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

DRAFT ANNOTATED AGENDA
(revised in the light of the 101st Bureau meeting, May 2019)

91st meeting

Strasbourg, 18–21 June 2019
Agora Building, room G.01

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Summary

At its 91st meeting (Strasbourg, 18-21 June 2019), the CDDH will, in particular, be requested to:

- a. adopt, if necessary, its comments for the Committee of Ministers concerning Recommendation of the Parliamentary Assembly 2145(2019) - *Withdrawing nationality as a measure to combat terrorism: a human rights-compatible approach?*
- b. adopt its proposals for the Intergovernmental Programme of Activities 2020-2021;
- c. adopt the following chapters of the future *CDDH report on the place of the Convention in European and international legal order*:
 - *Methodology of interpretation by the European Court of Human Rights and its approach to international law* (theme 1, sub-theme (i));
 - *Interaction between the resolutions of the Security Council and the European Convention on Human Rights* (theme 1, sub-theme (iii));
 - *Interaction between international humanitarian law and the European Convention on Human Rights* (theme 1, sub-theme (iv));
 - *Challenge of the interaction between the Convention and other international human rights instruments to which Council of Europe member States are parties* (theme 2);
- d. adopt its draft Recommendation Rec(2019) ... of the Committee of Ministers to member States on the System of the European Convention on Human Rights in university education and professional training;
- e. adopt its Report on measures taken by the member States to implement relevant parts of the Brussels Declaration;
- f. adopt its Report identifying good practices and making proposals with a view to improving the implementation of social rights in Europe;
- g. adopt its draft Recommendation No. Rec(2019) ... of the Committee of Ministers to member States on the development of the Ombudsman institution;
- h. adopt its Practical guidance on alternatives to immigration detention: Fostering effective results;
- i. adopt its Guide to good and promising practices on the way of reconciling freedom of expression with other rights and freedoms, in particular in culturally diverse societies;
- j. exchange views on its draft feasibility study on CDDH work on the prohibition of the trade in goods used for torture and the death penalty;
- k. adopt its follow-up Report on the implementation of Recommendation CM/Rec(2010)5 of the Committee of Ministers to member States on measures to combat discrimination on grounds of sexual orientation or gender identity;
- l. participate in the Workshop on the protection of victims of terrorist acts.

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

1. In the light of the conclusions of the 90th meeting of the CDDH (27–30 November 2018, report CDDH(2018)R90), the Secretariat has prepared the draft agenda and order of business. The Bureau examined them at its 101th meeting (Helsinki, 15–17 May 2019). The versions consolidated by it appear in Appendices I and II below.

ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY

2. Further to the decisions of the Ministers' Deputies adopted at their 1336th meeting (6–7 February 2019), the text of the Recommendation of the Parliamentary Assembly 2145(2019) - *Withdrawing nationality as a measure to combat terrorism: a human rights-compatible approach?*¹ has been transmitted to the CDDH for information and possible comments.

3. The draft comments suggested by the Bureau in May for possible consideration by the CDDH in June appear in Appendix III below.

ITEM 3: IMPLEMENTATION OF THE CDDH TERMS OF REFERENCE FOR 2018-2019 AND PREPARATION OF 2020-2021

4. In the light of information provided by the Secretariat on the situation in terms of financial and human resources, the CDDH will exchange views in June on the work to be finalised by the end of 2019.

5. As a reminder, the current terms of reference of the CDDH, DH-SYSC and DH-BIO for the present biennium 2018-2019 appear in Appendix IV below.

6. The CDDH will be invited in June to submit its formal proposals to the Committee of Ministers for the Intergovernmental Programme of Activities 2020-2021. To this aim, Appendix V below contains proposals from the Secretariat for consideration by the CDDH.

7. As to the proposals to be drafted, it is recalled that the CDDH at its 90th meeting (November 2018) has, in particular:

- (i) decided that its priority in 2020 would be to finalise its current work. It concerns in particular the activities of the CDDH-MIG and CDDH-INST;
- (ii) already indicated its availability, if necessary, to undertake such or such intergovernmental activity within its field of competence which would be envisaged by one or other of the Chairmanships of the Committee of Ministers which will succeed one another until the end of 2021², subject to the necessary human and budgetary resources to accomplish these additional tasks;

¹ Adopted at its plenary winter session (21–25 January 2019).

²France: 17 May 2019 - November 2019
 Georgia: November 2019 - May 2020
 Greece: May - November 2020
 Germany: November 2020 - May 2021

- (iii) noted the interest to discuss in June 2019, in the light of document (2018)17 Appendix IV, other work which could be envisaged for 2020–2021 or at a later stage. This concerned in particular the following areas:
- (a) how to deal more effectively with interstate dispute cases;
 - (b) the situation of the judges of the Court after the end of their term of office;³
 - (c) the effective dissemination at national level of the judgments and decisions of the Court, including where appropriate in the national language(s);⁴
 - (d) strengthening international regulations prohibiting trade in goods used for torture and the death penalty;
 - (e) promoting the human rights of older persons (non-discrimination, autonomy and participation, protection against violence, social and employment protection, adequate access to health care, access to justice);
 - (f) promoting access to official documents;
 - (g) deepening links between human rights and the environment.

ITEM 4: SYSTEM OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

4.1 The place of the Convention in the European and international legal order (DH-SYSC-II)

8. The Chair of DH-SYSC-II, Ms Florence MERLOZ (France), presented to the Bureau in May the results of the 5th meeting of the Drafting Group (5–8 February 2019, report DH-SYSC-II(2019)R5). She will present them to the plenary in June as well the results of the 6th meeting of the Group (22–24 May 2019, report DH-SYSC-II(2019)R6).

9. In order to advance the work of the Group and due to the fact that the CDDH's agenda for its 92nd meeting (26–29 November 2019) will be heavy, the Chairperson of the DH-SYSC-II suggested that the CDDH proceed with the examination and possible provisional adoption, in June 2019, of the following four draft texts:

- (a) Sub-theme i) of Theme 1, *Methodology of interpretation by the European Court of Human Rights and its approach to international law* (document DH-SYSC-II(2018)23 as provisionally adopted at the 4th meeting of the DH-SYSC-II in September 2018);
- (b) Sub-theme iii) of Theme 1, *Interaction between the Resolutions of the Security Council and the European Convention on Human Rights* (document DH-SYSC-

³ Following the decisions taken by the Deputies for the implementation of the Copenhagen Declaration.

⁴ In the light in particular of the conclusions of the *Round Table Implementation of the ECHR in the domestic legal systems: Experience in the translation and dissemination of the judgments of the European Court in a comparative perspective*, held in Strasbourg on 15 October 2018. During this event, the experiences and challenges posed by the dissemination and translation of the judgments of the Strasbourg Court in Italy, Poland, the Russian Federation and other member States were discussed in a practical perspective, so as to achieve an effective and reliable dissemination of the case-law of the Court.

II(2018)25 as provisionally adopted at the 4th meeting of the DH-SYSC-II in September 2018);

- (c) Sub-theme iv) of Theme 1, *Interaction between international humanitarian law and the European Convention on Human Rights* (document DH-SYSC-II(2019)35 as provisionally adopted at the 5th meeting of the DH-SYSC-II in February 2019);
- (d) Theme 2, *Challenge of the interaction between the Convention and other international human rights instruments to which Council of Europe member States are parties*, (document DH-SYSC-II(2019)36 as provisionally adopted at the 5th meeting of the DH-SYSC-II in February 2019).

10. With regard to the sub-theme (ii) of Theme 1, *State responsibility and extraterritorial application of the European Convention on Human Rights*, is still under consideration in DH-SYSC II. It is envisaged that the text resulting from its May 2019 meeting will be forwarded to the DH-SYSC for consideration by the latter at its October 2019 meeting for final transmission to the CDDH for consideration and adoption in November 2019. It is therefore not envisaged that the CDDH will take a decision on this subject at its current meeting in June.

11. The same approach applies to Theme 3, *Challenge of the interaction between the Convention and the legal order of the European Union and other regional organisations*, the text of which will be discussed by DH-SYSC-II for the first time at its 6th meeting (22–24 May 2019), and it is therefore not envisaged either that the CDDH will take a decision on this subject at its present meeting in June.

12. The detailed schedule of the work of DH-SYSC-II is given in Appendix VI below, for information.

4.2 The ECHR in university education and professional training (DH-SYSC-III)

13. The Bureau exchanged views on the draft Recommendation Rec(2019) on the system of the European Convention on Human Rights in university education and professional training (document DH-SYSC-III(2019)02, also appearing in Appendix VII below) and its new Appendix II containing a selection of good practices (document DH-SYSC-II(2019)01rev), in the light of the comments and proposals received from the CDDH participants.

14. It is recalled that this text was prepared by the Drafting Group on the follow-up to Recommendation Rec(2004)4 (DH-SYSC-III) at its meeting on 16-17 October 2018 under the chairmanship of Ms Vasileia PELEKOU (Greece); see report DH-SYSC-III(2018)R1.

15. In the light of the Bureau's suggestions, the CDDH will be asked to examine in June the draft Recommendation, with a view to its possible adoption and transmission to the Committee of Ministers.

4.3 Follow-up to the *Interlaken Declaration* - Preparation of the final report of the CDDH

16. The Secretariat is in the process of drafting the *Contribution of the CDDH to the evaluation provided for in the Interlaken Declaration*⁵, following the table of contents (see Appendix VIII below) and the guidance provided by the CDDH at its November 2018 meeting⁶.

⁵ The Interlaken Declaration adopted on 19 February 2010 at the High Level Conference on the future of the European Court of Human Rights established a roadmap for the reform process towards long-term effectiveness of the Convention system.

17. This text will be examined by the DH-SYSC in October 2019 and by the CDDH in November 2019.

4.4 Follow-up to the *Brussels Declaration*

18. The CDDH is called upon to examine the draft CDDH report on the measures taken by Member States for the implementation of the relevant parts of the Brussels Declaration⁷ (document CDDH(2019)17rev) prepared by the Secretariat in the light of the national information received (documents [CDDH\(2018\)23](#) and [CDDH\(2019\)21](#), bilingual).

19. It is expected that the CDDH will adopt this text in June for transmission to the Ministers' Deputies for information.

4.5 Follow-up to the *Copenhagen Declaration*

20. Following the High Level Conference on the reform of the Convention system held in Copenhagen on 12-13 April 2018⁸, the Ministers' Deputies, at their meeting on 30 May 2018, invited the CDDH to include the following additional elements in its future Contribution to the evaluation foreseen by the Interlaken Declaration (see point 4.3 above):

- (i) a comprehensive analysis of the Court's backlog, identifying and examining the causes of the influx of cases from States Parties in order to identify the most appropriate solutions at the level of the Court and States Parties. To this end, the Registry of the Court has provided the CDDH with statistics on the evolution of the Court's workload over 10 years, which allow for an analysis of the Court's backlog (document CDDH(2019)08);
- (ii) proposals on how to facilitate the expeditious and efficient handling of cases, in particular repetitive cases, which the parties are ready to settle by friendly settlement or unilateral declaration; to this end, the Registry of the Court has provided the CDDH

In the section on the implementation of the Action Plan, the Committee of Ministers was invited to decide, before the end of 2019, whether the measures adopted during the reform process have proved sufficient to ensure a sustainable functioning of the Convention's control mechanism or whether more fundamental changes are needed.

⁶ The Steering Committee expressed the wish that the future report:

- (i) is as brief as possible in both contents and form, with references to existing documents for further details, and should be written in accessible language;
- (ii) contains a table of contents and a concluding section which should include an assessment of whether the measures adopted so far in the Interlaken reform process have proved sufficient to ensure a sustainable functioning of the Convention system or whether further changes are needed. This question has already been partially answered in previous CDDH reports, which should be reflected in the future report, which could also contain proposals for further reflection and/or action;
- (iii) contains the additional elements requested by the Ministers' Deputies at their meeting on 30 May 2018; see item 4.5 below.

⁷ Declaration adopted by the Committee of Ministers at the High Level Conference on "The implementation of the European Convention on Human Rights, our shared responsibility" held in Brussels on 26-27 March 2015. https://www.echr.coe.int/Documents/Brussels_Declaration_ENG.pdf

⁸ 1317th meeting of the Deputies, decisions following-up the 128th Session of the Committee of Ministers held in Helsingør (Denmark) on 17-18 May 2018. Reference documents: CM/PV(2018)128-prov, CM/PV(2018)128-add, CM(2018)OJ-prov5, SG(2018)1, CM/Inf(2018)10, CM/Inf(2018)11, CM(2018)18-add1.

with a document (in English only) entitled "*Encouraging the resolution of proceedings before the Court through a non-contentious procedural phase*" (CDDH(2019)09);

- (iii) proposals on how to deal more effectively with cases relating to inter-State disputes, as well as individual applications arising from situations of conflict between States, though without limiting the jurisdiction of the Court, taking into account the specificities of these categories of cases, in particular with regard to fact-finding;
- (iv) questions relating to the situation of judges of the European Court of Human Rights after the end of their term of office, mentioned in paragraphs 154 and 159 of the CDDH 2017 Report on the selection and election process of judges of the European Court of Human Rights (document CM(2018)18-add1). The document (in English only) provided by the Registry on this subject ("*Recognition in domestic law of service in international courts*") with the reference CDDH(2019)07. The Bureau in May and then the plenary in June will exchange views with Mr Vít A. SCHORM (Czech Republic), former Chairman of CDDH Drafting Group I on the follow-up to the CDDH report on the longer-term future of the Convention system (DH-SYSC-I) on judges' issues.

21. In any event, the CDDH should adopt its report *Contribution to the evaluation provided for in the Interlaken Declaration* at its 92nd meeting (November 2019) for transmission to the Committee of Ministers before 31 December 2019.

4.6 Update of the accompanying Guide to Good Practices to Recommendation CM/Rec(2010)3 on effective remedies for excessive length of proceedings

22. The CDDH is invited to exchange views on this subject in the light of the information to be provided by the Secretariat.

4.7 Organisation of work at the next DH-SYSC meeting (October 2019)

23. The CDDH will exchange views with the Chairperson of the DH-SYSC, Ms Brigitte OHMS (Austria) on the work to be carried out by DH-SYSC on [15] 16-18 October 2019, which will focus on the review of the work of DH-SYSC-II and on the draft *Contribution to the Evaluation foreseen by the Interlaken Declaration*.

