



CDDH(2023)R98
Strasbourg, 20/07/2023

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

REPORT

98th meeting

Strasbourg, 27 – 30 June 2023

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SUMMARY

Information on the meeting

The Steering Committee for Human Rights (CDDH) held its 98th meeting in Strasbourg, from 27 to 30 June 2023, with Kristīne LĪCIS (Latvia) in the Chair.

The agenda of the meeting appears in the Appendix

Items for information of the Committee of Ministers

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

- Comments on Parliamentary Assembly Recommendations 2251(2023) “Political strategies to prevent, prepare for, and face the consequences of natural disasters”, 2252(2023) “Implementation of judgments of the European Court of Human Rights”, and 2254(2023) “Safeguarding democracy, rights and the environment in international trade”.

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

- took note of the Committee of Ministers’ adoption on 5 April 2023 of a Declaration on the effective processing and resolution of cases relating to inter-State disputes, prepared by the CDDH;
- exchanged views on the results of the 2nd and 3rd meetings of the Drafting Group on issues relating to judges of the European Court of Human Rights (DH-SYSC-JC) and gave guidance to the DH-SYSC-JC for its further work;
- received information from the representative of the European Union (EU) and from the Secretariat on developments since the extraordinary meeting of the CDDH on 4 April 2023 concerning the accession of the EU to the ECHR.

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

- held a Workshop on “Human rights of members of the armed forces” and held a preliminary exchange of views on possible future activities in the field of human rights of members of the armed forces;
- exchanged views with Siofra O’LEARY, President of the European Court of Human Rights; decided to leave to its Bureau the decision on whom to invite to its next meeting;
- exchanged views on the results of the 6th and 7th meetings of the Drafting Group on human rights and the environment (CDDH-ENV), and on the results of the High-level Conference on the right to a clean, healthy and sustainable environment in practice, organised by the Icelandic Presidency of the Committee of Ministers with the support of the CDDH Secretariat; took note of the focus on the issue of human rights and the environment in the Reykjavík Declaration;
- exchanged views on the results of the 3rd meeting of the Drafting Group on human rights in situations of crisis (CDDH-SCR); took note that the Polish authorities would organise a “Warsaw Seminar” on issues relevant for the work of the CDDH-SCR on the occasion of its 5th meeting;
- exchanged views on the outcome of the 4th Summit of Heads of State and Government of the Council of Europe (Reykjavík, Iceland, 16–17 May 2023);
- took note of the progress made under its Terms of Reference for 2022–2025, notably the completion within the expected deadlines of all deliverables due so far except some of those under preparation by the CDDH-SCR, for which it had previously noted that the deadlines were clearly unrealistic;
- exchanged views on its draft Terms of Reference for 2024–2027 and agreed to propose certain modifications; as regards its future examination of implementation of Recommendation CM/Rec(2021)1 of the Committee of Ministers to member States on the development and strengthening of effective, pluralist and independent national human rights

institutions, agreed to return to this issue in the light of ENNHRI's Baseline Study on implementation of this recommendation;

- exchanged views on the possibility of proposing an activity relating to the issue of human rights and armed conflicts for its 2024–2027 Terms of Reference;
- exchanged views with Christoph HENRICH, Chairperson of the European Committee on Legal Co-operation (CDCJ), on issues of common interest, notably the CDCJ's ongoing work on a convention on protection of the profession of lawyer;
- exchanged views with its representative to the Committee on Artificial Intelligence (CAI) on the ongoing work of this committee, notably those aspects also within the mandate of the CDDH;
- took note of the information provided by certain of its representatives in outside activities;
- took note of information concerning the Convention on Access to Official Documents (CETS No. 205 - Tromsø Convention) provided by the Secretariat, notably the results of the 2nd meeting of the Council of Europe Access Info Group and the inclusion of related activities in the draft Terms of Reference of the CDDH for 2024–2027;
- took note of information provided by the Secretariat on developments concerning the use of the French expression "droits humains" within the Council of Europe, following the decision taken by the CDDH at its 97th meeting;
- took note of the state of signatures and ratifications of the Council of Europe treaties for which the CDDH is responsible, and of recent notifications, extensions and withdrawals of derogations to the ECHR;
- took note of the recent publication of the proceedings of the High-level Conference on the right to a clean, healthy and sustainable environment in practice;
- adopted its calendar of meetings during the second semester of 2023 and took note of a provisional calendar of meetings during the first semester of 2024.

Resource implications

The CDDH noted that all of the above activities were conducted within the foreseen budgetary envelopes.

The CDDH noted change within its Secretariat since its last meeting, namely the recruitment of Daniel PAP as secretary of the CDDH-ENV.

Evaluation of completed activities

As noted above, the CDDH took note of the completion within the expected deadlines of all deliverables due so far except some of those under preparation by the CDDH-SCR, for which it had previously noted that the deadlines were clearly unrealistic.

MEETING REPORT

1. The Steering Committee for Human Rights (CDDH) held its 98th meeting in Strasbourg from 27 to 30 June 2023 in Strasbourg with Kristīne LĪCIS (Latvia) 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(2023)OJ01).

ITEM 2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY

3. The CDDH examined draft comments on Parliamentary Assembly Recommendations [2251 \(2023\)](#) “Political strategies to prevent, prepare for, and face the consequences of natural disasters” ; [2252 \(2023\)](#) “Implementation of judgments of the European Court of Human Rights” and [2254 \(2023\)](#) – “Safeguarding democracy, rights and the environment in international trade”. It amended the comments on Recommendation 2252(2023). The comments as adopted by the CDDH appear in [Addendum](#) 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 effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)

4. The Secretariat informed the CDDH of the Committee of Ministers’ adoption of a Declaration on the effective processing and resolution of cases relating to inter-State disputes, on the basis of a draft adopted by the CDDH at its 97th meeting (6–9 December 2022). The Secretariat explained that in particular, the Committee of Ministers had added a reference to the significance of cases relating to individual applications in this context, and specific references to the Russian Federation, including by recalling its ongoing human rights obligations under the European Convention on Human Rights (ECHR), welcoming the examination of relevant cases against Russia by the European Court of Human Rights (the Court), and calling on it to cease actions giving rise to further human rights violations in the context of inter-State disputes.

3.1.2 Drafting Group on issues relating to judges of the European Court of Human Rights (DH-SYSC-JC)

5. The Chair of DH-SYSC-JC, Hans-Jörg BEHRENS (Germany), presented the state of play of the Group’s work, including the results of its 2nd (25–27 January 2023) and 3rd (15–17 May 2023) meetings and the varied working methods used to obtain information from a wide range of relevant sources.

6. The Group has considered various aspects of the national selection procedure of candidates for the post of the judge of the Court and of the election procedure carried out by the Assembly (doc. [DH-SYSC-JC\(2023\)01REV](#)). Its reflections on the role of the Panel have highlighted the desirability of preserving the current formats of the Panel’s written procedure

and its dialogue with the Assembly. The Group has discussed a suggestion that the Assembly possibly provide reasons when rejecting lists of candidates on procedural grounds, with the aim of encouraging improvement of national selection procedures both in the State concerned and in general. The Group will continue to examine issues relevant to the judges' active time in office and the recognition of their service on the Court after the end of their mandate, as well as to *ad hoc* judges.

