

CDDH-BU(2021)R106

19/10/2022

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

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**BUREAU OF THE STEERING COMMITTEE FOR HUMAN RIGHTS  
(CDDH-BU)**

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**REPORT**

106<sup>th</sup> meeting  
Videoconference, 21 – 22 October 2021

1. The Bureau of the Steering Committee for Human Rights (CDDH-BU) held its 106<sup>th</sup> meeting from 21 to 22 October 2021 by videoconference due to the measures related to the COVID-19 pandemic. The meeting was chaired by Mr Morten RUUD (Norway). The list of participants appears in Appendix I.

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

2. Mr Daniele CANGEMI, the new Head of the Human rights, Justice and Legal Co-operation Standard-Setting Activities Department, informed the Bureau about the recent appointment of Mr David MILNER as the new Secretary of the CDDH and Head of the Human Rights Intergovernmental Cooperation Division. The Bureau took note of this information and welcomed Mr Milner.

3. The Bureau suggested to the Plenary the draft annotated agenda and the draft order of business to the plenary as it appears in document CDDH(2021)OJ2Rev Annotated.

#### **ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY**

4. The Secretariat provided information about the ongoing discussions in the Committee of Ministers regarding possible courses of action to be taken in response to two texts of the Parliamentary Assembly, respectively *Recommendation 2211(2021)* – “Anchoring the right to a healthy environment: need for enhanced action by the Council of Europe”; and *Recommendation 2213(2021)* - Addressing issues of criminal and civil liability in the context of climate change. The Secretariat also informed the Bureau about the comments it had preliminarily drafted in anticipation of an invitation by the Committee of Ministers to the CDDH to provide comments on these two Recommendations.

5. The Bureau took note of the preliminary comments and instructed the Secretariat to adjust them, if necessary, taking into account the Committee of Ministers' decision on the subject matter. The revised text of the draft comments should be sent to the Bureau for a swift review and, thereafter, transmitted to the CDDH for possible adoption at its 95<sup>th</sup> meeting.

6. The Bureau recalled that the CDDH had provided comments to the Committee of Ministers on the Parliamentary Assembly *Recommendation 2180(2020)* - “The impact of the Covid-19 pandemic on human rights and the rule of law” as well as *Recommendation 2204(2021)* - “Media freedom, public trust and the people’s right to know”. The Secretariat informed the Bureau that the Committee of Ministers’ draft reply on the former is pending adoption, with a large number of CDDH comments having been taken on board. As regards the latter Recommendation a draft reply is to be prepared in due course. Further updates will be provided to the CDDH at its 95<sup>th</sup> meeting (23 – 26 November 2021).

#### **ITEM 3: WORK ON THE SYSTEM OF THE CONVENTION**

##### **3.1 Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)**

7. The Chair of the DH-SYSC, Mr Hans-Jörg BEHRENS (Germany) informed the Bureau about preparations for the 6<sup>th</sup> meeting of DH-SYSC (26 – 28 October 2021), which will be held in a hybrid format and will, therefore, benefit from the physical presence of at least a dozen delegations. He expressed hope that the DH-SYSC will adopt the Activity Report 2020 – 2021 of the Drafting Group on effective processing and resolution of cases relating to inter-State disputes (hereinafter the Activity Report 2020 – 2021) and transmit it to the CDDH for discussion and possible adoption at its 95<sup>th</sup> meeting.

8. The Bureau took note of the information provided by the Secretariat on the state of discussion of the draft terms of reference of DH-SYSC for the quadrennium 2022 – 2025 in the Committee of Ministers.

### **3.1.1 Drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)**

9. The Chair of the DH-SYSC-IV, Mr Alain CHABLAIS (Switzerland) informed the Bureau about the results of the 4<sup>th</sup> meeting of the Drafting Group (22 – 24 September 2021). The Drafting Group managed to examine all the amendment proposals on the Activity Report 2020 – 2021, which had been tabled by delegations before and during the meeting and reached a common understanding of the issues discussed in a spirit of compromise. The Activity Report 2020 – 2021 analyses a number of challenges regarding the effective processing and resolution of cases relating to inter-State disputes and provides a framework of inquiry into possible responses to the identified challenges. The objective of the work in 2022, pursuant to the draft terms of reference of the CDDH, should be to formulate concrete proposals for transmission to the Committee of Ministers in a shorter report which will be largely based on the analysis contained in the Activity Report 2020 – 2021.

10. Mr Chablais drew the attention of the Bureau to the fact that some delegations had comments and/or concerns regarding the statistical report provided by the Registry of the Court on applications linked to inter-State disputes. After the 4<sup>th</sup> meeting of the DH-SYSC-IV these delegations, as agreed at the meeting, sent their comments to the Secretariat for transmission to the Registry of the Court. The Registry is expected to provide an updated statistical report before the 6<sup>th</sup> meeting of DH-SYSC.

11. The Bureau took note of Mr Chablais' presentation and praised him and the Drafting Group for the balanced approach they had proposed in respect of very sensitive issues concerning cases related to inter-State disputes. It decided to propose to the CDDH that, subject to the DH-SYSC's consideration of the Activity Report 2020 – 2021 at its 6<sup>th</sup> meeting, the CDDH discusses it in view of its possible adoption at its 95<sup>th</sup> meeting. The Bureau supported the idea expressed by the Chair of DH-SYSC-IV regarding the elaboration of a shorter report in 2022.