ITEM 5: DEVELOPMENT AND PROMOTION OF HUMAN RIGHTS

5.1 Social rights (CDDH-SOC)

24. The Chair of the Drafting Group on Social Rights, Mr Vít A. SCHORM (Czech Republic), will present to the CDDH in June the results of the 4th and last meeting of the Group (3-5 April 2019, report CDDH-SOC(2019)R4). It made it possible to finalise the draft second report identifying good practices and formulating proposals to improve the implementation of social rights in Europe (CDDH-SOC(2019)R4 Addendum).

25. This text has been sent to the experts of the CDDH for possible comments until 3 June 2019. They will be compiled in document CDDH(2019)15.

26. On this basis, it is expected that the CDDH will examine and adopt, in June, its report with a view to its transmission to the Committee of Ministers for information and for the possible follow-up that it would like to give to the report.

5.2 Civil society and national human rights institutions (CDDH-INST)

27. The Chairperson of the Drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST), Ms Krista OINONEN (Finland), will present to the CDDH in June the results of the 5th meeting of the Group (27 February - 1 March 2019, report CDDH-INST(2019)R5). It made it possible to finalise the draft Recommendation on the development of the Ombudsman institution. It appears in Appendix IX below. This text will be submitted to the CDDH in June for discussion and possible adoption.

28. It is recalled that the Group considered combining this instrument with a compilation of national best practices. The draft compilation was prepared by an external consultant proposed by the International Ombudsman Institute (IOI). It was presented to the Bureau in May and then sent to CDDH participants for possible comments by 30 May. This would enable the CDDH to approve the compilation at its meeting of 18-21 June with a view to formally appending it to "draft Recommendation No. R [...] on the development of the Ombudsman institution", prepared by the CDDH-INST, to be discussed and adopted by the CDDH in June.

29. Finally, at its 5th meeting, the Group has advanced in the revision of Recommendation No. R(97)14 of the Committee of Ministers to member States on the establishment of independent national institutions for the promotion and protection of human rights. A draft scheme is attached in Appendix X below. In the light of the Secretariat's information on budgetary and staff resources, and the suggestion by the Bureau, the CDDH will be invited to consider modalities for holding the 6th meeting of the Drafting Group.

5.3 Human Rights and migration (CDDH-MIG)

30. The Chair of the Drafting Group on Migration and Human Rights (CDDH-MIG), Mr Morten RUUD (Norway), will present to the CDDH in June the results of the 6th meeting of the Group (26-28 March 2019, Report CDDH-MIG (2019)R6). It made it possible to finalise the revised draft Practical guidance on Alternatives to immigration detention: Fostering effective results (document CDDH-MIG(2019)01Addendum).

31. The text will be submitted to the CDDH in June for its discussion and possible adoption, in the light in particular of the comments received from experts of the CDDH (CDDH-MIG (2019) 02) and examples of formats and possible layout of the manual.

5.4 Freedom of expression and links to other human rights (CDDH-EXP)

32. The Chair of the Drafting Group on Freedom of Expression and links to other Human Rights (CDDH-EXP), Mr Hans-Jörg BEHRENS (Germany), will present to the CDDH in June the results of the 4th and last meeting of the Group (20-22 March 2019, report CDDH-EXP(2019)R4). The Group has finalised the draft guide to good and promising practices on the way of reconciling freedom of expression with other rights and freedoms, in particular in culturally diverse societies. The draft Guide is accompanied by a compilation of measures and practices existing in the member States (document CDDH-EXP(2018)02).

33. The text of the draft Guide will be submitted to the CDDH in June for discussion and possible adoption, in the light, in particular, of any comments by the Bureau and those to be received from the CDDH participants.

ITEM 6: FOLLOW-UP TO ACTIVITIES CARRIED OUT BY THE CDDH**6.1 Human Rights and business**

34. The Secretariat will report to the CDDH in June on preparatory work for the Online Platform for human rights and business, in the light of the information contained in document CDDH(2019)01. In particular, it is planned to make a practical demonstration of the conditions of access to the Platform, followed by an exchange of views with the CDDH participants.

35. As to the content of the Platform, the CDDH will be informed in June of the replies received to the questionnaire sent by the Secretariat to the member states (CDDH(2019)06). The CDDH will also be informed of the progress of the work to promote the Platform at the United Nations Forum on Business and Human Rights (Geneva, November 2019).

6.2 Prohibition of the trade in goods used for torture and death penalty

36. The Committee of Ministers reported on 12 September 2018 that it would be useful for it to have a study by the CDDH to determine the feasibility of a legal instrument on the prohibition of trade in goods used for torture and the death penalty. The study should take into account existing work in the framework of the Council of Europe and other international fora as well as examples of good practice that will be collected through the new Online Platform for human rights and business.

37. The Bureau approved a draft outline for this study and the Secretariat sent a questionnaire prepared by a consulting expert. The results of the work will be included in document CDDH(2019)03 to be examined by the CDDH in June.

6.3 Victims of terrorist acts

38. The French delegate, Ms Florence MERLOZ, presented to the CDDH Workshop on the protection of victims of terrorist acts to be held in Strasbourg in the CDDH meeting room on Thursday, on 20 June 2019, from 14:00 to 18:30. This event is organised by the CDDH under the aegis of the French Chairmanship of the Committee of Ministers. The draft programme appears in Appendix XI below.

39. Document CDDH(2019)10 will provide a basis for discussion at the Workshop. It contains the information provided by twenty member States in response to a questionnaire from the Secretariat, as well as the analysis of the replies by the Secretariat.

6.4 Access to official documents

40. The Finnish delegate, Ms Krista OINONEN, will present to the Bureau in May and to the CDDH in June the results of the event organised by the Finnish Chairmanship of the Committee of Ministers on 6 March 2019 in Strasbourg to raise awareness of the Tromsø Convention, (CETS No. 205). The event took place in 2019 marking the 10th anniversary of the opening for signature of this treaty, which will enter into force upon the deposit of the next instrument of ratification by a member State.

6.5 Combating discrimination on grounds of sexual orientation or gender identity

41. Mr Jeroen SCHOKKENBROEK, Director of Anti-Discrimination, Directorate General of Democracy (DGII), will inform the CDDH in June of the status of the follow-up work on the implementation of Recommendation CM/Rec(2010)5 of the Committee of Ministers to member

States on measures to combat discrimination on grounds of sexual orientation or gender identity. He will refer, in particular to:

- (i) document CDDH(2018)21 which contains a compilation and analysis of the information received to date from thirty-six member States;
- (ii) the organisation of a Workshop in Paris on 26 September 2019 (morning) dealing with *Homophobic and transphobic hate speech and violence: State of play in Europe following the review process of the Committee of Ministers' Recommendation on measures to combat discrimination on grounds of sexual orientation or gender identity*. This event takes place in the framework of the 25th anniversary of ECRI. It is organised by the SOGI Unit in cooperation with the European Network of Government Focal Points and is placed under the aegis of the French Chairmanship of the Committee of Ministers. The Secretariat will present to CDDH in June the state of preparation of the Workshop, with a view to consider the possibility of an active participation of the CDDH in this work.

ITEM 7: GENDER EQUALITY

42. As agreed by the CDDH at its last meeting, at the request of its Rapporteur for Gender Equality, Mr Philippe WÉRY (Belgium), this item now appears in a more appropriate place on the agenda of the plenary meetings. With a view to exchanging views on this issue in June, document CDDH(2019)14 contains information on the contribution of the CDDH to the Council of Europe's gender equality policies over the last ten years, as well as on future prospects.

ITEM 8: BIOETHICS

43. The work carried out by the Committee on Bioethics (DH-BIO) at its 15th meeting (4-7 June 2019, report DH-BIO(2019)abrRAP15) will be presented by Ms Laurence LWOFF, Secretary of the Committee. She will refer, in particular to:

- (i) the holding, at the meeting, of an event on the public debate on human rights issues in the field of biomedicine. This event, under the aegis of the French Chairmanship of the Committee of Ministers, is part of the work of the DH-BIO to draft a Guide to public debate on biomedicine and health;
- (ii) the status of work on the draft Additional Protocol on the protection of the dignity and fundamental rights of persons with mental disorder with regard to placement and involuntary treatment;
- (iii) the work envisaged by the DH-BIO for the next biennium.

ITEM 9: CONVENTIONS

44. In the light of the information provided in document CDDH(2019)16, the CDDH will hold an exchange of views on the state of signatures and ratifications of the treaties under its responsibility.⁹

⁹ Protocols Nos. 15 and 16 to the European Convention on Human Rights; European Agreement relating to Persons participating in Proceedings of the European Commission and Court of Human Rights; Council of Europe Convention on Access to Official Documents.

ITEM 10: FOCAL POINTS

45. Document CDDH(2019)11 will present the information communicated by the Focal Points representing the Steering Committee in other fora and at certain events. For the record, the list of focal points is given in Appendix XII below.

ITEM 11: INVITEES

46. The CDDH will exchange views in June with the following personalities:

Professor Rainer HOFMANN, on behalf of the EU Fundamental Rights Agency (FRA);

Mr Jan KLEIJSEN, Director of the Information Society and the Action Against Crime (DGI), on the implications, in terms of human rights, of advances in artificial intelligence.

47. It is planned to invite Ms Dunja MIJATOVIC, Council of Europe Commissioner for Human Rights, to the 92nd meeting (November 2019) with regard to the work which she considers to be a priority in the exercise of her high functions.

ITEM 12: PUBLICATIONS

48. The Secretariat will provide information on the current status of publications of the work of the CDDH as well as of planned publications in 2019 in both electronic and printed versions, subject to the availability of resources. Appendix XIV below contains information on this item.

ITEM 13: CALENDAR

49. Appendix XV below contains proposals of the Secretariat, to be considered in particular in the light of the discussions held within the Bureau with regard to item 3 above and taking into account the Secretariat's information on the situation in terms of human and budgetary resources.

ITEM 14: OTHER BUSINESS***Human rights and environment***

50. The Secretariat will present to the CDDH in June the state of preparation of an event foreseen in 2020 concerning the challenges to human rights posed by environmental protection, with a view to examining the possibility of active participation of the CDDH in this work.

Appendix I

Draft Agenda of the 91st CDDH meeting (18–21 June 2019, Strasbourg, Agora, room G.01)

The draft agenda and related documents will be available online: www.coe.int/cddh

	ITEM 1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND ORDER OF BUSINESS
CDDH(2019)04Rev	Annotations on the draft agenda and order of business
CDDH(2018)R90	Report of the 90 th CDDH meeting (27–30 November 2018)
CDDH-BU(2019)R101	Report of the 101 st Bureau meeting (Helsinki, 15–17 May 2019)
	ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY
CDDH(2019)05	Text of the Recommendation and elements for possible comments
	ITEM 3: IMPLEMENTATION OF THE TERMS OF REFERENCE OF THE CDDH FOR 2018-2019 AND PREPARATION FOR 2020-2021
CDDH(2019)04Rev, Appendix IV	Current terms of reference of the CDDH, DH-SYSC and DH-BIO (biennium 2018–2019)
CDDH(2019)04Rev, Appendix V	Proposals of the Secretariat for the draft terms of reference of the CDDH and the DH-SYSC for the biennium 2020–2021
	ITEM 4: SYSTEM OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS
	4.1 The place of the Convention in the European and international legal order (DH-SYSC-II)
DH-SYSC-II(2019)R6	Report of the 6 th meeting (22–24 May 2019)
DH-SYSC-II(2018)23	Chapter of Theme 1, subtheme i): Methodology of interpretation by the European Court of Human Rights and its approach to international law, as provisionally adopted at the 4 th DH-SYSC-II meeting in September 2018
DH-SYSC-II(2018)25	Chapter of Theme 1, subtheme iii): Interaction between the resolutions of the Security Council and the European Convention on Human Rights, as provisionally adopted at the 4 th DH-SYSC-II meeting in September 2018

DH-SYSC-II(2019)35	Chapter of Theme 1, subtheme iv): Interaction between international humanitarian law and the European Convention on Human Rights, as provisionally adopted at the 5 th DH-SYSC-II meeting in February 2019
DH-SYSC-II(2019)36	Chapter of Theme 2: Challenge of the interaction between the Convention and other international human rights instruments to which the Council of Europe Member States are parties, as provisionally adopted at the 5 th DH-SYSC-II meeting in February 2019
CDDH(2019)04Rev, Appendix VI	Planning of the of the DH-SYSC-II work
	4.2 The ECHR in university education and professional training (DH-SYSC-III)
DH-SYSC-III(2018)R1	Report of the meeting of 16–17 October 2018
DH-SYSC-III(2019)02	Preliminary draft of the revised Recommendation Rec(2004)4 on the European Convention on Human Rights in university education and professional training
DH-SYSC-III(2019)01Rev	Good national practices illustrating the principles set out in Appendix I to the revised Recommendation Rec(2004)4
DH-SYSC(2019)01	Comments on the preliminary draft Recommendation Rec(2019)[...] of the Committee of Ministers to member States on the system of the European Convention on Human Rights in university education and professional training
	4.3 Follow-up to the <i>Interlaken Declaration</i> - Preparation of the final report of the CDDH
CDDH(2018)R90 , Appendix VII	Draft table of contents of the Contribution of the CDDH to the evaluation provided for by the Interlaken Declaration
	4.4 Follow-up to the <i>Brussels Declaration</i>
CDDH(2019)17Rev	Draft CDDH report on measures taken by the member States to implement relevant parts of the Brussels Declaration
CDDH(2018)23 (Bilingual)	Compilation of national reports on the implementation of the Brussels Declaration
CDDH(2019)21 (Bilingual)	Compilation of additional information received from member States on the national implementation of the Brussels Declaration
	4.5 Follow-up to the <i>Copenhagen Declaration</i>
CDDH(2019)12 (Bilingual)	Follow-up work to the Copenhagen Declaration – Compilation of the contributions received from the Member States

