

STEERING COMMITTEE ON ANTI-DISCRIMINATION, DIVERSITY AND INCLUSION (CDADI)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Type of committee: Steering committee

Terms of reference valid from: **1 January 2020 until 31 December 2021**

PILLAR/PROGRAMME/SUB-PROGRAMME
<p>Pillar: Human Rights Programme: Anti-Discrimination, Diversity and Inclusion Sub-programme: Anti-discrimination, diversity and inclusion – Roma and Travellers¹ – National minorities, regional or minority languages – Migrants</p>
MAIN TASKS
<p>Under the authority of the Committee of Ministers and bearing in mind the Council of Europe's legal standards, the jurisprudence of the European Court of Human Rights and the findings and recommendations of the relevant monitoring mechanisms, the CDADI steers the Council of Europe's intergovernmental work to promote equality for all and build more inclusive societies, offering effective protection from discrimination and hate and where diversity is respected. The work of the CDADI shall take into account the work of the European Commission against Racism and Intolerance (ECRI), without prejudice to the latter's mandate.</p> <p>The CDADI advises the Committee of Ministers on all questions within its mandate, including preventing and combating hate speech and discrimination on the grounds covered by ECRI, with a particular focus on fighting anti-Gypsyism and improving the active participation and inclusion of Roma and Travellers in society, safeguarding the rights of persons belonging to national minorities and the use of regional or minority languages, and promoting intercultural integration.</p> <p>The CDADI promotes and facilitates thematic exchanges and peer reviews of experience and good practice among Council of Europe member States to develop common policy responses, analyse implementation and fulfil any other task assigned to it by the Committee of Ministers.</p> <p>In particular, the CDADI will:</p> <ul style="list-style-type: none"> (i) ensure follow up to the Declaration on the occasion of the 70th anniversary of the Council of Europe reaffirming "the importance of anti-discrimination and equality policies in a democratic society characterised by pluralism, tolerance and broadmindedness", the Decision underlining "the need to address increasing inequality, racism, xenophobia, hate speech and discrimination on grounds of religion or belief or any other ground mentioned in the report of the Secretary General", as well as the Decision "reaffirming the importance of intergovernmental cooperation", taken at the 129th Session of the Committee of Ministers, Helsinki, 17 May 2019; (ii) focus on the following tasks: <ul style="list-style-type: none"> a. identify ways and means to enhance the implementation of relevant existing standards and address implementation challenges; b. carry out substantive legal analyses and hold peer exchanges on trends, developments and good practice in the member States; c. make proposals to the Committee of Ministers for the development of common policy responses, including standard-setting activities, to key challenges for member States within its field of expertise; <p>In so doing, it shall draw on the case law of the European Court of Human Rights and build on the findings and recommendations of ECRI, the Advisory Committee on the Framework Convention for the Protection of National Minorities and the Committee of Experts of the European Charter for Regional or Minority Languages;</p> (iii) promote and facilitate awareness raising of Council of Europe standards in relation to Roma and Traveller inclusion, national minorities, regional or minority languages, intercultural integration, combatting discrimination and intolerance on any ground covered by Article 14 of the European Convention on Human Rights, amongst others religion or belief, sexual orientation or gender identity²; and review implementation of relevant recommendations of the Committee of Ministers to member States, including Recommendation CM/Rec(2010)5;

¹ The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "*Gens du voyage*", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

² In accordance with CM/Rec(2010)5 "on measures to combat discrimination on grounds of sexual orientation or gender identity"; several delegations made declarations upon adoption of this Recommendation at the Deputies' 1081st meeting (31 March 2010); the Russian Federation expressed its position on this Recommendation in its corresponding interpretative statement made at the time of adoption of the Recommendation.

- (iv) work to ensure that preventing and combating discrimination forms an integral part of the development of policies and legal standards relating to artificial intelligence, both at the Council of Europe and at the member State level;
- (v) follow and support relevant co-operation programmes with Council of Europe member States and, where appropriate, facilitate the dissemination of their results;
- (vi) based on the results of the Thematic Action Plan on the Inclusion of Roma and Travellers (2016-2019), adopted by the Committee of Ministers on 2 March 2016, support the implementation of the Council of Europe strategic priority actions in the field of Roma and Traveller inclusion (post-2019 strategic document);
- (vii) taking due account of the results of the Action Plan on Building Inclusive Societies (2016-2019), promote and review the implementation of Recommendation CM/Rec(2015)1 of the Committee of Ministers to member States on intercultural integration and follow and support the work of the Intercultural Cities Networks and facilitate multi-level co-operation in the field of intercultural integration, notably as regards migrants;
- (viii) hold an exchange of views annually in order to evaluate its activities and advise the Committee of Ministers and the Secretary General on future priorities in its sector, including possible new activities and those that might be discontinued;
- (ix) take due account of a gender perspective and to promoting and protecting rights of persons with disabilities in the performance of its tasks;
- (x) in accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind priorities of the CDADI, an examination of some or all of the conventions for which it has been given responsibility,³ in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers;
- (xi) contribute to the achievement of the UN 2030 Agenda for Sustainable Development, in particular with regards to Goal 1: No poverty; Goal 3: Good health and well-being; Goal 4: Quality Education; Goal 5: Gender Equality; Goal 8: Decent work and economic growth; Goal 10: Reduce inequality; Goal 11: Sustainable Cities and Communities; Goal 16: Peace, Justice and Strong institutions.

