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Strasbourg, 22/07/2024

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

REPORT

100th meeting

Helsinki, Finland, 25 – 28 June 2024

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SUMMARY**Information on the meeting**

The Steering Committee for Human Rights (CDDH) held its 100th meeting in Helsinki, from 25 to 28 June 2024, with Krista OINONEN (Finland) in the Chair.

The agenda of the meeting appears in Appendix I**Items for decision by the Committee of Ministers**

The CDDH adopted the following text and decided to transmit it to the Committee of Ministers for possible adoption:

- Draft recommendation of the Committee of Ministers to member States on the effective protection of human rights in situations of crisis (accompanied by an explanatory memorandum).

The CDDH adopted the following text and decided to transmit it to the Committee of Ministers for its consideration:

- CDDH Comments on Parliamentary Assembly Recommendations [2272 \(2024\)](#) "Mainstreaming the human right to a safe, clean, healthy and sustainable environment with the Reykjavik process", [2275 \(2024\)](#) "Ending the detention of 'socially maladjusted' persons", and [2276 \(2024\)](#) "Children in the world of work: eradicating harmful child labour".

The CDDH adopted the following text and decided to transmit it to the Committee of Ministers for information:

- Progress Report on the preparation of a CDDH Study on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment.

The CDDH requested the Committee of Ministers to extend the deadline for completion of its Study on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment to 31 December 2024.

Items for information of the Committee of Ministers

- The CDDH elected Tonje MEINICH (Norway) as its Vice-chairperson and two Bureau members (Elias KASTANAS (Greece) and Barra LYSAGHT (Ireland)).
- The CDDH established a new Drafting Group on the safe third country concept (CDDH-PTS) to prepare a study on the need for and the feasibility of updating the Committee of Ministers' Recommendation No. R(97)22 to member States containing Guidelines on the application of the Safe Third Country Concept (deliverable 10 of the CDDH terms of reference for 2024–2027) and designated the following 10 member States to have the expenses of their experts' participation in the CDDH-PTS reimbursed by the Council of Europe: Armenia, Croatia, Finland, Greece, Latvia, Lithuania, Netherlands, Spain, Türkiye, United Kingdom.

As regards the system of the European Convention on Human Rights (ECHR), the CDDH:

- exchanged views on the results of the 1st meeting of the Drafting Group on the first effects of Protocols Nos. 15 and 16 to the European Convention on Human Rights (DH-SYSC-PRO);
- received information from the representative of the European Union (EU) and exchanged views on developments concerning the accession of the EU to the ECHR;

As regards the other items on its agenda, the CDDH:

- held a Conference on the protection and promotion of civil society space in Europe;
- exchanged views on the results of this conference, with a view to the preparation of its future Report on its examination of implementation of Committee of Ministers Recommendation CM/Rec(2018)11 to member States on the need to strengthen the protection and promotion of the civil society space in Europe;
- exchanged views with Niklas WILHELMSSON (Finland), member of the Steering Committee on Democracy (CDDEM), on the terms of reference and future activities of the CDDEM, including its contribution to the CDDH's examination of the implementation of Recommendation CM/Rec(2018)11;
- took note of the adoption by the Committee of Ministers of replies to Parliamentary Assembly Recommendations 2252(2023) and 2254(2023), on which the CDDH had previously adopted comments;
- exchanged views on the results of the 9th and 10th meetings of the Drafting Group on human rights and environment (CDDH-ENV), notably on its preparation of a draft CDDH report on the need for and feasibility of a further instrument or instruments on human rights and the environment; on this basis, considered that the CDDH-ENV had fulfilled its mandate;
- decided that the text prepared by the CDDH-ENV would become a reference document for the ongoing work of the CDDH on this issue;
- exchanged views with Professor Helen KELLER of the University of Zürich on the recent rulings of the European Court of Human Rights in three cases concerning the effects of climate change;
- gave guidance to the Secretariat on the preparation of a draft CDDH Study on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment, to be examined by the CDDH at its 101st meeting in November 2024;
- exchanged views with Rafael BENITEZ, Director of Social Rights, Health and Environment, notably on follow-up to Appendix V on the Council of Europe and the environment to the Reykjavik Declaration adopted at the Fourth Summit of Heads of State and Government of the Council of Europe;
- exchanged views on the results of the 6th meeting of the Drafting Group on human rights in situations of crisis (CDDH-SCR), notably on its preparation of a draft Committee of Ministers recommendation to member States on the effective protection of human rights in situations of crisis and its accompanying draft explanatory memorandum; on this basis, considered that the CDDH-SCR had fulfilled its mandate;
- took note of the launch event for the Committee of Ministers Toolkit for human rights impact assessment of the measures taken by the State in situations of crisis, on which preparatory work had been conducted by the CDDH-SCR;
- exchanged views on the results of the 1st meeting of the Drafting Group on the eradication of impunity for serious human rights violations (CDDH-ELI) and agreed with its interpretation of its terms of reference as encompassing the possibility of updating or otherwise revising the text of the Committee of Ministers Guidelines on eradicating impunity for serious human rights violations, if appropriate;
- exchanged views with Thomas SCHNEIDER (Switzerland), Chairperson of the Committee on Artificial Intelligence (CAI), on the new Framework Convention on artificial intelligence and human rights, democracy and the rule of law and on the CAI's ongoing work on a methodology for risk and impact assessment of artificial intelligence systems from the point of view of human rights, democracy and the rule of law (HUDERIA);
- exchanged views on the future work of the Drafting Group on human rights and artificial intelligence (CDDH-IA) to prepare a Handbook on human rights and artificial intelligence (AI), in the light of the work of the CAI and taking note also that other Council of Europe bodies are or will be working on issues relating to AI;
- adopted a questionnaire to member States on the implementation of Committee of Ministers Recommendation CM/Rec(2021)2 to member States on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or

punishment; agreed to hold a Roundtable on this issue at its 101st meeting in November 2024;

- exchanged views with Helena JÄDERBLOM, Chairperson of the Access Info Group established under the Convention on access to official documents (Tromsø Convention), notably on its adoption of baseline evaluation reports on the first eleven Parties to the Tromsø Convention;
- exchanged views with Christos GIAKOUMOPOULOS, Director General Human Rights and Rule of Law;
- exchanged views with its Rapporteur on gender equality, Philippe WERY (Belgium), on the evaluations carried out by the CDDH's subordinate groups of the gender equality aspects of their activities;
- took note of the information provided by certain of its representatives in outside activities;
- took note of the state of signatures and ratifications of the Council of Europe treaties for which the CDDH is responsible, and of recent extensions, partial withdrawals, and withdrawals of derogations to the ECHR;
- took note of recent publications of the work of the CDDH;
- adopted a revised calendar of meetings during the second semester of 2024 and took note of a provisional calendar of meetings during the first semester of 2025;
- thanked the Finnish authorities for their hospitality in hosting the meeting.

Resource implications

The CDDH noted that all of the above activities were conducted within the foreseen budgetary envelopes and that the CDDH-SCR had fulfilled its mandate with fewer meetings than initially foreseen.

Evaluation of completed activities

As noted above, the CDDH took note of the completion of the following deliverables:

Draft Recommendation of the Committee of Ministers on the effective protection of human rights in situations of crisis and its draft explanatory memorandum.

MEETING REPORT

1. The Steering Committee for Human Rights (CDDH) held its 100th meeting in Helsinki, from 25 to 28 June 2024, with Krista OINONEN (Finland) in the Chair (see list of participants in [Appendix II](#)).

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

2. The CDDH adopted its agenda as it appears in [Appendix I](#) and agreed to the order of business proposed in the draft annotated agenda (CDDH(2024)OJ01REV3 Annot.).

ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY

3. The Secretariat provided information on the replies adopted by the Committee of Ministers to the following Parliamentary Assembly Recommendations on which the CDDH had previously adopted comments: Recommendation [2252 \(2023\)](#) “Implementation of judgments of the European Court of Human Rights” and Recommendation [2254 \(2023\)](#) “Safeguarding democracy, rights and the environment in international trade”.

4. The CDDH examined draft comments on Parliamentary Assembly Recommendations [2272 \(2024\)](#) “Mainstreaming the human right to a safe, clean, healthy and sustainable environment with the Reykjavik process”, [2275 \(2024\)](#) Ending the detention of “socially maladjusted” persons and [2276 \(2024\)](#) Children in the world of work: eradicating harmful child labour. The comments as adopted by the CDDH appear in Addendum 1 to the present report.

