



Strasbourg, 7 September 2012

GT-GDR-A(2012)R2

STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)

**DRAFTING GROUP ‘A’ ON THE REFORM OF THE COURT
(GT-GDR-A)**

2nd Meeting

Strasbourg

Wednesday 5 September – Friday 7 September 2012

Agora, Meeting Room G04

MEETING REPORT

Item 1: Opening of the meeting, adoption of the agenda and order of business

1. Drafting Group A on the reform of the Court (GT-GDR-A) held its 2nd meeting in Strasbourg from 5-7 September 2012 with Ms Brigitte OHMS (Austria) in the chair. The list of participants appears at Appendix I. The agenda, as adopted, appears at Appendix II.

Item 2: National reports on measures taken to implement relevant parts of the Interlaken and Izmir Declarations

2. The Group examined and adopted the preliminary draft CDDH report, prepared in accordance with the working methods adopted at the 1st meeting that were subsequently confirmed by the CDDH at its 75th meeting, with particular attention to the parts dealing with the following issues:

- increasing the awareness of national authorities of Convention standards and ensuring their application (Interlaken Declaration Action Plan element 1), presented by the rapporteur Ms Irina CAMBREA (Romania);
- the execution of Court judgments, including pilot judgments (Interlaken Declaration Action Plan elements 2 and 9 respectively), presented by the rapporteur Ms Isik BATMAZ (Turkey);
- taking into account the Court's developing case-law, including judgments against other States (Interlaken Declaration Action Plan element 3), presented by the rapporteur Ms Brigitte OHMS (Austria);
- ensuring the availability of effective domestic remedies (Interlaken Declaration Action Plan element 4), presented by the rapporteur Mr Jakub WOLASIEWICZ (Poland).

3. The adopted text appears at Addendum I. It will be further examined at the plenary DH-GDR meeting on 29-31 October 2012, before being adopted at the CDDH meeting on 27-30 November 2012, for presentation to the Committee of Ministers thereafter.

Item 3: Evaluation of the effects of Protocol No. 14

4. The Group examined and adopted the preliminary draft CDDH report, as it appears at Addendum II. It will be further examined at the plenary DH-GDR meeting on 29-31 October 2012, before being adopted at the CDDH meeting on 27-30 November 2012, for presentation to the Committee of Ministers thereafter.

Item 4: Adoption of the conclusions and meeting report

5. The Group concluded that with adoption of the above draft reports, it had fulfilled its mandate. It expressed its appreciation for the constructive atmosphere shown by its members throughout its work and for the way in which the Chairperson had conducted its meetings.

Appendix I

List of participants / Liste des participants

MEMBERS / MEMBRES

ANDORRA / ANDORRE

M^{me} Florencia ALEIX, Représentation permanente d'Andorre auprès du Conseil de l'Europe, 10, avenue du Président Robert Schuman 67000 Strasbourg

AUSTRIA / AUTRICHE

Dr Brigitte OHMS, Chairperson of the GT-GDR-A / Présidente du GT-GDR-A, Deputy Government Agent, Division for International Affairs and General Administrative Affairs, Federal Chancellery, Dpt. V/5, Constitutional Service, Ballhausplatz 2, 1010 Wien

FINLAND / FINLANDE

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GEORGIA / GEORGIE

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HUNGARY / HONGRIE

Mr Zoltan TALLODI, Co-agent before ECHR, Ministry of Public Administration and Justice, Department of International Criminal Law and Human Rights Cooperation, Kossuth tér, 4.1055, Budapest

POLAND / POLOGNE

Mr Jakub WOLASIEWICZ, Government Agent, Ministry of Foreign Affairs, Aleja Szucha 23, Warsaw 00580

Ms Agnieszka KOZIŃSKA, Chief expert, Department for the Proceedings before the International Human Rights Protection Bodies, Ministry of Foreign Affairs of the Republic of Poland, Al. J. Ch. Szucha 23, 00-580 Warsaw

ROMANIA / ROUMANIE

Ms Irina CAMBREA, Government Agent, Ministry of Foreign Affairs, 14, Aleea Modrogan, Sector 1, Bucharest

