



CDDH-SOC(2019)R4
05/04/2019

STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)

**DRAFTING GROUP ON SOCIAL RIGHTS
(CDDH-SOC)**

MEETING REPORT

4th meeting
3–5 April 2019

Item 1: Opening of the meeting, adoption of the agenda and of the order of business

1. The CDDH Drafting Group on Social Rights (CDDH-SOC) held its 4th meeting in Strasbourg from 3 to 5 April 2019. The list of participants is contained in Appendix I.
2. The Chair, Mr Vít A. SCHORM (Czech Republic) opened the meeting. He welcomed the presence of Ms Karolina KIRINCIC ANDRITSOU (Greece), Vice-President of the Bureau of the Governmental Committee of the European Social Charter, and Mr Joseph GERADA (Malta), member of the European Social Cohesion Platform (PECS). The Chair also welcomed the fact that several members of the Department of the European Social Charter (ESC) including the Head and Deputy Head of Department were again participating in the meeting and contributing to the work of the CDDH-SOC.
3. The Group adopted the agenda (see Appendix II) and the order of business (CDDH-SOC(2019)OT1).

Item 2: Working methods and planning

4. The Chair recalled that in its last meeting, the Group had discussed and agreed on the structure and the essential content of the second report to be submitted by it to the CDDH identifying good practices and making proposals with a view to improving the implementation of social rights in Europe, and had adopted a draft table of contents of the second report (document CDDH-SOC(2018)R3, Appendix IV). He further informed the Group that the CDDH, at its 90th meeting in November 2018, had endorsed that draft table of contents (document CDDH(2018)R90, § 38 (i)).
5. Mr Alfonso DE SALAS, Secretary of the CDDH, explained that the CDDH had decided at its 90th meeting that the 5th meeting of the CDDH-SOC in September 2019 could only be held under the condition that sufficient staff was available in the Secretariat, which currently was not the case.
6. In the light of these elements, the Group agreed with the Chair's proposal not only to discuss the first draft of the second report at the present meeting, as initially foreseen by the planning of the Group's work and the agenda, but also to examine the draft report paragraph by paragraph with a view to its possible adoption at the end of the meeting.

Item 3: Discussion on the draft of the second report identifying good practices and making proposals with a view to improving the implementation of social rights in Europe

7. Following a general discussion, the Group examined the excellent draft of the second report, prepared by the Secretariat, identifying good practices and making proposals with a view to improving the implementation of social rights in Europe (document CDDH-SOC(2019)01) paragraph by paragraph, and agreed on a number of amendments to the draft report in the light of the discussion and the written comments received from the experts on the draft report (document CDDH-SOC(2019)02).
8. The Group adopted, with reservation to some adaptations to be prepared by the Secretariat, the draft second report with a view to its submission to the CDDH for consideration and possible adoption at its 91st meeting (18–21 June 2019). It appears in document CDDH-SOC(2019)R4 Addendum.

Item 4: Organisation of upcoming work

9. With the adoption of the draft second report, the Group considered that it had fulfilled its terms of reference for the biennium 2018–2019. It expressed its appreciation for the constructive approach shown by all members throughout its work and thanked the Chair of the meeting for the way in which the meetings had been conducted. The Group also paid warm tribute to the invaluable work of its Secretariat and the interpreters throughout its deliberations.

10. The Group further suggested that possible comments on the draft second report from participants in the CDDH could be sent to the Secretariat (DGI-CDDH@coe.int) no later than **3 June 2019** in order to allow the latter to compile such comments in due time for the CDDH meeting (18–21 June 2019).

11. For possible future work on the topic, the Chair recalled that the CDDH, at its 90th meeting, had considered it appropriate that the CDDH-SOC also work on questions related to university education and professional training on the system of the European Social Charter, similarly to the work undertaken by the Drafting Group on the follow-up to 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 (DH-SYSC-III). The CDDH had then stated that such work could be combined with the elaboration of proposals regarding an assessment, at the national level, of the impact of draft laws, existing laws and administrative practice on the social rights laid down in the Charter. The results of the work on these two topics could possibly be reflected in a draft Recommendation (see document CDDH(2018)R90, § 38 (ii)). According to the Group, it would be desirable that such future work be undertaken by a CDDH Drafting Group in the next biennium (2020–2021).

12. Finally, the Group welcomes the initiative of the future French Presidency of the Committee of Ministers to organise an event on social rights in September 2019.

Item 5: Adoption of the meeting report

13. At the end of its meeting, the Group adopted the present meeting report in the two official languages of the Organisation.