ITEM 3: WORK ON THE SYSTEM OF THE CONVENTION

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

3.1.1 Drafting Group on the first effects of Protocols Nos. 15 and 16 to the European Convention on Human Rights (DH-SYSC-PRO)

5. The Chairperson of the DH-SYSC-PRO, Babette KOOPMAN (Netherlands), informed the CDDH about the Group’s 1st meeting (26–28 March 2024). As regards discussions on the draft report evaluating the first effects of Protocol No. 16 to the European Convention on Human Rights (the Convention), the Group had considered the replies of member States, the highest courts and tribunals designated under Article 10 of the Protocol, and the European Court of Human Rights (the Court) to the relevant CDDH questionnaire. These provide useful information and a good basis to start elaborating the draft report. The Group had agreed on a preliminary structure of its draft report and appointed Cordelia EHRICH (Switzerland) as its rapporteur. A first draft of this report will be examined at the Group’s 2nd meeting. The objective is to finalise this deliverable at the 3rd meeting of the Group in 2025 and to transmit it to the CDDH for its possible adoption.

6. As regards the draft report evaluating the first effects of Protocol No.15, the Group had decided to appoint Patricia ZIMMERMANN (United Kingdom) as its rapporteur. Discussion on this deliverable had underscored the need to collect, analyse and compare large quantities of information from the Court’s judgments before and after the entry into force of the Protocol. The Group had considered that collecting and processing data on the effects of Article 1 of Protocol

No. 15 would be particularly challenging. It therefore decided to invite the Danish National Research Foundation's Centre of Excellence for International Courts and Governance (iCourts) to conduct research on this issue. Concerning the effects of Article 3 of Protocol No. 15, another issue that the Group considered would be challenging, the Chairperson decided to ask the Governments' Agents for information on their experience with regards to the relinquishment of jurisdiction by Chambers in favour of the Grand Chamber.

7. The Secretariat provided additional information on subsequent contacts with iCourts. On the basis of discussions at the 1st meeting, the Rapporteur and the Chair, with the support of the Secretariat, had elaborated a list of specific tasks which had been accepted by the iCourts. Preliminary results of this research would be presented at the 2nd meeting of the Group. In addition, specific questions, elaborated by the Rapporteur and the Chair with the support of the Secretariat, on the question of relinquishment of jurisdiction from Chambers in favour of the Grand Chamber had been transmitted to the Registry.

8. CDDH discussions confirmed the interest in identifying criteria to enable an evaluation of the evolution of the doctrine of the margin of appreciation and the principle of subsidiarity since their introduction into the preamble of the Convention by Article 1 of Protocol No. 15, despite the difficulty in doing so. Whether the CDDH would eventually be in a position to draw conclusions would depend largely on the data and the analysis of the DH-SYSC-PRO. The Chair noted that the task that the Committee of Ministers has given to the CDDH shows its interest in evaluating the measures that it has taken, which is part of the shared responsibility in implementing the Convention.

3.2 CDDH ad hoc negotiation Group on the EU accession to the ECHR (“46+1” Group)

9. The representative of the European Union (EU), Felix RONKES AGERBEEK, provided information on developments in the EU's internal discussions. He recalled that the EU member States and the European Commission were waiting for the Court of Justice of the EU (CJEU) to deliver judgment in two cases concerning fundamental rights and the Common Foreign and Security Policy that would be relevant to the outstanding issue under Basket 4 of the 46+1 Group's work.¹ Alongside this process, the EU had been advancing with its work on the “internal rules” that would determine the practical arrangements for EU participation in the Convention system.

10. In response to questions, Mr RONKES AGERBEEK suggested that if the CJEU followed the opinion of its Advocate General in full, the EU would first discuss the outcome in the EU Council and with non-EU member States and could then request the opinion of the CJEU on the revised package of accession instruments. If the CJEU did not entirely follow the Advocate General's opinion, the EU would try to work with this outcome; if the judgments were very negative and treaty change appeared necessary to resolve the Basket 4 issue, the situation would be very different. As regards the internal rules, it was intended to have another meeting involving the EU member States' government agents before the Court, in order to take advantage of their expert knowledge of the Convention system.

ITEM 4: ENVIRONMENT AND HUMAN RIGHTS

11. The Chairperson of the Drafting Group on Human Rights and Environment (CDDH-ENV), Nicola WENZEL (Germany), informed the CDDH of the results of the Group's 9th (17–19 January 2024) and 10th (19–21 March 2024) meetings, notably on its preparation of a draft CDDH report on the need for and feasibility of a further instrument or instruments on human

¹ Note by the Secretariat: in the meantime, the CJEU has announced that the judgment will be delivered on 10 September 2024.

rights and the environment. On this basis, the CDDH considered that the CDDH-ENV had fulfilled its mandate and congratulated its Chairperson and the Group for their work.

12. The CDDH exchanged views with Professor Helen KELLER of the University of Zürich on the recent rulings of the European Court of Human Rights in three cases concerning the impact of climate change. Professor KELLER highlighted certain key aspects of the *Klimasenioren* judgment: in particular, the Court's insistence that climate change cases were to be distinguished from other environment-related cases; and in this context, the issue of victim status and standing for associations before the Court, and the Court's application of the burden of proof. She also noted that the Court's position on extraterritorial jurisdiction in the *Duarte Agostinho* case might still leave room for exceptions in cases involving transboundary environmental damage. The ensuing discussions covered a range of topics, including the possible added value of new legally binding instrument(s) on environment and human rights in light of the Court's three climate change rulings and the potential development of the Court's jurisprudence concerning environment and human rights, notably under Articles 2 and 8 of the Convention.

13. The CDDH thanked Professor KELLER for her participation and for the information she had shared.

14. The CDDH noted that while the Court's three rulings relate to cases specifically concerning climate change, whereas the CDDH is looking at the wider issue of human rights and the environment, they are relevant to a number of fundamental issues in its ongoing work. The meaning and implications of these rulings, including their possible effects on potential cases concerning environmental issues other than climate change, require detailed examination in its future Study on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment (Study on need and feasibility).

15. In light of the foregoing, the CDDH decided that it would not adopt its Study on need and feasibility at the present meeting. It took note of the draft report prepared by the CDDH-ENV and decided that it would become a reference document for the ongoing work of the CDDH, under the title "Background document prepared by the CDDH-ENV" in order to avoid confusion with its future Study on need and feasibility, which will be prepared as a new, separate document. The Study will summarise the Background document prepared by the CDDH-ENV, in the light of the Court's climate change rulings, and reflect any conclusions, recommendations or preferences indicated by member States.

16. The CDDH intends to adopt this Study at its 101st meeting in November 2024. It gave guidance to the Secretariat on the preparation of the draft. CDDH Members are invited to submit any further comments to guide preparation of the draft CDDH Study by 30 August 2024. The Secretariat committed to distributing the draft CDDH Study on need and feasibility by 1 October 2024, in order to allow sufficient time for members to consult internally before submitting any comments in advance of the November meeting.

17. On this basis, the CDDH adopted a Report to the Committee of Ministers on progress in its work on this issue, with a request for extension of the deadline for the feasibility study until 31 December 2024.

18. The CDDH also exchanged views with Rafael BENITEZ, Director of social rights, health and environment, on the follow-up given to the Reykjavik Declaration, Appendix V on the Council of Europe and the environment (see further under Item 11 below).

ITEM 5: HUMAN RIGHTS IN SITUATIONS OF CRISIS

19. The Secretariat, in the absence of the Chairperson of the Drafting Group on human rights in situations of crisis (CDDH-SCR), Jan SOBCZAK (Poland), informed the CDDH of the results of its 6th and final meeting (31 January - 2 February 2024). At this meeting, the Group had adopted a draft Recommendation on the effective protection of human rights in situations of crisis and its draft explanatory memorandum.

20. Following a paragraph-by-paragraph examination, the CDDH adopted the draft Recommendation on the effective protection of human rights in situations of crisis (see Addendum 2 to the present meeting report) and its explanatory memorandum. It expressed its appreciation for the constructive attitude taken by members in finding compromise solutions on text in the explanatory memorandum concerning issues relating to discrimination. It decided to transmit the draft Recommendation to the Committee of Ministers for adoption, and the explanatory memorandum for information, inviting the Committee of Ministers to take note of the latter. The CDDH congratulated the CDDH-SCR for the successful completion of its third and last deliverable and on this basis, considered that it had completed its terms of reference.

21. The Secretariat recalled that on 6 March 2024, the Committee of Ministers had adopted the Toolkit for human rights impact assessment of the measures taken by the State in situations of crisis, prepared by the CDDH. The Secretariat also provided information on the launch event of the Toolkit, held on 30 May 2024.

