



Strasbourg, 21 June 2012



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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**FIRST NEGOTIATION MEETING BETWEEN THE CDDH AND
THE EUROPEAN COMMISSION ON THE ACCESSION OF THE
EUROPEAN UNION TO THE EUROPEAN CONVENTION ON
HUMAN RIGHTS**

Meeting report

Strasbourg, Thursday 21 June 2012

Agora, Room G03
Council of Europe

1. The first negotiation meeting between the CDDH and the European Commission on the accession of the European Union to the European Convention on Human Rights was held on 21 June 2012, in Strasbourg, under the chairmanship of Ms Tonje Meinich (Norway). The list of participants appears in Appendix.
2. The representative of the European Commission made a statement recalling the importance of a swift accession of the European Union to the Convention, and presented a number of amendments that the European Union proposes to the draft accession instruments transmitted by the CDDH to the Committee of Ministers after their extraordinary meeting of 12-14 October 2011. The representative of the European Commission explained that the proposed amendments aim at better reflecting the specific legal nature of the European Union, at clarifying certain aspects of the co-respondent mechanism, and also touch upon the participation of the European Union in the Committee of Ministers of the Council of Europe, notably in particular cases. The statement of the representative of the European Commission shall be distributed to the members of the negotiation group. The representative of the European Union also expressed his availability to provide further clarification and examples in order to better understand some of the amendments proposed.
3. During a first exchange of views, a number of delegations reiterated that the negotiation shall not be limited to the amendment proposals put forward by the European Union, and indicated that they would submit their own proposals. Several delegations expressed the wish that the representatives of all 47 member States in the negotiation group would actively contribute to future discussions.
4. As regards the working methods of the negotiation group, the delegations agreed to use as a basis for future discussion the draft instruments appended to the CDDH report to the Committee of Ministers (document CDDH(2011)009). Delegations wishing to present other proposals for amendment or comments on the European Union proposals are invited to submit them in writing by 1 September 2012 at the latest.
5. Concerning publicity of documents, the delegations agreed that the meeting reports and their annexes should be publicly available and published on the Council of Europe website. As regards working document submitted by delegations, no decision was taken for the time being, it being understood that any delegation could indicate whether it wishes to make public the documents presented. With respect to the presence of civil society at the negotiation meetings, it was agreed that at its second meeting the negotiation group will discuss the invitation of representatives of the civil society to the third meeting for a hearing.
6. As regards the order of discussion of the various issues in the next meetings, delegations agreed that discussion should focus first on questions related to the scope of the accession and on other general issues (Articles 1, 2, 4, 5, 9-13 of the draft Accession Agreement), then on the co-respondent mechanism (Article 3) and, finally, on institutional questions (Articles 6, 7 and 8).
7. The Chair recalled that the second negotiation meeting will be held in Strasbourg from 17 to 19 September 2012, and that the third meeting will be held in Strasbourg from 7 to 9 November 2012.

APPENDIX**LIST OF PARTICIPANTS****MEMBERS / MEMBRES****ALBANIA / ALBANIE**

Ms Ledina MANDIA, General State Advocate of the Republic of Albania, Ministry of Justice, Tirana

ANDORRA / ANDORRE

Mr Joan FORNER ROVIRA, Government Agent to the European Court of Human Rights, Senior Legal Adviser, Ministry of Foreign Affairs, Government of the Principality of Andorra

ARMENIA / ARMENIE

Mr Levon AMIRJANYAN, Chef du département des affaires juridiques, Ministère des affaires étrangères, Yerevan

AUSTRIA / AUTRICHE

Mrs Brigitte OHMS, Deputy Government Agent, Division for International Affairs and General Administrative Affairs, Federal Chancellery, 1010 Wien

AZERBAIJAN / AZERBAIDJAN

Mr Chingiz ASKAROV, Agent of the Government of the Republic of Azerbaijan at the European Court of Human Rights, Baku

BELGIUM / BELGIQUE

Mr Philippe WERY, Chef du Service des droits de l'homme, SPF Justice, Service des Droits de l'Homme, Bruxelles

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Ms Monika MIJIC, Agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights, Sarajevo

BULGARIA / BULGARIE

Mrs Genka GEORGIEVA, Director of Human Rights Directorate, MFA of Bulgaria, Sofia

CROATIA / CROATIE

Mrs Romana KUZMANIĆ OLUIĆ, Ministry of Foreign Affairs and European Integration, Directorate for Multilateral Affairs, Department for Human Rights and International Organization, Zagreb

CYPRUS / CHYPRE

Ms Eleonora NICOLAIDES, Senior Counsel of the Republic, The Law Office of the Republic of Cyprus, Nicosia

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Mr Vit SCHORM, Government Agent, Ministry of Justice, Praha

DENMARK / DANEMARK

Mr Rasmus KIEFFER-KRISTENSEN, Legal Adviser, Human Rights Unit, Danish Ministry of Justice, Copenhagen

ESTONIA / ESTONIE

Mrs Maris KUURBERG, Government Agent before the European Court of Human Rights, Ministry of Foreign Affairs, Tallinn

