



Strasbourg, 20 February 2015

GT-GDR-F(2015)R5

STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)

**DRAFTING GROUP 'F' ON THE REFORM OF THE COURT
(GT-GDR-F)**

5th Meeting

Wednesday 18 - Friday 20 February 2015

Strasbourg, Agora, Room G02

MEETING REPORT

Item 1: Opening of the meeting and adoption of the agenda

1. Drafting Group F on the reform of the Court (GT-GDR-F) held its 5th meeting in Strasbourg from 18 to 20 February 2015 with Mr Martin KUIJER (The Netherlands) in the chair. The list of participants appears at Appendix I. The agenda, as adopted, appears at Appendix II.

Item 2: Preliminary consolidated draft CDDH final report

2. The Group started the examination of the preliminary consolidated draft CDDH final report.

Item 3: Other business

3. The Group took note of the holding of the High-Level Conference on “*the implementation of the European Convention on Human Rights, our shared responsibility*” (Brussels, 26-27 March 2015), organised in the framework of Belgium’s chairmanship of the Committee of Ministers. The elements resulting from the Brussels Conference will be taken into account in the revised version of the consolidated draft report with a view to the 6th meeting of the Group.

4. Concerning the organisation of its future work, the Group agreed on the following:

- Experts are invited to submit their comments and/or proposals to the Secretariat (irene.kitsou-milonas@coe.int; haldia.mokeddem@coe.int) on the preliminary consolidated draft report (GT-GDR-F(2015)005) by **Friday 6th March**;
- The Secretariat will prepare a revised version of the report on the basis of the discussions held at the present meeting as well as of the comments and proposals submitted by the experts (by 6th March);
- The revised preliminary consolidated draft report will be sent out on **2nd April**;
- Experts are then invited to submit written contributions on the revised text by **Monday 13th April**, for distribution before the 6th meeting.

5. The 6th meeting will be held on 15-17 April 2015.

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Appendix I**List of participants****MEMBERS / MEMBRES****AUSTRIA / AUTRICHE**

Mr Dominik HAIDER, *Attaché*, Permanent Representation of Austria to the Council of Europe

BELGIUM / BELGIQUE

Mme Isabelle NIEDLISPACHER, *Apologised*

BOSNIA AND HERZEGOVINA / BOSNIE ET HERZEGOVINE

Ms Zikreta IBRAHIMOVIC, Deputy Agent of the Council of Ministers of Bosnia and Herzegovina before European Court of Human Rights, Office of the Agent

CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

Mr Ota HLINOMAZ, Office of the Government Agent, Ministry of Justice

FINLAND / FINLANDE

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

FRANCE

Mme Elodie JUNG, Ministère des Affaires étrangères, Direction des affaires juridiques, Sous-direction des droits de l'Homme

GERMANY / ALLEMAGNE

Ms Katja BEHR, Head of Unit IV C 1, Government Agent before the European Court of Human Rights, Ministry of Justice

GREECE / GRÈCE

Mme Ourania PATSOPOULOU, Conseillère, Membre du Conseil juridique de l'Etat, Adjointe au Représentant permanent de la Grèce auprès du Conseil de l'Europe

ITALY / ITALIE

Mr Paolo EPIFANI, Ministère des affaires étrangères

LATVIA / LETTONIE

Ms Kristine LICE, Government Agent, Representative of the Government of Latvia before International Human Rights Organisations, Ministry of Foreign Affairs

LUXEMBOURG / LUXEMBOURG

Mme Brigitte KONZ, *Apologised*

Mme Margaux UNGERER, Stagiaire, Représentation permanente du Luxembourg

THE NETHERLANDS / PAYS-BAS

Mr. Martin KUIJER, Chairperson of Drafting Group 'F' / Président du Groupe de rédaction "F", Senior legal adviser human rights law, Ministry of Justice

Ms Noortje VAN RIJSEN, Legal Officer, Ministry of Foreign Affairs of the Netherlands, Legal Affairs Department (DJZ/IR), International Law Division

NORWAY / NORVÈGE

Mr Morten RUUD, Chairman of the DH-GDR / Président du DH-GDR, Special Adviser, Ministry of Justice