7. One delegation shared its reflections, previously presented to and discussed in the Group, on certain issues of judges' independence and impartiality relating to possible conflicts of interests and the mechanism of recusal of judges. Several other delegations shared their views, in one case describing an example of the recusal system in practice, but considered that there is no systemic problem of conflicts of interests in the Court and cautioned against addressing this question in a way that could raise unjustified suspicions. While they would fall within the autonomy of the Court, improvements to Rule 28 of the Rules of Court and the regulation of the mechanism of recusal, may be beneficial. There was support for the idea that the Court should resume the offer of language training to judges in its official languages.

8. The Chair of the CDDH concluded that there seemed to be no interest making significant changes in the system of national selection of candidates and of election of judges; the roles of the Panel and Assembly are settled. The CDDH did not wish to address the issue of the independence and impartiality of judges of the Court in such a way as to create the false impression that there is a widespread problem of judicial conflicts of interest. This does not mean that the Court's communication with the parties on aspects of recusal of judges could not be improved. While it falls on judges themselves to improve, whenever necessary, their competency in official languages of the Court, the provision of language training for judges by the Court should be supported. The CDDH congratulated the Group on the work accomplished so far.

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

9. The Secretariat informed the CDDH that the Committee of Ministers had welcomed and taken note of the CDDH's adoption of its Interim Report to the Committee of Ministers, for information, on the accession of the European Union to the European Convention on Human Rights (doc. CDDH(2023)R_EXTRA Addendum). The Fourth Summit of Heads of State and Government (16-17 May 2023) had also welcomed the unanimous provisional agreement on the revised accession instruments, and had expressed "commitment to its timely adoption."

10. Further to the undertaking given at the last meeting of the 46+1 Group, the representative of the European Union (EU), Per IBOLD, updated the CDDH on developments concerning resolution of the Basket 4 issue concerning cases relating to the EU's Common Foreign and Security Policy since the extraordinary meeting of the CDDH on 4 April 2023. The EU underlined that discussions are still ongoing, primarily in the EU Council's Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP), where a third option (in addition to the "retribution mechanism" and the interpretative declaration) is currently being examined. FREMP would next meet, for the first time under the Spanish Presidency of the Council of the EU, on 3 July. Future developments depend also on the outcome of the Eulex Kosovo case currently before the Court of Justice of the EU, with the opinion of the Advocate General expected for 23 November 2023.

ITEM 4: ENVIRONMENT AND HUMAN RIGHTS

11. The Chairperson of the Drafting Group on Human Rights and Environment (CDDH-ENV), Kristīne LĪCIS (Latvia), informed the CDDH of the results of the Group's 6th (8–10 February 2023) and 7th (2–5 May 2023) meetings. The Group's aim was to prepare a draft report on the need for and feasibility of a further instrument or instruments in this field that would allow the CDDH to present clear and preferably consensual conclusions to the Committee of Ministers.

12. At its 6th meeting, the Group adopted a draft outline for the report on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment. At its 7th meeting, the Group examined the replies to the questionnaire to member States on protection at national level of the right to a clean, healthy and sustainable environment and completed its first reading of a partial first draft of the report. The Group asked its Rapporteur, Nicola WENZEL (Germany), to present a revised version of the first part of the report and text for its chapter III for examination at its next meeting. On 3 May 2023, the Group participated in the High-level conference on the right to a clean, healthy and sustainable environment in practice, organised by the Icelandic Presidency of the Committee of Ministers, with the support of the Council of Europe Secretariat.

13. The CDDH congratulated the Group on the work accomplished so far and agreed on the need to examine carefully all the different options for a further instrument. One delegation expressed its view that an additional protocol to the ECHR protecting the right to a clean, healthy and sustainable environment would add to the Court's caseload and affect its ability effectively to process cases involving existing rights. The CDDH also took note of the strong focus on the issue of human rights and the environment in the Reykjavík Declaration.

ITEM 5: HUMAN RIGHTS IN SITUATIONS OF CRISIS

14. The Chairperson of the Drafting Group on human rights in situations of crisis (CDDH-SCR), Jan SOBCZAK (Poland), informed the CDDH about the results of its 3rd meeting (8–10 March 2023), notably the exchange of views held with experts on human rights impact assessments and the adoption of a guidance document for the preparation of the Toolkit for human rights impact assessment of the measures taken by the State in situations of crisis. The draft Toolkit, as prepared by the Rapporteur, Tim KOLK (Estonia), would be sent out for comments in mid-July, ahead of the next meeting of the CDDH-SCR (12–14 September 2023). The CDDH congratulated the Group on the work accomplished so far.

15. In his capacity as representative of Poland, Mr SOBCZAK also informed the CDDH that the Polish authorities would organise a "Warsaw Seminar", to which all CDDH members would be invited, on issues relevant for the work of the CDDH-SCR on the occasion of its 5th meeting in October.

ITEM 6: HUMAN RIGHTS OF MEMBERS OF THE ARMED FORCES

16. The CDDH held a Workshop on "Human rights of members of the armed forces".¹ Discussions covered a wide range of topics, including current challenges in protecting the rights of military personnel; issues of equality and non-discrimination in the armed forces; the role of national human rights institutions in protecting the rights of military personnel; the right of conscientious objection; ways to enhance protection of their human rights in light of international standards; and the importance of strengthening human rights education and knowledge of

¹ For the programme of the Workshop, see doc. CDDH(2023)06.

related standards within the armed forces. In addition, the participants learned more about the practical work of the Council of Europe to assist member States in meeting the standards that are commonly set at European level through cooperation projects and capacity-building. The speakers' presentations are available on the website of the CDDH.

17. The CDDH agreed to resume its discussion on the possible need to review CM/Rec(2010)4 in due course, in the light of the suggestions to this end made by participants in the Workshop.

ITEM 7: FOURTH SUMMIT

18. The Secretariat provided information on the outcome of the Fourth Summit of Heads of State and Government of the Council of Europe, notably as regards issues of direct relevance to the CDDH including the system of the ECHR, EU accession to the ECHR, human rights and the environment, artificial intelligence, and the challenges of migration.

ITEM 8: RECENT, ONGOING AND FUTURE ACTIVITIES

19. The Secretariat recalled that the Committee of Ministers had decided to interrupt the 2022–2025 terms of reference of intergovernmental committees, including the CDDH, at the end of 2023, and would adopt new terms of reference before the end of 2023 for the period 2024–2027. In this context, the CDDH took note of the progress made under its Terms of Reference for 2022–2025 (doc. CDDH(2023)07), notably the completion within the expected deadlines of all deliverables due so far except some of those under preparation by the CDDH-SCR, the deadlines for which were clearly unrealistic, as the CDDH had previously indicated to the Committee of Ministers.

20. The Chairperson invited the CDDH to examine its draft Terms of Reference for 2024–2027, so that its views could be transmitted by the Secretariat to the relevant services, to be taken into account before the Secretary General presents the draft terms of reference to the Committee of Ministers for adoption.