CDDH(2019)18	Document of the Secretariat on the possible follow-up to the Copenhagen Declaration
CDDH(2019)07	Recognition of service in international courts in national legislation
CDDH(2019)08	The development of the Court's case-load over ten years- statistical data for the CDDH
CDDH(2019)09	Encouraging resolution of the Court's proceedings through a dedicated non-contentious phase of the proceedings
	4.6 Update of the accompanying Guide to Good Practice to Recommendation CM/Rec(2010)3 on effective remedies for excessive length of proceedings
CDDH-BU(2019)R101	Suggestions by the Bureau
	4.7 Organisation of work at the next DH-SYSC meeting (October 2019)
CDDH-BU(2019)R101	Suggestions by the Bureau
	ITEM 5: DEVELOPMENT AND PROMOTION OF HUMAN RIGHTS
	5.1 Social rights (CDDH-SOC)
CDDH-SOC(2019)R4	Report of the 4 th meeting (3–5 April 2019)
CDDH-SOC(2019)R4 Addendum	Draft second report identifying good practices and making proposals with a view to improving the implementation of social rights in Europe
CDDH (2019)15	Compilation of the CDDH experts' comments on the draft report identifying good practices and making proposals with a view to improving the implementation of social rights in Europe
	5.2 Civil society and national human rights institutions (CDDH-INST)
CDDH-INST(2019)R5	Report of the 5 th meeting (27 February–1st March 2019)
CDDH-INST(2019)01Rev	Draft Recommendation No. R(85)13 on the Institution of the Ombudsman
	5.3 Human Rights and migration (CDDH-MIG)
CDDH-MIG(2019)R6	Report of the 6 th meeting (26–28 mars 2019)
CDDH-MIG(2019)01Addendum	Alternatives to immigration detention: Fostering effective results Practical guidance - Revised draft

CDDH-MIG(2019)08	Future work of the CDDH-MIG 2020-2021 - Invitation for written feedback
CDDH-MIG(2019)09	Outcomes on written feedback on future work
	Examples of potential design and layout of the handbook
	5.4 Freedom of expression and links to other human rights (CDDH-EXP)
CDDH-EXP(2019)R4	Report of the 4 th meeting (20–22 March 2019)
CDDH(2019)02	Draft guide to good and promising practices on the way of reconciling freedom of expression with other rights and freedoms, in particular in culturally diverse societies
	ITEM 6: FOLLOW-UP TO ACTIVITIES CARRIED OUT BY THE CDDH
	6.1 Human Rights and business
CDDH(2019)20	Online Platform on Human Rights and Business - Information provided by the Secretariat
CDDH(2019)01	Online Platform on Human Rights and Business - Questionnaire to the member States
CDDH(2019)06	Compilation of the replies received
	6.2 Prohibition of the trade in goods used for torture and death penalty
CDDH(2019)03	Preliminary draft of a feasibility study of a legal instrument on the prohibition of the trade in goods used for torture and the death penalty
	6.3 Victims of terrorist acts
CDDH(2019)10	Compilation and analysis of the information received from member States
	Draft programme of the Workshop
	6.4 Access to official documents
CDDH(2019)13	Information on the event organised by the Finnish chairmanship of the Committee of Ministers (6 March 2019)
	6.5 Combating discrimination on grounds of sexual orientation or gender identity
	Compilation and analysis of the information received from the member States

	ITEM 7: GENDER EQUALITY
CDDH(2019)14	Information from the Secretariat
	ITEM 8: BIOETHICS
DH-BIO(2018)abrRAP15	Abridged report of the 15 th meeting of the Committee on bioethics (DH-BIO) (4–7 June 2019)
	ITEM 9: CONVENTIONS
CDDH(2019)16Rev	Information document
	ITEM 10: FOCAL POINTS
CDDH(2019)11	Focal points representing the CDDH in other bodies/events: Information provided by the focal points
	ITEM 11: INVITEES
	Exchange of views with: <ul style="list-style-type: none"> • Mr Professor Rainer HOFMANN, on behalf of the EU Agency for fundamental rights (FRA) • Mr Jan KLEIJSEN, Director of the information society and action against crime Directorate
	ITEM 12: PUBLICATIONS
CDDH(2019)04Rev, Appendix XIV	Information on this item
	ITEM 13: CALENDAR
CDDH(2019)04Rev, Appendix XV	Proposals from the Secretariat
	ITEM 14: OTHER BUSINESS

Appendix II

Draft order of business

of the 91st CDDH meeting (Strasbourg, 18–21 June 2019)
revised in the light of the 101st Bureau meeting, May 2019

TUESDAY 18 June	WEDNESDAY 19 June	THURSDAY 20 June	FRIDAY 21 June
09:30	09:30	09:30	09:30
<p>Item 1 : OPENING</p> <p>Item 2 : RECOMMANDATION PACE</p> <p>Item 4 : ECHR SYSTEM</p> <p>4.2 DH-SYSC-III</p> <p>4.3. Follow-up Interlaken</p> <p>4.4. Follow-up Brussels</p> <p>4.5. Follow-up Copenhagen</p>	<p>Item 5 : DEVELOPMENT AND HR PROMOTION</p> <p>5.1 CDDH-SOC</p> <p>5.2. CDDH-INST</p> <p>5.3 CDDH-MIG</p>	<p>6.3 Victims of terrorist acts</p> <p>6.4 Access to official documents</p> <p>Item 7 : GENDER EQUALITY</p> <p>Item 8 : BIOETHICS</p> <p>Item 11 : INVITEE (Mr Peter Hoffmann)</p>	<p>Point 11 : INVITEE (Mr Jan Kleijssen)</p> <p>Item 9 : CONVENTIONS</p> <p>Item 12 : PUBLICATIONS</p> <p>Item 13 : CALENDAR</p> <p>Item 10 : FOCAL POINTS</p> <p>Item 14 : OTHER BUSINESS</p>
13:00 Lunch break	13:00 Lunch break	12:30 Lunch break	13:00 End of the meeting
<p>4.6 Rec CM(2010)3</p> <p>4.7. DH-SYSC</p> <p>4.1 DH-SYSC-II</p>	<p>14:30</p> <p>6.5 Discrimination</p> <p>5.4 CDDH-EXP</p> <p>Item 3 : TERMS OF REFERENCE 2020-2021</p> <p>Item 6 : MONITORING OF CDDH ACTIVITIES</p> <p>6.1 HR and Business</p> <p>6.2 Prohibition of the trade in goods used for torture and death penalty</p>	<p>14:00</p> <p>Workshop on the protection of victims of terrorist acts</p>	
18:00 End of session	18:00 End of session	<p>17:50</p> <p>Vin d'honneur offered by the French Chairmanship of the CM</p>	

Appendix III

Draft comments suggested by the Bureau
for consideration by the CDDH at its meeting of June 2019 concerning
**Recommendation of the Parliamentary Assembly 2145(2019) –
*Withdrawing nationality as a measure to combat terrorism:
a human rights-compatible approach?***

Text of the Recommendation

1. Referring to its [Resolution 2263 \(2019\)](#) “Withdrawing nationality as a measure to combat terrorism: a human rights-compatible approach?”, the Parliamentary Assembly recommends that the Committee of Ministers:

1.1. prepare a comparative study on Council of Europe member States’ laws allowing for the deprivation of nationality, with special focus on deprivation of nationality as a measure to combat terrorism;

1.2. draft guidelines on the criteria to be set up for the deprivation of nationality and on other counter-terrorism measures that could be used instead.

[Draft comments by the CDDH]

1. The Steering Committee for Human Rights (CDDH) takes note of Parliamentary Assembly Recommendation 2145 (2019) “*Withdrawing nationality as a measure to combat terrorism: a human rights-compatible approach?*”, and of Resolution 2263(2019) that accompanies it.

2. Bearing in mind that the European Convention on Human Rights or its Protocols do not guarantee the right to nationality/citizenship¹⁰ and that, as a result, member States enjoy a wide margin of appreciation when deciding whether to grant or withdraw nationality, the CDDH wishes to recall that, in its case-law, the Court drew attention to the fact that nationality is an element of the person's identity under Article 8 of the Convention,¹¹ but also on the fact that such a measure should be legal, devoid of arbitrariness¹² and not have a discriminatory effect.¹³

3. In the same vein, the CDDH wishes to recall the Guidelines of the Committee of Ministers on human rights and the fight against terrorism, adopted by the Committee of Ministers on 11 July 2002 at the 804th meeting of the Ministers' Deputies, which provide that:

¹⁰ Although legal doctrine makes a distinction between these two concepts, in the present comments, they are used interchangeably.

¹¹ See, for example, *Mennesson v. France*, Application No. 65192 judgment of /11, judgment of 26 June 2014; *Genovese v. Malte*, Application No. 53/24/09, judgment of 11 October 2011, §33.

¹² See, for example, *Ramadan v. Malta*, Application No. 76136/12, judgment of 21 June 2016.

¹³ *Biao v. Denmark*, Application No. 38590/10, judgment of 24 May 2016.

- (i) all measures taken by States to fight terrorism must respect human rights and the principle of the rule of law, while excluding any form of arbitrariness, as well as any discriminatory or racist treatment, and must be subject to appropriate supervision;
- (ii) all measures taken by States to combat terrorism must be lawful;
- (iii) when a measure restricts human rights, restrictions must be defined as precisely as possible and be necessary and proportionate to the aim pursued.

4. While noting that the issues concerning counter-terrorism measures relate more directly to the Steering Committee on Counter-Terrorism (CDCT) and the European Committee on Legal Co-operation (CDCJ), the CDDH considers that withdrawing nationality, as a measure to combat terrorism, may potentially raise objective human rights concerns, in particular under Article 8 of the Convention.

5. The CDDH expresses its availability, if necessary:

- (i) to make comments on any comparative study that would focus on existing laws in the member States regarding deprivation of nationality in the fight against terrorism;
- (ii) to cooperate in the possible drafting of guidelines (if the comparative study leads to a positive conclusion on the desirability of drafting such guidelines) on the criteria to be applied for the withdrawing nationality in the context of the fight against terrorism and on alternative measures that could be envisaged.

* * *

Appendix IV

Current terms of reference of the CDDH, DH-SYSC and DH-BIO (biennium 2018–2019)

(as adopted by the Committee of Ministers at its 1300th meeting, 21-23 November 2017)

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(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods*.

Type of committee: Steering Committee

Terms of reference valid from: **1 January 2018 until 31 December 2019**

PILLAR/SECTOR/PROGRAMME
<p>Pillar: Human Rights Sector: Protecting Human Rights / Promoting Human Rights and dignity Programme: Effectiveness of the ECHR System at national and European level / Bioethics</p>
MAIN TASKS
<p>Under the authority of the Committee of Ministers, and bearing in mind the Council of Europe legal standards as well as the relevant jurisprudence 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 will:</p> <ul style="list-style-type: none"> (i) work on the protection, development and promotion of human rights in Europe to: <ul style="list-style-type: none"> (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; (ii) follow the implementation of the non-binding instruments that it has prepared as well as conventions for which it has been given supervision by the Committee of Ministers; (iii) advise other bodies of the Organisation to ensure that their activities concerning human rights duly reflect the requirements of the Convention and the case-law of the Court; (iv) contribute to co-operation and support activities to national initiatives in the field of the protection, development and promotion of human rights; (v) without prejudice to the missions 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; (vi) where necessary, co-ordinate transversal intergovernmental activities in the field of human rights including bioethics; (vii) take due account of a gender perspective and to building cohesive societies in the performance of its tasks; (viii) in accordance with decisions <u>CM/Del/Dec(2013)1168/10.2</u> 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,¹⁴ in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers.

¹⁴ Cf. Relevant decision of the Committee of Ministers (CM/Del/Dec(2013)1168/10.2) and list of Conventions in CM(2017)132.

SPECIFIC TASKS**1. Protection of human rights**

Oversee the work of the Committee of experts on the reform of the Court (DH-SYSC) (see DH-SYSC terms of reference).

2. Development and promotion of human rights

If necessary, and to avoid any duplication, appropriate co-ordination and co-operation with relevant conventional and monitoring bodies and other Council of Europe bodies involved is to be ensured.

Social rights

On the basis of the analysis of the legal framework of the Council of Europe for the protection of social rights in Europe, identify good practices and make, as appropriate, proposals with a view to improving the implementation of social rights and to facilitate in particular the relationship between the Council of Europe instruments with other instruments for the protection of social rights (deadline: 31 December 2019).

Links between freedom of expression and other human rights and freedoms

On the basis of work conducted in 2016-2017 and the evolving case-law of the European Court of Human Rights, and in close co-operation in particular with CDMSI and ECRI, prepare if appropriate a draft non-binding instrument (e.g. guidelines, guide to good practices, recommendation) on the way of reconciling freedom of expression and other human rights and freedoms, in particular in culturally diverse societies (deadline: 31 December 2019).

Migration

On the basis of work conducted in 2016-2017, prepare one or more draft non-binding instruments of the Committee of Ministers (for example a recommendation, guidelines, good practice handbooks) concerning human rights issues in the context of migration, in particular effective alternatives to detention of migrants and asylum seekers (deadline: 31 December 2019).

Civil Society, Human Rights Defenders and National Human Rights Institutions

- (i) On the basis of work conducted in 2016-2017, prepare a draft non-binding instrument of the Committee of Ministers and a guide of good practice with the aim that member States, through their legislation, policies and practices, effectively protect and promote the civil society space (activities of organisations of the civil society, human rights defenders and national institutions for the promotion and protection of human rights) (deadline: 31 December 2018).
- (ii) In particular, proceed to the revision of Recommendation No R(97)14 of the Committee of Ministers to member States on the establishment of independent national institutions for the promotion and protection of human rights (deadline: 31 December 2019).

Dissemination and awareness-raising

Organise, if needed, thematic debates on the following items (deadline: 31 December 2019):

- (i) follow-up given by states to Recommendation CM(2014)2 of the Committee of Ministers to member States on the promotion of human rights of older persons;
- (ii) follow-up given by states to Recommendation CM/Rec(2010)5 of the Committee of Ministers to member States on measures to combat discrimination on grounds of sexual orientation or gender identity;¹⁵
- (iii) situation in member States in respect of the right of access to official documents, in particular concerning signatures and ratifications of the 2009 Tromsø Convention (CETS No. 205);
- (iv) contribution to work which may be conducted by other bodies of the Council of Europe (e.g. GEC, GREVIO, GRETA, CAHENF and CDPC) to combat female genital mutilation and forced marriage.