12. Subject to the final adoption of the draft terms of reference of the CDDH and DH-SYSC for the quadrennium 2022 – 2025 by the Committee of Ministers, the Bureau decided to propose to the CDDH that the DH-SYSC-IV holds two more meetings in 2022 in its current composition and with its current presidency. It is proposed that the Drafting Group be tasked to prepare, under the authority of DH-SYSC and on the basis of its Activity Report 2020 – 2021, a draft CDDH report on the effective processing and resolution of cases related to inter-State disputes including possible proposals to the Committee of Ministers for decision by the CDDH at its 97<sup>th</sup> meeting (6 – 9 December 2022, tbc).

13. Recalling the Copenhagen Declaration (paragraph 54, c) and the terms of reference that the CDDH had given to DH-SYSC-IV for the 2020 – 2021 biennium (document [DH-SYSC-IV\(2020\)01](#)), the Bureau noted that proposals to handle more effectively cases related to inter-State disputes, as well as individual applications arising out of situations of inter-State conflict should be made without limiting the jurisdiction of the Court and taking into consideration the specific features of these categories of cases, *inter alia*, regarding the establishment of facts. Also, the Bureau noted that the Drafting Group should take into account the CDDH Report on the place of the European Convention on Human Rights in the European and international legal order (document [CDDH\(2019\)R92Addendum1](#)).

### **3.1.2 Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V)**

14. The Chair of DH-SYSC-V, Mr Vít Alexander SCHORM (Czech Republic) informed the Bureau that the Drafting Group, at its 3<sup>rd</sup> meeting (12-14 October 2021), examined and provisionally agreed on a large part of the text (up to paragraph 78) of the draft Guidelines of the Committee of Ministers to member States on the prevention and remedying of violations of the European Convention on Human Rights ([DH-SYSC-V\(2021\)02REV3](#)). Due to lack of time the Drafting Group did not examine the amendments proposed by delegations, prior or in the course of that meeting, in respect of the remainder of the text. The DH-SYSC-V took note of the request of the Russian Federation to postpone the consideration of the issue concerning the implementation of judgments of the European Court of Human Rights in the context of extraterritoriality to the subsequent meeting of the Drafting Group. The Drafting Group agreed to deal with this issue at its subsequent meeting.

15. The Bureau exchanged views about the continued examination of the draft Guidelines, noting that outstanding amendments and questions should be first discussed in the DH-SYSC-V. The DH-SYSC will discuss the draft Guidelines at its 6<sup>th</sup> meeting and provide guidance that it may deem necessary to the DH-SYSC-V. Considering the progress of work in the Drafting Group, the Bureau took the view that it appears feasible to finalise the draft Guidelines in 2022.

16. Subject to the final adoption of the draft terms of reference of the CDDH and DH-SYSC for the quadrennium 2022 – 2025, the Bureau decided to propose to the CDDH that the DH-SYSC-V holds two more meetings in 2022 in its current composition and with its current presidency. It is proposed that the Drafting Group be tasked to finalise, under the authority of DH-SYSC and on the basis of the results achieved during the 2020 – 2021 biennium, draft Guidelines to prevent and remedy violations of the Convention at the national level for decision by the CDDH at its 97<sup>th</sup> meeting (6 – 9 December 2022, tbc) at the latest.

### **3.2 CDDH *ad hoc* negotiation Group on the accession of the EU to the ECHR (“47+1 Group”)**

17. The Chair of the 47+1 Group, Ms Tonje MEINICH (Norway), presented the conclusions of the 10<sup>th</sup> meeting (29 June – 2 July 2021) and 11<sup>th</sup> meeting (5 – 8 October 2021) of the Group, as well as the organisation of its future work. She mentioned in particular the very useful exchange with civil society and national human rights institutions which the Group had at its 10<sup>th</sup> meeting which would be repeated at future meetings.

18. As regards the 11<sup>th</sup> meeting, the Chair stated that the progress had not been as extensive as she had hoped for, but that the Group was moving into the right direction. Many proposals had been tabled which formed a good basis for future discussions. Consensus on the various issues discussed was feasible but would require the willingness by all delegations to agree to compromise solutions. For that meeting, two delegations had tabled non-papers (in addition to the formal proposals considered by the Group) which already had formed part of the discussion.

19. The next meeting would be held by the Group on 7 – 10 December 2021 and is expected to include formal proposals by the EU on the topics related to the Common Foreign and Security Policy. The Chair also informed the Bureau about the tentative dates for the meetings of the Group for the first semester of 2022.

20. The Bureau inquired about the ongoing work of the Parliamentary Assembly’s Committee on Legal Affairs and Human Rights on “Legal aspects of the EU’s accession to the European Convention on Human Rights”. The Secretariat informed the Bureau about the background of this work and the Chair mentioned that she had signalled her willingness to engage with that Committee in the course of its work, if considered desirable.

21. The Bureau thanked the Chair for this information and wished her and the Group a good continuation of the negotiations to finalise its mandate. The Bureau also invited the Chair to report about the work of the Group at the next CDDH Plenary.

#### ITEM 4: ENVIRONMENT AND HUMAN RIGHTS

22. The Chairperson of the Drafting Group on Human Rights and the Environment (CDDH-ENV), Ms Kristīne LĪCIS (Latvia), informed the Bureau of the state of preparation of its second meeting (3 – 5 November 2021), which will be held in a hybrid format to enable delegations to be physically present at the meeting. The CDDH-ENV would examine the following three main issues: a) the revision of the draft text for a non-binding instrument (e.g., recommendation, guidelines) on human rights and the environment, b) the impact of the present activity in terms of gender equality; c) the need for further work on human rights and environment. She recalled that the non-binding instrument on human rights and the environment was scheduled to be adopted by the CDDH by 30 June 2022.