21. The CDDH exchanged views on its draft Terms of Reference for 2024–2027 (doc. CDDH(2023)08REV) and agreed to propose certain modifications. It agreed to discuss further how best to proceed with the proposed Handbook on Human Rights and Artificial Intelligence at its next meeting, in the light of developments in the preparation by the Committee on Artificial Intelligence (CAI) of a draft Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law. Two delegations expressed hesitations towards the proposal that the CDDH examine the possible updating of Committee of Ministers Recommendation No. R(97)22 to member States containing Guidelines on the Application of the Safe Third Country Concept.

22. One delegation, with the support of several others, proposed that the CDDH suggest adding a new deliverable relating to human rights and armed conflicts to its Terms of Reference for 2024–2027. Several further delegations considered that such a suggestion would be premature, given that the Court was expected to give judgment in a number of pending cases involving relevant issues. The CDDH agreed to revert to the issue at a future meeting, bearing in mind the possibility of asking the Committee of Ministers to give supplementary terms of reference at a later stage.

23. The representatives of ENNHRI provided information on its Baseline Study on implementation of Recommendation CM/Rec(2021)1 of the Committee of Ministers to member States on the development and strengthening of effective, pluralist and independent national human rights institutions. The CDDH agreed to examine further at a future meeting how to integrate the results of the Baseline Study into its own work on implementation of this recommendation.

ITEM 9: ACCESS TO OFFICIAL DOCUMENTS

24. The Secretariat recalled the process of establishment of the Council of Europe Access Info Group since the entry into force of the Tromsø Convention on 1 December 2020, and informed the CDDH about the second meeting of the Group (22–24 March 2023). The Group had examined preliminary draft reports on the first 11 Parties to the Convention² and decided to proceed with the preparation of its first baseline evaluation of these Parties based on each article of Section I of the Convention (doc. AIG (2023)R2). The Group will examine its draft first baseline evaluation report at its third meeting (4-6 July 2023) and, where necessary, communicate clarification questions to the Parties regarding the reports they have submitted under Article 14, paragraph 1 of the Convention.

25. The Secretariat underlined that the CDDH's draft terms of reference 2024–2027 (doc. (2023)08REV) include the task of organising thematic debates on the right of access to official documents taking into account the entry into force of the Tromsø Convention. This will provide opportunities for synergies between the CDDH and the monitoring mechanism of the Convention and promoting the protection of the right of access to official documents in a Council of Europe intergovernmental setting.

ITEM 10: GENDER EQUALITY

26. The CDDH took note of information provided by the Secretariat on developments concerning the use of the French expression “droits humains” in the Council of Europe since the CDDH's decision at its last meeting to give preference to the use of this expression where appropriate in the French versions of its documents, without excluding the use of the expression “droits de l'homme”. In particular, the Director General Human Rights and Rule of Law had decided to use the expression “droits humains” in the name of the Directorate General and its relevant structures, and had asked the secretaries of committees within the Directorate General to take the necessary steps to follow the example of the CDDH. The draft CDDH Terms of Reference for 2024–2027 use the expression “droits humains”.

ITEM 11: CONVENTIONS

27. 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(2023)04). The Chairperson of the CDDH-SCR, Jan SOBČZAK (Poland), drew particular attention to the notifications, extensions, and withdrawals of derogations to the ECHR since the last CDDH meeting, including in relation to the earthquakes that struck Türkiye in February 2023. The CDDH expressed its condolences to the victims of this disaster.

² Bosnia and Herzegovina, Estonia, Finland, Hungary, Iceland, Lithuania, the Republic of Moldova, Montenegro, Norway, Sweden and Ukraine.

ITEM 12: REPRESENTATIVES IN OUTSIDE ACTIVITIES

28. The CDDH exchanged views with the Chairperson of the European Committee on Legal Co-operation (CDCJ), Christoph HENRICHS (Germany). Mr HENRICHS presented issues of common interest from the CDCJ's mandate, namely the work carried out by its subordinate Committee of experts on the protection of lawyers (CJ-AV) that is tasked with the elaboration of a legal instrument aimed at strengthening the protection of the profession of lawyer; the follow-up on the report assessing the progress in implementing the 2016–2021 plan of action on strengthening judicial independence and impartiality (the Sofia Action Plan); and future activities such as the development of a draft recommendation on the use of artificial intelligence in policing, the administration of justice and borders/migration; and the completion of a study on national climate litigation following the Parliamentary Assembly Recommendation 2213 (2021) – “Addressing issues of criminal and civil liability in the context of climate change”. Members of the CDDH expressed particular interest in the CDCJ's work on protection of the profession of lawyer, noting the fact that the CJ-AV's composition included a number of lawyers (as opposed to national officials), and in its approach to future work on artificial intelligence. The CDDH thanked Mr HENRICHS for participating in its meeting.

29. The CDDH took note of the information provided in writing by certain of its representatives on other Council of Europe bodies (doc. [CDDH\(2023\)02](#)). It also heard summary oral reports from Brigitte KONZ (Luxembourg, on the Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO), the Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee) and the Steering Committee for the rights of the child (CDENF)), Krista OINONEN (Finland, on the European Committee on Democracy and Governance (CDDG)), Elias KASTANAS (Greece, on the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI)), Susan DICKSON (United Kingdom, on the Committee on Counter-Terrorism (CDCT)), Brigitte OHMS (Austria, on the European Commission for Democracy through Law (Venice Commission) and the Advisory Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (T-PD)), and Tim KOLK (Estonia, on the Committee on Artificial Intelligence (CAI)). The Secretariat provided further information on the CDBIO's organisation of a Pilot Youth Forum on artificial intelligence in healthcare on 6 June 2023.

30. The CDDH noted in particular the ongoing work of the CAI and the statement made by the Chairperson of the CDDH at the 6th plenary meeting of CAI (31 May – 2 June, 2023) concerning three broad areas of concern pertaining to the draft Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law that had been identified by the CDDH at its 97th meeting (6–9 December 2022). In this context, its representative to the CAI, Mr KOLK (Estonie), recalled the latter's ongoing discussion of certain fundamental conceptual questions, including on the convention's scope and content and on possible follow-up mechanisms, the outcome of which may affect the future relevance of the CDDH's concerns.

31. The CDDH thanked those of its representatives who had provided information in writing or orally, and encouraged all of its representatives to continue providing information, wherever possible in writing, on the activities of the relevant bodies in future. The full list of the CDDH's representatives appears in [Appendix IV](#).

ITEM 13: ELECTIONS

32. The CDDH held no elections during this meeting. The full composition of the CDDH Bureau and the presidencies of its subordinate bodies appear at [Appendix V](#).

ITEM 14: INVITEES

33. The CDDH exchanged views with the President of the European Court of Human Rights, Siofra O'LEARY. The presentation delivered by Ms O'LEARY appears in [Appendix III](#).

34. The President of the Court expressed her appreciation of the major role played by the CDDH in improving the functioning of the European Convention on Human Rights. She reiterated the Court's appreciation for its exchanges with the CDDH. During the discussions that followed, the participants asked the President of the Court about the Court's practice direction on third-party interventions, the resources allocated by the Court to deal with Russian cases, the average time taken to process cases, advisory opinions under Protocol No. 16, the independence and impartiality of judges, the strategy for impact cases, the accession of the EU to the ECHR, and remaining challenges following the conclusion of the reform process launched at the Interlaken Conference in 2010.