ITEM 6: ERADICATION OF IMPUNITY FOR SERIOUS HUMAN RIGHTS VIOLATIONS

22. The Chairperson of the Drafting Group on the eradication of impunity for serious human rights violations (CDDH-ELI), Hans-Jörg BEHRENS (Germany), informed the CDDH of the results of its 1st meeting (15–17 May 2024). At this meeting, the Group had started its work on a study on the need for and feasibility of (an) additional non-binding instrument(s) to complement the 2011 Committee of Ministers' Guidelines on eradicating impunity for serious human rights violations. It held an exchange of views with Mykola GNATOVSKYY, Judge at the European Court of Human Rights; Emmanuel DECAUX, Chairperson of the René Cassin Foundation and former President of the UN Committee on Enforced Disappearances; Kerli VESKI, Vice-Chair of the Committee of Legal Advisers on Public International Law (CAHDI); Matt CANNOCK, Director of the Centre for International Justice, Amnesty International; and Alexandra SYTNYK, Lawyer at the Registry of the European Court of Human Rights. It identified a list of issues relevant to its work and grouped them in clusters for further examination at future meetings. The Group had appointed Agata ROGALSKA-PIECHOTA (Poland) as Rapporteur to prepare a first draft of the study. The CDDH-ELI will examine issues related to the scope of the Guidelines and to the definition of key concepts as well as issues related to cooperation at its next meeting (15-17 October 2024).

23. The CDDH agreed with the interpretation of the CDDH-ELI of its terms of reference as encompassing the possibility of updating or otherwise revising the 2011 Guidelines, should this be a more appropriate way of addressing a particular issue than drafting an additional non-binding instrument(s).

ITEM 7: ARTIFICIAL INTELLIGENCE

24. The CDDH exchanged views with Thomas SCHNEIDER (Switzerland), Chairperson of the Committee on Artificial Intelligence (CAI), on the new Framework Convention on artificial intelligence and human rights, democracy and the rule of law and on the CAI's ongoing work on a methodology for risk and impact assessment of artificial intelligence systems from the point of view of human rights, democracy and the rule of law (HUDERIA).

25. Mr SCHNEIDER described the parallels between artificial intelligence (AI) and earlier disruptive technologies. He also indicated the new challenges posed by AI, notably to human rights, democracy and the rule of law. He highlighted that different jurisdictions were taking different regulatory approaches to ensuring that democracy, rule of law and human rights are respected also when it comes to AI. Some jurisdictions were developing horizontal AI legislation while others were pursuing a more or purely sectoral approach. In his view, a global harmonisation of approaches is unrealistic, so ensuring interoperability of these approaches is fundamental. This was the advantage of the approach taken in the Framework Convention, which built on the background work done by the Ad hoc Committee on Artificial Intelligence (CAHAI) to develop a treaty with global potential. The Framework Convention did not create new rights but rather ensured the application of existing safeguards for human rights, democracy and the rule of law. It was complementary to existing standards and addressed any gaps on a general level of principle. It would need to be complemented by more specific instruments in particular fields. It allowed the necessary leeway to the future Parties. This approach should keep the Framework Convention relevant and useful for many years to come; as the original Convention 108 on data protection had been. There should also be dialogue with non-Parties on a global level, as was done in connection with the Budapest Convention on cybercrime.

26. During the ensuing discussion, the importance of AI's potential to enhance the access to rights for persons with disabilities was highlighted. In this context, Mr SCHNEIDER noted the positive impact of AI, particularly through technologies like motion recognition. On a question concerning HUDERIA, Mr SCHNEIDER stated that it will complement the Framework Convention's provision on risk and impact management. He hoped that the CDDH would contribute to the CAI's work HUDERIA. As to the future Handbook on human rights and artificial intelligence, he considered that, being a non-binding instrument, this could go further than the Framework Convention had done.

27. The CDDH thanked Mr SCHNEIDER for his participation and for the information he had shared.

28. The Chairperson of the Drafting Group on human rights and artificial intelligence (CDDH-IA), Alfonso BREZMES (Spain) informed the CDDH on the preparations of the first meeting of the CDDH-IA. Elias KASTANAS (Greece) provided updates on the work of the Committee of Experts on Artificial Intelligence, Equality and Discrimination (GEC/ADI-AI), notably at its first meeting which was held between 20-21 February 2024. The representative of the Advisory Council on Youth urged the CDDH-IA to consider the intersection of artificial intelligence, climate change, and ecological impacts in its work.

ITEM 8: CIVIL SOCIETY

29. The CDDH held a "Conference on the protection and promotion of civil society space in Europe".² The conference addressed challenges and good practice for the protection and promotion of civil society space in Europe, and the Council of Europe's developing engagement with civil society. The keynote speech was delivered by Michael O'FLAHERTY, the Council of Europe Commissioner for Human Rights. Other speakers included representatives from international non-governmental organisations (NGOs), the European Network of National Human Rights Institutions (ENNHRI), the EU Fundamental Rights Agency (FRA), and the Council of Europe (CoE).

² For the programme of the Conference, see doc. [CDDH\(2024\)06](#).

30. The proceedings of the Conference will be made available in a separate document.

31. As regards its examination of the implementation of Committee of Ministers Recommendation CM/Rec 2018(11) to member States on the need to strengthen the protection and promotion of civil society space in Europe, the CDDH decided to invite its members to update the document entitled “The protection and promotion of the civil-society space - Compilation of measures and practices in place in the Council of Europe member States” (CDDH(2018(13)) that had been prepared during the drafting of the recommendation. The draft CDDH Report on examination of implementation of CM/Rec(2018)11 will integrate material gathered through the Conference, subsequent discussions, and contributions from the Steering Committee on Democracy (CDDEM), and will be considered for adoption by the CDDH at its 101st meeting in November 2024.

ITEM 9: PROHIBITION OF THE TRADE IN GOODS USED FOR TORTURE AND THE DEATH PENALTY

32. The CDDH examined and adopted a questionnaire to member States on the implementation of Committee of Ministers Recommendation CM/Rec(2021)2 on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment and punishment (see Appendix III to the present meeting report).

33. The CDDH agreed, in the context of the review of the implementation of the recommendation, to hold a Roundtable on this issue at its 101st meeting in November 2024. It took note that this Roundtable would be held alongside other activities relating to the prohibition of torture and the abolition of the death penalty.

ITEM 10: ACTIVITIES OF OTHER ACTORS RELATED TO THE WORK OF THE CDDH

34. The CDDH exchanged views with Niklas WILHELMSSON, Representative of the Steering Committee for Democracy (CDDEM). He said that the CDDEM had been established as a result of the Fourth Summit of Heads of State and government of the Council of Europe in response to growing challenges to democracy in Europe sometimes described as “democratic backsliding”. Erosion of one element of the interdependent principles of democracy, human rights and the rule of law leads to erosion of them all. The CDDEM will address democracy in a holistic and systemic manner. The CDDEM will work alongside other activities in DGII on democratic participation, elections, civil society, freedom of the media, and safety of journalists. Three of its deliverables for 2024–2027 relate to civil society, including a contribution to the CDDH’s examination of implementation of Committee of Ministers Recommendation CM/Rec(2018)11. The CDDEM working group on civil society participation will meet on 8-9 July. One result of this meeting could be a request to members to provide examples of best practice, which could then feed into the work of the CDDH.

35. The CDDH thanked Mr WILHELMSSON for his participation and for the information he had shared.

ITEM 11: FOLLOW-UP TO THE FOURTH SUMMIT OF HEADS OF STATE AND GOVERNEMENT

36. The CDDH exchanged views with Rafael BENITEZ, Director of social rights, health and environment. Mr BENITEZ provided information on the follow-up given to the Reykjavik Declaration, Appendix V on the Council of Europe and the environment. He recalled the creation of a new Directorate on social rights, health and environment; the Secretary General’s creation

of an inter-secretariat Task Force on the Environment, which had put together a compilation of relevant current and future activities; the adoption at the May Ministerial Session of a decision to create an intergovernmental Multidisciplinary Group on the Environment (GME); and the expected adoption in July of the GME's terms of reference, primarily to propose a Council of Europe strategy on the environment and accompanying action plan. The Council of Europe work would seek to address the far-reaching impact of the triple planetary crisis as a transversal and multidisciplinary issue, putting human rights at the heart of its work. The GME would collaborate with all other Council of Europe bodies working on related issues.

37. In response to questions from members, Mr BENITEZ underlined the importance of the MGE's composition; this may require multiple members per delegation, and members would also be expected to act as domestic focal points to coordinate communication between the MGE and relevant ministries. Co-operation with other Council of Europe bodies could be through appointed representatives and/or at secretariat level. The MGE will be subject to the general Committee of Ministers resolution on intergovernmental committees. It is expected to meet twice in 2024, with another two meetings in 2025 to complete the action plan in advance of the May Ministerial Session; convocations for the first meeting will be sent in July. The Committee of Ministers will have to decide which rapporteur group will receive the work of the MGE.

38. The CDDH thanked Mr BENITEZ for his participation and for the information he had shared.

ITEM 12: PLANNING OF FUTURE ACTIVITIES

39. The CDDH adopted terms of reference for the new drafting group on the safe country concept (CDDH-PTS) to conduct preparatory work on a study for and the feasibility of updating Committee of Ministers' Recommendation R(97)22 to member States containing guidelines on the application of the safe third country concept.