23. The Bureau thanked the Chair for this information and wished her and the Drafting Group members good luck with the work at its forthcoming meeting. The Bureau noted that there is growing expectation and pressure for the CDDH to finalise its work on a non-binding instrument and to possibly take up further work. In this respect, it took note of the information provided by the Secretariat on possible decisions by the Committee of Ministers which could have an impact on future work of the CDDH in this field. The Bureau underlined that it would be important for the Drafting Group to agree soon on the exact nature of the instrument, bearing in mind that the expectations of many are for a Recommendation, and to concentrate most of its efforts at the next meeting on the revision of the draft text. As there was much interest in member States on this future non-binding instrument, the Bureau also stressed the need for the draft text to be circulated to delegations well in advance of the meetings, and notably of the June meeting of the CDDH, to allow the necessary time for consultation at national level. The Bureau also invited the Chair to report about the work of the Group at the next CDDH plenary meeting.

24. Furthermore, the Secretariat provided information on the state of preparation of the publication, in both official languages, of the “Manual on Human Rights and the Environment – 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” (3<sup>rd</sup> edition), adopted by the CDDH at its 94<sup>th</sup> meeting (15 – 18 June 2021), which should be ready by the end of the year.

#### ITEM 5: CIVIL SOCIETY AND NATIONAL HUMAN RIGHTS INSTITUTIONS

25. The Secretariat informed the Bureau about the new publication “Civil Society and Human Rights” containing the Recommendation CM/Rec(2018)11 on the need to strengthen the protection and promotion of civil society space in Europe; the Recommendation CM/Rec(2019)6 on the development of the Ombudsman institution; and Recommendation CM/Rec(2021)1 on the development and strengthening of effective, pluralist and independent national human rights institutions. This publication is available [online](#) and in a paper version. The Secretariat intends to promote this publication in the context of Council of Europe co-operation programmes, at country -specific or regional level, as well as in events that may be organised under the auspices of various Presidencies of the Committee of Ministers.

26. Ms Krista OINONEN (Finland) proposed that, even in the absence of a deliverable in the draft terms of reference 2022 – 2025 dedicated specifically to the Recommendation CM/Rec(2018)11 of the Committee of Ministers to member States on the need to strengthen the protection and promotion of civil society space in Europe, the CDDH keeps the implementation of this recommendation, and more generally the question the work with and about Civil Society and national human rights institution, as a regular item on its agenda. The Bureau proposed to discuss further this matter at the CDDH plenary, also in the light of suggestions made by ENNHRI.

## **ITEM 6: MIGRATION AND HUMAN RIGHTS**

27. The Chair of the Drafting Group on Migration and Human Rights (CDDH-MIG), Mr Morten RUUD (Norway), informed the Bureau about the results of its 8<sup>th</sup> and last meeting (6 – 8 October 2021). A draft CDDH Guide “Family based care for unaccompanied and separated children” (document CDDH-MIG(2021)01) had been successfully finalised by CDDH-MIG with a view to transmission to the CDDH for possible adoption at its 95<sup>th</sup> meeting.

28. The Bureau agreed that the CDDH should be invited to examine the draft CDDH Guide and possibly adopt it with a view to presenting it to the Committee of Ministers for information. The CDDH should also be invited to discuss how to circulate and promote the Guide amongst the relevant stakeholders.

## **ITEM 7: HUMAN RIGHTS AND BUSINESS**

29. Ms Nicola WENZEL (Germany, CDDH Rapporteur on Human Rights and Business) presented some proposals regarding the promotion and implementation of Recommendation CM/Rec(2021)2 of the Committee of Ministers to member states on measures against the trade in goods used for death penalty, torture and other cruel, inhuman or degrading treatment or punishment (document CDDH(2021)18). These proposals stem from a meeting between the Secretariat, the CDDH Rapporteur on Human Rights and Business, Amnesty International and the Omega Research Foundation. They consist of three main activities: firstly, holding a Workshop for member State trade control officials and other relevant stakeholders; secondly, devoting a section of the Online Platform for Human Rights and Business to the topic of trade in goods used for torture, other ill-treatment and the death penalty; and thirdly, promoting relevant aspects of CM/Rec(2021)2 in other States, regions and forums. The Bureau supported the presentation of these proposals to the CDDH at its 95<sup>th</sup> meeting with a view to discussing possible follow-up.

30. After an exchange of views on the state of play of the Online Platform the Bureau agreed to propose to the CDDH to hold a discussion at its 95<sup>th</sup> meeting a view to identifying possible actions to enhance the Platform during the next quadrennium 2022 – 2025.

31. The Bureau took note of the draft CDDH Report on the implementation of Recommendation CM/Rec(2016)3 on Human Rights and Business (CDDH(2021)13Rev), including proposals for follow-up work, and agreed to invite the CDDH to adopt the draft Report with a view to its transmission to the Committee of Ministers for information. Subject to possible further contributions by ENNHRI the CDDH may consider the desirability of including stakeholder participation in its future follow-up activities.