Bioethics

Oversee from the human rights perspective the intergovernmental work in the field of bioethics (see terms of reference of the DH-BIO).

¹⁵ Several delegations made declarations upon adoption of this Recommendation at the Deputies' 1081st meeting (31 March 2010).

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;
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send 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;
- Representatives of 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).

Observers

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

- Belarus;
- 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 Roma¹⁶ and Travellers Forum).

WORKING METHODS**Plenary meetings**

48 members, 2 meetings in 2018, 4 days

48 members, 2 meetings in 2019, 4 days

Bureau

8 members, 2 meetings in 2018, 2 days

8 members, 2 meetings in 2019, 2 days

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

¹⁶ 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.

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

SUBORDINATE STRUCTURE(S) TO THE CDDH

The CDDH has a coordinating, supervising and monitoring role in the functioning of its subordinate bodies:

- Committee of experts on the system of the European Convention on human rights (DH-SYSC) (see separate terms of reference) and Drafting Groups;
- Committee on Bioethics (DH-BIO) (see separate terms of reference).

APPENDIX 1 - RELEVANT DECISION OF THE COMMITTEE OF MINISTERS AND LIST OF CONVENTIONS CM/Del/Dec(2013)1168/10.2 (Review of Council of Europe conventions)

9. [The Deputies] instructed the steering and ad hoc committees to carry out, at regular intervals, within the limits of the available resources and bearing in mind the priorities of each committee, an examination of some or all of the conventions for which they have been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, in order to:

- propose ways of improving the visibility, impact and efficiency of some or all of the conventions for which they have been given responsibility;
- draw the attention of member States to the relevant conventions;
- where necessary, identify any operational problems or obstacles to ratification of the relevant conventions, and draw the attention of member States to reservations which impact substantively on the effectiveness of their implementation;
- encourage States to regularly examine the possibility and/or desirability of becoming a Party to new Council of Europe conventions;
- assess the necessity or advisability of drafting amendments or additional protocols to the conventions for which they have been given responsibility or drafting supplementary conventions;
- and to report back to the Committee of Ministers.

CDDH	
5	Convention for the Protection of Human Rights and Fundamental Freedoms
9	Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms
12	European Interim Agreement on Social Security Schemes Relating to Old Age, Invalidity and Survivors
13	European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors
14	European Convention on Social and Medical Assistance
20	Agreement on the Exchange of War Cripples between Member Countries of the Council of Europe with a view to Medical Treatment
35	European Social Charter
40	Agreement between the Member States of the Council of Europe on the issue to Military and Civilian War-Disabled of an International Book of Vouchers for the repair of Prosthetic and Orthopaedic Appliances
46	Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto
48	European Code of Social Security
67	European Agreement relating to Persons participating in Proceedings of the European Commission and Court of Human Rights
68	European Agreement on Au Pair Placement
78	European Convention on Social Security
078A	Supplementary Agreement for the Application of the European Convention on Social Security

CDDH	
83	European Convention on the Social Protection of Farmers
93	European Convention on the Legal Status of Migrant Workers
114	Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty
117	Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms
126	European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
139	European Code of Social Security (Revised)
142	Protocol amending the European Social Charter
148	European Charter for Regional or Minority Languages
154	Protocol to the European Convention on Social Security
157	Framework Convention for the Protection of National Minorities
158	Additional Protocol to the European Social Charter Providing for a System of Collective Complaints
161	European Agreement relating to persons participating in proceedings of the European Court of Human Rights
163	European Social Charter (revised)
164	Convention for the protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine
168	Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings
177	Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms
186	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin
187	Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances
195	Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research
197	Council of Europe Convention on Action against Trafficking in Human Beings
203	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Genetic Testing for Health Purposes
205	Council of Europe Convention on Access to Official Documents
210	Council of Europe Convention on preventing and combating violence against women and domestic violence
213	Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms
214	Protocol No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms

* * *

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\(2011\)24](#) 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 2018 until 31 December 2019**

PILLAR/SECTOR/PROGRAMME
<p>Pillar: Human Rights Sector: Protecting Human Rights Programme: Effectiveness of the ECHR System at national and European level</p>
MAIN TASKS
<p>Under the supervision of the Steering Committee for Human Rights (CDDH), the DH-SYSC will conduct the intergovernmental work intended to enhance the protection of human rights by improving the effectiveness of the system of the European Convention on Human Rights and the implementation of the Convention at national level, as assigned by the Committee of Ministers to the Steering Committee.</p>
SPECIFIC TASKS
<ul style="list-style-type: none"> (i) Concerning the place of the European Convention on Human Rights in the European and international legal order, as well as the related challenges, prepare a draft report for the Committee of Ministers containing conclusions and possible proposals for action (deadline: 31 December 2019). (ii) Concerning the authority of the Court and its case-law: follow-up to the decisions that may be taken by the Committee of Ministers further to the submission, in December 2017, of the CDDH report on the process of selection and election of the judges at the European Court of Human Rights with a view to improving the current system (deadline: 31 December 2019). (iii) In light of the results achieved in the framework of the above-mentioned activities, contribute to the evaluation set out by the Interlaken Declaration, before the end of 2019, with a view to formulating proposals to the Committee of Ministers as to whether the measures adopted so far have proven to be sufficient to ensure sustainable functioning of the system of the Convention or whether more profound changes are necessary (deadline: 31 December 2019). (iv) Concerning the implementation of the Convention and execution of the Court's judgments: ensure that information is exchanged regularly - in order to assist member States in developing their domestic capacities and facilitate their access to relevant information (see paragraph 29 (a) i) of the Brighton Declaration and paragraph C. 1. g) of the Brussels Declaration); to this end, consider the different means to promote quicker exchange of information and experiences, to reinforce the status of the government agents, of the co-ordinators (c.f. para. 1 CM/Rec(2008)2), and to provide sufficient means to the state authorities involved in the functioning of the Convention and in the process of the execution of judgments. (v) Concerning university education and professional training in human rights, update Recommendation Rec(2004)4 in light of important developments taken place over more than 10 years in the field in the 47 member States of the Council of Europe, notably as a result of the European Programme for Human Rights Education for Legal Professionals (HELP) of the Council of Europe (deadline: 31 December 2019). (vi) Concerning effective remedies for excessive length of proceedings, update the accompanying Guide to Good Practice to Recommendation CM/Rec(2010)3 (deadline: 31 December 2019).
COMPOSITION
<p>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.</p>

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

Observers:

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

- Belarus;
- Non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities;
- Non-governmental organisations (Amnesty International, European Trade Unions Confederation (ETUC), International Commission of Jurists (ICJ), International Federation of Human Rights (FIDH), European Roma¹⁷ and Travellers Forum, Open Society Justice Initiative (OSJI)), as well as the European Network of National Human Rights Institutions (ENNHRI).

WORKING METHODS**Plenary meetings:**

48 members, 1 meeting in 2018, 3 days

48 members, 2 meetings in 2019, 3 days

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution [CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

¹⁷ 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.

COMMITTEE ON BIOETHICS (DH-BIO)

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(2011)24 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 2018 until 31 December 2019**

PILLAR/SECTOR/PROGRAMME Pillar: Human Rights Sector: Promoting Human Rights and Dignity Programme: Bioethics
MAIN TASKS <p>Under the authority of the Committee of Ministers, the DH-BIO shall carry out the tasks assigned to the Steering Committee on Bioethics (CDBI) by the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine.</p> <p>Under the supervision of the Steering Committee for Human Rights (CDDH), the DH-BIO will conduct intergovernmental work on the protection of human rights in the field of biomedicine assigned to it by the Committee of Ministers. The DH-BIO will in particular:</p> <ul style="list-style-type: none"> (i) conduct regular re-examinations foreseen in the Convention and its Additional Protocols; (ii) develop further the principles laid down in the Convention on Human Rights and Biomedicine, as appropriate, also in the light of the relevant case-law of the ECHR; (iii) contribute to raising awareness and facilitating the implementation of these principles; (iv) assess ethical and legal challenges raised by developments in the biomedical field; (v) co-operate with the European Union and relevant intergovernmental bodies, in particular with a view to promoting consistency between the normative texts; (vi) 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 conventions¹⁸ for which it has been given responsibility and report back to the Committee of Ministers.
SPECIFIC TASKS <ul style="list-style-type: none"> (i) A draft Additional Protocol on the protection of human rights and dignity of persons with mental disorders with regard to involuntary placement and involuntary treatment is finalised. (ii) On the basis of the results of the international conference organised on the occasion of the 20th anniversary of the Oviedo Convention, a draft Strategic Action Plan on human rights and technologies is finalised. (iii) A training course on essential principles for the protection of human rights in the biomedical field intended for legal and health professionals is launched in the framework of the HELP programme. (iv) A round table is organised, in co-operation with the Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data (T-PD), on the challenges for human rights raised by developments in the field of genetics, including for children's rights. (v) Subject to the results of the international conference organised on the occasion of the 20th anniversary of the Oviedo Convention, draft guidelines for the promotion of public debate on human rights challenges raised by developments in science and technologies are developed.
COMPOSITION Members: <p>Governments of the member States are invited to designate one or more representatives of the highest possible rank, with appropriate expertise in the various aspects of bioethics, including in relation to</p>

¹⁸ Cf. Relevant decision of the Committee of Ministers ([CM/Del/Dec\(2013\)1168/10.2](#)) and list of Conventions in [CM\(2017\)132](#).

emerging technologies, and able to consider these from a human rights perspective.

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;
- Consultative Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (T-PD), Committee (Partial Agreement) on Transplantation of Organs and Tissues (CD-P-TO) and Committee (Partial Agreement) on Blood Transfusion (CD-P-TS);¹⁹
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

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

- European Union;
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- Other international organisations: European Science Foundation (ESF), OECD, UNESCO and WHO.

Observers:

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

- Australia, Israel;
- the Conference of European Churches (KEK);
- other non-governmental organisations, including professional organisations, which could be invited by the DH-BIO to attend specific meetings of the DH-BIO in accordance with CM/Res(2011)24.

WORKING METHODS

Meetings:

48 members, 2 meetings in 2018, 4 days

48 members, 2 meetings in 2019, 4 days

Bureau

7 members, 2 meetings in 2018, 2 days

7 members, 2 meetings in 2019, 2 days

The Chair or Vice-Chair of DH-BIO may be invited to attend the meetings of the CDDH and its Bureau in order to inform on progress with its work.

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

APPENDIX 1 - RELEVANT DECISION OF THE COMMITTEE OF MINISTERS AND LIST OF CONVENTIONS

CM/Del/Dec(2013)1168/10.2 (Review of Council of Europe conventions)

9. [The Deputies] instructed the steering and ad hoc committees to carry out, at regular intervals, within the limits of the available resources and bearing in mind the priorities of each committee, an examination of some or all of the conventions for which they have been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, in order to:

- propose ways of improving the visibility, impact and efficiency of some or all of the conventions for which they have been given responsibility;
- draw the attention of member States to the relevant conventions;

¹⁹ European Directorate for the Quality of Medicines and Healthcare.

- where necessary, identify any operational problems or obstacles to ratification of the relevant conventions, and draw the attention of member States to reservations which impact substantively on the effectiveness of their implementation;
- encourage States to regularly examine the possibility and/or desirability of becoming a Party to new Council of Europe conventions;
- assess the necessity or advisability of drafting amendments or additional protocols to the conventions for which they have been given responsibility or drafting supplementary conventions;
- and to report back to the Committee of Ministers.

DH-BIO	
164	Convention for the protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine
168	Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings
186	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin
195	Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research
203	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Genetic Testing for Health Purposes

Appendix V

Proposals of the Secretariat for the draft terms of reference of the CDDH and the DH-SYSC for the biennium 2020–2021

for consideration by the CDDH at its 91st preliminary meeting (18–21 June 2019)

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(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods*.

Type of committee: Steering Committee

Terms of reference valid from: **1 January 2020 until 31 December 2021**

PILLAR/SECTOR/PROGRAMME
<p>Pillar: Rule of Law Sector: Protecting Human Rights / Promoting Human Rights and dignity Programme: Effectiveness of the ECHR System at national and European level / Bioethics</p>
MAIN TASKS
<p>Under the authority of the Committee of Ministers, and bearing in mind the Council of Europe legal standards as well as the relevant jurisprudence 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 will:</p> <ul style="list-style-type: none"> (i) work on the protection, development and promotion of human rights in Europe to: <ul style="list-style-type: none"> (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; (ii) follow the implementation of the non-binding instruments that it has prepared as well as conventions for which it has been given supervision by the Committee of Ministers; (iii) advise other bodies of the Organisation to ensure that their activities concerning human rights duly reflect the requirements of the Convention and the case-law of the Court; (iv) contribute to co-operation and support activities to national initiatives in the field of the protection, development and promotion of human rights; (v) without prejudice to the missions 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; (vi) where necessary, co-ordinate transversal intergovernmental activities in the field of human rights including bioethics; (vii) take due account of a gender perspective and to building cohesive societies in the performance of its tasks; (viii) 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,²⁰ in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers.

20 Cf. relevant decision of the Committee of Ministers ([CM/Del/Dec\(2013\)1168/10.2](#)) and list of Conventions in [CM\(2017\)132](#).

SPECIFIC TASKS

[Please indicate into brackets the specific tasks affected by the contingency plan (authorised budget)]

1. Protection of human rights

Orient and oversee the work of the Committee of experts on the system of the European Convention on human rights (DH-SYSC) (see DH-SYSC terms of reference).

2. Development and promotion of human rights

[Provide effective responses to the challenges that European societies face in terms of human rights, both normatively and politically, by ensuring as much as necessary, appropriate co-ordination and co-operation with relevant conventional and monitoring bodies and other Council of Europe bodies involved.]

[Migration]

On the basis of work conducted in 2018-2019, prepare one or more draft non-binding instruments of the Committee of Ministers (for example a recommendation, guidelines, good practice handbooks) concerning human rights issues in the context of migration, in particular effective alternatives to detention of migrants and asylum seekers (deadline: 31 December 2020).]