35. The CDDH thanked President O'LEARY for participating in its meeting. It decided to leave to its Bureau the decision on whom to invite to its next meeting.

ITEM 15: PUBLICATIONS

36. The CDDH noted the recent publication of the [Proceedings of the High-Level Conference](#) on "The right to a clean, healthy and sustainable environment in practice" which was organised in Strasbourg by the Icelandic Presidency of the Committee of Ministers on 3 May 2023.

ITEM 16: CALENDAR

37. The CDDH adopted its calendar for the second semester 2023 and took note of the provisional dates of meetings scheduled for the first semester 2024. It agreed to change the dates of the 8th meeting of the CDDH-ENV to 25 (afternoon), 26 (morning), and 28–29 September 2023, on account of the Grand Chamber hearing in the case of *Duarte Agostinho & others* on 27 September, and the 5th meeting of the CDDH-SCR to 25–27 October 2023 in order to accommodate the proposed Warsaw Seminar the day before. It noted that the Latvian authorities would organise a meeting of government agents in Riga on 6 October 2023. The calendar as adopted appears in [Appendix VI](#).

ITEM 17: OTHER BUSINESS

38. None.

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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(2022)R97 - Report of the 97th meeting CDDH-BU(2023)R109 – Report of the 109th meeting	CDDH(2022)R97 – Rapport de la 97 ^e réunion CDDH-BU(2023)R109 – Rapport de la 109 ^e réunion
2: RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY	2 : RECOMMANDATIONS DE L'ASSEMBLEE PARLEMENTAIRE
CDDH(2023)09REV – Replies of the Committee of Ministers to PACE Recommendations CDDH(2023)10REV – Draft CDDH comments on PACE Recommendations CDDH(2023)11 – Comments received from member States on the draft CDDH comments on PACE Recommendations	CDDH(2023)09REV – Réponses du Comité des Ministres aux Recommandations de l'APCE CDDH(2023)10REV – Projets de commentaires du CDDH sur des recommandations de l'APCE CDDH(2023)11 – Commentaires reçus des États membres sur les projets de commentaires du CDDH sur les Recommandations de l'APCE
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)
3.1.1. Drafting Group on effective processing and resolution of cases relating to inter-State disputes (DH-SYSC-IV)	3.1.1. Groupe de rédaction sur le traitement et la résolution efficace d'affaires concernant des conflits interétatiques (DH-SYSC-IV)
Decl(05/04/2023) CDDH(2022)R97 Addendum 2	Décl(05/04/2023) CDDH(2022)R97 Addendum 2
3.1.2. Drafting Group on issues relating to judges of the European Court of Human Rights (DH-SYSC-JC)	3.1.3. Groupe de rédaction sur les questions relatives aux juges de la Cour européenne des droits de l'homme (DH-SYSC-JC)
DH-SYSC-JC(2023)R2 – Report of the 2nd meeting DH-SYSC-JC(2023)R3 – Report of the 3rd meeting	DH-SYSC-JC(2023)R2 – Rapport de la 2 ^e réunion DH-SYSC-JC(2023)R3 – Rapport de la 3 ^e réunion
3.2 CDDH ad hoc negotiation Group on the EU accession to the ECHR (“46+1 Group”)	3.2 Groupe de négociation ad hoc du CDDH sur l'adhésion de l'UE à la CEDH (« Groupe 46+1 »)
CDDH(2023)R_EXTRA CDDH(2023)R_EXTRA Addendum	CDDH(2023)R_EXTRA CDDH(2023)R_EXTRA Addendum
4: ENVIRONMENT AND HUMAN RIGHTS	4 : ENVIRONNEMENT ET DROITS HUMAINS
CDDH-ENV(2023)R6 – Report of the 6th meeting CDDH-ENV(2023)R7 – Report of the 7th meeting Programme of the High-level Conference on the right to a clean, healthy and sustainable environment in practice (3 May 2023)	CDDH-ENV(2023)R6 – Rapport de la 6 ^e réunion CDDH-ENV(2023)R7 – Rapport de la 7 ^e réunion Programme de la Conférence de haut niveau sur le droit à un environnement propre, sain et durable dans la pratique (3 mai 2023)
5: HUMAN RIGHTS IN SITUATIONS OF CRISIS	5 : DROITS HUMAINS EN SITUATIONS DE CRISE
CDDH(2022)R97 Addendum 4 – CDDH Report on member States' practice in relation to derogations from the ECHR in situations of crisis CDDH-SCR(2023)R3 – Report of the 3rd meeting	CDDH(2022)R97 Addendum 4 – Rapport du CDDH sur les pratiques des États membres en matière de dérogations à la CEDH en situations de crise CDDH-SCR(2023)R3 – Rapport de la 3 ^e réunion
6: HUMAN RIGHTS OF MEMBERS OF THE ARMED FORCES	6 : DROITS HUMAINS DES MEMBRES DES FORCES ARMÉES
CDDH(2023)06 – Draft Programme of the Workshop	CDDH(2023)06 - Projet de programme de l'Atelier

7: FOURTH SUMMIT	7 : QUATRIÈME SOMMET
"Reykjavik Declaration – United around our values"	« Déclaration de Reykjavik – Unis autour de nos valeurs »
8: RECENT, ONGOING AND FUTURE ACTIVITIES	8 : ACTIVITÉS RECENTES, EN COURS OU À VENIR
CDDH terms of reference 2022-2025	Mandat 2022-2025 du CDDH
CDDH(2023)07 – State of progress on the CDDH terms of reference 2022-2025	CDDH(2023)07 - État d'avancement du mandat 2022-2025 du CDDH
CDDH(2023)08REV – Elements for the CDDH terms of reference 2024-2027	CDDH(2023)08REV - Éléments pour le mandat 2024-2027 du CDDH
9: ACCESS TO OFFICIAL DOCUMENTS	9 : ACCÈS AUX DOCUMENTS PUBLICS
AIG_Inf(2023)R2 – Report of the 2nd meeting	AIG_Inf(2023)R2 – Rapport de la 2^e réunion
AIG(2023)LD2 – Adopted decisions – 2nd meeting	AIG(2023)LD2 – Décisions adoptées – 2^e meeting
10: GENDER EQUALITY	10 : ÉGALITÉ DE GENRE
CDDH(2022)03 – The gender equality dimension in the work of the CDDH and its subordinated bodies	CDDH(2022)03 – La dimension d'égalité de genre dans les travaux du CDDH et de ses instances subordonnées
CDDH(2020)13 – Thematic Form on Gender Equality	CDDH(2020)13 – Fiche thématique sur l'égalité de genre
11: CONVENTIONS	11 : CONVENTIONS
CDDH(2023)04REV – Chart of signatures and ratifications of certain treaties under the responsibility of the CDDH - Information provided by the Secretariat	CDDH(2023)04REV – État des signatures et ratifications de certains traités sous la responsabilité du CDDH - Informations fournies par le Secrétariat
12: REPRESENTATIVES IN OUTSIDE ACTIVITIES	12 : REPRÉSENTANTS DANS DES ACTIVITÉS EXTERNES
CDDH(2023)02 - Information provided by the experts	CDDH(2023)02 - Informations fournies par les experts
Terms of reference of the European Committee on Legal Co-operation (CDCJ)	Mandat du Comité européen de coopération juridique (CDCJ)
Draft text for a future legal instrument on the protection of the profession of lawyer (Restricted)	Projet de texte d'un futur instrument juridique sur la protection de la profession d'avocat (Restreint)
13: ELECTIONS	13 : ÉLECTIONS
14: INVITEES	14 : INVITÉS
Annual Report 2022 of the European Court of Human Rights	Rapport annuel 2022 de la Cour européenne des droits de l'Homme
15: PUBLICATIONS	15 : PUBLICATIONS
CDDH Publications' website	Site internet des publications du CDDH
16: CALENDAR	16 : CALENDRIER
17: OTHER BUSINESS	17 : QUESTIONS DIVERSES