## **ITEM 8: MEASURES AGAINST TRAFFICKING FOR THE PURPOSE OF LABOR EXPLOITATION**

32. The Chair of the Drafting Committee on Trafficking for the purpose of Labour Exploitation (DH-TET), Mr Morten RUUD (Norway), informed the Bureau on the proceedings of its first meeting (4 – 5 October 2021). The DH-TET had benefited from the participation of around 50 experts and had examined the structure of a draft Recommendation of the Committee of Ministers on measures against trafficking in human beings for the purpose of labour exploitation. The Chair highlighted the need for the DH-TET to hold meetings of three days in 2022 in order to be able to transmit the draft recommendation to the CDDH in good time for its possible adoption by 30 June 2022.

33. The Bureau noted that the Chair will share this information with the CDDH at its 95<sup>th</sup> meeting. The CDDH will be invited, if need be, to give orientation to the DH-TET for the continuation of its work.

## **ITEM 9: PREPARATION OF THE CDDH PROGRAMME OF ACTIVITIES FOR 2022 - 2025**

34. The Secretariat informed the Bureau members about the state of play of the draft terms of reference of the CDDH and the DH-SYSC for the 2022 – 2025 quadrennium.

35. The Bureau held a preliminary discussion on the prioritisation of the various deliverables included in the draft terms of reference. It agreed that the ongoing work in DH-SYSC-IV and DH-SYSC-V should be concluded in 2022. New activities on the system of the Convention should start thereafter.

36. The scope of work and timetable for CDDH deliverables in the field of human rights and artificial intelligence should be defined once the CDDH has a clearer view about the expected results of work in the Council of Europe Ad Hoc Committee on Artificial Intelligence (CAHAI) and of other bodies. As regards activities envisaged in 2022 – 2025 to hold Workshops, Conferences or Dialogues on various themes it was considered that these could be held in conjunction with meetings of the CDDH, and/or under the aegis of a Committee of Ministers presidency.

37. The Bureau noted that some of the deliverables in the draft terms of reference 2022 – 2025 are closely connected to each other, for instance with respect to human rights in situations of crises. The Bureau agreed that the work in this area should start as soon as possible in 2022. Therefore, it decided to propose to the CDDH to appoint at its 95<sup>th</sup> meeting a drafting group tasked to work on these deliverables. The Secretariat will inform the Bureau about the budgetary appropriations available for this group and will prepare its draft terms of reference. On this basis the Bureau will invite the CDDH members ahead of the 95<sup>th</sup> meeting to submit their candidates for this group at this CDDH meeting. More generally, the Bureau expressed the wish to be reassured that the Secretariat will be provided with the necessary means, including in terms of human resources, to support the increasing work of the Committee in the years to come.

38. The Bureau also instructed the Secretariat to prepare, on the basis of the exchange of views held at its present meeting, a preliminary draft roadmap of activities for the next quadrennium 2022 – 2025 for the Bureau's consideration and transmission to the CDDH for discussion at its 95<sup>th</sup> meeting.

## **ITEM 10: ACCESS TO OFFICIAL DOCUMENTS**

39. The Secretariat informed the Bureau about the state of play in respect of setting up of the monitoring bodies of the Council of Europe Convention on Access to Official Documents (CETS No. 205) – the Tromsø Convention. Only nine out of the 11 Parties to the Convention had proposed candidates for the Access Info Group. Given that the minimum number of members of this Group set by the Convention is ten it is considered unlikely that the Access Info Group will be established within the period of one year following the entry into force of the Convention (1 December 2020). Notwithstanding, the Consultation of the Parties will hold its constitutive meeting on 29 November 2021. The Secretariat has engaged with delegations of member States which are considering possible accession to the Tromsø Convention with a view to helping them address legal and technical questions concerning the accession.

40. The Bureau expressed its hope that more member States will accede to and ratify the Tromsø Convention and that its monitoring mechanism will be put in place rapidly.

## **ITEM 11: GENDER EQUALITY**

41. The Bureau held an exchange of views with the CDDH Rapporteur on gender equality, Mr Philippe WÉRY (Belgium). It was noted that most of the CDDH subordinate groups had examined the gender equality dimension of their work on the basis of the Thematic Form on Gender Equality which was adopted by the CDDH (document CDDH(2020)13). Some of the subordinate groups, for example DH-SYSC-IV and DH-SYSC-V, had completed their evaluations of the gender equality aspects of their work on the basis of this form and recorded their conclusions in the reports of their last meetings for the 2020 – 2021 biennium. The CDDH-ENV has identified specific gender equality aspects of its work which will be discussed at its 2nd meeting (3 – 5 November 2021).

42. The Bureau encouraged all subordinate groups to continue taking into account the gender equality form, *inter alia*, in the context of inviting experts to participate in their work. The Secretariat should periodically update the document which summarises the results of the gender equality examination of the subordinate groups (CDDH(2021)04).

## **ITEM 12: BIOETHICS**

43. The Secretary of the Committee on Bioethics (DH-BIO), Ms Laurence LWOFF, informed the Bureau of the main issues to be discussed at the 19<sup>th</sup> plenary meeting of the Committee to be held from 2 to 4 November 2021. She underlined in particular that the DH-BIO did not intend to vote on the text of the draft Additional Protocol on the protection of human rights and dignity of persons with regard to involuntary placement and involuntary treatment in mental healthcare services, but to take a decision on the submission of the draft to the Committee of Ministers for further decisions. This approach had been proposed considering the particular circumstances which have accompanied the development of this text and on the basis of a general recognition by delegations of the important work achieved by the DH-BIO in the preparation of the draft protocol with which it has been entrusted by the Committee of Ministers, with due account taken of the different comments made during this process.

