

DIRECTORATE GENERAL **HUMAN RIGHTS AND RULE OF LAW**



We develop and implement
human rights and rule of law
standards and activities

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COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

THE DIRECTORATE GENERAL HUMAN RIGHTS AND RULE OF LAW

■ The Directorate General Human Rights and Rule of Law has overall responsibility for the development and implementation of the human rights and rule of law standards of the Council of Europe, including the promotion of democracy through law, the operation of relevant treaties and related monitoring mechanisms, and the development and implementation of co-operation activities in these fields.

■ The Directorate General puts into practice the Council of Europe's unique strategic triangle of standard setting, monitoring and co-operation. Standards may be legally binding, such as conventions, or not, such as recommendations. Independent, expert bodies evaluate how the standards are implemented in the states parties and make constructive recommendations on improvements. Where measures need to be taken in order for the standards to be met, targeted co-operation activities may be agreed with the states concerned.

■ In addition to the general protection of civil, political, economic and social rights, the work of the Directorate General includes in particular the areas presented in this publication.

■ The Directorate General is organised in three directorates: Human Rights, Information Society and Action against Crime, and Enlarged Agreement on Democracy Through Law (Venice Commission).



HUMAN RIGHTS DIRECTORATE

Monitoring

■ The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visits places used for any kind of detention, in order to assess how people deprived of their liberty are treated.

■ The Department for the Execution of Judgments of the European Court of Human Rights assists the Committee of Ministers in supervising the execution of the Court's judgments by member states. The process is a crucial element of the Council of Europe's human rights system.

■ The European Social Charter of 1961 (revised 1996) guarantees social and economic human rights. Compliance of the states parties is monitored by the European Committee of Social Rights (ECSR).

Standard setting

■ The Steering Committee for Human Rights (CDDH) formulates common standards with the aim of developing and promoting human rights in Europe and improving the effectiveness of the control mechanism established by the European Convention on Human Rights (the Convention). This should guarantee coherence and create synergies in the development of human rights law and policy.

■ The Convention on Human Rights and Biomedicine (Oviedo Convention, ETS No. 164) also known as the convention on bioethics and its additional protocols sets out the fundamental principles applicable in day-to-day medicine as well as those applicable to new technologies in human biology and medicine.

■ The European Committee on Legal Co-operation (CDCJ) is an inter-Governmental body which sets new standards and develops common policies in the fields of public and private law.



■ The European Code of Social Security (ETS No. 48), its protocol and its revised version, set minimum standards in the fields of social security and the harmonisation of their levels, while encouraging the contracting parties to exceed these standards.

Co-operation

■ The European Commission for the Efficiency of Justice (CEPEJ) is an innovative body entrusted with promoting and developing the tools and measures aimed at improving the efficiency and quality of user-oriented judicial systems in the member states.

■ The Consultative Council of European Judges (CCJE), unique at international level, is an advisory body on issues related to the independence, impartiality and competence of judges, while the Consultative Council of European Prosecutors (CCPE) advises on issues related to the work and status of prosecutors.

■ In order to develop capacities and to increase awareness of the Council of Europe's standards in the fields of human rights and the rule of law, the directorate provides training to members of legal bodies and other professionals. To support structural reforms in areas such as criminal justice and human rights mechanisms, expert advice on draft legislation and exchange of best practice is provided.

■ The Programme for Human Rights Education for Legal Professionals (HELP) supports the Council of Europe member states in implementing the the European Convention of Human Rights at the national level.



INFORMATION SOCIETY AND ACTION AGAINST CRIME DIRECTORATE

Information society

- The Steering Committee on Media and Information Society (CDMSI) deals with issues concerning freedom of expression and sets common standards on new forms of mass communication. It also deals with Internet governance based on human rights, the public service value of the Internet and multi-stakeholder dialogue.
- The Convention on Cybercrime of the Council of Europe (ETS No. 185) – the only binding international instrument in the field – provides guidelines for any country developing comprehensive national legislation against cybercrime and serves as a framework for global co-operation.
- The Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) was the first legally binding international instrument in this field. Its principles have to be applied in domestic legislation in order to ensure respect for the fundamental human rights of all individuals with regard to processing of personal data. The Convention is currently being modernised.

European Audiovisual Observatory

- The Observatory collects and distributes information about audiovisual industries in Europe. This partial and enlarged agreement with its own budget promotes greater transparency and a clearer understanding of the economic and legal functioning of the audiovisual industry in Europe. The membership of the Observatory comprises 39 Council of Europe member states, the European Union and the Kingdom of Morocco.



Action against crime

■ The European Committee on Crime Problems (CDPC) identifies priorities for intergovernmental legal co-operation, makes proposals to the Committee of Ministers on activities in the fields of criminal law and procedure, criminology and penology, and implements these activities.

■ Through bilateral co-operation activities and projects, the Criminal Law Co-operation Unit plays a major role in assisting the beneficiary countries to integrate the Council of Europe standards in their penitentiary, probation and law-enforcement institutions.

■ Co-operation against economic crime and corruption consists of three interrelated elements: supporting the implementation of the relevant standards (treaty law and soft law), assisting and facilitating the implementation of recommendations from monitoring mechanisms and providing capacity building based on country-specific needs and assessments.

Monitoring

■ MONEYVAL – By assessing the effectiveness of how international and European standards are implemented, MONEYVAL aims to improve the capacities of national authorities to fight money laundering and financing of terrorism more effectively.

■ GRECO – The Group of States against Corruption is the Council of Europe's anti-corruption monitoring body. It improves member states' capacity to fight corruption by assessing their compliance with Council of Europe anti-corruption standards through mutual evaluation and peer pressure.

Drug abuse and trafficking

■ Pompidou Group (Group to Combat Drug Abuse and Illicit Trafficking in Drugs) – Its core mission is to help develop innovative, effective and evidence-based drug policies in its member states. It seeks to link policy, practice and scientific research, focusing on the implementation of drug programmes.



VENICE COMMISSION

■ The European Commission for Democracy through Law – better known as the Venice Commission, since plenary sessions are held four times a year in Venice – is the Council of Europe’s advisory body on constitutional matters.

■ It provides legal advice on how to bring legal and institutional frameworks into line with European standards and international practice. It also helps to ensure the dissemination and consolidation of a common constitutional heritage and provides “emergency constitutional aid” to states in transition.

■ The commission works in three areas: democratic institutions and fundamental rights; constitutional justice and ordinary justice; elections, referendums and political parties.

■ Its primary task is to provide states with legal advice in the form of “legal opinions” on draft legislation or legislation already in force, which is submitted to it for examination. It also produces studies and reports on topical issues.

■ The commission has 59 member states: 47 Council of Europe member states plus 12 other countries (Algeria, Brazil, Chile, Israel, Kazakhstan, the Republic of Korea, Kyrgyzstan, Morocco, Mexico, Peru, Tunisia and the USA).

■ Its individual members are university professors of public and international law, supreme and constitutional court judges, members of national parliaments and civil servants. They are designated for four years by the member states, but act in individual capacity.



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