Appendix II**List of participants****MEMBERS / MEMBRES**

ARMENIA / ARMÉNIE	Liana GRIGORYAN Head of Bilateral International Treaties Division, Ministry of Foreign Affairs
AUSTRIA / AUTRICHE	Brigitte OHMS Deputy Government Agent, Division for European and International Law, Human Rights Protection, Federal Chancellery
AZERBAIJAN / AZERBAIDJAN	Şahin ABBASOV Senior consultant of the Human Rights Division, Department for Work with Law Enforcement Bodies, Administration of President
BELGIUM / BELGIQUE	Philippe WERY Chef du Service des droits de l'homme, SPF Justice, Service des Droits de l'Homme Isabelle NIEDLISPACHER
BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE	Jelena CVIJETIĆ Acting agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights
BULGARIA / BULGARIE	Mirena CHALEVA Diplomatic Officer, Human Rights Directorate, Ministry of Foreign Affairs
CROATIA / CROATIE	Štefica STAŽNIK Representative of the Republic of Croatia before the ECHR, Nikolina KATIĆ Deputy Representative of Croatia before the ECHR
CYPRUS / CHYPRE	Aphrodite GREGORIOU Counsel of the Republic, Law Office of the Republic of Cyprus
CZECH REPUBLIC / REPUBLIQUE TCHÈQUE	Petr KONŮPKA Deputy Agent of the Government for the representation before the European Court of Human Rights, Ministry of Justice
DENMARK / DANEMARK	Ida Marie SPIEGELHAUER Head of Section, Ministry of Justice
ESTONIA / ESTONIE	Tim KOLK Agent du gouvernement estonien auprès de la Cour européenne des droits de l'homme, ministère des Affaires étrangères
FINLAND / FINLANDE	Krista OINONEN Government Agent before the ECtHR, Director, Unit for Human Rights Courts and Conventions, Ministry for Foreign Affairs

FRANCE	Paloma REPARAZ GONCER Sous-directrice des droits de l'Homme à la direction des affaires juridiques, ministère de l'Europe et des affaires étrangères
GEORGIA / GÉORGIE	Tamar RUSEISHVILI Lawyer/Legal Adviser of the Litigation Unit of the Department of State Representation in International Courts, 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, Department of International Criminal Law and Office of the Agent before ECHR
ICELAND / ISLANDE	Elisabet 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
ITALY / ITALIE	Maria AVERSAANO Attachée juridique, Représentation permanente de l'Italie auprès du Conseil de l'Europe Arturo ARCANO <i>Chargé d'Affaires a.i.</i> Représentant Permanent Adjoint, Représentation permanente de l'Italie auprès du Conseil de l'Europe
LATVIA / LETTONIE	Kristīne LĪCIS Government Agent before the ECtHR, Representative of the Government before International Human Rights Organisations, Ministry of Foreign Affairs
LIECHTENSTEIN	LOREZ-SCHWEIG Helen Permanent Representation of the Principality of Liechtenstein to the Council of Europe
LITHUANIA / LITUANIE	Karolina BUBNYTE-ŠIRMENĖ Government Agent before the ECtHR, Ministry of Justice
LUXEMBOURG	Brigitte KONZ Présidente du Tribunal, Tribunal d'Arrondissement de Diekirch

MALTA / MALTE	Julian VELLA Lawyer, Office of the State Advocate
REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDOVA	Doina MAIMESCU Head of the Government Agent's Office, Ministry of Justice Dumitru OBADĂ Government Agent, Ministry of Justice
MONACO	Jean-Laurent RAVERA Direction des Affaires Juridiques, Adjoint au Directeur, Agent du Gouvernement auprès de la CEDH
MONTENEGRO / MONTÉNÉGRO	Valentina PAVLIČIĆ Government Agent before the ECtHR
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	Jan SOBCZAK Government Agent before the ECHR, Deputy Director, Legal and Treaty Department, Ministry of Foreign Affairs
PORTUGAL	Ricardo MATOS Government Agent before the ECHR, Procureur-Général Adjoint de la République
ROMANIA / ROUMANIE	Oana EZER Director General, Government Agent before the ECHR, Ministry of Foreign Affairs Adriana BARBIERU Deputy to the Permanent Representative, Co-Agent of the Government before the ECHR, Permanent Representation of Romania to the Council of Europe
SAN MARINO / SAINT-MARIN	Michela BOVI Co-Agente du Gouvernement auprès de la CEDH, Ambassade de Saint-Marin en Belgique
SERBIA / SERBIE	Zorana JADRIJEVIĆ MLADAR State Attorney Deputy Government Agent of the Republic of Serbia before the ECHR, The State Attorney's Office, The Agency Department before the European Court of Human Rights

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
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, Agent du Gouvernement suisse devant la Cour européenne des droits de l'Homme
TÜRKIYE	Ahmet Müşerref YAKIŞIK Vice-Président du Département, Ministère de la Justice Ayşen EMÜLER Experte Juridique, ministère des Affaires Etrangères, Représentation Permanente de Türkiye auprès du Conseil de l'Europe Ömer YILMAZ Legal counselor, Représentation Permanente de Türkiye
UKRAINE	Marharyta SOKORENKO Agent of Ukraine before the European Court of Human Rights, Ministry of Justice
UNITED KINGDOM / ROYAUME-UNI	Susan DICKSON Foreign and Commonwealth Office Patricia ZIMMERMANN Head of International Human Rights, Ministry of Justice

PARTICIPANTS

HOLY SEE / SAINT-SIÈGE	Christine JEANGÉY Officiel, Chargée des Droits de l'Homme et du Droit Humanitaire
JAPAN / JAPON	Tetsushi HIRANO Chargé de mission, Consulate General of Japan in Strasbourg
CONFERENCE OF INGOs OF THE COUNCIL OF EUROPE / CONFÉRENCE DES OING DU CONSEIL DE L'EUROPE	Simon MATTHIJSEN European Ombudsman Institute (EOI) Olga SADOVSKAYA World Organisation against Torture