44. Ms Lwoff also informed the Bureau about the progress made in the implementation of the Strategic Action Plan on Human Rights and Technologies in Biomedicine (2020-2025), the priorities of which have been redefined in the light of the pandemic. Particular attention was drawn on an online round table on human rights and neurotechnologies to be organised jointly with the OECD on 9 November 2021 in which the Chair of the CDDH has been invited to participate. An invitation will be sent to all CDDH members. This round table could help identifying possible avenues for action in the field of human rights protection with regard to the important applications of these technologies in different fields.

45. The Secretariat referred to the draft terms of reference currently examined by the Group of rapporteurs of the Committee of Ministers, which notably foresee the transformation of the DH-BIO into a Steering Committee on the Protection of Human Rights in the fields of Biomedicine and Health (CDBIO). The Bureau agreed on the importance of keeping a strong link between the CDDH and the possible future Steering Committee.

46. The Bureau noted that Ms Lwoff will provide to the CDDH at its 95<sup>th</sup> meeting updated information, notably in the light of the outcomes of the 19<sup>th</sup> meeting of the DH-BIO and of the round table on human rights and neurotechnologies.

## **ITEM 13: CONVENTIONS**

47. The Secretariat informed the Bureau that Protocol No.16 to the European Convention on Human Rights had been ratified by North Macedonia and entered into force in respect of Bosnia and Herzegovina. It proposed that Protocol No.15 to the Convention should not be further discussed under this item of the agenda given its entry into force on 1 August 2021. The Secretariat will prepare a short information document for this item of the agenda for the 95<sup>th</sup> meeting of the CDDH.

## **ITEM 14: FOCAL POINTS**

48. The Secretariat provided information about the creation of the Ad hoc Working Party on improving the European Social Charter system (GT-CHARTÉ) by decision of the Committee of Ministers on 7 October 2021 ([CM/Del/Dec\(2021\)1413/4.5](#)). Noting that the CDDH will be invited to attend the meetings of the working party in order to provide expert opinions and suggestions and that the meetings of GT-CHARTÉ may start already in November, the Bureau agreed to invite Mr Vít Alexander Schorm (Czech Republic) to participate in the proceedings of this working party in his capacity as the CDDH Focal Point on social rights.



49. The Bureau took note of vacancies in respect of some focal points' roles and decided to invite delegations interested in taking up these roles to manifest themselves at the 95<sup>th</sup> meeting of the CDDH. Also, the Bureau instructed the Secretariat to verify and eventually update the list of CDDH focal points for consideration and possible decisions by the CDDH at its 95<sup>th</sup> meeting, and to invite the focal points to submit summaries of the activities that they have followed in the last two years in good time for consideration of such information by the CDDH at its 95<sup>th</sup> meeting (see [Appendix II](#) hereafter).

#### **ITEM 15: ELECTIONS**

50. The Bureau held an exchange of views on the elections to be held at the 95<sup>th</sup> meeting of the CDDH. The current situation of chairmanships, the composition of the Bureau, expert committees and Drafting Groups under the CDDH appears in [Appendix III](#) hereafter.

51. The CDDH will be invited to proceed to the election of the Chair and Vice-Chair and four Bureau members of the CDDH, and of the Chair of DH-SYSC. In view of the need to start the implementation of its programme of activities for 2022 – 2025, and subject to the final adoption by the Committee of Ministers of the terms of reference for 2022 - 2025, the Bureau proposed that the CDDH should also be invited to appoint the Chair and the members of a drafting group to work on deliverables relating on human rights in situations of crises.

#### **ITEM 16: INVITEES**

52. The Bureau noted that it had previously discussed the desirability of inviting the Secretary General, the President of the European Court of Human Rights or the Commissioner for Human Rights to one of the meetings of the CDDH. However, the CDDH did not have the possibility to welcome these dignitaries due to the fact that the last two meetings were held via videoconference. The Bureau agreed to propose to the CDDH to continue considering these invitations in the upcoming meetings of the CDDH, notably should they take place in person.

#### **ITEM 17: PUBLICATIONS**

53. The Bureau agreed to invite the Secretariat to provide an update regarding the publications it has prepared at its 95<sup>th</sup> meeting.

#### **ITEM 18: CALENDAR**

54. The Bureau discussed a tentative calendar prepared by the Secretariat as well as changes that need to be made to it (see [Appendix IV](#)). It expressed a preference to hold, to the extent possible, its meetings in a physical format. The Bureau instructed the Secretariat to revise the calendar and to propose at the CDDH's 95<sup>th</sup> meeting a definitive calendar for the meetings of the CDDH and the Bureau in 2022 and to the extent possible for all other meetings.

#### **ITEM 19: ACKNOWLEDGMENTS**

55. There was no discussion under this item.

#### **ITEM 20: OTHER BUSINESS**

56. The Chair of the CDDH informed the Bureau that the Permanent Representative of Norway intends to organise a reception in the margins of the 95<sup>th</sup> meeting of the CDDH.