FINLAND / FINLANDE

Mr Arto KOSONEN, Government Agent, Director, Unit for Human Rights Court and Conventions, Legal Service, Ministry of Foreign Affairs, Government

FRANCE

Mme Anne-Françoise TISSIER, Sous-directeur des droits de l'homme, Agent du Gouvernement, Ministère des affaires étrangères, Paris

GEORGIA / GEORGIE

Mr Levan MESKHORADZE, Governmental Agent of Georgia to the ECHR, Department of State Representation in International Court of Human Rights, Ministry of Justice, Tbilisi

GERMANY / ALLEMAGNE

Mr Hans-Jörg BEHRENS, Head of Unit IVC1, Human Rights Protection; Government Agent before the European Court of Human Rights, Bundesministerium der Justiz, Berlin

GREECE / GRECE

Ms Maria TELALIAN, Head of the Public International Law Section, Ministry of Foreign Affairs, Athènes

Mme Ourania PATSOPOULOU, Membre du Conseil Juridique de l'État, Attachée à la Représentation Permanente de la Grèce auprès du Conseil de l'Europe, Strasbourg

HUNGARY / HONGRIE

Ms Monika WELLER, Co-Agent for the Hungarian Government before the European Court of Human Rights, Section of the European Court of Human Rights, Department of Cooperation on International Crime and Human Rights, Ministry of Public Administration and Justice

ICELAND / ISLANDE

Ms Björg THORARENSEN, Professor of law, Faculty of Law, University of Iceland, Reykjavík

IRELAND / IRLANDE

Mr Peter WHITE, Co-Agent for the Government of Ireland, Assistant Legal Adviser, Legal Division, Department of Foreign Affairs and Trade, Dublin

ITALY / ITALIE

Mr Mario REMUS, Conseiller juridique, Service des Affaires Juridiques du Ministère des Affaires Étrangères, Roma

LATVIA / LETTONIE

Mrs Kristine LICE, Government Agent, Representative of the Government of Latvia before International Human Rights Organizations, Ministry of Foreign Affairs, Riga

LIECHTENSTEIN

Mr Dominik MARXER, Deputy Permanent Representative to the Council of Europe, Office for Foreign Affairs, Vaduz

Mr Manuel FRICK, Diplomatic Officer, Office for Foreign Affairs, Vaduz

LITHUANIA / LITUANIE

Mrs Elvyra BALTUTYTE, Agent of the Government of Lithuania to the European Court of Human Rights, Ministry of Justice, Vilnius

LUXEMBOURG

Mme Brigitte KONZ, Conseillère à la Cour d'Appel, Luxembourg

MALTA / MALTE

Dr Hubert THEUMA, Senior Legal Officer, Office of the Attorney General, Valletta

MONTENEGRO

Mr Zoran PAZIN, State Agent to the ECHR, Podgorica

THE NETHERLANDS / PAYS-BAS

Mr Roeland BÖCKER, Ministry of Foreign Affairs, International Law Division, The Hague

NORWAY / NORVEGE

Mrs Audgunn SYSE, Acting Legal Adviser, Norwegian Ministry of Justice and the Police, Legislation Department

Ms Tonje MEINICH, (**Chairperson/Présidente**), European and International Affairs, Norwegian Ministry of Justice, Oslo

POLAND / POLOGNE

Mr Jakub WOLASIEWICZ, Government Agent, Ministry of Foreign Affairs, Warsaw

Ms Justyna CHRZANOWSKA, Director of the Department of proceedings before International Human Rights Protection at the Ministry of Foreign Affairs of Poland, Warsaw

PORTUGAL

Mme Maria de Fátima GRAÇA CARVALHO, Agente du Gouvernement, Procureur-Général adjointe, Procuradoria Geral da Republica, Lisboa

REPUBLIC OF MOLDOVA/ REPUBLIQUE DE MOLDOVA

Mr Lilian APOSTOL, Expert, Ministère de la justice, Chisinau

ROMANIA / ROUMANIE

Ms Irina CAMBREA, Government Agent, Ministry of Foreign Affairs, Bucharest

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Oleg S. MALGINOV, Ambassador Extraordinary and Plenipotentiary of the Russian Federation, Bucarest, Romania

Ms Maria MOLODTSOVA, 1st Secretary, Department for International Humanitarian Cooperation and Human Rights, Ministry of Foreign Affairs, Moscow

Mr Vladislav ERMAKOV, Deputy to the Permanent Representative, Chancery, Strasbourg

SAN MARINO / SAINT-MARIN

Ms Marina MARFORI, Expert Section études législatifs du Bureau Légal d'Etat, San Marino

SERBIA / SERBIE

Mr Slavoljub CARIC, Government Agent, Ministry for Human and Minority Rights, Office of the Agent before the ECHR, Belgrade

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mr Juraj KUBLA, Ministry of Foreign Affairs of the Slovak Republic, Human Rights Department, Bratislava

SLOVENIA/SLOVENIE

Ms Irena VOGRINCIC, Adviser, Ministry of Justice and Public Administration, Ljubljana