40. The CDDH designated the following 10 member States to have the expenses of their experts' participation in the CDDH-PTS reimbursed by the Council of Europe: Armenia, Croatia, Finland, Greece, Latvia, Lithuania, Netherlands, Spain, Türkiye, and the United Kingdom. Recalling that the CDDH-PTS would not hold its first meeting until 2025, it postponed the election of the CDDH-PTS Chairperson to its next meeting.

ITEM 13: ACCESS TO OFFICIAL DOCUMENTS

41. The CDDH held an exchange of views with the President of the Access Info Group (AIG) established under the Council of Europe Convention on Access to Official Documents (CETS No.205 – the Tromsø Convention), Helena JÄDERBLOM. After briefly covering the key standards of the Convention and the role of the AIG notably as regards monitoring its implementation by its Parties, Ms JÄDERBLOM provided an overview on the baseline evaluation reports on the first 11 Parties to the Convention³ that the AIG had adopted at its last meeting (27–29 May 2024). These reports had focused on the Parties' main legal frameworks governing access to official documents. Ms JÄDERBLOM elaborated on some of the key findings of the AIG concerning the scope of application freedom of information laws of the Parties, the compliance of limitations of the right of access with the standards of the Tromsø Convention as well as review procedures in cases of denials of access. The adopted reports

³ Bosnia and Herzegovina, Estonia, Finland, Hungary, Lithuania, Iceland, Norway, Montenegro, the Republic of Moldova, Sweden and Ukraine.

had been transmitted to the Parties allowing them one month for final comments. The reports and any comments received will be published on the Tromsø Convention's [website](#) by mid-July.

42. The AIG will continue its baseline evaluation on the remaining four Parties.⁴ It will also begin its thematic examination of the notion of “information drawn up by public authorities” as used in Article 1, paragraph 2, sub-paragraph b, of the Tromsø Convention, on which it had reserved its position during this baseline evaluation round. Furthermore, it intended to examine specific legislation regulating access to information issues, for example that on personal data protection or legislation on archives, after its first baseline evaluation round.

43. The CDDH welcomed the presentation of the AIG's work results. Members' questions focused on the sources of information that the AIG had used in its monitoring work, its interaction with NGOs, its longer-term working programme and possible examination of access to digital information. Ms JÄDERBLOM explained that in this baseline evaluation round, the AIG had based itself on the laws of the Parties, the information that they had provided in their reports, their replies to specific questions that the AIG had addressed to them, as well as the comments that the AIG had received from the NGO Access Info Europe. As regards the AIG's work programme, Ms JÄDERBLOM said that the Group has not yet decided which areas of legislation or thematic areas it will examine. She underscored the desirability of more Council of Europe member States signing and ratifying the Tromsø Convention as a common basic standard of transparency and good governance. The CDDH suggested that Ms JÄDERBLOM should make a similar presentation to the appropriate rapporteur group of the Committee of Ministers.

44. The CDDH thanked Ms JÄDERBLOM for her participation and for the information she had shared.

ITEM 14: GENDER EQUALITY

45. The CDDH exchanged views with the Rapporteur on Gender Equality, Philippe WERY (Belgium), on the evaluations carried out by the DH-SYC-JC, CDDH-SCR et CDDH-ENV of the gender equality aspects of their activities (CDDH(2024)02). The CDDH appreciated and encouraged the good and regular use of the thematic form.

46. The Secretariat informed the CDDH on the [Guidelines for the use of language as a driver of inclusivity](#) in the Council of Europe Secretariat, building on existing standards endorsed by the Committee of Ministers since 1990.

ITEM 15: CONVENTIONS

47. The CDDH took note of information provided by the Secretariat on recent signatures and ratifications of Council of Europe conventions under the responsibility of the CDDH (doc. CDDH(2024)03).

ITEM 16: REPRESENTATIVES IN OUTSIDE ACTIVITIES

48. The CDDH receive information from Brigitte OHMS (Austria) on the 46th meeting of the Consultative Committee established under Convention 108 on data protection (T-PD, 5–7 June 2024) and the European Commission for Democracy through Law (Venice Commission); Tim KOLK (Estonia) on recent activities of the Committee on Artificial Intelligence (CAI); Hans-Jörg BEHRENS (Germany) on recent activities of the Steering Committee on Media and Information Society (CDMSI) and the possible contribution of the CDDH to its future activities; and Krista

⁴ Albania, Armenia, Slovenia and Spain.

OINONEN (Finland) on her participation in the Secretary General's meeting with Presidents of Intergovernmental Committees (Strasbourg, 01 February 2024), the first meeting of the Steering Committee for Democracy (CDDEM, 13–14 May 2024), and the Nordic Moot Court Competition (Stockholm, Sweden, 8 June 2024).

49. The CDDH thanked those of its representatives who had provided information orally and encouraged all of its representatives to continue providing information, wherever possible in writing, on the activities of the relevant bodies in future. It then exchanged views on how best to fulfil its mandatory role with respect to the activities of other Council of Europe bodies.

50. The CDDH appointed Nicola WENZEL (Germany) as its representative to the future Multidisciplinary Group on the Environment (see Item 4 above), subject to the Committee of Ministers' adoption of its terms of reference. The full list of the CDDH's representatives in other Council of Europe bodies appears in [Appendix IV](#).

ITEM 17: ELECTIONS

51. The CDDH elected Tonje MEINICH (Norway) as its Vice-chairperson and two Bureau members, Elias KASTANAS (Greece) and John Finbarr (Barra) LYSAGHT (Ireland). It decided to postpone the election of the Chairperson of the DH-SYSC to its next meeting. The full composition of the CDDH Bureau and the presidencies of its subordinate bodies appear at [Appendix V](#).

52. The CDDH thanked its outgoing Vice-chairperson, Alain CHABLAIS (Switzerland), and Bureau member, Susan DICKSON (United Kingdom) for their years of service to the committee, including as members of its Bureau, and wished them well in their future endeavours.

ITEM 18: INVITEES

53. The CDDH exchanged views with Christos GIAKOUMOPOULOS, Director General Human Rights and Rule of Law. Mr GIAKOUMOPOULOS expressed his appreciation for the CDDH and the importance of its activities, noting in particular its ongoing work on human rights and the environment. The role of the CDDH would become even more important in the future, representing the collective guarantee symbolised also by the European Convention on Human Rights at a time when the organisation's values were increasingly challenged and war had returned to Europe. Dialogue would always be needed, even as a means or a tool rather than as a result in itself. The situation in Europe was now more difficult than it had been earlier in his career but he believed that the Council of Europe could cope and that things could change and improve.

54. In response to questions, Mr GIAKOUMOPOULOS expressed the hope that in 20 years, the Council of Europe would have further developed its harmonious relationship with the EU, would still be preserving the values for which it had already stood for 75 years, and would still be committed to preserving peace and prosperity for European citizens. In the shorter term, it should do more to convince member States to implement solutions to identified shortcomings by adapting its tools of dialogue and persuasion. It should in particular focus on engaging younger generations in support of human rights, democracy and the rule of law, and preventing social exclusion by reinforcing social rights. It should engage even more closely with NHRIs and civil society.

55. The CDDH thanked Mr GIAKOUMOPOULOS for his participation and for the information he had shared. It decided to leave to its Bureau the decision on whom to invite to its next meeting.

ITEM 19: PUBLICATIONS

56. The CDDH noted the recent publications of the CDDH [Report](#) on issues relating to judges of the European Court of Human Rights and of the [Toolkit](#) on Human Rights impact assessment of the measures taken by the State in situations of crisis

ITEM 20: CALENDAR

57. The CDDH adopted its calendar of meetings for the second semester of 2024 and took note of a proposed calendar of meetings for the first semester of 2025, as they appear in [Appendix VI](#).

ITEM 21: OTHER BUSINESS

58. Finally, the CDDH warmly thanked the Chairperson and the Finnish authorities for their outstanding efforts to organize the present meeting in Helsinki and for the hospitable welcome that the Committee had received.