57. Upon a proposal by the Chair of DH-SYSC-V, Mr Vít Alexander SCHORM (Czech Republic), the Bureau agreed to advise all delegations on some practical steps in order to avoid delays in their submissions of comments or amendment proposals on various texts being considered in the CDDH or its subordinate bodies. Delegations are invited to ensure that their submissions are received by the Secretariat by means of checking whether there is an email from the Secretariat confirming receipt of submissions and checking whether their submissions appear in the relevant compilation of comments.

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## Appendix I

### **List of participants**

#### **BUREAU MEMBERS / MEMBRES DU BUREAU**

##### **AUSTRIA / AUTRICHE**

Ms Brigitte OHMS, Deputy Government Agent, Division for International Affairs and General Administrative Affairs (dpt. V 5), Federal Ministry for Constitutional Affairs, Reforms, Deregulation and Justice

##### **FINLAND / FINLANDE**

Ms Krista OINONEN, Government Agent before the ECtHR, Director, Unit for Human Rights Courts and Conventions, Ministry for Foreign Affairs

##### **LATVIA / LETTONIE**

Mrs Krīstīne LĪCIS, Government Agent before the ECtHR, Representative of the Government before International Human Rights Organisations, Ministry of Foreign Affairs

##### **THE NETHERLANDS / PAYS-BAS**

Ms Babette KOOPMAN, Government Agent before the ECtHR, Ministry of Foreign Affairs

##### **NORWAY / NORVEGE**

Mr Morten RUUD, Ministry of Justice and Public Security, Oslo, Chair of the Steering Committee for Human Rights / Président du Comité directeur pour les droits de l'homme (CDDH)

##### **POLAND / POLOGNE**

Mr Jan SOBCZAK, Agent of the Government before the European Court of Human Rights, Deputy Director, Legal and Treaty Department, Ministry of Foreign Affairs

##### **SPAIN / ESPAGNE**

Mr Alfonso BREZMES, Agent before the ECtHR, Head of the Human Rights Area of the Constitutional Law & Human Rights Department, Ministry of Justice

##### **SUISSE / SWITZERLAND**

M. Alain CHABLAIS, Dr. iur., Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Représentation de la Suisse devant la Cour européenne des droits de l'Homme

#### **AUTRES PARTICIPANTS / OTHER PARTICIPANTS**

Mr Hans-Jörg BEHRENS (Germany), Head of Unit IVC1, Human Rights Protection; Government Agent before the European Court of Human Rights, Bundesministerium der Justiz und für Verbraucherschutz, Berlin

Ms Nicola WENZEL (Germany), LL.M., Head of Human Rights Division, Agent before the European Court of Human Rights Federal Ministry of Justice and Consumer Protection

Ms Tonje MEINICH (Norway), Deputy Director General, Legislation Department, Ministry of Justice and Public Security, Oslo

Mr Vit A. SCHORM (Czech Republic), Government Agent before the European Court of Human Rights, Ministry of Justice, Prague

Mr Philippe WERY (Belgium), CDDH Rapporteur on gender equality issues

## **SECRETARIAT**

### **DG I – Human Rights and Rule of Law / Droits de l'Homme et État de droit Council of Europe / Conseil de l'Europe, F-67075 Strasbourg Cedex**

Mr Daniele CANGEMI, Head of the Human Rights, Justice and Legal Co-operation Standard-Setting Activities Department / Chef du Service des activités normatives en matière de droits de l'homme, justice et coopération juridique

Ms Elvana THACI, Administrator, Human Rights Intergovernmental Cooperation Division / Administrateur, Division de la coopération intergouvernementale en matière de droits de l'Homme, Secretary of the Committee of experts on the System of the European Convention on Human Rights / Secrétaire du Comité d'experts sur le système de la Convention européenne des droits de l'homme (DH-SYSC)

Ms Merete BJERREGAARD, Administrator, Human Rights Intergovernmental Cooperation Division / Administrateur, Division de la coopération intergouvernementale en matière de droits de l'Homme, Secretary of the Drafting Group on Environment and Human Rights / Secrétaire du Groupe de rédaction sur l'environnement et les droits de l'homme (CDDH-ENV)

Ms Laurence LWOFF, Secretary of the Committee on Bioethics / Secrétaire du Comité de Bioéthique (DH-BIO)

Mr Matthias KLOTH, Secretary of the CDDH *ad hoc* negotiation group on the accession of the European Union to the European Convention on Human Rights / Secrétaire du Groupe de négociation ad hoc du CDDH sur l'adhésion de l'Union européenne à la Convention européenne des droits de l'homme (« 47+1 »)

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## Appendix II

### **CDDH focal points in other forums**

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): Ms Zinovia STAVRIDI (Greece)
5. European Committee on Legal Co-operation (CDCJ): Ms Maria de Fátima GRAÇA CARVALHO (Portugal)
6. Steering Committee on Media and Information Society (CDMSI): *vacant*
7. Committee of experts on Roma and Traveller Issues (ADI-ROM): *Vacant*
8. Advisory Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (T-PD): Ms Brigitte OHMS (Austria)
9. Council of Europe Committee on Counterterrorism (CDCT): *Vacant*
10. Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse ("Lanzarote Committee"): Ms Brigitte KONZ (Luxembourg)
11. Steering Committee for the rights of the child (CDENF): Ms Brigitte KONZ (Luxembourg)
12. European Committee on Democracy and Governance (CDDG): Ms Krista OINONEN (Finland)
13. Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI): *vacant*
14. Ad hoc Committee on Artificial Intelligence (CAHAI): Mr Tigran H. GALSTYAN (Armenia)