DELEGATION OF THE EUROPEAN UNION TO THE COUNCIL OF EUROPE / DÉLÉGATION DE L'UNION EUROPÉENNE AUPRÈS DU CONSEIL DE L'EUROPE	Per IBOLD Minister Counsellor, Deputy to the Head of Delegation, EUDEL
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OBSERVERS / OBSERVATEURS

EUROPEAN NETWORK OF NATIONAL HUMAN RIGHTS INSTITUTIONS / RÉSEAU EUROPÉEN DES INSTITUTIONS NATIONALES DES DROITS DE L'HOMME (ENNHRI)	Katrien MEUWISSEN Team Leader, Permanent Secretariat Mattia CONCAS Assistant, Permanent Secretariat Vít SCHORM Deputy Public Defender of Rights, Czech Republic
CCBE	<i>Apologised</i>
EUROPEAN TRADE UNION CONFEDERATION (ETUC) / CONFÉDÉRATION EUROPÉENNE DES SYNDICATS (CES)	<i>Apologised</i>
ADVISORY COUNCIL ON YOUTH / CONSEIL CONSULTATIF SUR LA JEUNESSE (CCJ)	Nikol PARVANOV Responsible for the ECHR and ESC caselaw portfolio in the Advisory Council on Youth

INVITEE(S) / INVITÉ(S)

EUROPEAN COMMITTEE ON LEGAL CO-OPERATION / COMITÉ EUROPÉEN DE COOPÉRATION JURIDIQUE	Christoph HENRICHS Chairperson of the CDCJ Gerald DUNN Chef de la Division de la coopération juridique et Secrétaire du CDCJ Sophio GELASHVILI Cheffe de l'Unité du CDCJ et Co-Secrétaire du CDCJ
EUROPEAN COURT OF HUMAN RIGHTS / COUR EUROPÉENNE DES DROITS DE L'HOMME	Siofra O'LEARY President of the Court / Présidente de la Cour

SECRETARIAT / *SECRETARIAT*

Directorate General Human Rights and Rule of Law / Direction générale Droits humains et État de droit (DG I)	
	Christophe POIREL Director / Directeur, Human Rights Directorate / Direction des droits humains
	Daniele CANGEMI Head of the Human Rights, Justice and Legal Co-operation Standard-settings activities Department / Chef du Service des activités normatives en matière de droits humains, justice et coopération juridique
Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits humains	
	David MILNER Head of Division / Chef de Division, Secretary of the CDDH / Secrétaire du CDDH
	Elvana THACI Administrator / Administratrice, Secretary of the Committee of experts on the System of the European Convention on Human Rights / Secrétaire du Comité d'experts sur le système de la Convention européenne des droits de l'homme (DH-SYSC)
	Yanna PARNIN Administrator / Administratrice, Secretary of the Drafting Group on Human Rights in situations of crisis / Secrétaire du Groupe de rédaction sur les droits humains en situations de crise (CDDH-SCR)
	Daniel PAP Administrator / Administratrice, Secretary of the Drafting Group on Human Rights and environment / Secrétaire du Groupe de rédaction sur les droits humains et l'environnement (CDDH-ENV)
	Sarah BELHADJ MILED Assistant Lawyer / Juriste assistant
	Corinne GAVRILOVIC Assistant / Assistante
	Sorina LECLER Assistant / Assistante

INTERPRETERS / INTERPRÈTES

Bettina LUDEWIG QUAINÉ
 Clarissa WORSDALE
 Isabelle MARCHINI (uniquement le 27 juin)
 Gregoire DEVICTOR (uniquement du 28 au 30 juin)
 Sylvie BOUX (uniquement le 30 juin)

Appendix III

Presentation delivered by Siofra O'LEARY President of the European Court of Human Rights

(at the 98th CDDH Plenary meeting, 27 – 30 June 2023)

Madame la Présidente,
Mesdames et Messieurs,

C'est un honneur et un plaisir de m'adresser à vous pour la première fois en ma qualité de présidente de la Cour.

Votre rôle pour améliorer sans cesse le fonctionnement du mécanisme de la Convention européenne des droits de l'homme a toujours été précieux pour notre Cour, notamment lors de l'élaboration des protocoles à la Convention. C'est dire l'importance que j'attache à notre rencontre d'aujourd'hui.

D'ailleurs, je suis très heureuse que lundi dernier vous ayez rencontré la Greffière de la Cour et le Greffier adjoint pour une de vos réunions régulières et que vous ayez pu discuter, entre autres, de la procédure non contentieuse.

Après quelques mots d'introduction, j'aborderai avec vous trois points : premièrement, les statistiques relatives à l'activité juridictionnelle de la Cour ; deuxièmement, un rapide tour d'horizon relatif à notre stratégie « impact » ; et, troisièmement, un petit aperçu de notre dialogue inter-juridictionnel.

Permettez-moi tout d'abord de vous faire part de certaines priorités, sur lesquelles je concentre des efforts additionnels, tout au long de mon mandat, à savoir :

- Accélérer le traitement des affaires au niveau de la Grande Chambre ;
- Consolider la stratégie impact au niveau des chambres ;
- Améliorer la manière dont nous exploitons nos outils pour un traitement rapide – et économe en termes de ressources – des affaires répétitives au niveau des comités ;
- Déployer les outils conçus pour le traitement de notre stock russe après l'expulsion de l'État défendeur ;
- Accélérer et coordonner les affaires interétatiques pendantes qui concernent, en particulier, la situation en Ukraine, et
- Dans la mesure du nécessaire à l'heure actuelle, veiller à ce que la Cour soit prête à une possible adhésion de l'UE à la Convention.

Ces priorités doivent être comprises dans le contexte de la situation actuelle de la Cour, qui est la suivante.

I. Statistiques relatives à l'activité juridictionnelle de la Cour

Le nombre de requêtes pendantes s'élève actuellement à 75 850.

Il s'agit d'une augmentation de 1 200 et 5 700 requêtes respectivement, par rapport aux chiffres de fin d'année pour 2022 et 2021. Les principales raisons de cette augmentation sont l'arrivée d'un nombre considérable de nouvelles requêtes liées à la tentative de coup d'État en Türkiye en 2016, ainsi que des pics d'affaires d'immigration et d'asile en provenance, par exemple, de la Belgique et de la Grèce.

Environ trois quarts des demandes en attente concernent cinq pays : par ordre décroissant, Türkiye, avec environ 23 650 demandes, la Fédération de Russie, avec environ 15 500 demandes, suivie de l'Ukraine, avec près de 10 000 demandes, puis la Roumanie et l'Italie, avec respectivement 4 500 et 3 650 demandes.

Près de 10 000 demandes pendantes concernent des conflits entre deux États (Ukraine/Russie, Géorgie/Russie et Arménie/Azerbaïdjan). Une unité des conflits a été créée au sein de la Cour pour traiter ces requêtes qui sont juridiquement et factuellement complexes et nécessitent des efforts particuliers, notamment en termes de ressources.

Actuellement, 14 affaires interétatiques sont pendantes devant la Cour (concernant 18 requêtes). Il s'agit malheureusement d'un record historique. Six affaires interétatiques concernent la Russie ; toutes sauf une ayant été introduites par l'Ukraine depuis 2014.