Ms Verana KLEMENC, State Attorney, State Attorney's Office, Ljubljana

SPAIN / ESPAGNE

Mr Francisco Sanz Gandasegui, Service juridique des Droits de l'Homme, Ministère de la Justice, Madrid

SWEDEN / SUEDE

Ms Gunilla ISAKSSON, Deputy Director, Department for International Law, Human Rights and Treaty Law, Ministry for Foreign Affairs, Stockholm

Ms Helen LINDQUIST, Special Advisor, Department for International Law, Human Rights and Treaty Law, Ministry for Foreign Affairs, Stockholm

SWITZERLAND / SUISSE

Mr Frank SCHÜRMAN, Agent du Gouvernement, Chef de l'unité Droit européen et protection internationale des droits de l'homme, Office fédéral de la justice, Berne

Mr Daniel FRANK, Head Human Rights Section, Federal Department of Foreign Affairs, Berne

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” / “L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE”

Ms Svetlana GELEVA, Head of Department for Multilateral affairs, Ministry of Foreign Affairs, Skopje

TURKEY / TURQUIE

Mme Halime Ebru DEMIRCAN, Adjointe au Représentant permanent de la Turquie auprès du Conseil de l'Europe, Strasbourg

Ms Gönül ERÖNEN, Adjointe au Représentant permanent de la Turquie auprès du Conseil de l'Europe, Strasbourg

Mr Bayram TURGUT, Adjoint au Représentant permanent de la Turquie auprès du Conseil de l'Europe, Strasbourg

Mme Işık BATMAZ, Legal Expert, Représentation permanente de la Turquie auprès du Conseil de l'Europe, Strasbourg

UKRAINE

Mr Yevgen PERELYGIN, Director, Bureau for European Integration, Secretariat of the Cabinet of Ministers of Ukraine, Ministry of Foreign Affairs, Kiev

UNITED KINGDOM / ROYAUME-UNI

Mr Derek WALTON, Chairman of the CDDH / Président du CDDH, Legal Counsellor, Foreign and Commonwealth Office, London

Mr Rob LINHAM, Head of Council of Europe Human Rights Policy, Ministry of Justice, London

Mr Craig BARNEY, Council of Europe Human Rights Policy Officer, Ministry of Justice, London

EUROPEAN UNION/UNION EUROPEENNE

Ms Luisella PAVAN-WOOLFE, Ambassador, Head of the Delegation of the European Union to the Council of Europe, Strasbourg

Mr Hannes KRAEMER, Member of the Legal Service of the European Commission, Brussels

Mme Eglantine CUJO, Membre du Service juridique de la Commission européenne, Bruxelles

Mr Kristi RABA, Fundamental Rights and Criminal Justice, DG D – Justice and Home Affairs, General Secretariat of the Council of the European Union, Brussels

Mr Luis Pablo TARIN MARTIN, Deputy to the Head of Delegation, EU Delegation to Council of Europe, Strasbourg

Mr Daniel Toda Castan, European Union Delegation to the Council of Europe

OBSERVERS / OBSERVATEURS

REGISTRY OF THE EUROPEAN COURT OF HUMAN RIGHTS / GREFFE DE LA COUR EUROPEENNE DES DROITS DE L'HOMME

M. Johan CALLEWAERT, Greffier Adjoint de la Grande Chambre / Deputy Grand Chamber Registrar

COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW (CAHDI) / COMITÉ DES CONSEILLERS JURIDIQUES SUR LE DROIT INTERNATIONAL PUBLIC (CAHDI)

Not represented/ non représenté

SECRETARIAT

**DG I – Human Rights and Rule of Law / Droits de l'Homme et État de droit
Council of Europe / Conseil de l'Europe, F-67075 Strasbourg Cedex**

Mr Philippe BOILLAT, Director General / Directeur Général, Directorate General of Human Rights and Rule of Law / Direction Générale droits de l'Homme et Etat de droit

Mr Jörg POLAKIEWICZ, Head of Department / Chef de Service, Human Rights Policy and Development Department / Service des politiques et du développement des droits de l'Homme

Mr Daniele CANGEMI, Head of Division / Chef de Division, Human Rights Law and Policy Division / Division du droit et de la politique des droits de l'Homme

Mr Matthias KLOTH, Administrator, Human Rights Law and Policy Division / Division du droit et de la politique des droits de l'Homme

Mme Frédérique BONIFAIX, Assistant / Assistante, Human Rights Law and Policy Division / Division du droit et de la politique des droits de l'Homme

Mme Corinne GAVRILOVIC, Assistant / Assistante, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l'Homme

DLAPIL - Direction du Conseil Juridique et du droit international public/Directorate of Legal Advice and Public International Law

M. Manuel LEZERTUA, Directeur/Director

Mme Elise CORNU, Legal Advisor, Directorate of Legal Advice and Public International Law

Private office of the Secretary General and Deputy Secretary General / Cabinet du Secrétaire Général et de la Secrétaire Générale Adjointe

M. Adrian EVTUHOVICI, Conseiller / Adviser

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INTERPRETERS / INTERPRÈTES

Ms Chloé CHENETIER (Chef d'équipe)

Ms Bettina LUDEWIG

Mr Christophe TYCZKA