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Appendix I

Agenda

1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND ORDER OF BUSINESS	1 : OUVERTURE DE LA RÉUNION, ADOPTION DE L'ORDRE DU JOUR ET DE L'ORDRE DES TRAVAUX
CDDH(2023)R99 - Report of the 99th meeting CDDH-BU(2024)R111 – Report of the 111th meeting	CDDH(2023)R99 – Rapport de la 99 ^e réunion CDDH-BU(2024)R111 – Rapport de la 111 ^e réunion
2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY	2 : RECOMMANDATIONS DE L'ASSEMBLEE PARLEMENTAIRE
CDDH comments on PACE Recommendation 2252 (2023) CDDH Comments on PACE Recommendation 2254 (2023) Committee of Ministers Reply to PACE Recommendation 2252 (2023) Committee of Ministers Reply to PACE Recommendation 2254 (2023)	Commentaires du CDDH sur la recommandation 2252 (2023) de l'APCE Commentaires du CDDH sur la recommandation 2254 (2023) de l'APCE Réponse du Comité des Ministres à la Recommandation 2252 (2023) de l'APCE Réponse du Comité des Ministres à la Recommandation 2254 (2023) de l'APCE
CDDH(2024)01REV2 – Draft CDDH comments on PACE Recommendations CDDH(2024)13 – Proposals received on draft CDDH comments on PACE Rec. 2272(2024)	CDDH(2024)01REV2 – Projet de commentaires du CDDH sur des Recommandations de l'APCE CDDH(2024)13 – Propositions reçues sur le projet de commentaires du CDDH sur la Rec. APCE 2272(2024)
3: WORK ON THE SYSTEM OF THE CONVENTION	3 : TRAVAUX RELATIFS AU SYSTÈME DE LA CONVENTION
3.1. Committee of Experts on the system of the European Convention of Human rights (DH-SYSC)	3.1 Comité d'experts sur le système de la Convention européenne des droits de l'homme (DH-SYSC)
CDDH(2023)R99 Addendum 2 – CDDH Report on issues relating to judges of the European Court of Human Rights CM/Del/Dec(2024)1488/4.2	CDDH(2023)R99 Addendum 2 – Rapport du CDDH sur les questions relatives aux juges de la Cour européenne des droits de l'homme CM/Del/Dec(2024)1488/4.2
3.1.1. Drafting Group on the first effects of Protocols Nos. 15 and 16 to the European Convention on Human Rights (DH-SYSC-PRO)	3.1.1. Groupe de rédaction sur les premiers effets des Protocoles 15 et 16 à la Convention européenne des droits de l'Homme (DH-SYSC-PRO)
DH-SYSC-PRO(2024)R1 – Report of the 1st meeting	DH-SYSC-PRO(202)R1 – Rapport de la 1 ^e réunion
3.2 CDDH ad hoc negotiation group (“46+1”) on EU accession to the ECHR	3.2 Groupe de négociation ad hoc du CDDH (« 46+1 ») sur l'adhésion de l'UE à la CEDH
CDDH(2023)R EXTRA – Report of the CDDH extraordinary meeting, 4 April 2023 CDDH(2023)R EXTRA ADDENDUM – Interim report to the Committee of Ministers, for information, on the negotiations on the accession of the EU to the ECHR, including the revised draft accession instruments in appendix	CDDH(2023)R EXTRA – Rapport de la réunion extraordinaire du CDDH, 4 avril 2023 CDDH(2023)R EXTRA ADDENDUM – Rapport intérimaire au Comité des Ministres, pour information, relatif aux négociations sur l'adhésion de l'UE à la CEDH, contenant les projets d'instruments d'adhésion en annexe
4: ENVIRONMENT AND HUMAN RIGHTS	4 : ENVIRONNEMENT ET DROITS HUMAINS
CDDH-ENV(2024)R9 – Report of the 9th meeting CDDH-ENV(2024)R10 – Report of the 10th meeting	CDDH-ENV(2024)R9 – Rapport de la 9 ^e réunion CDDH-ENV(2024)R10 – Rapport de la 10 ^e réunion

<p>CDDH-ENV(2023)06REV4 – [Draft] Revised CDDH report on the need for and feasibility of a further instrument or instruments on human rights and the environment</p> <p>CDDH-ENV(2023)03REV – “Civil society expects protection of the right to a healthy environment”</p> <p>CDDH(2024)05REV – [Draft] Progress Report on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment</p> <p>CDDH(2024)11 – Conference of International NGOs: Statement on the situation with CDDH-ENV and the feasibility study on legally binding or non-binding instruments for environment and human rights</p> <p>CDDH(2024)12 – FIDH : Written comments</p> <p>Announcement by the European Court of Human Rights of its Grand Chamber rulings in the climate change cases</p>	<p>CDDH-ENV(2023)06REV4 – [Projet de] Rapport révisé du CDDH sur la nécessité et la faisabilité d'un instrument ou d'instruments additionnels sur les droits humains et l'environnement</p> <p>CDDH-ENV(2023)03REV – « La société civile espère la protection d'un droit à un environnement sain »</p> <p>CDDH(2024)05REV – [Projet de] Rapport intérimaire sur la nécessité et la faisabilité d'un ou de plusieurs instruments additionnels dans le domaine des droits humains et de l'environnement</p> <p>CDDH(2024)11 – Conférence des OING : <i>Statement on the situation with CDDH-ENV and the feasibility study on legally binding or non-binding instruments for environment and human rights</i> (en anglais uniquement)</p> <p>CDDH(2024)12 – FIDH : Commentaires écrits (en anglais uniquement)</p> <p>Annonce de la Cour européenne des droits de l'homme des décisions de sa Grande Chambre dans les affaires concernant le changement climatique</p>
<p>5: HUMAN RIGHTS IN SITUATIONS OF CRISIS</p>	<p>5 : DROITS HUMAINS EN SITUATIONS DE CRISE</p>
<p>CDDH-SCR(2024)R6 – Report of the 6th meeting Committee of Ministers Toolkit for human rights impact assessment of the measures taken by the State in situations of crisis</p> <p>CDDH-SCR(2024)R6 Addendum – Draft Recommendation of the Committee of Ministers on the effective protection of human rights in situations of crisis and its draft explanatory memorandum</p> <p>Programme of the Launch Event for the Toolkit (30 May 2024)</p>	<p>CDDH-SCR(2024)R6 – Rapport de la 6^e réunion Boîte à outils du Comité des Ministres pour l'évaluation de l'impact sur les droits humains des mesures prises par l'État en situations de crise</p> <p>CDDH-SCR(2024)R6 Addendum – Projet de Recommandation du Comité des Ministres sur la protection efficace des droits humains en situation de crise et son projet de rapport explicatif</p> <p>Programme de l'Événement de lancement de la Boîte à outils (30 mai 2024)</p>
<p>6: ERADICATION OF IMPUNITY FOR SERIOUS HUMAN RIGHTS VIOLATIONS</p>	<p>6 : ÉLIMINATION DE L'IMPUNITÉ POUR LES VIOLATIONS GRAVES DES DROITS HUMAINS</p>
<p>CDDH-ELI(2024)R1 – Report of the 1st meeting</p>	<p>CDDH-ELI(2024)R1 – Rapport de la 1^e réunion</p>
<p>7: ARTIFICIAL INTELLIGENCE</p>	<p>7: INTELLIGENCE ARTIFICIELLE</p>
<p>Framework Convention on artificial intelligence and human rights, democracy and the rule of law, and its explanatory report</p>	<p>Convention-cadre sur l'intelligence artificielle et les droits de l'homme, la démocratie et l'État de droit, accompagné de son rapport explicatif</p>
<p>8: CIVIL SOCIETY</p>	<p>8: SOCIÉTÉ CIVILE</p>
<p>Recommendation CM/Rec(2018)11 of the Committee of Ministers to member States on the need to strengthen the protection and promotion of the civil society space in Europe</p> <p>CDDH(2024)06 - Draft programme of the Conference on the protection and promotion of civil society space in Europe</p>	<p>Recommandation CM/Rec(2018)11 du Comité des Ministres aux États membres sur la nécessité de renforcer la protection et la promotion de l'espace dévolu à la société civile en Europe</p> <p>CDDH(2024)06 - Projet de programme de la Conférence sur la protection et la promotion de l'espace dévolu à la société civile en Europe</p>
<p>9: PROHIBITION OF THE TRADE IN GOODS USED FOR TORTURE AND THE DEATH PENALTY</p>	<p>9: INTERDICTION DU COMMERCE DE BIENS UTILISÉS POUR LA TORTURE ET LA PEINE DE MORT</p>
<p>Recommendation CM/Rec(2021)2 of the Committee of Ministers to member States on measures against the trade in goods used for the</p>	<p>Recommandation CM/Rec(2021)2 du Comité des Ministres aux États membres sur des mesures contre le commerce de biens utilisés pour la peine</p>