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### Appendix III

#### **Composition of the Bureau, Chairmanships, Rapporteurs and Drafting Groups**

| <b>BUREAU OF THE CDDH</b>                             | <b>END OF THE MANDATE</b>                                 | <b>REFERENCES</b>   |
|---|---|---|
| Mr Morten RUUD (Norway)<br>Chair                      | 31 December 2021<br>(elected for 1 year, not renewable)   | 93 <sup>rd</sup> meeting of the CDDH<br>(December 2020)   |
| Ms Kristine LIČIS (Latvia)<br>Vice-Chair              | 31 December 2021<br>(elected for 1 year, not renewable)   | 93 <sup>rd</sup> meeting of the CDDH<br>(December 2020)   |
| Ms Brigitte OHMS (Austria)<br>Member                  | 31 December 2022<br>(elected for 2 years, renewable once) | 93 <sup>rd</sup> meeting of the CDDH<br>(December 2020)   |
| Ms Krista OINONEN (Finland)<br>Member                 | 31 December 2021<br>(elected for 2 years, not renewable)  | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| Ms Babette KOOPMAN (the Netherlands)<br>Member        | 31 December 2022<br>(elected for 2 years, renewable once) | 93 <sup>rd</sup> meeting of the CDDH<br>(December 2020)   |
| Mr Jan SOBCZAK (Poland)<br>Member                     | 31 December 2021<br>(elected for 2 years, renewable once) | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| Mr Alfonso BREZMES (Spain)<br>Member                  | 31 December 2021<br>(elected for 2 years, renewable once) | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| Mr Alain CHABLAIS (Switzerland)<br>Member             | 31 December 2021<br>(elected for 2 years, renewable once) | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| <b>CHAIRS</b>   |   |   |
| <b>DH-BIO</b><br>Ms Ritva HALILA (Finland)            | 31 December 2021<br>(elected for 1 year, renewable once)  | 17 <sup>th</sup> meeting of the DH-BIO<br>(November 2020) |
| <b>DH-SYSC</b><br>Mr Hans-Jörg BEHRENS (Germany)      | 31 December 2021<br>(elected for 1 year, renewable once)  | 93 <sup>rd</sup> meeting of the CDDH<br>(December 2020)   |
| <b>DH-SYSC-IV</b><br>Mr Alain CHABLAIS (Switzerland)  |   | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| <b>DH-SYSC-V</b><br>Mr Vít A. SCHORM (Czech Republic) |   | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| <b>"47 + 1"</b><br>Ms Tonje MEINICH (Norway)          |   | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| <b>CDDH-MIG</b><br>Mr Morten RUUD (Norway)            |   | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| <b>CDDH-ENV</b><br>Ms Kristine LIČIS (Latvia)         |   | 92 <sup>nd</sup> meeting of the CDDH<br>(November 2019)   |
| <b>DH-TET</b><br>Mr Morten RUUD (Norway)              | 30 June 2022  | 94 <sup>th</sup> meeting of the CDDH<br>(June 2021)       |

| RAPPORTEURS   |                |   |   |
|---|----------------|---|---|
| Mr Philippe WERY (Belgium)  |                | CDDH Rapporteur for Gender Equality                             |   |
| Ms Brigitte KONZ (Luxembourg)   |                | CDDH Rapporteur on Children's Rights                            |   |
| Ms Brigitte KONZ (Luxembourg)   |                | CDDH Rapporteur for the Rights of Persons with Disabilities     |   |
| [...]   |                | CDDH Rapporteur on Roma and Traveller Issues                    |   |
| Mr Vít A. SCHORM (Czech Republic)   |                | CDDH Rapporteur on Social Rights                                |   |
| Ms Krista OINONEN (Finland)   |                | CDDH Rapporteur on Human Rights in Culturally Diverse Societies |   |
| Ms Nicola WENZEL (Germany)  |                | CDDH Rapporteur on Human Rights and Business                    |   |
| DRAFTING COMMITTEE ON TRAFFICKING FOR THE PURPOSE OF LABOUR EXPLOITATION (DH-TET) (as of 25 October 2021) |                |   |   |
| CDDH  | CDPC           | Governmental Committee on the European Social Charter           | Independent experts designated by the Secretary General |
| Austria   | Finland        | Luxembourg  | Ms Zuzanna MUSKAT GORSKA (Belgium)                      |
| France  | Switzerland    |   | Ms Kamelia DIMITROVA (Bulgaria)                         |
| Germany   | United Kingdom |   | Ms Annabel CANZIAN (France)                             |
| Greece  |                |   | Prof. Zbigniew LASOČIK (Poland)                         |
| Norway (Chair)  |                |   | Ms Caroline ROBINSON (United Kingdom)                   |
| DRAFTING GROUPS   |                |   |   |
| DH-SYSC-IV  |                | DH-SYSC-V   |   |
| Armenia   |                | Czech Republic ( <i>Chair</i> )                                 |   |
| Azerbaijan  |                | Estonia   |   |
| Croatia   |                | Finland   |   |
| Georgia   |                | France  |   |
| Germany   |                | Italy   |   |
| Greece  |                | Norway  |   |
| Netherlands   |                | Poland  |   |
| Russian Federation  |                | Portugal  |   |
| Serbia  |                | Spain   |   |
| Slovenia  |                | United Kingdom  |   |
| Switzerland ( <i>Chair</i> )  |                |   |   |
| CDDH-MIG  |                | CDDH-ENV  |   |
| Armenia   |                | Austria   |   |
| Bulgaria  |                | Finland   |   |
| Czech Republic  |                | France  |   |
| Greece  |                | Germany   |   |
| Iceland   |                | Latvia ( <i>Chair</i> )   |   |
| Italy   |                | Poland  |   |
| Latvia  |                | Romania   |   |
| Norway ( <i>Chair</i> )   |                | Russian Federation  |   |
| Spain   |                | Spain   |   |
| Turkey  |                | Switzerland   |   |
|   |                | Turkey  |   |