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Vladislav ERMAKOV, Deputy to the Permanent Representative, Chancery, 75 allée de la Robertsau, 67000 Strasbourg

SERBIA / SERBIE

Ms Maja MILENKOVIC, Lawyer at the Ministry of Justice of the Republic of Serbia, Agency Sector Representing the State before the ECHR, Ministry of Justice, Office of the Agent before the ECHR, Boul. Mihaola Pupina 2, 11000 Belgrade

SWITZERLAND / SUISSE

Mr Adrian SCHIEDEGGER Agent suppléant du Gouvernement suisse devant la Cour européenne des droits de l'homme et le CAT, Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Représentation de la Suisse devant la Cour européenne des droits de l'homme et le CAT, Bundesrain 20, 3003 Berne

TURKEY / TURQUIE

Ms Isik BATMAZ, Vice-chairperson of the GT-GDR-A / vice-présidente du GT-GDR-A, Legal Expert, Permanent Representation of Turkey to the Council of Europe, 23, boulevard de l'Orangerie, 67000 Strasbourg

Mr TURGUT Bayram, Counsellor, Permanent Representation of Turkey to the Council of Europe, 23, boulevard de l'Orangerie, 67000 Strasbourg

UKRAINE / UKRAINE

Ms Natalia SHAKURO, Head of Human Rights and Council of Europe Division, Department of International Organisations, Ministry of Foreign Affairs of Ukraine

UNITED KINGDOM / ROYAUME-UNI

Mr Martin KUZMICKI, Assistant Legal Adviser, Foreign and Commonwealth Office, King Charles Street, London SW1A 2AH

OBSERVERS / OBSERVATEURS**Holy See / Saint-Siège**

M. Grégor PUPPINCK, Mission permanente du Saint-Siège auprès du Conseil de l'Europe, 4 quai Koch 67000 STRASBOURG

Mme Andreea POPESCU, Mission permanente du Saint-Siège auprès du Conseil de l'Europe, 4 quai Koch 67000 STRASBOURG

European Group of NHRI

Mr Bruce ADAMSON, Legal Officer, Scottish Human Rights Commission

Registry of the European Court of Human Rights / Greffe de la Cour européenne des droits de l'homme

Mr John DARCY, Conseiller du président et du greffier / adviser to the President and the Registrar, Private Office of the President, European Court of Human Rights, Cabinet du Président, Cour européenne des droits de l'homme

Parliamentary Assembly / Assemblée parlementaire

Mr Pawel CHMIEL, Committee on Legal Affairs & Human Rights/Commission des questions juridiques & des droits de l'homme (AS/Jur), Parliamentary Assembly/Assemblée parlementaire, Council of Europe/Conseil de l'Europe

Department for the Execution of Judgments of the Court / Service de l'Exécution des Arrêts de la Cour

Mr Fredrik SUNDBERG, Deputy to the Head of Department, Directorate General of Human Rights and Rule of Law, Council of Europe

SECRETARIAT**DG I – Human Rights and Rule of Law / Droits de l'homme et État de droit
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Mr Jörg POLAKIEWICZ, Head of Human Rights Policy and Development Department / Chef du Service des politiques et du développement des droits de l'homme

Mr Alfonso DE SALAS, Head of Division / Chef de Division, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l'Homme, Secretary of the CDDH / Secrétaire du CDDH

Mr David MILNER, Administrator / Administrateur, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l'Homme,
Secretary of the GT-GDR-A / Secrétaire du GT-GDR-A

Mme Virginie FLORES, Lawyer / Juriste, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l'Homme

Mle Haldia MOKEDDEM, Assistant / Assistante, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l'Homme

INTERPRETERS/INTERPRÈTES

M^{me} Lucie DE BURLET

M^{me} Bettina LUDEWIG

M. Jean-Jacques PEDUSSAUD

Appendix II**Agenda (as adopted)****Item 1: Opening of the meeting, adoption of the agenda and order of business**General background documents