Ms Helle Aase FALKENBERG, Legal adviser, Ministry of Justice

POLAND / POLOGNE

Ms Eliza SUCHOŻEBRSKA, Government Co-Agent of Poland before the European Court of Human Rights, Department of Proceedings before International Human Rights Protection Bodies, Ministry of Foreign Affairs of Poland

ROMANIA / ROUMANIE

Ms Catrinel BRUMAR, Agent for the Government before the European Court of Human Rights, Ministry of Foreign Affairs

RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE

Mr Nikolay MIKHAYLOV, Deputy Head of the Office of the Russian Federation at the European Court of Human Rights, Ministry of Justice of the Russian Federation

Mr Stanislav KOVPAK, Representative of the Ministry of Justice of the Russian Federation in Strasbourg

Ms Kseniya ROGOZYANSKAYA, Consultant, Ministry of Justice of the Russian Federation

SPAIN / ESPAGNE

Mr Rafael Andrés LEON CAVERO, Agent of Spain before the European Court of Human Rights, Deputy, Directorate General of Constitutional and Human Rights Affairs, State Attorney, Head of the Human Rights Area, Office of the General State Attorney, Ministry of Justice

SWEDEN / SUÈDE

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

SWITZERLAND / SUISSE

M. Frank SCHÜRMAN, Agent du Gouvernement, Chef de l'Unité Droit européen et protection internationale des droits de l'Homme, Office fédéral de la justice

TURKEY / TURQUIE

Ms Ayşen EMÜLER, Legal Expert, Permanent Representation of Turkey to the Council of Europe

Mr Harun SAĞLAM, Counsellor, Ministry of Justice, Permanent Representation of Turkey to the Council of Europe

UNITED KINGDOM / ROYAUME-UNI

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

Ms Maxine MONKS, Senior Policy Adviser, Europe Human Rights Policy, Ministry of Justice

EXTERNAL EXPERTS / EXPERTS EXTERNES

Sir Nicolas BRATZA, Former President of the European Court of Human Rights

Mr Alvaro GIL-ROBLES, Former Commissioner for Human Rights of the Council of Europe

Mr Christophe GRABENWARTER, Judge of the Constitutional Court and member of the Venice Commission, Professor University of Vienna

Mr Bahadır KILINÇ, Deputy Secretary General, Constitutional Court of the Republic of Turkey

Ms Tatiana NESHATAEVA, Vice-president of the Court of the Eurasian Economic Union

M. Alain LACABARATS, *Apologised*

M. Giorgio MALINVERNI, *Apologised*

OBSERVERS / OBSERVATEURS

JAPAN / JAPON

Mr Takaaki SHINTAKU, Consul, Consulate General of Japan in Strasbourg

EUROPEAN UNION / UNION EUROPEENNE

Ms Giulia LUCCHESI, Legal Affairs Advisor Délégation de l'Union Européenne auprès du Conseil de l'Europe

AMNESTY INTERNATIONAL

Mr Sébastien RAMU, Senior Legal Adviser, Law and Policy, Amnesty International, International Secretariat

OPEN SOCIETY JUSTICE INITIATIVE

Mr Christian DE VOS, Advocacy officer

Ms Sara FINNIGAN, Human Rights and Legal Advisor

INTERNATIONAL COMMISSION OF JURISTS (ICJ) / COMMISSION INTERNATIONALE DE JURISTES (CIJ)

Ms Róisín PILLAY, *Apologised*

EUROPEAN NETWORK OF HUMAN RIGHTS INSTITUTIONS (ENNHRI) / RÉSEAU EUROPÉEN DES INSTITUTIONS NATIONALES DES DROITS DE L'HOMME

Mme Noémie BIENVENU, Conseillère pour les affaires européennes et internationales

CONFERENCE OF INGOS OF THE COUNCIL OF EUROPE / CONFÉRENCE DES OING DU CONSEIL DE L'EUROPE

M. Jean-Bernard MARIE

EUROPEAN TRADE UNION CONFEDERATION (ETUC) / CONFÉDÉRATION EUROPEENNE DES SYNDICATS (CES)

Mr Klaus LÖRCHER, Conseiller des droits de l'homme de la CES

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

Mr John DARCY, Adviser to the President and the Registrar

PARLIAMENTARY ASSEMBLY / ASSEMBLÉE PARLEMENTAIRE

Mr Andrew DRZEMCZEWSKI, Head of Department, Legal Affairs & Human Rights Department