death penalty, torture and other cruel, inhuman or degrading treatment or punishment CDDH(2024)08 - Draft Questionnaire to member States on implementation of Recommendation CM/Rec(2021)2	de mort, la torture et autres peines ou traitement cruels, inhumains ou dégradants CDDH(2024)08 - Projet de Questionnaire aux États membres sur la mise en œuvre de la Recommandation CM/Rec(2021)2
10 : ACTIVITIES OF OTHER ACTORS RELATED TO THE WORK OF THE CDDH	10: ACTIVITÉS D'AUTRES ACTEURS RELATIVES AUX TRAVAUX DU CDDH
11: FOLLOW-UP TO THE FOURTH SUMMIT OF HEADS OF STATE AND GOVERNMENT	11: SUIVI DU QUATRIÈME SOMMET DES CHEFS D'ÉTAT ET DE GOUVERNEMENT
Reykjavik Declaration	Déclaration de Reykjavik
12: PLANNING OF FUTURE ACTIVITIES	12: PLANIFICATION DES ACTIVITÉS FUTURES
CDDH(2024)10 – (Draft) Terms of reference of the Drafting Group on the safe third country concept (CDDH-PTS)	CDDH(2024)10 – (Projet de) Mandat du Groupe de rédaction sur la notion de pays tiers sûr (CDDH-PTS)
13: ACCESS TO OFFICIAL DOCUMENTS	13 : ACCÈS AUX DOCUMENTS PUBLICS
AIG_Inf(2024)R5 – Report of the 5th meeting of the Access Info Group AIG_Inf(2024)R6 – Report of the 6th meeting of the Access Info Group Annual activity report	AIG_Inf(2024)R5 – Rapport de la 5 ^e réunion du Groupe Accès à l'information AIG_Inf(2024)R6 – Rapport de la 6 ^e réunion du Groupe Accès à l'information Rapport annuel des activités
14: GENDER EQUALITY	14 : ÉGALITE DE GENRE
CDDH(2024)02 – The gender equality dimension in the work of the CDDH and its subordinated bodies CDDH(2020)13 – Thematic Form on Gender Equality	CDDH(2024)02 – La dimension d'égalité de genre dans les travaux du CDDH et de ses instances subordonnées CDDH(2020)13 – Fiche thématique sur l'égalité de genre
15: CONVENTIONS	15 : CONVENTIONS
CDDH(2024)03 – State of signatures and ratifications of certain treaties under the responsibility of the CDDH	CDDH(2024)03 – État des signatures et ratifications de certains traités sous la responsabilité du CDDH
16: REPRESENTATIVES IN OUTSIDE ACTIVITIES	16 : REPRÉSENTANTS DANS DES ACTIVITES EXTERNES
CDDH(2024)04 - Information provided by CDDH representatives	CDDH(2024)04 - Informations fournies par les représentant-es du CDDH
17: ELECTIONS	17 : ÉLECTIONS
18: INVITEES	18 : INVITÉS
19: PUBLICATIONS	19 : PUBLICATIONS
<ul style="list-style-type: none"> • Issues relating to judges of the European Court of Human Rights • Toolkit for human rights impact assessment of the measures taken by the State in situations of crisis CDDH Publications' website	<ul style="list-style-type: none"> • Questions relatives aux juges de la Cour européenne des droits de l'homme • Boîte à outils pour l'évaluation de l'impact sur les droits humains des mesures prises par l'État en situation de crise Site internet des publications du CDDH
20: CALENDAR	20 : CALENDRIER
21: OTHER BUSINESS	21 : QUESTIONS DIVERSES
22: ADOPTION OF THE ABRIDGED REPORT	22 : ADOPTION DU RAPPORT ABRÉGÉ

Appendix II**List of participants**

ALBANIA / ALBANIE	<p>Monika LAMÇE State Advocate, Office for Legal Representation in Foreign Courts and International Arbitration Tribunals, State Advocates Office</p> <p>Arlinda GJATA State Advocate, Office for Legal Representation in Foreign Courts and International Arbitration Tribunals, State Advocates Office</p>
ANDORRA / ANDORRE	<p>Carlos PUENTE GALINDO Legal Adviser, Third Secretary, Department of International Legal Affairs and Human Resources, Ministry of Foreign Affairs</p>
ARMENIA / ARMÉNIE	<p>Rafayel MOVSESYAN Head of Division of the Department of Treaties and International Law, Ministry of Foreign Affairs</p>
AUSTRIA / AUTRICHE	<p>Brigitte OHMS Deputy Government Agent, Division for European and International Law, Human Rights Protection (dpt. V 7), Federal Chancellery</p>
BELGIUM / BELGIQUE	<p>Philippe WERY Chef du Service des droits de l'homme, SPF Justice, Service des Droits de l'Homme</p> <p>Isabelle NIEDLISPACHER</p>
BULGARIA / BULGARIE	<p>Angel BANDJOV Director of the Human Rights Directorate, Ministry of Foreign Affairs</p>
CROATIA / CROATIE	<p>Štefica STAŽNIK Representative of the Republic of Croatia before the ECHR</p>
CYPRUS / CHYPRE	<p>Theodora CHRISTODOULIDOU Senior Counsel, Law Office of the Republic of Cyprus</p>
CZECHIA / TCHÉQUIE	<p>Petr KONŮPKA Deputy Agent of the Government for the representation before the European Court of Human Rights, Ministry of Justice</p>
DENMARK / DANEMARK	<p>Ida Marie SPIEGELHAUER Head of Section, Ministry of Justice</p>
ESTONIA / ESTONIE	<p>Tim KOLK Agent du gouvernement estonien auprès de la Cour européenne des droits de l'homme</p>
FINLAND / FINLANDE	<p>Krista OINONEN Government Agent before the ECtHR, Director, Unit for Human Rights Courts and Conventions, Ministry for Foreign Affairs</p> <p>Satu SISTONEN Senior Specialist, Legal Affairs, Unit for Human Rights Courts and Conventions, Legal Service, Ministry for Foreign Affairs</p>

FRANCE	Milène BLANCHARD Adjointe à la sous-directrice, Direction des affaires juridiques, Sous-direction des droits de l'Homme, ministère de l'Europe et des affaires étrangères
GEORGIA / GÉORGIE	Nino NIKOLAISHVILI Head of the Department of State Representation to International Courts of the Ministry of Justice
GERMANY / ALLEMAGNE	Hans-Jörg BEHRENS LL.M., Head of Unit IV C 1 (Human Rights), Government Agent before the European Court of Human Rights, Federal Ministry of Justice Nicola WENZEL LL.M., Head of Unit IV C 1 (Human Rights), Government Agent before the European Court of Human Rights, Federal Ministry of Justice
GREECE / GRÈCE	Elias KASTANAS Senior Legal Counselor, Legal Department, Public International Law Section, Hellenic Ministry of Foreign Affairs
HUNGARY / HONGRIE	Zoltan TALLODI Government Agent before the ECtHR, Ministry of Justice
ICELAND / ISLANDE	Elísabet GISLADOTTIR Senior Legal Advisor, Prime Minister's Office, Department of Equality and Human Rights
IRELAND / IRLANDE	John Finbarr LYSAGHT Agent of the Government before the ECHR, Department of Foreign Affairs
LATVIA / LETTONIE	Elīna Luīze VĪTOLA Head of Office of the Representative of Latvia before International Human Rights Institutions, Deputy Agent of the Government, Ministry of Foreign Affairs
LITHUANIA / LITUANIE	Ričard DZIKOVIČ Government agent before ECtHR, Head of Legal Representation, Ministry of Justice Lina URBAITĖ Senior advisor, Legal Representation Group, Ministry of Justice
LUXEMBOURG	Brigitte KONZ Présidente du Tribunal
MALTA / MALTE	Christopher SOLER State Advocate and Government Agent
REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDOVA	Doina MAIMESCU Head of the Government Agent's Office, Ministry of Justice
MONACO	Jean-Laurent RAVERA Direction des Affaires Juridiques, Adjoint au Directeur, Agent du Gouvernement auprès de la CEDH
MONTENEGRO / MONTÉNÉGRO	Katarina PEKOVIĆ Government agent before ECHR

NETHERLANDS / PAYS-BAS	Babette KOOPMAN Government Agent before the EctHR, Ministry of Foreign Affairs
NORTH MACEDONIA / MACÉDOINE DU NORD	Elena BODEVA Head of Unit - Directorate for Multilateral Relations, Ministry of Foreign Affairs
NORWAY / NORVÈGE	Tonje MEINICH Deputy Director General, Legislation Department, Ministry of Justice and Public Security
POLAND / POLOGNE	Agnieszka KOZIŃSKA-MAKOWSKA Agent of the Government before the European Court of Human Rights
PORTUGAL	Ricardo MATOS Government Agent before the ECHR, Procureur-Général Adjoint de la République Ana GARCIA MARQUES Legal advisor to the Portuguese Agent before the ECHR
ROMANIA / ROUMANIE	Elisabeta-Maria DAVID Director General for International Organisations and Multilateral Affairs Ministry of Foreign Affairs
SERBIA / SERBIE	Zorana JADRIJEVIĆ MLADAR State Attorney Deputy Government Agent of the Republic of Serbia before the ECHR
SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUE	Miroslava BÁLINTOVÁ Government Agent before the ECHR, Ministry of Justice
SLOVENIA / SLOVÉNIE	Matija VIDMAR Secretary, Department for International Cooperation and EU law, Ministry of Justice
SPAIN / ESPAGNE	Alfonso BREZMES Agent before the ECtHR, Head of the Human Rights Area of the Constitutional Law & Human Rights Department, Ministry of Justice Francisco SANZ Agent du Gouvernement auprès de la CEDH, Service juridique des Droits de l'Homme, ministère de la Justice
SWEDEN / SUÈDE	Daniel GILLGREN Deputy Director, Department for International Law, Human Rights and Treaty Law, Ministry for Foreign Affairs
SWITZERLAND / SUISSE	Alain CHABLAIS Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ
TÜRKIYE	Esra DOĞAN GRAJOVER Head of Department, Ministry of Foreign Affairs
UKRAINE	Marharyta SOKORENKO Agent of Ukraine before the European Court of Human Rights, Ministry of Justice