SPECIFIC TASKS

- (i) Analyse and evaluate, through an exchange of member States' experiences, specific issues or areas related to Roma and Traveller inclusion and prepare thematic reports, and hold thematic discussions at regular intervals, including contributions from Roma and Traveller civil society, through hearings or otherwise.
- (ii) In co-operation with the Steering Committee on Media and Information Society (CDMSI), develop a new and comprehensive legal instrument on combating hate speech, building on the case law of the European Court of Human Rights and drawing upon existing Council of Europe texts.
- (iii) Carry out a study and identify good practices in member States on the active political participation of national minority youth, as a means to further protect persons belonging to national minorities and cultural diversity and promote interaction between all members of society.
- (iv) Develop a multi-level policy framework for intercultural integration taking as a starting point CM/Rec(2015)1 on Intercultural integration and the results of the Intercultural Cities Programme and its Inclusive Integration Policy Lab.
- (v) Contribute to the Council of Europe's intergovernmental work on artificial intelligence by identifying opportunities, threats and solutions in the field of non-discrimination, equality and tolerance.
- (vi) Hold regular exchanges with relevant European Networks and NGOs upon decision of the Committee.
- (vii) Review progress towards the United Nations Sustainable Development Goals (UNSDGs), as evidenced by monitoring mechanisms and promoted through standard-setting and exchange of experiences and good practices.

COMPOSITION

Members:

Governments of member States are invited to designate one or more representatives of the highest possible rank in the relevant fields (anti-discrimination, Roma and Traveller issues, national minority and language protection, diversity management and migrant and refugee inclusion).

The Council of Europe will bear the travel and subsistence expenses of one representative from each member State (two in the case of the state whose representative has been elected Chair).

Each member of the CDADI shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.

³ Cf. relevant decisions of the Committee of Ministers (CM/Del/Dec(2013)1168/10.2) and list of Conventions in document CM(2019)132.

In accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.

Participants:

The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- European Commission against Racism and Intolerance (ECRI);
- Advisory Committee on the Framework Convention for the Protection of National Minorities;
- Committee of Experts of the European Charter for Regional or Minority Languages;
- Parliamentary Assembly of the Council of Europe;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- Commissioner for Human Rights of the Council of Europe;
- Council of Europe Development Bank (CEB);
- Conference of INGOs of the Council of Europe;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate

The following may send representatives, without the right to vote and without defrayal of expenses:

- European Union (one or more representatives, including, as appropriate, the European Union Agency for Fundamental Rights (FRA));
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- other international organisations, including the Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR), United Nations (including the United Nations High Commissioner for Human Rights (OHCHR), United Nations High Commissioner for Refugees (UNHCR), and other relevant UN agencies), International Organization for Migration (IOM), Organisation for Economic Co-operation and Development (OECD), and the World Bank.

Observers:

The following may send representatives, without the right to vote and without defrayal of expenses:

- non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities;
- European Network of National Human Rights Institutions (ENNHRI);
- non-governmental organisations and specialised institutions (Amnesty International, European Network of Equality Bodies (Equinet)) and representatives of academic, professional and business communities.

WORKING METHODS

Plenary meetings:

48 members, 2 meetings in 2020, 3 days

48 members, 2 meetings in 2021, 3 days

Bureau meetings:

5 members, 2 meetings in 2020, 2 days

5 members, 2 meetings in 2021, 2 days

The rules of procedure of the CDADI are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

In addition, the following provisions shall apply:

The CDADI holds two regular meetings a year, one of which may be hosted by a member State. When a regular meeting is hosted by a member State, arrangements with the host country shall ensure that the meeting will not entail additional costs for the Council of Europe.

The CDADI shall have the possibility to invite representatives of ECRI, the Advisory Committee on the Framework Convention for the Protection of National Minorities, and the Committee of Experts of the European Charter for Regional or Minority Languages to exchange views on developments in their respective work.

The CDADI will form a Working Group to develop the multi-level policy framework for intercultural integration, in particular as regards migrants, which shall be composed of representatives of 10 member States with specialised knowledge in intercultural integration and diversity management, designated according to a method which shall have due regard to geographical balance and the existence of Intercultural cities or intercultural city networks in the state concerned, as well as representatives of 10 local authorities that are full members of the Intercultural Cities Programme. Due regard should be given to ensuring a gender balance. The Council of Europe will bear the travel and subsistence expenses of these 20 members. Other member States may send other representatives without defrayal of expenses.

The CDADI will appoint a Gender Equality Rapporteur from amongst its members and a Rapporteur on the rights of persons with disabilities.

Whenever appropriate, it will prioritise environmentally sound working methods, such as virtual meetings facilitated by information technology and written consultations.

Subject to the agenda, the chairs of the subordinate structures may be invited to attend CDADI Bureau and/or plenary meetings.

SUBORDINATE STRUCTURE(S)

The CDADI coordinates, supervises and follows the work of its subordinate bodies:

- the Committee of Experts on Roma and Traveller Issues (ADI-ROM) (see separate terms of reference);
- the Committee of Experts on Combating Hate Speech (ADI/MSI-DIS) (see separate terms of reference).

BUDGETARY INFORMATION*

	Meetings per year	Number of days	Members	Plenary €K	Bureau €K	Working groups	Secretariat (A, B)
2020	2	3	48	104.8	19.0	53.6	2 A; 1 B
2021	2	3	48	104.8	19.0	53.6	2 A; 1 B

*The costs include the per diem, travel costs, interpretation, translation and document printing. These costs are calculated on the basis of the 2020 standard costs.