[Civil Society, Human Rights Defenders and National Human Rights Institutions]

On the basis of work conducted in 2018-2019, proceed to the revision of Recommendation No R(97)14 of the Committee of Ministers to member States on the establishment of independent national institutions for the promotion and protection of human rights (deadline: 31 December 2020).]

[Human rights and environment]

On the basis of developments in the member States, within the Council of Europe and in other fora, update the Handbook on human rights and environment and develop a draft non-binding instrument of the Committee of Ministers (e.g. recommendation, guidelines) recalling existing standards in this field (deadline: 31 December 2021).]

[Human rights and artificial intelligence]

On the basis of developments in the member States, within the Council of Europe and in other fora, prepare a Handbook on human rights and artificial intelligence (deadline: 31 December 2021).]

[Dissemination and awareness-raising]

Organise, as necessary, thematic debates on the situation of member States with regard to the right of access to public documents, in particular with regard to the signing and ratification of the 2009 Tromsø Convention (CETS No. 205, deadline: 31 December 2021).]

Bioethics

Oversee from the human rights perspective the intergovernmental work in the field of bioethics (see terms of reference of the DH-BIO).

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).

[The member States will bear the travel and subsistence expenses of their representatives²¹.]

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

²¹ Contingency plan: in principle, travel and subsistence allowances for governmental experts from member States classified as lower or middle income countries according to the World Bank Atlas method would be reimbursed upon request before the intergovernmental committee meeting takes place and subject to available budgetary funds.

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;
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send 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;
- Representatives of 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).

Observers

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

- Belarus;
- 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 Roma²² and Travellers Forum).

WORKING METHODS

Plenary meetings

*[*Please indicate in brackets the plenary meetings under the “authorised budget”]*

48 members, 2 meetings in 2020, 4 days

48 members, 2 meetings in 2021, 4 days

Bureau

*[*Please indicate in brackets the bureau meetings under the “authorised budget”]*

8 members, 2 meetings in 2020, 2 days

8 members, 2 meetings in 2021, 2 days

The Committee will also appoint from amongst its members a Gender Equality Rapporteur and a Rapporteur on Roma and Travellers Issues.

The rules of procedure of the Committee are governed by Resolution [CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods. Subject to the agenda, the Chairs of the subordinate structures to the CDDH may be invited to attend CDDH Bureau and/or plenary meetings.

²² 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.

SUBORDINATE STRUCTURE(S)

The CDDH has a coordinating, supervising and monitoring role in the functioning of its subordinate bodies:

- Committee of experts on the system of the European Convention on Human Rights (DH-SYSC) (see separate terms of reference) and Drafting Groups;
- Committee on Bioethics (DH-BIO) (see separate terms of reference).

BUDGETARY INFORMATION**Approved budget***

	Meetings per year	Number of days	Members	Plenary €	Bureau €	Subordinate structures / Working groups	Secretariat (A, B)
2020							
2021							

*The costs take into consideration the per diem/ travel for staff and member States' representatives, interpretation, translation and document printing. Costs calculated on the basis of the per diem and recharged services costs at their 2019 level.

[Authorised budget]**

	Meetings per year	Number of days	Members	Plenary €	Bureau €	Subordinate structures / Working groups	Secretariat (A, B)
2020							
2021							

**The costs take into consideration the per diem/travel for staff only, interpretation, translation and document printing. Costs calculated on the basis of the per diem and recharged services costs at their 2019 level.

APPENDIX 1 - RELEVANT DECISION OF THE COMMITTEE OF MINISTERS AND LIST OF CONVENTIONS
CM/Del/Dec(2013)1168/10.2 (Review of Council of Europe conventions)

9. [The Deputies] instructed the steering and ad hoc committees to carry out, at regular intervals, within the limits of the available resources and bearing in mind the priorities of each committee, an examination of some or all of the conventions for which they have been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, in order to:

- propose ways of improving the visibility, impact and efficiency of some or all of the conventions for which they have been given responsibility;
- draw the attention of member States to the relevant conventions;
- where necessary, identify any operational problems or obstacles to ratification of the relevant conventions, and draw the attention of member States to reservations which impact substantively on the effectiveness of their implementation;
- encourage States to regularly examine the possibility and/or desirability of becoming a Party to new Council of Europe conventions;
- assess the necessity or advisability of drafting amendments or additional protocols to the conventions for which they have been given responsibility or drafting supplementary conventions;
- and to report back to the Committee of Ministers.

CDDH	
5	Convention for the Protection of Human Rights and Fundamental Freedoms
9	Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms
12	European Interim Agreement on Social Security Schemes Relating to Old Age, Invalidity and Survivors
13	European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors
14	European Convention on Social and Medical Assistance
20	Agreement on the Exchange of War Cripples between Member Countries of the Council of Europe with a view to Medical Treatment
35	European Social Charter
40	Agreement between the Member States of the Council of Europe on the issue to Military and Civilian War-Disabled of an International Book of Vouchers for the repair of Prosthetic and Orthopaedic Appliances
46	Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto
48	European Code of Social Security
67	European Agreement relating to Persons participating in Proceedings of the European Commission and Court of Human Rights
68	European Agreement on Au Pair Placement
78	European Convention on Social Security
078A	Supplementary Agreement for the Application of the European Convention on Social Security
83	European Convention on the Social Protection of Farmers
93	European Convention on the Legal Status of Migrant Workers
114	Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty
117	Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms
126	European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
139	European Code of Social Security (Revised)
142	Protocol amending the European Social Charter
148	European Charter for Regional or Minority Languages
154	Protocol to the European Convention on Social Security
157	Framework Convention for the Protection of National Minorities
158	Additional Protocol to the European Social Charter Providing for a System of Collective Complaints
161	European Agreement relating to persons participating in proceedings of the European Court of Human Rights
163	European Social Charter (revised)
164	Convention for the protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine
168	Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings
177	Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms
186	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin
187	Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances
195	Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research

CDDH	
197	Council of Europe Convention on Action against Trafficking in Human Beings
203	Additional Protocol to the Convention on Human Rights and Biomedicine concerning Genetic Testing for Health Purposes
205	Council of Europe Convention on Access to Official Documents
210	Council of Europe Convention on preventing and combating violence against women and domestic violence
213	Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms
214	Protocol No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms

1- SUBORDINATE BODY

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\(2011\)24](#) 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 2020 until 31 December 2021**

PILLAR/SECTOR/PROGRAMME
Pillar: Human Rights Sector: Protecting Human Rights Programme: Effectiveness of the ECHR System at national and European level
MAIN TASKS
Under the orientation and supervision of the Steering Committee for Human Rights (CDDH), the DH-SYSC will conduct the intergovernmental work intended to enhance the protection of human rights by improving the effectiveness of the system of the European Convention on Human Rights and the implementation of the Convention at national level, as assigned by the Committee of Ministers to the Steering Committee.
SPECIFIC TASKS
In light of the decisions of the Committee of Ministers on the follow-up to the evaluation set out by the Interlaken Declaration, formulating proposals to the Committee of Ministers on :
<ul style="list-style-type: none"> (i) the effective processing and resolution of cases relating to inter-State disputes (deadline: 31 December 2021); (ii) the national reception of the system of the European Convention on Human Rights, in order to assist the State authorities involved in the operation of the Convention and in the process of the execution of judgments to fulfil their mission in the best possible way, in the light of existing national best practices. To this end, develop guidelines covering all of the action at national level expected from States Parties to prevent and remedy violations of the Convention, accompanied by a Guide to existing best practices (deadline: 31 December 2021);
<i>[Please indicate into brackets the specific tasks affected by the contingency plan (authorised budget)]</i>

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).

[The member States will bear the travel and subsistence expenses of their representatives²³.]

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

Observers:

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

- Belarus;
- Non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities;
- Non-governmental organisations (Amnesty International, European Trade Unions Confederation (ETUC), International Commission of Jurists (ICJ), International Federation of Human Rights (FIDH), European Roma²⁴ and Travellers Forum, Open Society Justice Initiative (OSJI)), as well as the European Network of National Human Rights Institutions (ENNHRI).

²³ Contingency plan: in principle, travel and subsistence allowances for governmental experts from member States classified as lower or middle income countries according to the World Bank Atlas method would be reimbursed upon request before the intergovernmental committee meeting takes place and subject to available budgetary funds.

²⁴ 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.

WORKING METHODS**Plenary meetings:**

*[*Please indicate in brackets the plenary meetings under the "authorised budget"]*

48 members, 1 meeting in 2020, 3 days

48 members, 2 meetings in 2021, 3 days

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

BUDGETARY INFORMATION**Approved budget***

	Meetings per year	Number of days	Members	Plenary €	Bureau €	Working groups	Secretariat (A, B)
2020							
2021							

* The costs take into consideration the per diem/ travel for staff and member States' representatives, interpretation, translation and document printing. Costs calculated on the basis of the per diem and recharged services costs at their 2019 level.

[Authorised budget]**

	Meetings per year	Number of days	Members	Plenary €	Bureau €	Working groups	Secretariat (A, B)
2020							
2021							

* * The costs take into consideration the per diem/travel for staff only, interpretation, translation and document printing. Costs calculated on the basis of the per diem and recharged services costs at their 2019 level.

Appendix VI

Planning of the DH-SYSC-II work

*(as adopted by the DH-SYSC-II at its 6th meeting,
22–24 May 2019, DH-SYSC-II(2019)R6, Appendix III)*

6th meeting: 22-24 May 2019

- Adoption of the draft chapter on Theme 3
- Adoption of a part of the remaining paragraphs of the revised draft chapter on Theme 1 subtheme ii)
- Discussion on formal aspects of the future draft Report

The Secretariat circulates paragraph 51 and paragraphs 93 to 103 included of Theme 1 subtheme ii) in a separate document, together with the written comments already submitted by the delegations, for written comments: 3 June 2019

The Chair, in coordination with the Rapporteurs and the Secretariat, compiles the chapters into one coherent draft Report with an executive summary, an introduction and a conclusion.

The Secretariat circulates the draft Report to the experts: 8 July 2019

Deadline for sending the experts' written comments²⁵ on the draft Report and on paragraph 51 and paragraphs 93 to 103 included of Theme 1 subtheme ii) to the Secretariat: 21 August 2019

The Secretariat compiles the written comments and circulates them to the experts together with the revised draft Report: 2 September 2019

7th meeting: 18-20 September 2019

- Adoption of the remaining paragraphs of the revised draft chapter on Theme 1 subtheme ii)
- Discussion and adoption of the revised draft Report

Transmission of the Report for adoption to the DH-SYSC (meeting: 16-18 October 2019) and to the CDDH (meeting: 26-29 November 2019)

* * *

²⁵ As for the provisionally adopted text, only written comments on the form of the text or regarding updates of the case law are expected.

Appendix VII

Draft Recommendation Rec(2019)... of the Committee of Ministers to member States on the system of the European Convention on Human Rights in university education and professional training

*prepared by the Drafting Group DH-SYSC-III for consideration
by the CDDH at its 91st meeting (Strasbourg, 18–21 June 2019)*

*(adopted by the Committee of Ministers on ... 2019,
at its ... Session)*

The Committee of Ministers of the Council of Europe, under the terms of Article 15.b of the Statute of the Council of Europe,

1. Reaffirming the commitment to the Statute of the Council of Europe and the latter's aim to achieve a greater unity between its members, inter alia, by promoting common standards and carrying out activities in the field of human rights and fundamental freedoms;
2. Recalling the essential role of the system of the Convention for the Protection of Human Rights and Fundamental Freedoms in the effective protection of human rights in Europe, the system including not only the Convention and the case-law of the European Court of Human Rights but also the proceedings before the Court and the execution of its judgments;
3. Bearing in mind the important developments in university education and professional training in human rights in the 47 member States of the Council of Europe, resulting from valuable efforts by both the member States and the Court as well as from the European Programme for Human Rights Education for Legal Professionals (HELP) of the Council of Europe;
4. Considering that there is, therefore, a need to update Recommendation Rec(2004)4 of the Committee of Ministers to member States on the European Convention on Human Rights in university education and professional training;
5. Recalling the subsidiary character of the supervision mechanism set up by the Convention, which implies, in accordance with its Article 1, that the rights and freedoms guaranteed by the Convention be protected in the first place at national level and applied by national authorities;
6. Taking into account that the Convention, as an integral part of the domestic legal order of all member States, has a direct effect in their domestic law, and that there is therefore a need to provide specific university education and professional training in the system of the Convention;
7. Stressing the fundamental role played by university education and professional training in the system of the Convention for preventing violations and promoting human rights;

8. Considering that it is of major importance for university education and professional training in the system of the Convention that accurate translations of selected Court's case-law are available in member States, in line with Recommendation Rec(2002)13 of the Committee of Ministers to member States on the publication and dissemination in the member States of the text of the European Convention on Human Rights and of the case-law of the European Court of Human Rights, adopted by the Committee of Ministers on 18 December 2002;
9. Recalling, in this context, the Parliamentary Assembly Recommendation (2039)2014 on "The European Convention on Human Rights: the need to reinforce the training of legal professionals", adopted on 7 March 2014, as well as the Brussels (2015) and Copenhagen (2018) Declarations adopted at the respective High Level Conferences, emphasizing the importance of the training of legal professionals;
10. Underlining the necessity to provide also targeted university education and professional training responding to the specific needs and expectations of other relevant professional sectors;
11. Recalling the conclusions of the Seminar on the role of governments agents in ensuring effective human rights protection, held on 3-4 April 2008 in Bratislava, and recognising the role of government agents, as well as that of national training institutions, in providing, notably, professional training in the system of the Convention ;
12. Recalling the role played by various actors of the civil society, in particular by the national institutions for the promotion and protection of human rights and by non-governmental organisations, in the field of university education and professional training in the system of the Convention;
13. Taking into account the diversity of traditions and practice in the member States as regards university education, professional training and its methods, as well as awareness-raising regarding the system of the Convention;
14. Recommends that the governments of member States:
 - i. ascertain that the university education and professional training concerning the system of the Convention comply with the principles set out in the Appendix I to this recommendation;
 - ii. ensure, by appropriate means and action, including, where appropriate, translation, a wide dissemination of this recommendation among competent authorities and stakeholders;
 - iii. examine, within the Committee of Ministers, the implementation of this recommendation five years after its adoption.