<p>UNITED KINGDOM / ROYAUME-UNI</p>	<p>Susan DICKSON Foreign and Commonwealth Office</p> <p>Sarah MACRORY Legal Adviser, Europe and Human Rights, Foreign, Commonwealth & Development Office</p>
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INVITEES

<p>Christos GIAKOUMOPOULOS Director General, Human Rights and Rule of Law / <i>Directeur général, Droits humains et État de droit</i></p>
<p>Rafael BENITEZ Director of social rights, health and environment / <i>Directeur des droits sociaux, de la santé et de l'environnement</i></p>
<p>Helena JÄDERBLOM Chairperson of the Council of Europe Access Info Group, Head of the court and active judge, Supreme Administrative Court of Sweden / <i>Présidente du Groupe Accès à l'information du Conseil de l'Europe, Cheffe de la Cour et juge active, Cour Suprême administrative de Suède</i></p>
<p>Helen KELLER Professor at the University of Zürich / <i>Professeure à l'Université de Zürich</i></p>
<p>Thomas SCHNEIDER Chairperson of the Committee on Artificial Intelligence / <i>Président du Comité sur l'intelligence artificielle (CAI)</i></p>

CONFERENCE ON THE PROTECTION AND PROMOTION OF CIVIL SOCIETY SPACE IN EUROPE / CONFÉRENCE SUR LA PROTECTION ET LA PROMOTION DE L'ESPACE DÉVOLU A LA SOCIÉTÉ CIVILE EN EUROPE

<p>Andreas ACCARDO European Union Agency for Fundamental Rights</p>
<p>Antoine BUYSE University of Utrecht</p>
<p>Gerhard ERMISCHER Conference of INGOs of the Council of Europe</p>
<p>Carla FERSTMAN University of Essex</p>
<p>Phil LYNCH International Service for Human Rights</p>
<p>Jeremy MCBRIDE Monckton Chambers</p>
<p>Katrien MEUWISSEN European Network of National Human Rights Institutions / <i>Réseau européen des institutions nationale des droits de l'homme (ENNHR)</i></p>
<p>Michael O'FLAHERTY</p>

Council of Europe Commissioner for Human Rights / <i>Commissaire aux droits de l'homme du Conseil de l'Europe</i>
Marja RUOTANEN Director General, DGII Democracy and human dignity / <i>Directrice Générale, DGII Démocratie et dignité humaine</i>
Marie STRUTHERS Amnesty International
Niklas WILHELMSSON Ministerial Adviser, Ministry of Justice, Department for Democracy and Public Law, Democracy and Elections, member of the Steering Committee on Democracy (CDDEM) / <i>Conseiller ministériel, ministère de la Justice, Service pour la démocratie et le droit public, la démocratie et les élections, member du Comité directeur sur la démocratie (CDDEM)</i>

PARTICIPANTS

HOLY SEE / SAINT-SIÈGE	Christine JEANGÉY Officiel, Chargée des Droits de l'Homme et du Droit Humanitaire
CONFERENCE OF INGOs OF THE COUNCIL OF EUROPE / CONFÉRENCE DES OING DU CONSEIL DE L'EUROPE	Simon MATTHIJSEN Member of the Standing Committee of the Conference of INGOs Amy JACOBSEN Greenpeace International
DELEGATION OF THE EUROPEAN UNION TO THE COUNCIL OF EUROPE / DÉLÉGATION DE L'UNION EUROPÉENNE AUPRÈS DU CONSEIL DE L'EUROPE	Felix RONKES AGERBEEK Member of the Legal Service, Head of the Negotiating Team, European Commission
ADVISORY COUNCIL ON YOUTH / CONSEIL CONSULTATIF SUR LA JEUNESSE (CCJ)	Jannis GUSTKE , member of the Advisory Council on Youth (CCJ), Rapporteur on the rights of persons with disabilities of the Joint Council on Youth (CMJ) Enrico TURCI Assistant to Mr Gustke

OBSERVERS / OBSERVATEURS

EUROPEAN NETWORK OF NATIONAL HUMAN RIGHTS INSTITUTIONS / LE RÉSEAU EUROPÉEN DES INSTITUTIONS NATIONALES DES DROITS DE L'HOMME (ENNHRI)	Katrien MEUWISSEN Team Leader, Permanent Secretariat
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SECRETARIAT / SECRÉTARIAT

Directorate General Human Rights and Rule of Law / Direction générale Droits humains et État de droit (DG I)	
Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits humains	
	David MILNER Head of Division, Secretary of the CDDH & of the “46+1” Group / <i>Chef de Division, Secrétaire du CDDH et du Groupe “46+1”</i>
	Elvana THACI Head of the Tromsø Convention Unit, Secretary of the Committee of experts on the System of the European Convention on Human Rights / <i>Chef de l’Unité Convention de Tromsø, Secrétaire du Comité d’experts sur le système de la Convention européenne des droits de l’homme (DH-SYSC)</i>
	Yanna PARNIN Administrator / Administratrice, Secretary of the Drafting Group on Human Rights in situations of crisis / <i>Secrétaire du Groupe de rédaction sur les droits humains en situations de crise (CDDH-SCR)</i>
	Daniel PAP Administrator / Administrateur, Secretary of the Drafting Group on Human Rights and environment / <i>Secrétaire du Groupe de rédaction sur les droits humains et l’environnement (CDDH-ENV)</i>
	Corinne GAVRILOVIC Assistant / Assistante

INTERPRETERS / INTERPRÈTES**Odile MONTPETIT****Claudine PIERSON**

Appendix III

Draft Questionnaire to member States on implementation of Recommendation CM/Rec(2021)2 of the Committee of Ministers to member States on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment

Introduction

With the adoption of [Recommendation CM/Rec\(2021\)2](#) on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment in March 2021, the Council of Europe took an important collective step further to its member States' obligations under the European Convention on Human Rights and their commitment to the prevention of torture and the abolition of the death penalty world-wide.

The Recommendation provides for an examination of its implementation no later than five years after its adoption. This task has been entrusted with the Steering Committee for Human Rights (CDDH), which had prepared the Recommendation. In this context, the CDDH has adopted the present questionnaire, to be sent to the relevant authorities of member States.

The information provided by national authorities in response to the questionnaire will be used in conjunction with other material, including the proceedings of a one-day conference to take place during the CDDH plenary meeting in November 2024, to prepare a comprehensive report analysing, *inter alia*, best practices and challenges in implementing the Recommendation. This report could also contain recommendations for future action regarding the Recommendation, including possible updating in light of developments in national and international standards and practice since its adoption.

Questionnaire

1) Dissemination of the Recommendation

- a) Has the Recommendation been translated into the national language(s)?
- b) Has the Recommendation been shared with competent authorities, including those implementing and/ or overseeing regulation of the trade and other activities concerning relevant goods? If so, please specify the recipients (as a reminder, paragraph 2 of the Recommendation contains an indicative list of relevant actors)

2) Implementation of the Recommendation

- a) What measures have been taken or are envisaged to implement the Recommendation at national level?
- b) Has the Recommendation served as a basis for the adoption or review of legislation and/ or administrative measures at national level?

In this context, please provide disaggregated information specifically in relation to:

- (i) the trade in inherently prohibited goods and equipment (see further paragraph 1 of the Appendix to the Recommendation);
- (ii) the export and transit of certain pharmaceutical chemicals (see further paragraph 2 of the Appendix to the Recommendation);
- (iii) the trade in law enforcement goods and equipment (see further paragraph 3 of the Appendix to the Recommendation);

- (iv) whether and how your authorities have engaged in action with other international organisations (see further paragraph 6 of the Appendix to the Recommendation).
- c) Did your authorities encounter challenges in the implementation of the Recommendation? If so, please provide relevant information, including on how those challenges were met and/ or whether additional technical assistance would have been needed.