Ainsi que je viens de dire, plus de 15 000 requêtes contre la Fédération de Russie sont actuellement pendantes devant la Cour. Depuis le début de l'année 2023, plus de 1 500 affaires communiquées ont été tranchées par des comités de trois juges et plus de 4 000 nouvelles affaires ont été communiquées. Nous utilisons principalement la procédure WECL *fast-track* pour traiter le stock d'affaires répétitives, la jurisprudence de la Cour étant bien établie.

Des arrêts de principe ont aussi été rendus par la Grande Chambre et des chambres de sept juges dans des affaires telles que *Fedotova et autres*³, sur la reconnaissance des couples de même sexe, *Navalnyy (n° 3)*⁴, concernant l'absence d'une enquête effective à la suite de l'empoisonnement du requérant, et *S.P. et autres*, sur le système de castes dans les prisons.

Un des défis confrontant le Conseil de l'Europe consistera, ainsi qu'il ressort de la déclaration de Reykjavik, à développer un moyen d'exécuter les jugements à l'égard d'un État défendeur qui n'est plus une Haute Partie contractante et qui ne coopère pas avec la Cour.

II. I revert to English and move on to provide you with an update regarding our **Impact strategy**.

As you know, this strategy builds upon and strengthens the priority policy adopted by the Court in 2009 and amended in 2017.

Impact cases do not concern core rights, such as those protected by Articles 2 and 3 of the Convention and prioritised for that reason. They nonetheless raise very important legal issues of relevance for the respondent State in question or for the Convention system as a whole.

The purpose of the strategy is to ensure rapid identification and more expeditious case-processing than was previously the case.

As of the beginning of 2023, 429 applications have been identified as "impact" cases. Approximately three quarters of these have already been communicated to your governments. Last year 219 "impact" applications were processed, leading to 111 impact judgments, 21 impact decisions and the remaining applications were communicated.

³ *Fedotova et autres c. Russie* [GC], nos 40792/10, 30538/14 et 43439/14, 17 janvier 2023.

⁴ *Navalnyy (n° 3) c. Russie*, n° 36418/20, 6 juin 2023.

To give you a flavour of some recent impact rulings. Take, for example, *Mortier v. Belgium*,⁵ concerning the operation of the legal framework authorising euthanasia, *Darboe and Camara v. Italy*,⁶ on age-assessment procedures in the context of asylum, *C. v. Romania*, no. 47358/20,⁷ on protection against sexual harassment in the workplace; *Bouton v. France*,⁸ on protest action concerning the issue of abortion, or *Mørck Jensen v. Denmark*,⁹ concerning a Danish national prohibited from entering and staying in areas in which a terrorist organisation was a party to an ongoing armed conflict (the al-Raqqa district in Syria). Additionally, three Polish cases, *Advance Pharma*,¹⁰ *Żurek*¹¹ and *Juszczyszyn*¹² addressed crucial issues of judicial independence, adding to our rule of law jurisprudential toolbox.

As I have explained to the CM, with reference to the Court's memorandum on the occasion of the 4th Summit, it is essential that the Court keeps on top of filtering, manages its large interstate and conflicts docket and holds States, including former High Contracting Parties, to account.

However, it is also essential that it can exercise its judicial function expeditiously in "regular" Convention cases which are of capital importance for the defence of democracy, the rule of law and the protection of fundamental rights across our 46 States.

The current size of the Court's registry, and in particular the number of case-lawyers, without whom judicial preparation and deliberation in cases is not possible, is insufficient to allow us to exercise our judicial function effectively and expeditiously.

Two quick illustrations of our lack of sufficient resources are the loss of over 50 case-lawyers over the last decade and an increase in 34 % since 2017 in the number of applications pending per case-lawyer.

We are extremely grateful for the clear recognition of the need for sufficient and sustainable resources in the Reykjavik declaration and we await the concrete follow-up.

III. The final part of my brief overview touches on **judicial dialogue**.

As you are aware, maintaining and furthering our relationship with national judges is a key aspect of the work of the European Court.

Such dialogue reinforces the principle of subsidiarity, now inscribed in the Preamble to the European Convention, but also the related principle of shared responsibility, according to which it falls first and foremost to national authorities, including national judges, to ensure that Convention obligations are observed.

May and June have been busy months for judicial dialogue. The Court hosted bilateral visits from the Supreme Courts of the Czech Republic and Norway, the Supreme and Constitutional Courts of Spain, and the President of the Constitutional Court of Hungary.

In addition, I led delegations of Strasbourg judges on visits to the German Federal Constitutional Court in Karlsruhe and, a little bit further afield, to a tripartite meeting in Costa Rica with the Inter-American Court of Human Rights and the African Court on Human and Peoples' Rights.

⁵ *Mortier v. Belgium*, no. 78017/17, 4 October 2022.

⁶ *Darboe and Camara v. Italy*, no. 5797/17, 21 July 2022.

⁷ *C. v. Romania*, no. 47358/20, 30 August 2022.

⁸ *Bouton v. France*, no. 22636/19, 13 October 2022.

⁹ *Mørck Jensen v. Denmark*, no. 60785/19, 18 October 2022.

¹⁰ *Advance Pharma sp. z o.o v. Poland*, no. 1469/20, 3 February 2022.

¹¹ *Żurek v. Poland*, no. 39650/18, 16 June 2022.

¹² *Juszczyszyn v. Poland*, no. 35599/20, 6 October 2022.

In early June the Registry organised the annual forum of the Superior Courts Network involving approximately 150 national focal points from national superior courts for a two-day programme focusing on the independence of the judiciary as well as sharing know how on research and case-law consistency.

Structured judicial dialogue constantly takes place through judgments and decisions and also through the advisory opinion mechanism as provided by Protocol no. 16. Thus far, 20 States have ratified the Protocol - Moldova just last week - and 6 States have signed but not yet ratified it.¹³

8 requests for opinions have been made from courts in France, Armenia, Lithuania, Slovakia, Finland and Belgium; six opinions have been issued, one request was refused, and one request from the Belgian Council of State is now pending.

The aim of the procedure is not to transfer the dispute to the Court, but rather to give the requesting court or tribunal interpretative guidance on Convention issues when it subsequently determines the concrete case pending before it.

The Court will host a half-day seminar to mark the 5th anniversary of the entry into force of Protocol No. 16 in October. The aim is to take stock of how the advisory opinion mechanism is operating in practice and to reflect on how we can improve the mechanism and the judicial dialogue it seeks to foster for the future.

Superior Court Presidents from States which have ratified the Protocol, but also from those which have not done so have been invited. It is important to remember that the Court's advisory opinions, which are adopted by the Grand Chamber – our most solemn judicial formation - are not binding but do nevertheless have jurisprudential authority and value. This is emphasised indeed by reliance placed on advisory opinions in national courts in, for example, Italy or Sweden, despite the latter not having ratified the Protocol.

President,
Members of the CDDH,

In Reykjavik, the Heads of State and Government have reaffirmed their deep and abiding commitment to the Convention and to the Court as the ultimate guarantors of human rights across our continent.