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APPENDIX I

List of participants

AUSTRIA / AUTRICHE

Dr Eva FEHRINGER, Stv. Leiterin der Abt. Internationale und europäische Sozialpolitik und Arbeitsrecht / Deputy Head of the International and European Social Policy and Labour Law Department

BELGIUM / BELGIQUE

Ms Virginie VAES, Attachée, Federal Public Service Employment, Labour and Social Dialogue, Division of international affairs

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Mr Vít A. SCHORM (*Chair*), Government Agent, Ministry of Justice

FINLAND / FINLANDE

Ms Katja KUUPPELOMÄKI, Legal Officer, Unit for Human Rights Courts and Conventions, Legal Service, Ministry for Foreign Affairs

FRANCE

Mme Eglantine LEBLOND, Rédactrice, Ministère de l'Europe et des Affaires étrangères, Direction des affaires juridiques, Sous-direction des droits de l'Homme

GREECE / GRECE

Ms Athina CHANAKI, Deputy Legal Counselor, Legal Department, Ministry of Foreign Affairs

ITALY / ITALIE

Ms Elena FALCOMATA, Department for Family Policies, Italian Presidency of the Council of Ministers

LATVIA / LETTONIE (*apologised*)

REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA

Mr Denis STICI, Advisor in the Government Agent Department

NETHERLANDS / PAYS-BAS

Ms Selma DE GROOT, Legal Advisor, Ministry of Justice and Security, Legislation Department

POLAND / POLOGNE

Mr Jerzy CIECHANSKI, Counselor to the Minister, Department for International Cooperation at the Ministry of Family, Labour and Social Policy

PORTUGAL

Mr Paulo MARRECAS FERREIRA, Juriste / Lawyer, Bureau de Documentation et de Droit Comparé de l'Office de Mme la Procureure Générale de la République / Office of Documentation and Comparative Law of the Attorney General's Office

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Sergey CHUMAREV, Head of European Division, Department for Humanitarian, Cooperation and Human Rights, Ministry of Foreign Affairs

Ms Olga OPANASENKO, Counsellor, Ministry of Foreign Affairs

SLOVENIA / SLOVENIE

Mr Matija VIDMAR, Secretary, Office for International Cooperation and Mutual Legal Assistance, Ministry of Justice

SPAIN / ESPAGNE

Mr Yago FERNANDEZ BADIA, Senior State Attorney in the Ministry of Justice

TURKEY / TURQUIE

Ms Günseli GÜVEN, Adjointe au Représentant Permanent, Représentation permanente de la Turquie auprès du Conseil de l'Europe

INVITEES

Governmental Committee of the European Social Charter

Ms Karolina KIRINCIC ANDRITSOU, Member and Vice President of the Governmental Committee of the European Social Charter

European Social Cohesion Platform / Plateforme européenne de cohésion sociale (PECS)

Mr Joseph GERADA, Advisor in the Ministry for the Family and Social Solidarity, Representative of the European Social Cohesion Platform

OBSERVERS / OBSERVATEURS

HOLY SEE / SAINT-SIEGE

Mr Peter VERHAEGHE, Policy and advocacy officer, Caritas Europa

Conference of INGOs of the Council of Europe / Conférence des OING du Conseil de l'Europe

Mr Jean-Bernard MARIE, Représentant

Mme Marie-José SCHMITT, Chargée de mission pour la Charte sociale

European Trade Union Confederation (ETUC) / Confédération européenne des syndicats (CES)

Mr Stefan CLAUWAERT, ETUC Senior Legal and Human Rights Advisor, ETUI Senior Researcher

European Network of Human Rights Institutions (ENNHRI) / Réseau européen des institutions nationales des droits de l'Homme

Ms Nina PÁNIKOVÁ, Human Rights Officer Capacity Building, ENNHRI

Ms Anete ILVES, Legal Counsellor of social, economic and cultural rights division, Latvian National Human Rights Institution

Academic Network on the European Social Charter and Social Rights (ANESC) / Réseau académique sur la Charte Sociale Européenne et les Droits Sociaux (RASCE)

Ms Mélanie SCHMITT, Université de Strasbourg

Delegation of the European Union to the Council of Europe EUDEL

Ms Elitsa TODOROVA, Legal Officer (Trainee)

SECRETARIAT

**DG I – Human Rights and Rule of Law / Droits de l’Homme et Etat de droit
Council of Europe / Conseil de l’Europe**

Human Rights Intergovernmental Co-operation Division

Mr Alfonso DE SALAS, Secretary of the CDDH / Secrétaire du CDDH, Head of Division /
Chef de Division