Appendix IV**CDDH focal points and representatives in other fora**

(List as revised by the CDDH at its 100th meeting, 25 – 28 June 2024)

1. Committee on Bioethics (DH-BIO): Brigitte KONZ (Luxembourg)
2. Commission for Democracy through Law (Venice Commission): Brigitte OHMS (Austria)
3. European Commission for the Efficiency of Justice (CEPEJ): Liliya ELENKOVA (Bulgaria)
4. Committee of Legal Advisers on Public International Law (CAHDI): Zinovia STAVRIDI (Greece)
5. European Committee on Legal Co-operation (CDCJ): **Vacant**
6. Steering Committee on Media and Information Society (CDMSI): Hans-Jörg BEHRENS (Germany)
7. Committee of experts on Roma and Traveller Issues (ADI-ROM): Romana KUZMANIĆ-OLUIĆ (Croatia)
8. Advisory Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (T-PD): Brigitte OHMS (Austria)
9. Council of Europe Committee on Counterterrorism (CDCT): Susan DICKSON (United Kingdom)
10. Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse ("Lanzarote Committee"): Brigitte KONZ (Luxembourg)
11. Steering Committee for the rights of the child (CDENF): Brigitte KONZ (Luxembourg)
12. European Committee on Democracy and Governance (CDDG): Krista OINONEN (Finland)
13. Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI): Elias KASTANAS (Greece)
14. Ad hoc Committee on Artificial Intelligence (CAI): Tim KOLK (Estonia)
15. Gender Equality Commission (GEC): **Vacant**
16. Multidisciplinary Group on the Environment (MGE) *(subject to adoption of its terms of reference by the Committee of Ministers)*: Nicola WENZEL (Germany)

Appendix V**Composition of the Bureau, Chairmanships, Rapporteurs and Drafting Groups**

BUREAU OF THE CDDH	END OF THE MANDATE	REFERENCES
Krista OINONEN (Finland) Chairperson	31 December 2024 (elected for 1 year, renewable once)	99th CDDH meeting (November 2023)
Tonje MEINICH (Norway) Vice-chairperson	31 December 2024 (elected for 6 months, 1- year term renewable once)	100th CDDH meeting (November 2023)
Brigitte OHMS (Austria) Member	31 December 2024 (not renewable)	97th CDDH meeting (December 2022)
Babette KOOPMAN (Netherlands) Member	31 December 2024 (non-renewable)	97th CDDH meeting (December 2022)
John Finbarr (Barra) LYSAGHT (Ireland)	31 December 2024 (elected for 6 months, 2- year term renewable once)	100th CDDH meeting (June 2024)
Nicola WENZEL (Germany) Member	31 December 2025 (elected for 2 years, non- renewable)	99th CDDH meeting (November 2023)
Tim KOLK (Estonia) Member	31 December 2025 (elected for 2 years, renewable once)	99th CDDH meeting (November 2023)
Elias KASTANAS (Greece) Member	31 December 2025 (elected for 18 months, 2- year term renewable once)	100th CDDH meeting (June 2024)
CHAIRS		
DH-SYSC (Vacant)		
DH-SYSC-PRO Babette KOOPMAN (Netherlands)		99th CDDH meeting (November 2023)
"46 + 1" Tonje MEINICH (Norway)		92nd CDDH meeting (November 2019)
CDDH-IA Alfonso BREZMES (Spain)		99th CDDH meeting (November 2023)
CDDH-PTS (Vacant)		

RAPPORTEURS	
Krista OINONEN (Finland)	Human Rights in culturally diverse societies
Nicolas WENZEL (Germany)	Human Rights and business
Philippe WERY (Belgium)	Gender equality
Brigitte KONZ (Luxembourg)	Children's rights
Brigitte KONZ (Luxembourg)	Rights of persons with disabilities
Romana KUZMANIC-OLUIC (Croatia)	Issues relating to Roma and Traveller
DRAFTING GROUPS	
DH-SYSC-PRO	
Armenia	
Azerbaijan	
Belgium	
Czech Republic	
Finland	
Ireland	
Montenegro	
Netherlands (<i>Chair</i>)	
Poland	
Spain	
CDDH-ELI	CDDH-IA
Armenia	Czech Republic
Azerbaijan	Estonia
Estonia	Georgia
Germany (<i>Chair</i>)	Germany
Greece	Luxembourg
Netherlands	Montenegro
Poland	Norway
Türkiye	Slovenia
Switzerland	Spain (<i>Chair</i>)
United Kingdom	Türkiye
CDDH-PTS	
Armenia	
Croatia	
Finland	
Greece	
Latvia	
Lithuania	
Netherlands	
Spain	
Türkiye	
United Kingdom	

Appendix VI

Calendar

*as adopted (for the second semester 2024) and approved (for the first semester 2025)
at the 100th CDDH meeting 25–28 June 2024*

25 – 27/09/2024	1st meeting of the Drafting Committee on human rights and artificial intelligence / <i>1^{er} réunion du Comité de rédaction sur les droits humains et l'intelligence artificielle</i> (CDDH-IA)
02 – 04/10/2024	4th meeting of the Consultation of the Parties to the Tromsø Convention / 4^e réunion de la Consultation des Parties à la Convention de Tromsø
09 – 11/10/2024	2nd meeting of the Drafting Group on the first effects of Protocols Nos. 15 & 16 ECHR / 2^e réunion du Groupe de rédaction sur les premiers effets des Protocoles 15 & 16 à la CEDH (DH-SYSC-PRO)
15 – 17/10/2024	2nd meeting of the Drafting Group on the eradication of impunity for serious human rights violations / 2^e réunion du Groupe de rédaction sur l'élimination de l'impunité pour les violations graves des droits humains (CDDH-ELI)
07 – 08/11/2024	112th meeting of the Bureau of the Steering Committee for Human Rights / 112^e réunion du Bureau du Comité directeur pour les droits de l'homme (CDDH-BU)
13 – 15/11/2024	2nd meeting of the Drafting Group on human rights and artificial intelligence / <i>2^e réunion du Groupe de rédaction sur les droits humains et l'intelligence artificielle</i> (CDDH-IA)
13 – 15/11/2024	7th meeting of the Council of Europe Access Info Group / 7^e réunion du Groupe Accès à l'information du Conseil de l'Europe
26 – 29/11/2024	101st meeting of the Steering Committee for Human Rights / 101^e réunion du Comité directeur pour les droits de l'homme (CDDH)
13 – 17/01/2025	3rd meeting of the Drafting Group on the eradication of impunity for serious human rights violations / 3^e réunion du Groupe de rédaction sur l'élimination de l'impunité pour les violations graves des droits humains (CDDH-ELI)
27 – 31/01/2025	3rd meeting of the Drafting Group on human rights and artificial intelligence / <i>3^e réunion du Groupe de rédaction sur les droits humains et l'intelligence artificielle</i> (CDDH-IA)
03 – 07/02/2025	8th meeting of the Council of Europe Access Info Group / 8^e réunion du Groupe Accès à l'information du Conseil de l'Europe
03 – 07/03/2025	1st meeting of the Drafting Group on the safe third country concept / <i>1^{er} réunion du Groupe de rédaction sur la notion de pays tiers sûr</i> (CDDH-PTS)
10 – 14/03/2025	3rd meeting of the Drafting Group on the first effects of Protocols Nos. 15 & 16 ECHR / 3^e réunion du Groupe de rédaction sur les premiers effets des Protocoles 15 & 16 à la CEDH (DH-SYSC-PRO)
24 – 28/03/2025	1st réunion of the Drafting Committee on human rights and the environment / <i>1^{er} réunion du Comité de rédaction sur les droits humains et l'environnement</i> (DH-ENV)

- 14 – 18/04/2025 | [9th meeting of the Council of Europe Access Info Group / 9^e réunion du Groupe Accès à l'information du Conseil de l'Europe](#)
- 28/04 – 02/05/2025 | [4th meeting of the Drafting Group on the eradication of impunity for serious human rights violations / 4^e réunion du Groupe de rédaction sur l'élimination de l'impunité pour les violences graves des droits humains](#) (CDDH-ELI)
- 05 – 09/05/2025 | [7th meeting of the Committee of experts on the system of the ECHR / 7^e réunion du Comité d'experts sur le système de la CEDH](#) (DH-SYSC)
- 12 – 16/05/2025 | 2nd réunion of the Drafting Committee on human rights and the environment / [2^e réunion du Comité de rédaction sur les droits humains et l'environnement](#) (DH-ENV)
- 25 – 29/05/2025 | [113th meeting of the Bureau of the Steering Committee for Human Rights / 113^e réunion du Bureau du Comité directeur pour les droits de l'homme](#) (CDDH-BU)
- 09 – 13/06/2025 | [5th meeting of the Consultation of the Parties to the Tromsø Convention / 5^e réunion de la Consultation des Parties à la Convention de Tromsø](#)
- 23 – 27/06/2025 | [102nd meeting of the Steering Committee for Human Rights / 102^e réunion du Comité directeur pour les droits de l'homme](#) (CDDH)