The Convention system means we exercise our shared responsibility alongside domestic democratic and judicial systems. We are partners together in protecting human rights on our continent. This is why regular dialogue and interaction with your Steering Committee is essential.

I would like to thank you for your attention and I would be happy to reply to any particular questions you may have.

Thank you.

¹³[Full list - Treaty Office \(coe.int\)](https://www.coe.int/treaty-office)

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

(List as revised by the CDDH at its 98th meeting, 27 – 30 June 2023)

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 STAVRIDIS (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 (CDEF): 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. Ad hoc Working Party on improving the European Social Charter system (GT-CHARTE): **Vacant**

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

BUREAU OF THE CDDH	END OF THE MANDATE	REFERENCES
Kristīne LĪCIS (Latvia) Chair	31 December 2023 (not renewable)	97th meeting of the CDDH (December 2022)
Krista OINONEN (Finland) Vice-Chair	31 December 2023 (not renewable)	97th meeting of the CDDH (December 2022)
Brigitte OHMS (Austria) Member	31 December 2024 (not renewable)	97th meeting of the CDDH (December 2022)
Nicola WENZEL (Germany) Member	31 December 2023 (elected for 2 years, renewable once)	95th meeting of the CDDH (November 2021)
Babette KOOPMAN (the Netherlands) Member	31 December 2024 (not renewable)	97th meeting of the CDDH (December 2022)
Jan SOBCZAK (Poland) Member	31 December 2023 (elected for 2 years, not renewable)	95th meeting of the CDDH (November 2021)
Alfonso BREZMES (Spain) Member	31 December 2023 (elected for 2 years, not renewable)	95th meeting of the CDDH (November 2021)
Alain CHABLAIS (Switzerland) Member	31 December 2023 (elected for 2 years, not renewable)	95th meeting of the CDDH (November 2021)
CHAIRS		
DH-SYSC Alain CHABLAIS (Suisse)	31 December 2023 (elected for 1 year, not renewable)	97th meeting of the CDDH (December 2022)
DH-SYSC-JC Hans-Jörg BEHRENS (Germany)		96th meeting of the CDDH (June 2022)
"46 + 1" Tonje MEINICH (Norway)		92nd meeting of the CDDH (November 2019)
CDDH-ENV Kristīne LĪCIS (Latvia)		93rd meeting of the CDDH (December 2020)
CDDH-SCR Jan SOBCZAK (Poland)		95th meeting of the CDDH (November 2021)

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-JC	
Armenia	
Azerbaijan	
Belgium	
France	
Germany (<i>Chair</i>)	
Italy	
Netherlands	
Poland	
Switzerland	
Türkiye	
United Kingdom	
CDDH-SCR	CDDH-ENV
Armenia	Armenia
Azerbaijan	Austria
Estonia	Finland
Georgia	France
Montenegro	Germany
Netherlands	Latvia (<i>Chair</i>)
Norway	Poland
Poland (<i>Chair</i>)	Romania
Portugal	Spain
Türkiye	Switzerland
	Türkiye

Appendix VI

**Calendar for the second semester 2023
as adopted at the 98th CDDH meeting 27 – 30 June 2023
and provisional calendar for the first semester 2024**

04 – 06/07/2023	<u>3rd meeting of the Council of Europe Access Info Group / 3^e réunion du Groupe Accès à l'information du Conseil de l'Europe</u>
12 – 14/09/2023	<u>4th meeting of the Drafting Group on human rights in situations of crises / 4^e réunion du Groupe de rédaction sur les droits humains en situations de crise (CDDH-SCR)</u>
20 – 22/09/2023	<u>4th meeting of the Drafting Group on issues relating to judges of the European Court of Human Rights / 4^e réunion du Groupe de rédaction sur les questions relatives aux juges de la Cour européenne des droits de l'homme (DH-SYSC-JC)</u>
25 (a.-m), 26 (matin) & 28 – 29/09/2023	<u>8th meeting of the Drafting Group on Human Rights and Environment / 8^e réunion du Groupe de rédaction sur les droits humains et l'environnement (CDDH-ENV)</u>
06/10/2023	<u>Meeting of the Government Agents (Riga, Latvia) / Réunion des Agents du Gouvernement (Riga, Lettonie)</u>
06/10/2023 (matin) KUDO	<u>3rd meeting of the Consultation of the Parties to the Tromsø convention / 3^e réunion de la Consultation des Parties à la Convention de Tromsø</u>
24/10/2023	<u>Warsaw Seminar (Warsaw, Poland) / Séminaire de Varsovie (Varsovie, Pologne)</u>
25 – 26/10/2023	<u>5th meeting of the Drafting Group on human rights in situations of crises / 5^e réunion du Groupe de rédaction sur les droits humains en situations de crise (CDDH-SCR)</u>
08 – 09/11/2023	<u>110th meeting of the Bureau of the Steering Committee for Human Rights / 110^e réunion du Bureau du Comité directeur pour les droits de l'homme (CDDH-BU)</u>
14 – 16/11/2023	<u>4th meeting of the Council of Europe Access Info Group / 4^e réunion du Groupe Accès à l'information du Conseil de l'Europe</u>
27/11/2023 afternoon / après-midi	<u>Meeting of the Government Agents with the Court's Registry / Réunion des Agents du Gouvernement avec le Greffe de la Cour</u>
28/11 – 01/12/2023	<u>99th meeting of the Steering Committee for Human Rights / 99^e réunion du Comité directeur pour les droits de l'homme (CDDH)</u>
17 – 19/01/2024	<u>9th meeting of the Drafting Group on Human Rights and Environment / 9^e réunion du Groupe de rédaction sur les droits humains et l'environnement (CDDH-ENV)</u>
31/01 – 02/02/2024	<u>6th meeting of the Drafting Group on human rights in situations of crises / 6^e réunion du Groupe de rédaction sur les droits humains en situations de crise (CDDH-SCR)</u>
06 – 08/03/2024	<u>5th meeting of the Drafting Group on issues relating to judges of the European Court of Human Rights / 5^e réunion du Groupe de rédaction sur les questions relatives aux juges de la Cour européenne des droits de l'homme (DH-SYSC-JC)</u>

- 19 – 21/03/2024 | [10th meeting of the Drafting Group on Human Rights and Environment / 10^e réunion du Groupe de rédaction sur les droits humains et l'environnement \(CDDH-ENV\)](#)
- 03 – 05/04/2024 | [6th meeting of the Drafting Group on human rights in situations of crises / 6^e réunion du Groupe de rédaction sur les droits humains en situations de crise \(CDDH-SCR\)](#)
- 24 – 26/04/2024 | [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 \(DH-SYSC\)](#)
- 15 – 17/05/2024 | [5th meeting of the Council of Europe Access Info Group / 5^e réunion du Groupe Accès à l'information du Conseil de l'Europe](#)
- 23 – 24/05/2024 | [111th meeting of the Bureau of the Steering Committee for Human Rights / 111^e réunion du Bureau du Comité directeur pour les droits de l'homme \(CDDH-BU\)](#)
- 18 – 21/06/2024 | [100th meeting of the Steering Committee for Human Rights / 100^e réunion du Comité directeur pour les droits de l'homme \(CDDH\)](#)