



CDDH-INST(2018)01

08/02/2018

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

**Extract of the terms of reference given by the Committee of Ministers to the CDDH
regarding the work of the CDDH-INST during the 2018-2019 biennium**

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

and relevant extracts of the CDDH meeting reports

Extract of the terms of reference given by the Committee of Ministers to the CDDH regarding the work of the CDDH-INST during the 2018-2019 biennium

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

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)."

* * *

Extract of the report of the 87th CDDH meeting

(6-9 June 2017, document CDDH(2017)R87)

4.6 Civil Society and National Human Rights Institutions (CDDH-INST)

60. The Chair and Rapporteur of the Drafting Group on civil society and national human rights institutions (CDDH-INST), Ms Krista OINONEN (Finland), reported on the work completed during the 2nd meeting of the Group (8-10 March 2017).

61. It is recalled that the Group has the following mandate:

Conduct a study on the impact of current national legislation, policies and practices on the activities of civil society organisations, human rights defenders and national institutions for the promotion and protection of human rights, and identifying the best examples thereof (deadline: 31 December 2016).

On this basis, submit proposals to ensure that member States, through their legislation, policies and practices, effectively protect and promote the civil society space (deadline: 30 June 2017).

62. The Chair and the Rapporteur of the Drafting Group noted that:

- (i) The meeting was mainly dedicated to the finalisation of the draft Analysis of the impact of the legislation, policies and current national practices on the activities of civil-society organisations, human rights defenders and national institutions for the promotion and protection of human rights, prepared by the Rapporteur.

- (ii) The CDDH-INST considered it useful to append at a later point a compilation of good practices to the analysis and, to this end, wished to receive additional examples from the member States, civil-society organisations, Human Rights defenders and National Human Rights Institutions.

63. The Chair of the Drafting Group noted in particular the difficult context in which civil-society organisations, the Human Rights defenders and national institutions for the promotion and protection of human rights in certain States operate.

64. The CDDH thanked the Chair for her presentation and welcomed her work as Rapporteur, as well as the Drafting Group for the work carried out. It adopted the text as it appears in the document CDDH(2017)R87 Addendum IV and decided to transmit it to the Committee of Ministers for information. Having noted that certain experts expressed the wish to adduce to the document additional comments of a purely technical nature, the CDDH invited members to submit them by Friday, **29 September 2017** at 18:00, addressed to isreymann@gmail.com; evangelia.vratsida@coe.int (see table of deadlines, **Error! Reference source not found.** hereafter). These contributions will be examined by the Chair of the Drafting Group in view of their insertion if necessary in the text of the Analysis.

65. In view of preparing the Guide of good practices, the CDDH noted that the Secretariat will send in September 2017 a questionnaire and a standard model for the collection of national examples by 31 December 2017. The emphasis will be placed on the collection of good practices of implementation of existing national legislation regarding the protection and promotion of the civil-society space.

66. With respect to the future work, the CDDH noted that the drafting Group envisaged to prepare before the end of 2018 a draft non-binding legal instrument of the Committee of Ministers to the member States which would be accompanied by the aforementioned Guide of good practices. The CDDH will exchange views in this regard at its meeting of December 2017 as well as on the specific form of the possible instrument (declaration, recommendation, etc.). It also envisaged reviewing before end 2019 the Recommendation No. R (97)14 of the Committee of Ministers to the member States on the establishment of independent national institutions for the promotion and protection of human rights.

* * *

Extract of the report of the 88th CDDH meeting

(5-7 December 2017, document CDDH(2017)R87)

4.4 Civil Society and National Human Rights Institutions (CDDH-INST)

22. The Chair of the Drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST), Ms Krista OINONEN (Finland), recalled that the Analysis of the CDDH on the impact of current national legislation, policies and practices on the activities of civil society organisations, Human Rights defenders and national institutions for the promotion and protection of Human Rights (document CDDH(2017)R87 Addendum IV) elaborated by the Group during its two first meetings,¹ was adopted by the CDDH at its 87th meeting (6-9 June 2017) and

¹ 12-14 October 2016 and 8-10 March 2017, reports CDDH-INST(2017)R1 and R2.

subsequently transmitted to the Committee of Ministers for information. It took note of this Analysis at the 1293rd meeting of the Ministers' Deputies (13 September 2017).

23. The CDDH welcomed this result and exchanged views with the Chair of the CDDH-INST on the follow-up to the work. In light of the suggestions of the CDDH-INST at its 2nd meeting, the CDDH took note of the possibility to have the Analysis be accompanied by a user-friendly guide or compilation of good practices² and to present this set (Analysis + Guide/Compilation) together with a draft non-binding legal instrument (Declaration/Recommendation of the Committee of Ministers).

24. The CDDH endorsed the questionnaire [CDDH-INST\(2017\)06](#) and deemed that good national practices to be included in this possible Guide should be generally positive and innovative. This information should be sent to the Secretariat (DGI-CDDH@coe.int) before **15 February 2018** at 18:00.

25. Finally, the CDDH noted with satisfaction the interest of the Finnish authorities for an event concerning this theme, which could take place under the Finnish Chairmanship of the Committee of Ministers (November 2018 - May 2019).

* * *

² A user-friendly guide which would be prepared following consultations with member States, civil society members, human rights defenders and National Human Rights Institutions.