Appendix I to Recommendation

I. General principles

1. Member States should ensure university education and professional training in the system of the Convention which are in line with the needs and expectations of the different categories of public, notably those acting in the human rights field. If necessary, this task should be performed in cooperation with relevant non-State actors.

2. Member States should notably enhance the effectiveness of such university education and professional training by providing each category of public with necessary tools to comply with the obligations stemming from the Convention. To this end, member States should provide quality, targeted and accessible professional training.

II. Targeted public

3. Member States should ensure that university students of law and, as appropriate, of relevant science degrees, are offered education concerning the basic elements of the system of the Convention in their common core curriculum. In addition, optional in-depth studies should be offered to those who wish to specialise.

4. Taking into account the diversity of domestic situations, member States should ensure that a large variety of professionals are offered quality and targeted professional training in the system of the Convention, and that, if possible, such training is accessible in the language(s) of the member State. In particular, attention should be paid to the initial and continuous training of: judges, prosecutors, lawyers; legal translators; law enforcement personnel; specialised journalists; personnel dealing with vulnerable groups.

III. Specialised lecturers²⁶ and trainers

5. Member States should encourage, by appropriate means, that university education and professional training in the system of the Convention are provided by specialised lecturers and trainers. These may include, among others, former judges and lawyers of the Court, judges and lawyers of supreme and constitutional²⁷ domestic courts, as well as government agents and members of their offices. Professional training should be provided, as far as possible, by persons having good knowledge of the system of the Convention and practical experience from the relevant professional field.

IV. Contents of the university education and professional training

6. Member States should aim primarily at facilitating an effective access to basic and practical information about the system of the Convention through university education and professional training. This should include the ability to use available resources (HUDOC database, HELP courses, and other information sources).

7. Member States should also encourage access by relevant professionals to continuous and specialised training concerning the system of the Convention.

²⁶ Proposal by Slovenia.

²⁷ Proposal by Slovenia.

V. Learning and training methods

8. Member States should ensure accurate translations of selected Court's case-law, in line with Recommendation Rec(2002)13 of the Committee of Ministers to member States on the publication and dissemination in the member States of the text of the European Convention on Human Rights and of the case-law of the European Court of Human Rights. Such translations should be easily accessible and free of charge. To strengthen the dissemination of the judgments of the European Court of Human Rights, member States should be encouraged to use automatic translation, if possible, as unofficial translation, in order to reduce the impact of language differences²⁸.

9. Member States should encourage use of the most appropriate learning and training methods, taking into account the national context and the specific needs and expectations of the targeted public. If appropriate, such methods could be set up in close cooperation with non-State actors. E-learning as well as the use of the HELP methodology should also be encouraged.

²⁸ Proposal by Slovenia. Armenia, Latvia, Russia and Portugal opposed, with the following comments:

Portugal: In fact, this amendment, as it stands, would contradict (or undermine) the purpose of the recommendation made to Member States: that they ensure that the translations of selected Court's case-law are **accurate**.

Either we do not want to burden Member States with this duty (as far as I understand, this obligation concerns *only a selection of relevant case-law*), or if we choose to entrust Member States with the duty to ensure that translations of *selected* Court's case-law are available, these might as well be accurate.

If the widespread dissemination of the Court's case-law is the aim, I don't think it should be pursued at the expense of the quality and accuracy of its translations, otherwise it is the comprehensibility, the quality and the authority of the Court's case-law that will be damaged. The use of automatic translation would certainly harm the efforts being made in order to provide good, clear and intelligible translations for a better implementation of the Convention and of the European standards at national level.

Latvia: I also agree that the proposed amendments from Slovenia in the paragraph 8 of Appendix I regarding automatic translation are to be carefully considered, as the meaning of the paragraph 8 seems to be focused on qualitative translations.

I would also add that a inclusion of the word "accurate" in the first sentence of the paragraph 8 of the draft Recommendation needs to be explained more for the following reasons:

First, the meaning of "accurate translation" is broad and allows subjective interpretation and understanding. Are we speaking here about translations that are accurate grammatically, or do "accurate translation" means linguistic quality, correctly reflecting the substance of the Court's ruling?

Secondly, how far the obligation of the Member States to "ensure accurate translations" expands? In Latvia, many translations especially with regard to selected Court's case law are ensured not only by the Government Agent's Office, but also by the different translation agencies and private initiatives for the needs of judges, NGOs etc. They are accessible on internet, but the Government cannot guarantee quality of all translations, that are available in Latvian and published online.

Therefore, my suggestion would be to either delete the word "accurate" from the paragraph 8 as the following wording of the paragraph gives a link to the CM Recommendation (2002)13, setting out the relevant principles, or to expand that the "Member states should as far as possible ensure accurate translations of selected Court's case-law" in the paragraph 8 of Appendix 1.

Armenia: Whether the possibility of unofficial translation does not contradict to the State's obligation of **accurate translation** (point 8 of this document)?

Appendix VIII

Table of contents of the Contribution of the CDDH to the evaluation provided for by the Interlaken Declaration

(For the record - as approved by the CDDH at its 90th meeting, 27–30 November 2018)

CONTEXT OF THE EVALUATION AND MANDATE OF THE CDDH AND THE DH-SYSC

1. The evaluation of the reform process towards long-term effectiveness of the system of the European Convention on Human Rights to be carried out according to the Interlaken Declaration is a further stage in the broader context of the reform of the Convention system. Since the Court took up its work in 1959, the member States of the Council of Europe have adopted several protocols to the European Convention on Human Rights with the aim of improving and strengthening its supervisory mechanism. In 1998 in particular, Protocol No. 11 to the Convention entered into force which provided for a wholly judicial system of determination of applications, replacing the original two-tier structure comprising the Court and the Commission by a permanent Court. The continuing rise in the Court's caseload was further addressed by Protocol No. 14, which entered into force in 2010 and notably provided for smaller judicial formations to deal with clearly inadmissible cases and well-founded repetitive cases.
2. In 2010 a first intergovernmental conference on the future of the Court in Interlaken marked the beginning of the so-called Interlaken process of further reform. The Interlaken Declaration sought to establish a roadmap for the reform process towards long-term effectiveness of the Convention system.²⁹ It notably invited the Committee of Ministers to decide, before the end of 2019, whether the measures adopted in the course of the reform process, in particular the measures to implement Protocol No. 14 and the Interlaken Action Plan, have proven to be sufficient to assure sustainable functioning of the control mechanism of the Convention or whether more profound changes are necessary.³⁰
3. Since the Interlaken conference, the measures proposed to guarantee the long-term effectiveness of the Convention system have been further developed in the Declarations adopted at four further high-level conferences in Izmir (2011)³¹, Brighton (2012)³², Brussels (2015)³³ and Copenhagen (2018)³⁴.
4. According to its terms of reference for the 2018-2019 biennium, the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC), under the supervision of the CDDH, is to:

“contribute to the evaluation set out by the Interlaken Declaration, before the end of 2019, with a view to formulating proposals to the Committee of Ministers as to whether the measures adopted so far have proven to be sufficient to ensure sustainable functioning of

²⁹ See the Interlaken Declaration of 19 February 2010 of the High Level Conference on the Future of the European Court of Human Rights, PP 10.

³⁰ See the Interlaken Declaration, Implementation of the Action Plan, point 6.

³¹ See the Izmir Declaration of 26/27 April 2011 of the High Level Conference on the Future of the European Court of Human Rights.

³² See the Brighton Declaration of 19/20 April 2012 of the High Level Conference on the Future of the European Court of Human Rights.

³³ See the Brussels Declaration of 27 March 2015 of the High-level Conference on the “Implementation of the European Convention on Human Rights, our shared responsibility”.

³⁴ See the Copenhagen Declaration of 12/13 April 2018 of the High-Level Conference on “Continued Reform of the European Court of Human Rights Convention System – Better balance, improved Protection”.

the system of the Convention or whether more profound changes are necessary (deadline: 31 December 2019).³⁵

5. This work is to be carried out in the light of the results achieved in the framework of the further ongoing activities of the DH-SYSC, that is, the preparation of a draft report concerning the place of the European Convention on Human Rights in the European and international legal order and the follow-up to the decisions that may be taken by the Committee of Ministers further to the submission, in December 2017, of the CDDH report on the process of selection and election of the judges at the European Court of Human Rights.³⁶
6. The following preliminary draft table of contents of the future “Contribution of the CDDH to the evaluation provided for by the Interlaken Declaration” proposes conducting the assessment of the sufficiency of the measures to ensure sustainable functioning of the Convention system adopted in the Interlaken reform process under three headings: 1) The application of the Convention at the national level – preventing and remedying breaches of the Convention; 2) Applications before the European Court of Human Rights; and 3) The execution of the judgments of the European Court of Human Rights.

* * *

DRAFT TABLE OF CONTENTS

INTRODUCTION

- Background: shared responsibility between the States Parties, the Court and the Committee of Ministers in the implementation of the Convention.

A. THE APPLICATION OF THE CONVENTION AT THE NATIONAL LEVEL – PREVENTING AND REMEDYING BREACHES OF THE CONVENTION

I. Raising awareness of, and providing training for national authorities and other actors in the Convention system on the Convention standards and procedures

- Translation of significant judgments of the Court into national languages.
- Thematic information on the Court’s case-law (with the help of the Court’s Registry).
- Training of university students, judges, prosecutors, lawyers, law-enforcement officials, officials responsible for the deprivation of a person’s liberty and members of the security forces on well-established case-law concerning their respective (future) professional fields (amongst others via the HELP programme).
- Secondment of national judges and, where appropriate, other lawyers to the Court’s Registry.
- Coordination of other existing mechanisms, activities and programmes of the Council of Europe, such as the works on Human Rights and Business and in particular the activities of the Department for the Execution of Judgments of the Court.
- Cooperation with national human rights institutions or other relevant bodies.

II. Concrete measures to prevent and remedy breaches of the Convention at the national level

1. Measures to be taken, as appropriate, at the legislative, executive or judicial level:
 - Ensure that all persons with an arguable claim that their rights and freedoms as set forth in the Convention have been violated have available to them an effective remedy before a national authority providing adequate redress.

³⁵ See the preference given by the Committee of Ministers to the DH-SYSC as adopted by the Committee of Ministers at its 1300th meeting, 21-23 November 2017.

³⁶ *Ibid.*

- Implement practical measures to ensure that legislation complies fully with the Convention, including by developing parliamentary expertise to evaluate the compatibility with the Convention of draft legislation.
 - Consider setting up an optional mechanism allowing the highest national courts to request advisory opinions.
 - Encourage national courts to take into account the relevant principles of the Convention in conducting proceedings and formulating judgments.
 - Promote exchange of information and experiences concerning the implementation of the Convention at the national level, in coordination in particular with the Government Agents.
2. Measures to be taken to strengthen the role of civil society:
 - Strengthen interaction with national human rights institutions and civil society to ensure that legislation, and other measures and their application in practice comply with the Convention.
 - Consider the establishment of an independent National Human Rights Institution.
 3. Measures to be taken by the Council of Europe:
 - Assisting and encouraging national implementation of the Convention by the provision of technical assistance upon request to States Parties and dissemination of good practices; targeting and coordination of technical assistance; co-operation with the European Union.

B. APPLICATIONS BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS

1. Measures for dealing with the high case-load

Introduction

- Development of the situation of the case-load as from the time of the Interlaken Declaration in 2010 until 2019

1. Access to the Court and a sound administration of justice

- Information to applicants and their representatives on the scope and limits of the Convention's protection, on admissibility criteria and the application procedure before the Court.
- Change of procedural rules / practices (including as concerns possible fees for lodging an application etc.).
- Improvement of the form for applications to the Court.
- Grant applicants and their representatives who lodge applications with the Court protection from reprisals.

2. Filtering of applications

- Examination of the necessity of a new filtering mechanism requiring amendment of the Convention.
- Setting up of a filtering mechanism within the existing bench.
- Provision of brief reasons in the single judges' inadmissibility decisions.

3. The order of dealing with applications – clear priority policy

4. Measures for dealing with specific cases

- Analysis of the Court's backlog.
- Streamlining of procedures particularly for the handling of inadmissible cases and repetitive cases (e.g. pilot judgment procedure).
- Facilitation by member States of the adoption of friendly settlements and unilateral declarations with the support of the Court.
- More effective handling of cases related to inter-State disputes, as well as individual applications arising from situations of conflict between States.

5. The organisational structure of the Court

- Examination of a simplified procedure for amending certain provisions of the Convention relating to organisational issues.

- Appointment of additional judges to the Court to deal with pending Chamber applications.
- Sufficient funding of the Court.
- Secondment of national judges and, where appropriate, other lawyers to the Court's Registry.

II. Measures to guarantee the authority of the Court and of its case-law

1. The selection and election of judges of the Court
 - The national selection procedure.
 - The election procedure.
 - The post-mandate situation of judges.
2. The clarity and consistency of the Court's case-law
 - Ensure clarity and consistency of the Court's judgments, in particular by the Grand Chamber.
 - Ensure a consistent application of the principles of subsidiarity and margin of appreciation.
 - Give effect to the new admissibility criterion provided for in Protocol No. 14 (*de minimis non curat praetor*).
3. The Convention in the European and international legal order
 - The accession of the European Union to the Convention.
 - Long-term strategic reflections about the future role of the Court / evaluation of the fundamental role and nature of the Court.

III. Dialogue of the Court with the actors in the Convention system

- Judicial dialogue between the Court and the highest courts of the States Parties.
- Introduction of a power of the Court, which States Parties could optionally accept, to deliver advisory opinions upon request on the interpretation of the Convention in the context of a specific case at domestic level.
- Third-party interventions in cases pending before the Court.
- High-level ministerial conferences.
- Dialogue of the Court's President with the Committee of Ministers.
- Regular meetings between the Government Agents and the Registry of the Court.
- Consultations with applicants' representatives and civil society.

C. THE EXECUTION OF THE JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS

I. Ensuring domestic capacities for the rapid execution of judgments

- Develop domestic capacities taking into account the indications in Recommendation 2008(2) and share good practices.
- Develop the States Parties' capacity to rapidly submit comprehensive action plans, make them widely accessible among those involved in the execution process and ensure their follow-up.
- Facilitate the role of the Government Agents or other officials responsible in co-ordinating the execution of judgments.
- Facilitate the role of the national parliaments in scrutinising the effectiveness of implementation measures.

