STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH)

DRAFTING GROUP ON MIGRATION AND HUMAN RIGHTS (CDDH-MIG)

REPORT

6th meeting
26 – 28 March 2019
Item 1: Opening of the meeting and adoption of the agenda

1. The CDDH Drafting Group on Migration and Human Rights (CDDH-MIG) held its 6th meeting in Strasbourg from 26 to 28 March 2019, with Mr Morten RUUD (Norway) in the Chair. The list of participants appears in Appendix I.

2. The Chair opened the meeting and welcomed all participants. The agenda as adopted appears in Appendix II.

Item 2: Recent developments in the field

3. The Rapporteur and the Secretariat gave a brief overview of developments within the Council of Europe relevant to the on-going work of the CDDH-MIG, inter alia highlighting recent Court jurisprudence. Attention was also drawn to an international Conference organised jointly by the Council of Europe, the European Commission and the European Migration Network, to be held in Strasbourg 4 April 2019 on the effective alternatives to the detention of migrants. Members and Observers of the Group likewise informed of recent initiatives and developments on their side.

Item 3: Alternatives to immigration detention: fostering effective results – practical guidance

4. The Chair recalled that at its 5th meeting the Group discussed a first preliminary draft of the handbook “Alternatives to Immigration Detention: Fostering Effective Results – Practical Guidance”. Welcoming the numerous constructive comments received on the draft, the Chair noted that the Group had agreed to prioritise finalising the handbook before moving on to other work. The Group then examined the draft, paragraph by paragraph, and reviewed all the comments received. A final version to be submitted to the CDDH was concluded and agreed upon.

Item 4: Guidelines on alternatives to immigration detention for children

Item 5: Reception conditions for children

5. The Chair proposed to discuss item 4 and item 5 on the agenda together as a part of a broader discussion on the Group’s future work. The Group exchanged views on the potential tasks at hand, including the format and substance that such work could take. It was agreed to ask the Rapporteur and Secretariat to draft a very brief outline (2-3 pages) of concrete options in light of the discussion, thereby giving the Group an opportunity to provide written feedback to further inform ultimate decisions on the matter.

Item 6: Adoption of the meeting report

6. The Group adopted the meeting report.

Item 7: Other business

7. The next meeting of the CDDH-MIG is scheduled to take place from 22 to 24 October 2019 in Strasbourg.

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APPENDIX I

List of participants

ARMENIA / ARMÉNIE
Ms. Sose BARSEGHYAN, Assistant to the Head on the Asylum Issues, Ministry of Territorial Administration and Development

BELGIUM / BELGIQUE
Mr Geert VERBAUWHEDE, Advisor, FPS Interior, General Directorate Immigration Office, Direction Control Interior – Identification and Removals Section

BULGARIA / BULGARIE
Mr Kamen KOUTSAROV, Second Secretary, Human Rights Department, Ministry of Foreign Affairs

CZECH REPUBLIC / REPUBLIQUE TCHÈQUE
Mr Petr KONŮPKA, Deputy Government Agent of the Czech Republic before the European Court of Human Rights, Ministry of Justice

DENMARK / DANEMARK
Camilla KJÆRGAARD, Head of Section, Division for Return, Danish Ministry of Immigration and Integration

FINLAND / FINLANDE
Ms Liisa VALJENTO, Counsellor, Unit for Human Rights Courts and Conventions Legal Service, Ministry for Foreign Affairs

FRANCE
Mme Nathalie MATHIEU, cheffe de la section des relations partenariales, au sein de la sous-direction de la lutte contre l'immigration irrégulière, à la Direction générale des étrangers en France (DGEF), Ministère de l'intérieur

GREECE / GRÈCE
Mr Elias KASTANAS, Legal Counsellor, Legal Department, Ministry of Foreign Affairs of the Hellenic Republic

ICELAND / ISLANDE
Mr Jón STEINAR ÞÓRARINSSON, Lawyer, The Icelandic Directorate of Immigration

ITALY / ITALIE
Mr Daniele LOI, Adjoint au Représentant permanent de l'Italie auprès du Conseil de l'Europe

Ms Silvia DE ROSA, trainee, Représentation permanente de l'Italie auprès du Conseil de l'Europe

LATVIA / LETTONIE
Mr Vilnis VITOLINS, Under-Secretary of State, Director of the Legal Department of Ministry of the Interior

NORWAY / NORVÈGE
Mr Morten RUUD (Chairperson of CDDH-MIG / Président du CDDH-MIG), Special Adviser Ministry of Justice and Public Security, Legislation Department

SPAIN / ESPAGNE
Ms Consuelo CASTRO REY, Senior Head State Attorney, State Attorney’s Office

SWITZERLAND / SUISSE
Ms Cordelia EHRICH, Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Domaine de direction droit public, Unité Protection internationale des droits de l’homme
Ms Gamze GÜL ÇAKIR KILIÇ, Conseiller juridique, Direction Générale de l’Administration d’Immigration, Ministère de l’Intérieur

Ms Martine SCHMELCK

Mr Jean-Bernard MARIE

Ms Noemi ALARCÓN, vice présidente du comité Migration du CCBE

Roland-François WEIL, UNHCR Representative to the European Institutions in Strasbourg

Delphine LENEUTRE, Legal Associate, UNHCR Representation to the European Institutions in Strasbourg

Ms Tamta PAPUASHVILI, Senior Adviser on Migration, Repatriation and Human Rights Issues of persons with International Protection, ENNHRI’s Asylum and Migration Working Group

M. Frank SCHÜRMANN, Professor of International Human Rights Law, Berne

Ms Audrey EPRINCHARD, Legal Adviser, ICRC, Brussels

Ms Maria-Andriani KOSTOPOULOU, CAHENF Chair

Ms Elvana THACI, Legal Adviser / Conseillère juridique
SECRETARIAT
DG I – Human Rights and Rule of Law / Droits de l’homme et Etat de droit
Council of Europe / Conseil de l'Europe

Ms Lilja GRETARSDOTTIR, Deputy Head of the Division Independent Human Rights Bodies / Chef adjoint de la Division Institutions indépendantes des droits de l'homme,

Ms Corinne GAVRILOVIC, Assistant/Assistante, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l’Homme

Mr Zacharie OHAYON, Trainee/Stagiaire, Independent Human Rights Bodies / Institutions indépendantes des droits de l'homme,

INTERPRETERS/ INTERPRÊTES

Mme Chloé CHENETIER
Mme Lucie DE BURLET
M. Jean-Jacques PEDUSSAUD
### APPENDIX II

**Agenda (as adopted)**

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