- Draft annotated agenda GT-GDR-A(2012)OJ002
- Report of the 1st meeting of the DH-GDR (17-20 January 2012) DH-GDR(2012)R1
- Report of the 1st meeting of the GT-GDR-A (14-16 March 2012) GT-GDR-A(2012)R1
- Report of the 75th meeting of the CDDH (19-22 June 2012) CDDH(2012)R75
- Ministers' Deputies' Decisions on Follow-up to the 121st Session of the Committee of Ministers (Istanbul, 10-11 May 2011) CM/Del/Dec(2011)1114/1.5
- Interlaken Declaration CDDH(2010)001
- Izmir Declaration CDDH(2011)010

Item 2: National reports on measures taken to implement relevant parts of the Interlaken and Izmir DeclarationsWorking document

- Preliminary draft CDDH report on measures taken by the member States to implement relevant parts of the Interlaken and Izmir Declarations GT-GDR-A(2012)062

Background documents

- Compilation of responses to Question I of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)003 REV.
- Compilation of responses to Question II of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)004 REV.
- Compilation of responses to Question III, Action Plan element 1 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)005 REV.
- Compilation of responses to Question III, Action Plan element 2 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)006 REV.
- Compilation of responses to Question III, Action Plan element 3 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)007 REV.
- Compilation of responses to Question III, Action Plan element 4 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)008 REV.
- Compilation of responses to Question III, Action Plan element 5 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)009 REV.

- Compilation of responses to Question III, Action Plan element 6 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)010 REV.
- Compilation of responses to Question III, Action Plan element 7 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)011 REV.
- Compilation of responses to Question III, Action Plan element 8 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)012 REV.
- Compilation of responses to Question III, Action Plan element 9 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)013 REV.
- Compilation of responses to Question III, Action Plan element 10 of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)014 REV.
- Compilation of responses to Question IV of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)015 REV.
- Compilation of responses to Question V of the questionnaire on implementation of the Interlaken and Izmir Declarations (revised) GT-GDR-A(2012)016 REV.
- National Report of Turkey on the implementation of the Interlaken Declaration GT-GDR-A(2012)017
- National Report of Greece on the implementation of the Interlaken Declaration GT-GDR-A(2012)018
- National Report of the Netherlands on the implementation of the Interlaken Declaration GT-GDR-A(2012)065

Item 3: Evaluation of the effects of Protocol No. 14

Working document

- Preliminary draft CDDH report contributing to the evaluation of the effects of Protocol No. 14 and the implementation of the Interlaken and Izmir Declarations on the Court's situation (prepared by the Secretariat) GT-GDR-A(2012)063

Background documents

- Protocol No. 14 to the European Convention on Human Rights & Explanatory Report CETS No. 194 + Explanatory Report
- CDDH Report on increasing the Court's capacity to process applications CDDH(2012)R74
Addendum I Appendix IV
Section 1
- Analysis of statistics 2011 (published by the Court)
- Preliminary Opinion of the Court in preparation for the Brighton Conference #3841140 v.2
- Information on cases pending before the Court (Note prepared by the Registry) DH-GDR(2012)005

- Additional information on pending cases (prepared by the Registry) DH-GDR(2012)005
Addendum
- Information given by the Registry to the DH-GDR on the implementation and effects of Protocol No. 14 GT-GDR-A(2012)002
- Interventions of the President and the Registrar of the Court to the Committee of Ministers' Liaison Committee with the Court (CL-CEDH) (in original language only) DD(2010)474
- Discours du Président de la Cour devant le CL-CEDH (in French only) DD(2011)885
- Speech of the Registrar of the Court to the CL-CEDH DD(2011)886
- “The new admissibility criterion under Article 35(3)(b) of the Convention: case-law principles two years on” (note prepared by the Court’s Jurisconsult) #3965480-v1
- “Relevé des observations définitives sur la Cour européenne des droits de l’homme” (report of the *Cour des Comptes* on the Court, French only)
- Summary of the report of the *Cour des Comptes* (prepared by the Secretariat) GT-GDR-A(2012)064

Item 4: **Other business**

Item 5: **Adoption of the conclusions and meeting report**

Working document

- Draft report of the 2nd meeting of the GT-GDR-A (5-7 September 2012) GT-GDR-A(2012)R2