II. Ensuring an efficient and transparent process of supervision of the execution of judgments by the Committee of Ministers

- Refine the procedures to ensure an effective and transparent supervision of the execution of the Court's judgments.
- Prioritisation (cases requiring urgent individual measures and cases disclosing major structural problems).
- Reinforced subsidiarity (States' choice of means to conform to the Convention obligations).

- Foster the exchange of information and best practices between States Parties particularly for the implementation of general measures.
- Foster the accessibility of information relevant for the execution of judgments
- Increased cooperation with other international organisations, national human rights institutions and non-governmental organisations.
- Enhance, where necessary, the Department for the Execution of Judgment's bilateral dialogue with States Parties to facilitate the execution process.
- Take effective measures in respect of a State Party that fails to comply with its obligations under Article 46.
- Ensure sufficient budgetary resources, including the secondment of national judges or officials to the Department for the Execution of Judgments

III. Developing interaction with other stakeholders

- Increased cooperation with the Court and its Registry as well as the Parliamentary Assembly in matters relating to the execution of judgments.
- Encourage the relevant entities of the Council of Europe to take account of issues relating to the execution of judgments in their cooperation activities.
- Awareness-raising activities by the Parliamentary Assembly of the Council of Europe for members of national parliaments to follow the execution of judgments.
- Facilitation, on a case-by-case basis, of the execution of judgments raising complex issues by the Secretary General and the Commissioner for Human Rights.

CONCLUSIONS

* * *

Appendix IX

Preliminary draft Recommendation No. Rec(2019) ... of the Committee of Ministers to member States on the development of the Ombudsman institution

*prepared by the Drafting Group CDDH-INST for consideration
by the CDDH at its 91st meeting (Strasbourg, 18–21 June 2019)*

*(adopted by the Committee of Ministers on ... 2019,
at its ... Session)*

The Committee of Ministers of the Council of Europe, under the terms of Article 15.b of the Statute of the Council of Europe,

1. Considering that the aim of the Council of Europe is to achieve a greater unity between its members, *inter alia*, by promoting common standards and carrying out activities in the field of human rights and fundamental freedoms;
2. Welcoming the remarkable development that has taken place since the adoption of Recommendation No. R (85) 13 on the Institution of the Ombudsman in the great majority of the Council of Europe member States with respect to the establishment of the Ombudsman institutions³⁷ at national, regional and local level, including those dealing with specific thematic issues;
3. Welcoming the steady development of the functions of the Ombudsman institution which have expanded beyond the original mandate concerning maladministration and the rule of law;
4. Noting with satisfaction that the Ombudsman institution now constitutes an important feature of democratic governance and plays a key role in the protection and promotion of human rights and the rule of law in the vast majority of the Council of Europe member States;
5. Underlining the great potential of the Ombudsman institutions for the promotion and protection of human rights in Europe, not least for the effective implementation of the European Convention on Human Rights;
6. Acknowledging the importance of continuing support by the Council of Europe and other international actors to the Ombudsman institutions and welcoming the well-established cooperation between the Commissioner for Human Rights of the Council of Europe and the Ombudsman institutions, as well as their networks, as foreseen in the Commissioner's mandate under Resolution (99)50 on the Council of Europe Commissioner for Human Rights;
7. Acknowledging further the importance of the cooperation between the Ombudsman institutions and of their various networks, and of their cooperation with the Council of Europe and other international actors;
8. Bearing in mind the relevant international texts in support of the development and protection of the Ombudsman institution³⁸;

³⁷ The terms "Ombudsman institution" is used in the present Recommendation regardless of gender and to designate institutions such as Ombudsman, Mediator, Parliamentary Commissioner, People's Defender, People's Advocate, Human Rights Commissioner, Inspector General of Government, Public Protector, etc. One salient feature of these institutions is that they are to a large extent reliant on the personalities that head them.

9. Acknowledging the diversity of the Ombudsman institutions which reflects the diversity of the countries and regions they serve;
10. Emphasizing nonetheless that it is quintessentially important for any such institution to be governed by a number of core principles including the following:
 - independence;
 - impartiality, objectivity and fairness;
 - integrity and high moral authority;
 - a comprehensive mandate;
 - accessibility; and
 - effectiveness;
11. Expressing grave concern about the challenging working conditions, threats, pressures, and attacks which Ombudsman institutions and their staff are at times exposed to in member States;
12. Reiterating its Recommendation No. R (85) 13 on the institution of the Ombudsman;
13. Recommends that the governments of member States:
 - ensure that the principles set out in the appendix to this Recommendation are implemented in relevant national legislation and practice,
 - strengthen the Ombudsman institution and avoid any measures which might weaken it, and evaluate, on a regular basis, the effectiveness of the measures taken;
 - ensure, by appropriate means and action – including, where appropriate, translation – a wide dissemination of this Recommendation among competent authorities and stakeholders;
 - examine, within the Committee of Ministers, the implementation of this Recommendation five years after its adoption.

³⁸ See, in particular:

- Recommendation No. R(97)14 of the Committee of Ministers to member States on the establishment of independent national institutions for the promotion and protection of human rights;
- 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;
- Parliamentary Assembly Resolution 1959 (2013) “Strengthening the institution of ombudsman in Europe”;
- Resolution 327 (2011) of the Congress of Local and Regional Authorities of the Council of Europe: “The Office of Ombudsperson and local and regional authorities”;
- [the ongoing work of the Venice Commission on the Principles on the Protection and Promotion of the Ombudsman Institution];
- ECRI General Policy Recommendation N°2 on Equality Bodies to combat racism and intolerance at national level, adopted on 13 June 1997 and revised on 7 December 2017;
- UN General Assembly Resolution 48/134 of 20 December 1993 on national institutions for the promotion and protection of human rights (Paris Principles),
- UN General Assembly Resolutions 65/207 of 21 December 2010, 67/163 of 20 December 2012, 69/168 of 18 December 2014, 71/200 of 19 December 2016 and 72/186 of 19 December 2017 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights;
- By-laws of the International Ombudsman Institute, adopted on 13 November 2012.

Appendix I to Recommendation

I. Establishment and fundamental characteristics of the Ombudsman institution

1. Ombudsman institutions should be in place in all member States. The choice of one or more such institutions should be made by each State in the light of its organisation, particularities and needs. These institutions should be directly and easily accessible to everyone in respect of all public services, however provided. Particular attention should be paid to persons who may not be aware of the existence of the Ombudsman institution, who may have difficulties in accessing the Ombudsman institution or who may be in a situation of vulnerability, such as migrants, persons deprived of liberty, persons with disabilities and older persons.
2. Member States should provide a firm legal basis for the Ombudsman institution, preferably at the constitutional level, and/or in a law which defines the main tasks of such institution, guarantees its independence and provides it with means necessary to accomplish its functions effectively, both at national and international levels, bearing in mind existing standards and recommendations on the Ombudsman institution [, in particular the Principles on the Protection and Promotion of the Ombudsman Institution, adopted by the European Commission for Democracy through Law of the Council of Europe (Venice Commission) on 15 March 2019].
3. The process of selection and appointment of the head of the Ombudsman institution should be such as to promote the independence of the institution. Candidates should be of high moral authority and possess recognised competence in the field of the rule of law, democratic governance and human rights. Arrangements should be in place so that the post of the head of the Ombudsman institution does not stay vacant for any significant period of time.
4. Member States should ensure that the Ombudsman institution operates in a conducive environment which allows it to perform its functions independently of any provider of public services over which jurisdiction is held, in an effective manner and in a climate of impartiality, integrity, transparency and fairness.
5. Member States should take effective measures to enable the Ombudsman institution to require cooperation of all administrative authorities and other relevant entities, to have unfettered access to all relevant premises, including places of detention, and to all relevant individuals, in order to be able to carry out a credible examination of complaints received or other issues covered by its mandate. The Ombudsman institution should also be able to have access to all pieces of information needed for such examination, subject to possible restrictions stemming from the protection of other rights and legitimate interests, and to guarantee the confidentiality of the data in its possession.
6. Member States should provide the Ombudsman institution with adequate, sufficient and sustainable resources to allow it to perform its functions in a fully independent manner. The Ombudsman institution should be able to appoint its own staff and to ensure that they receive adequate training.
7. Member States should take all measures necessary to protect the Ombudsman institution against threats and harassment. Any cases of alleged reprisal or intimidation against the Ombudsman institution and its staff, or against individuals who cooperate or seek to cooperate with them, should be promptly and thoroughly investigated and perpetrators should be brought to justice.

II. Main tasks of the Ombudsman institution

8. Member States should ensure that the mandate given to the Ombudsman institution empowers the latter, in particular:

- a) to provide a rights-holder-friendly non-judicial mechanism for the resolution of disputes between individuals and providers of public services, which may include mediation, and to take action upon complaints received or on its own motion, in order to protect any person or group of persons against maladministration, violation of rights, unfairness, abuse, corruption, or any injustice caused by providers of public services, whether these are public or private;
- b) to protect and promote human rights and fundamental freedoms, rule of law and democratic governance, including through proposals to change legislation, litigation or other means;
- c) to make recommendations in order to prevent or remedy any of the conduct described in paragraph 2 (a) and, where appropriate, to propose administrative or legislative reforms aimed at better functioning of providers of public services; in the event that the latter fail to accept or implement those recommendations, member States should ensure that the Ombudsman institution has the right, *inter alia*, to bring a report on the failure to the attention of the competent elected body, usually the Parliament;
- d) to cooperate, within its mandate, with local, regional, national and international actors and networks which operate in related or similar fields.

9. Member States should make it a legal obligation for all addressees of recommendations by the Ombudsman institution to provide a reasoned reply within an appropriate time.

10. Member States should consider giving, or where appropriate strengthening, the competence of the Ombudsman institution to enable it to perform the functions foreseen by the relevant international conventions in the field of human rights, such as the National Preventive Mechanism under the [Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#), and/or the independent mechanism under the UN Convention on the Rights of Persons with Disabilities. Where the Ombudsman institution holds these mandates, it must have access to sufficient resources to develop the capacity to enable it to effectively discharge its functions; this should include having appropriately qualified, skilled and trained staff.

III. Cooperation and dialogue

11. Member States should take effective measures to enable the Ombudsman institution, whether at the national, regional or local level, to communicate and cooperate with, in particular :

- a) counterpart institutions, where appropriate through electronic networking and exchange of information and practices, as well as through periodical meetings ;
- b) actors of the civil society, in particular non-governmental organisations, who should enjoy an easy access to the Ombudsman institution;
- c) other human rights structures, notably the national human rights institutions and their networks, where appropriate through jointly organised activities;
- d) international and regional organisations which work in related or similar fields, particularly the Council of Europe bodies.

12. Member States which have established several Ombudsman institutions, such as regional, local and/or specialised ones, should enable appropriate effective co-ordination and cooperation among these institutions, in order to promote synergy and avoid duplication, through ensuring that the legislation on the Ombudsman institutions enables and encourages them to cooperate with each other.

13. Member States should encourage and sponsor the development of cooperation programmes with the Council of Europe to ensure permanent knowledge-sharing among the Ombudsman institutions, in order to strengthen their contribution to the effective implementation of the European Convention on Human Rights and other relevant instruments.

Appendix II to the Recommendation

Compendium of good practices prepared by a consultant (see document CDDH(2019)19).

* * *

Appendix X

Draft scheme with a view to a draft Recommendation Rec(2019)... of the Committee of Ministers to member States on the national institutions for the promotion and protection of human rights

*prepared by the Drafting Group CDDH-INST for consideration
by the CDDH at its 91st meeting (Strasbourg, 18–21 June 2019)*

The Group noted that the work on the update of the Recommendation No. R(97)14 should take into account the work carried out on the new draft recommendation on the development of the Ombudsman institution and that the complementarity of both instruments as well as the specificity of NHRIs should be presented clearly. The CDDH-INST agreed that a possible structure of the revised Recommendation could be the following:

Updated **preamble** reflecting in particular

- (a) the work carried out on the new draft recommendation on the development of the Ombudsman institution
- (b) the complementarity of both instruments, and
- (c) the specificity of NHRIs

Operative part recommending to follow the principles set in the Appendix and to conduct a review of the implementation

Appendix composed of four sections:

- I. Establishment of NHRIs in compliance with the Paris Principles;
- II. Strengthening of NHRIs in line with the key characteristics of the Paris Principles;
- III. Securing and expanding a safe and enabling environment for NHRIs;
- IV. Cooperation with and support for NHRIs by local, regional, national and international actors, in particular the Council of Europe.

