

15:30 Making full use of the co-operation with the Council of Europe

The Council of Europe provides support to its member States on wide variety of general measures that may be required to execute the judgments of the Court, ranging from amendments to the Constitution, legislative reform, changing judicial practice, training law enforcement officers, judges, prosecutors and other actors. How can member States make the most of this support?

Framing intervention: *Mr Mikhail LOBOV, Head of Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, Directorate General Human Rights and Rule of Law (DGI), Council of Europe (10 min)*

Discussants:

Mr Pavlo PUSHKAR, Head of Division, Department of the Execution of Judgments, Council of Europe (10 min) (sharing good practices of its co-operation projects) (10 min)

Ms Simona GRANATA-MENGHINI, Secretary of the European Commission for Democracy through Law (“the Venice Commission”) (sharing good practices of its co-operation projects contributing to the execution of judgments) (10 min)

Mr Hans-Jörg BEHRENS, Chair of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC) (highlighting the holistic approach of the CDDH to functioning of the system of the Convention and the special attention to the execution of judgments, plus the role of CDDH as a forum of the government agents sharing best practices) (10 min)

Discussion (30 min)

17:00 Main takeaways and conclusion of the seminar

Mr Geir ULFSTEIN, PluriCourts

Appendix II**Preliminary draft calendar**

As suggested by the Bureau in May 2021 for consideration by the CDDH in June 2021.

2021 (2nd semester)	
10 th meeting of the CDDH <i>ad hoc</i> negotiation Group and the European Commission on the Accession of the European Union to the European Convention on Human Rights (“47+1”)	29 June – 2 July
<i>Opening of the Judicial Year</i>	10 September
1 st meeting of the Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET)	15 – 17 September
4 th meeting of the Drafting Group on the effective Processing and Resolution of cases relating to inter-State Disputes (DH-SYSC-IV)	22-24 September
1 st meeting of the Consultation of the Parties electing the members of the Council of Europe Info Access Group	29-30 September
11 th meeting of the CDDH <i>ad hoc</i> negotiation Group and the European Commission on the Accession of the European Union to the European Convention on Human Rights (“47+1”)	5-8 October
3 rd meeting of the Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V)	6-8 October
8 th meeting of the Drafting Group on Migration and Human Rights (CDDH-MIG)	12-14 October
106 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	21-22 October
7 th meeting of the Committee of Experts on the System of the European Convention on Human Rights (DH-SYSC)	26-28 October
2 nd meeting of the Drafting Group on Human Rights and Environment (CDDH-ENV)	27-29 October 2021
19 th Meeting of the Committee on Bioethics (DH-BIO)	2-5 November
<i>Meeting of the Government’s Agents with the Court’s Registry</i>	22 November
95 th meeting of the Steering Committee for Human Rights (CDDH)	23-26 November
2 nd meeting of the Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET)	[November/December]
1 st meeting of the Council of Europe Info Access Group	6-7 December (TBC)
12 th meeting of the CDDH <i>ad hoc</i> negotiation Group and the European Commission on the Accession of the European Union to the European Convention on Human Rights (“47+1”)	7-10 December

2022 (1st semester)	
3 rd meeting of the Drafting Group on Human Rights and Environment (CDDH-ENV)	End of January
5 th meeting of the Drafting Group on the effective Processing and Resolution of cases relating to inter-State Disputes (DH-SYSC-IV)	Beginning of February
9 th meeting of the Drafting Group on Migration and Human Rights (CDDH-MIG)	Mid-February
3 rd meeting of the Group on Trafficking for the purpose of labour exploitation (DH-TET)	[February]
1 st meeting of the Drafting Group on human rights and artificial intelligence (CDDH-INTEL)	End of February
4 th meeting of the Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V)	March
1 st meeting of the Drafting Group on human rights and health crisis (CDDH-COVID)	March
13 th meeting of the CDDH <i>ad hoc</i> negotiation Group and the European Commission on the Accession of the European Union to the European Convention on Human Rights (“47+1”)	[...]
14 th meeting of the CDDH <i>ad hoc</i> negotiation Group and the European Commission on the Accession of the European Union to the European Convention on Human Rights (“47+1”)	[...]
4 th meeting of the Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET)	[April]
107 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	End of April
96 th meeting of the Steering Committee for Human Rights (CDDH)	June