Ms Dorothee VON ARNIM, Secretary of the CDDH-SOC / Secrétaire du CDDH-SOC, Head
of the Unit on the system of the European Convention on Human Rights / Chef de l’Unité sur
le système de la Convention européenne des droits de l’homme Human Rights

Ms Elisa SAARI, Assistant Lawyer / Juriste Assistant

Ms Susanne ZIMMERMANN, Administrative Assistant / Assistante administrative

Department of the European Social Charter

Mr Jan MALINOWSKI, Head of the Department of the European Social Charter

Mr Henrik KRISTENSEN, Deputy Head of the Department of the European Social Charter

Mr Pio CAROTENUTO, Programme Officer, Reporting Procedure Division, Department of
the European Social Charter

Ms Margarita GALSTYAN, Project Manager, Reporting Procedure Division, Department of
the European Social Charter

INTERPRETERS / INTERPRÈTES

Ms Lucie DE BURLET
Ms Chloé CHENETIER
Ms Isabelle MARCHINI

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APPENDIX II

Agenda

	ITEM 1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND OF THE ORDER OF BUSINESS
CDDH-SOC(2019)OJ1	Draft agenda
CDDH-SOC(2019)OT1	Draft order of business
	Reference documents concerning all items on the agenda
CDDH-SOC(2018)01Rev	Extract of the terms of reference given by the Committee of Ministers to the CDDH regarding the work of the CDDH-SOC during the 2018–2019 biennium and relevant extracts of the CDDH meeting reports
CDDH(2018)R89	Report of the 89 th CDDH meeting (19–22 June 2018)
CDDH(2018)R90	Report of the 90 th CDDH meeting (27–30 November 2018)
CDDH-SOC(2017)R1	Report of the 1 st CDDH-SOC meeting (19–21 April 2017)
CDDH-SOC(2018)R2	Report of the 2 nd CDDH-SOC meeting (2–4 May 2018)
CDDH-SOC(2018)R3	Report of the 3 rd CDDH-SOC meeting (5–7 September 2018)
	ITEM 2: WORKING METHODS AND PLANNING
CDDH-SOC(2018)03Rev2	Provisional planning of the work of the CDDH-SOC in the biennium 2018–2019
CM/Res(2011)24	Committee of Ministers' Resolution on intergovernmental committees and subordinate bodies, their terms of reference and working methods
	ITEM 3: DISCUSSION ON THE FIRST DRAFT OF THE SECOND REPORT IDENTIFYING GOOD PRACTICES AND MAKING PROPOSALS WITH A VIEW TO IMPROVING THE IMPLEMENTATION OF SOCIAL RIGHTS IN EUROPE
	Working documents
CDDH-SOC(2019)01	Draft Report identifying good practices and making proposals with a view to improving the implementation of social rights in Europe
CDDH-SOC(2019)02	Compilation of the Member States' comments on the Draft Report identifying good practices and making proposals with a view to improving the implementation of social rights in Europe

	Reference documents
CDDH-SOC(2018)12Rev	Working document for the “second report” identifying good practices and making proposals with a view to improving the implementation of social rights in Europe
CDDH-SOC(2018)13	Compilation of selected background material relevant for the “second report” identifying good practices and making proposals with a view to improving the implementation of social rights in Europe
CDDH(2018)R89add1	CDDH analysis of the legal framework of the Council of Europe for the protection of social rights in Europe, as adopted by the CDDH at its 89 th meeting (19–22 June 2018)
CDDH-SOC(2018)02	Questionnaire related to the good practices on the implementation of social rights at national level
CDDH-SOC(2017)04Rev	Replies to the questionnaire related to the good practices on the implementation of social rights at national level
CDDH-SOC(2018)07Rev	Summary of the replies to the questionnaire
CDDH-SOC(2018)06	Short analysis of the replies to the questionnaire
CDDH-SOC(2018)08	Draft overview over the possible contents of the second report
CDDH-SOC(2017)001	(Initial) Draft report of the CDDH on the legal framework of the Council of Europe for the protection of social rights <i>(prepared by Ms C. Gallant for the 1st CDDH-SOC meeting)</i>
	Legal Instruments
Link Link Link Link Link	European Social Charter of 1961 Revised European Social Charter of 1996 Additional Protocol to the European Social Charter of 1988 Protocol amending the European Social Charter of 1991 Additional Protocol to the European Social Charter Providing for a System of Collective Complaints of 1995
	ITEM 4: ORGANISATION OF UPCOMING WORK
<i>(see item 2 above)</i>	Provisional planning of the work of the CDDH-SOC in the biennium 2018–2019
	ITEM 5: ADOPTION OF THE MEETING REPORT

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