SECRETARIAT**DG I – Human Rights and Rule of Law / Droits de l’homme et Etat de droit
Council of Europe / Conseil de l’Europe, F-67075 Strasbourg Cedex**

M. Mikhail LOBOV, Head of Human Rights Policy and Development Department / Chef du Service des politiques et du développement des droits de l’Homme

M. Alfonso DE SALAS, Head of the Human Rights Intergovernmental Cooperation Division / Chef de la Division de la coopération intergouvernementale en matière de droits de l’homme, Secretary of the CDDH / Secrétaire du CDDH

Mme Irène KITSOU-MILONAS, Head of the Unit on the reform of the Court / Chef de l’Unité sur la réforme de la Cour, Human Rights Intergovernmental Cooperation Division/Division de la coopération intergouvernementale en matière de droits de l’homme, Secretary of the DH-GDR / Secrétaire du DH-GDR

Mme Virginie FLORES, Administrator/Administrateur, Unit on the reform of the Court / Unité sur la réforme de la Cour, Human Rights Intergovernmental Cooperation Division/Division de la coopération intergouvernementale en matière de droits de l’homme

Mme Haldia MOKEDDEM, Assistant/Assistante, Unit on the reform of the Court / Unité sur la réforme de la Cour, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l’Homme

INTERPRETERS/INTERPRÈTES

Sally BAILEY-RAVET

Julia TANNER

Chloé CHENETIER

Appendix II

Agenda *(as adopted)*

Item 1: Opening of the meeting and adoption of the agenda

General background documents

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| - Draft annotated agenda | GT-GDR-F(2014)OJ005 |
| - Report of the 1 st meeting of the GT-GDR-F (19-21 March 2014) | GT-GDR-F(2014)R1 |
| - Report of the 2 nd meeting of the GT-GDR-F (14-16 May 2014) | GT-GDR-F(2014)R2 |
| - Report of the 3 rd meeting of the GT-GDR-F (24-26 September 2014) | GT-GDR-F(2014)R3 |
| - Report of the 4 th meeting of the GT-GDR-F (10-12 December 2014) | GT-GDR-F(2014)R4 |
| - Report of the 82 nd meeting of the CDDH (19-21 November 2014) | CDDH(2014)R82 |
| - Report of the 7 th meeting of the DH-GDR (5-7 November 2014) | DH-GDR(2014)R7 |
| - Brighton Declaration | CDDH(2012)007 |
| - Securing the long-term effectiveness of the supervisory mechanism of the European Convention on Human Rights (Decisions of the 122 nd Session of the Committee of Ministers, 23 May 2012) | CM/Dec(2012)122/2 |
| - Decisions taken at the 124 th Session of the Committee of Ministers (6 May 2014) | GT-GDR-F(2014)013 |
| - Terms of reference of the Committee of Experts on the reform of the Court (DH-GDR) for 2014-2015 | DH-GDR(2014)001 |
| - Road-map: progress towards the draft CDDH final report | GT-GDR-F(2014)020 |
| - Expected results, working methods and schedule: proposals by the Chairperson of the GT-GDR-F | GT-GDR-F(2014)001 |

Item 2: Preliminary consolidated draft CDDH final report

Working document

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| - Preliminary consolidated draft CDDH final report | GT-GDR-F(2015)005 |
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Reference documents

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| - Draft text resulting from discussions at the 1 st and 2 nd GT-GDR-F meetings (current system: essential aims, main features, expected future challenges, strengths and weaknesses), prepared by Ms Kristine LICE (Latvia) and Ms Katja BEHR (Germany) | GT-GDR-F(2014)034 |
| - Draft text on preserving and reinforcing the current system, prepared by the Secretariat | GT-GDR-F(2015)002 |
| - Draft text on possible alternative models, prepared by Mr Ota HLINOMAZ (Czech Republic) | GT-GDR-F(2015)003 |

- Compilation of written contributions in view of the 5th GT-GDR-F meeting¹

Item 3: Other business

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¹ This document includes elements previously contained in document GT-GDR-F(2015)001.