Appendix XI

Protection of victims of terrorist acts

Workshop organised by the Steering Committee for Human Rights (CDDH)
under the aegis of the French Presidency of the Committee of Ministers

Strasbourg, *Agora* Building, room G.01
Thursday, 20 June 2019, at the 91st CDDH plenary meeting

PROGRAMME

- 14:00 **OPENING SESSION**
- 14:00 **Mr Hans-Jörg BEHRENS**, Chair of the Steering Committee for Human Rights (CDDH), Council of Europe
- 14:05 **Ambassador Jean-Baptiste MATTEI**, Permanent Representative of France to the Council of Europe, Chair of the Committee of Ministers
- 14:10 **Mr Thorbjørn JAGLAND**, Secretary General of the Council of Europe
- 14:20 **Ms Marietta KARAMANLI**, Rapporteur of the Parliamentary Assembly of the Council of Europe "Protecting and supporting the victims of terrorism"
- 14:30 **Mr Linos-Alexandre SICILIANOS**, President of the European Court of Human Rights "Terrorism and Human Rights - challenges for the European Court of Human Rights"
- 14:40 **WORKING SESSION I**
The revised Guidelines of the Committee of Ministers on the protection of victims of terrorist acts
- 14:40 **Mr Chanaka WICKREMASINGHE**, CDDH Representative before the Council of Europe Counter-Terrorism Committee (CDCT) - "Presentation of the Guidelines on the protection of victims of terrorist acts"
- 14:50 **Mr Mario JANEČEK**, President of the Council of Europe Counter-Terrorism Committee (CDCT) "Activities of the Counter-Terrorism Committee"
- 15:00 **Mr Ledi BIANKU**, former judge of the European Court of Human Rights, Associate Professor, University of Strasbourg - "The European Convention on Human Rights and victims of terrorism"
- 15:10 **Ms Annick HIENSCH**, Liaison Officer, UN Office of Counter-Terrorism, "United Nations action in support of victims of terrorism"
- 15:15 **Discussion**
- 15:50 **Coffee break**

- 16:20 **WORKING SESSION II**
Best practices in the protection of human rights of victims of terrorist acts
- 16:20 **Ms Elisabeth PELSEZ**, Interdepartmental Delegate for victims support, France
"The French system of caring for and supporting victims of terrorism"
- 16:30 **Ms Jelena WATKINS**, Psychotherapist and Support Officer for Disaster Action, "Lessons learnt in the UK in provision of psychosocial support following terror attacks at home and abroad"
- 16:40 **Ms An VERELST**, Psychiatrist, Ghent University
INVICTM International Network Supporting Victims of Terrorism and Mass Violence
"Psychosocial support to victims of terrorism in Belgium"
- 16:50 **Ms Sonia RAMOS PIÑEIRO**, Director General to support victims of terrorism,
Ministry of Interior, Spain - "Spanish examples of comprehensive attention to victims of terrorism"
- 17:00 **Mr Ahmet MOLLAMAHMUTOĞLU**, Judge from Turkey
"Financial and legal aid provided to the victims of terrorist acts in Turkey"
- 17:10 **Ms Aleksandra IVANKOVIĆ**, Deputy Director, Victim Support Europe
"Addressing the needs of victims of terrorism"
- 17:20 **Discussion**
- 18:00 **Conclusion**
Concluding remarks and official closing of the Workshop by the Chair of the CDDH
- 18:10 ***Vin d'honneur* offered by the French Chairmanship of the Committee of Ministers**

Appendix XII

Focal points of the CDDH in other bodies

(list adopted by the CDDH at its 90th meeting, 27–30 November 2018)

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 Florence MERLOZ (France)
5. European Committee on Legal Co-operation (CDCJ): Ms Maria de Fátima GRAÇA CARVALHO (Portugal)
6. Steering Committee on Media and Information Society (CDMSI): Ms Kristine LICIS (Latvia)
7. Ad hoc Committee of experts on Roma and Traveller Issues (CAHROM): Ms Svetlana GELEVA (North Macedonia)
8. Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data (T-PD): Ms Brigitte OHMS (Austria)
9. Committee of Experts on Terrorism (CODEXTER): Mr Chanaka WICKREMASINGHE (United Kingdom)
10. Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (“the Lanzarote Committee”): Ms Brigitte KONZ (Luxembourg)
11. Ad hoc Committee for the Rights of the Child (CAHENF): Ms Brigitte KONZ (Luxembourg)
12. European Committee on Democracy and Governance (CDDG): Ms Krista OINONEN (Finland)
13. Committee of Experts on Administrative Detention of Migrants (CJ-DAM): Mr Morten RUUD (Norway)

CDDH RAPPORTEURS

14. Rapporteur on Roma and Traveller Issues: Ms Svetlana GELEVA (North Macedonia)
15. CDDH Rapporteur on gender equality for 2018: Mr Philippe WERY (Belgium)

Appendix XIII

Composition of the Bureau, Chairmanships and Rapporteurs

(list adopted by the CDDH at its 90th meeting, 27–30 November 2018)

BUREAU OF THE CDDH	END OF THE MANDATE	REFERENCES
Mr Hans-Jörg BEHRENS (Germany), Chair	31 December 2019 (elected for 1 year not renewable)	90 th meeting of the CDDH (November 2018)
Mr Morten RUUD (Norway), Vice-Chair	31 December 2019 (elected for 1 year not renewable)	90 th meeting of the CDDH (November 2018)
Mr Chanaka WICKREMASINGHE (United Kingdom) , Member	31 December 2020 (elected for 2 years renewable once)	90 th meeting of the CDDH (November 2018)
Ms Kristine LIČIS (Latvia), Member	31 December 2019 (elected for 2 years not renewable)	88 th meeting of the CDDH (December 2017)
Ms Zinovia STAVRIDIS (Greece), Member	31 December 2019 (elected for 2 years not renewable)	88 th meeting of the CDDH (December 2017)
Ms Florence MERLOZ (France), Member	31 December 2020 (elected for 2 years not renewable)	90 th meeting of the CDDH (November 2018)
Ms Krista OINONEN (Finland), Member	31 December 2019 (elected for 2 years renewable once)	88 th meeting of the CDDH (December 2017)
Ms Maris KUURBERG (Estonia), Member	31 December 2020 (elected for 2 years not renewable)	90 th meeting of the CDDH (November 2018)
CHAIRS		
DH-BIO Ms Tesi ASCHAN (Sweden), Chair	31 December 2019 (elected for 1 year renewable once)	14 th meeting of the DH-BIO (November 2018) 90 th meeting of the CDDH (November 2018)
DH-SYSC Ms Brigitte OHMS (Austria), Chair	31 December 2019 (elected for 1 year not renewable)	90 th meeting of the CDDH (November 2018)
DH-SYSC-II Ms Florence MERLOZ (France), Chair	31 December 2019	88 th meeting of the CDDH (December 2017)
DH-SYSC-III Ms Vasileia PELEKOU (Greece), Chair	31 December 2019	88 th meeting of the CDDH (December 2017)
CDDH-SOC Mr Vít A. SCHORM (Czech Republic), Chair	31 December 2019	88 th meeting of the CDDH (December 2017)
CDDH-EXP Mr Hans-Jörg BEHRENS (Germany), Chair	31 December 2019	88 th meeting of the CDDH (December 2017)
CDDH-MIG Mr Morten RUUD (Norway), Chair	31 December 2019	88 th meeting of the CDDH (December 2017)
CDDH-INST Ms Krista OINONEN (Finland), Chair	31 December 2019	88 th meeting of the CDDH (December 2017)

RAPPORTEURS³⁹			
DH-SYSC-II Mr Alexei ISPOLINOV (Russian Federation) – Theme 1 Mr Chanaka WICKREMASINGHE (United Kingdom) – Theme 1 Ms Sofia KASTRANTA (Greece) – Theme 2 Ms Kristine LĪCIS (Latvia) – Theme 3		31 December 2019	88 th meeting of the CDDH (December 2017)
CDDH-EXP Ms Kristine LĪCIS (Latvia)		31 December 2019	88 th meeting of the CDDH (December 2017)
CDDH-MIG Mr Frank SCHÜRMANN (Switzerland)		31 December 2019	88 th meeting of the CDDH (December 2017)
DRAFTING GROUPS			
DH-SYSC-II⁴⁰		DH-SYSC-III⁴¹	
Bulgaria		Armenia	
Croatia		Belgium	
Czech Republic		Greece	
France		Italy	
Italy		Latvia	
Latvia		Montenegro	
The Netherlands		Portugal	
Norway		Slovak Republic	
CDDH-SOC	CDDH-EXP⁴²	CDDH-MIG	CDDH-INST
Austria	Azerbaijan	Armenia	Armenia
Belgium	Estonia	Bulgaria	Azerbaijan
Czech Republic	France	Czech Republic	Finland
Greece	Hungary	Greece	Ireland
Italy	Republic of Moldova	Iceland	Montenegro
Republic of Moldova	Montenegro	Italy	Poland
Poland	Russian Federation	Latvia	Russian Federation
Portugal	North Macedonia	Norway	Slovenia
Russian Federation	Turkey	Spain	Spain
Slovenia	United Kingdom	Turkey	North Macedonia

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³⁹ The Rapporteur of the CDDH-SOC is now part of the Secretariat of the Council of Europe (Department for the execution of judgments) and has ended her work as a Rapporteur. The CDDH-MD finalised its work. The Rapporteur and Chair of the CDDH-INST has terminated her work as a Rapporteur.

⁴⁰ Following a decision taken by the CDDH at its 88th meeting (5-7 December 2017), and subject to the availability of budgetary resources, it is envisaged that the following member States would also be covered by the budget of the Council of Europe to participate in the following meetings:

- 3rd meeting (3-5 April 2018) and 5th meeting (March 2019): Albania, Austria, Azerbaijan, Bosnia-Herzegovina, Denmark, Finland, Germany, Greece, Russian Federation, United Kingdom
- 4th meeting (25-28 September 2018) and 6th meeting (May 2019): Greece, Poland, Romania, Russian Federation, Serbia, Spain, Sweden, Turkey, Ukraine, United Kingdom
- 7th meeting (September 2019): it is envisaged that the Council of Europe will cover the costs of all the participants.

⁴¹ Initially, the work of the Group will take place by electronic means.

⁴² Chair: Germany. The expenses of the Chair are covered by the budget of the Council of Europe.

Appendix XIV

Publications

It is foreseen to publish following documents in 2019:

- (1) *Contribution to the evaluation provided for by the Interlaken Declaration - final CDDH Report*
- (2) *University education and professional training on the ECHR and European Social Charter*
- (3) *The individual application under the ECHR - Procedural Guide*
- (4) *Legal framework of the Council of Europe for the protection of social rights in Europe - Analysis*
- (5) *Good and promising practices on the way of reconciling freedom of expression with other rights and freedoms, in particular in culturally diverse societies - Practical Guide*
- (6) *Handbook on alternatives to detention in the context of migration*
- (7) *Protection and promotion of civil society space in Europe - Recommendation of the Committee of Ministers, Compilation and overview of measures and practices in place in member States, Proceedings of the Seminar (29 November 2018)*
- (8) *Promotion of Human Rights of older persons - follow-up of Recommendation CM/Rec(2014)2 of the Committee of Ministers, Compilation and overview of measures and practices in place in member States, Proceedings of the Workshop (21 June 2018)*
- (9) *Protection of victims of terrorist acts - revised Guidelines of the Committee of Ministers, Compilation and overview of measures and practices in place in member States, Proceedings of the Seminar (20 June 2019)*
- (10) *Strengthening international regulations against trade in goods used for torture and the death penalty - feasibility study*
- (11) *Human Rights and environment - Handbook (3rd publishing)*

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Appendix XV

Calendar of meetings of the CDDH and its subordinate bodies

(revised in the light of the 101st Bureau meeting, May 2019)

and preliminary calendar for the 2020–2021 biennium prepared by the Secretariat for consideration by the CDDH at its 91st meeting (18–21 June 2019)⁴³

2019	
Opening of the Judicial Year	25 January
5 th meeting of the drafting Group on the place of the ECHR in the European and international legal order (DH-SYSC-II)	5–8 February
5 th meeting of the drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST)	27 February–1 st March
Event on transparency and access to official documents, under the aegis of the Finnish Chairmanship of the Committee of Ministers	6 March
4 th meeting of the drafting Group on Freedom of Expression and links to other Human Rights (CDDH-EXP)	20–22 March
6 th meeting of the drafting Group on Human Rights and Migration (CDDH-MIG)	26–28 March
4 th meeting of the drafting Group on Social Rights (CDDH-SOC)	3–5 April
101 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	15–17 May
6 th meeting of the drafting Group on the follow-up to the CDDH report on the longer-term future of the Convention (DH-SYSC-II)	22–24 May
<i>Meeting of the Government Agents with the Court's Registry</i>	17 June
91 th meeting of the Steering Committee for Human Rights (CDDH) and Workshop on the protection of victims of terrorist acts	18–21 June
7 th meeting of the drafting Group II on the place of the ECHR in the European and international legal order (DH-SYSC-II)	11–13 September 18–20 September
6th meeting of the drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST)	[21–23 September] ⁴⁴
6 th meeting of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)	[15] 16–18 October
7 th meeting of the drafting Group on Human Rights and Migration (CDDH-MIG)	22–24 October
102 nd meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	[6] 7–8 November
<i>[Meeting of the Government Agents with the Court's Registry]</i>	[25 November]

⁴³ The Secretariat will inform on the meetings which will not take place if the contingency plan is applied for 2020–2021.

⁴⁴ Subject to the Secretariat's resources

92 nd meeting of the Steering Committee for Human Rights (CDDH)	26–29 November
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2020	
<i>Opening of the Judicial Year</i>	January
1 st meeting of the drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)	February
6 th meeting of the drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST)	February
<i>High- level Conference on Human Rights and Environment, under the aegis of the Georgian Chairmanship of the Committee of Ministers</i>	February
8 th meeting of the drafting Group on Human Rights and Migration (CDDH-MIG)	March
1 st meeting of the drafting Group on the national reception of the system of the European Convention on Human Rights (DH-SYSC-V)	April
7 th meeting of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)	April
7 th meeting of the drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST)	Mai
103 rd meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	Mai
<i>Meeting of the Government Agents with the Court's Registry</i>	June
93 rd meeting of the Steering Committee for Human Rights (CDDH)	June
2 nd meeting of the drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)	September
9 th meeting of the drafting Group on Human Rights and Migration (CDDH-MIG)	September
2 nd meeting of the drafting Group on the national reception of the system of the European Convention on Human Rights (DH-SYSC-V)	October
104 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	October
8 th meeting of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)	October
94 th meeting of the Steering Committee for Human Rights (CDDH)	November
2021	
<i>Opening of the Judicial Year</i>	January
3 rd meeting of the drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)	February
1 st meeting of the drafting Group on Human rights and Environment (CDDH-ENV)	February
1 st meeting of the drafting Group on human rights and artificial intelligence (CDDH-INTEL)	Mars

3 rd meeting of the drafting Group on the national reception of the system of the European Convention on Human Rights (DH-SYSC-V)	April
2 nd meeting of the drafting Group on Human rights and Environment (CDDH-ENV)	May
105 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	May
<i>Meeting of the Government Agents with the Court's Registry</i>	June
95 th meeting of the Steering Committee for Human Rights (CDDH)	June
4 rd meeting of the drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)	September
2 nd meeting of the drafting Group on human rights and artificial intelligence (CDDH-INTEL)	September
4 th meeting of the drafting Group on the national reception of the system of the European Convention on Human Rights (DH-SYSC-V)	October
9 th meeting of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC)	October
106 th meeting of the Bureau of the Steering Committee for Human Rights (CDDH-BU)	October
96 th meeting of the Steering Committee for Human Rights (CDDH)	November