Appendix IV**Calendar of meetings**

| <b>2<sup>nd</sup> semester 2021</b>   |                 |
|---|-----------------|
| <i>Opening of the Judicial Year</i>   | 10 September    |
| 4 <sup>th</sup> 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 <sup>st</sup> meeting of the Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET)  | 4-5 October     |
| 11 <sup>th</sup> 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     |
| 8 <sup>th</sup> meeting of the Drafting Group on Migration and Human Rights (CDDH-MIG)  | 6-8 October     |
| 3 <sup>rd</sup> meeting of the Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V)                                 | 12-14 October   |
| 106 <sup>th</sup> meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)  | 21-22 October   |
| 6 <sup>th</sup> meeting of the Committee of Experts on the System of the European Convention on Human Rights (DH-SYSC)  | 26-28 October   |
| 19 <sup>th</sup> meeting of the Committee on Bioethics (DH-BIO)   | 2-4 November    |
| 2 <sup>nd</sup> meeting of the Drafting Group on Human Rights and Environment (CDDH-ENV)  | 3-5 November    |
| <i>Meeting of the Government's Agents with the Court's Registry</i>   | 22 November     |
| 95 <sup>th</sup> meeting of the Steering Committee for Human Rights (CDDH)  | 23-26 November  |
| 2 <sup>nd</sup> meeting of the Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET)  | 29-30 November  |
| 1 <sup>st</sup> meeting of the Consultation of the Parties to the Council of Europe Convention on Access to Official Documents  | 29 November     |
| 12 <sup>th</sup> 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 (provisional)  |                               |
|---|-------------------------------|
| <i>[Opening of the Judicial Year]</i>   | [End of January]              |
| 3 <sup>rd</sup> meeting of the Drafting Group on Human Rights and Environment (CDDH-ENV)  | [End of January] <sup>1</sup> |
| 3 <sup>rd</sup> meeting of the Group on Trafficking for the purpose of labour exploitation (DH-TET)   | 22-24 February (tbc)          |
| 13 <sup>th</sup> 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") | 1-4 March (tbc)               |
| 1 <sup>st</sup> meeting of the Drafting Group on human rights in situations of crisis   | 8-10 March (tbc)              |
| 4 <sup>th</sup> meeting of the Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V)                                 | 23-24 March (tbc)             |
| 5 <sup>th</sup> meeting of the Drafting Group on effective Processing and Resolution of cases relating to inter-State Disputes (DH-SYSC-IV)   | 5-7 April (tbc)               |
| 4 <sup>th</sup> meeting of the Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET)  | [April]                       |
| 4 <sup>th</sup> meeting of the Drafting Group on Human Rights and Environment (CDDH-ENV)  | [April]                       |
| 107 <sup>th</sup> meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)  | 5-6 May (tbc)/<br>28-29 April |
| 14 <sup>th</sup> 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") | 10-13 May (tbc)               |
| 1 <sup>st</sup> meeting of the Steering Committee on Human Rights in the fields of biomedicine and health (CDBIO)   | 31 May-3 June                 |
| <i>Meeting of the Government's Agents with the Court's Registry</i>   | 13 June                       |
| 96 <sup>th</sup> meeting of the Steering Committee for Human Rights (CDDH)  | 14-17 June                    |
| 15 <sup>th</sup> 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 July                      |
| 6 <sup>th</sup> meeting of the Drafting Group on the effective Processing and Resolution of cases relating to inter-State Disputes (DH-SYSC-IV)   | 20-22 September (tbc)         |
| 5 <sup>th</sup> meeting of the Drafting Group on Human Rights and Environment (CDDH-ENV)  | [...]                         |
| 2 <sup>nd</sup> meeting of the Consultation of the Parties to the Tromsø Convention   | [...]                         |
| 5 <sup>th</sup> meeting of the Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V)                                 | 5-6 October (tbc)             |
| 2 <sup>nd</sup> meeting of the Drafting Group on human rights in situations of crises   | 11-13 October (tbc)           |
| 16 <sup>th</sup> 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") | October (tbc)                 |
| 108 <sup>th</sup> meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)  | 27-28 October (tbc)           |
| 7 <sup>th</sup> meeting of the Committee of experts on the System of the European Convention on Human Rights (DH-SYSC)  | 9-11 November (tbc)           |
| 1 <sup>st</sup> meeting of the Council of Europe Access Info Group  | [...]                         |

<sup>1</sup> Dates to be confirmed in November 2021 at the 95<sup>th</sup> CDDH meeting.

|   |                |
|---|----------------|
| 2 <sup>nd</sup> meeting of the Steering Committee on Human Rights in the fields of biomedicine and health (CDBIO)   | [...]          |
| 97 <sup>th</sup> meeting of the Steering Committee for Human Rights (CDDH)  | 6-9 December   |
| 17 <sup>th</sup> 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") | December (tbc) |