



Strasbourg, 8 March 2017

DH-SYSC-REC(2017)R2

**STEERING COMMITTEE FOR HUMAN RIGHTS  
(CDDH)**

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**COMMITTEE OF EXPERTS ON THE SYSTEM OF THE EUROPEAN  
CONVENTION ON HUMAN RIGHTS  
(DH-SYSC)**

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**DRAFTING GROUP ON RECOMMENDATION CM/REC(2008)2  
(DH-SYSC-REC)**

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**MEETING REPORT**

**2<sup>nd</sup> meeting**

**6-8 March 2017**

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### **Item 1: Opening of the meeting, adoption of the agenda and order of business, and election of a vice-President**

1. The drafting Group on the Recommendation CM/Rec(2008)2 (DH-SYS-REC) held its 2<sup>nd</sup> meeting in Strasbourg, from 6 to 8 March 2017, with Ms. Emanuela TOMOVA (Bulgaria) in the chair. The list of participants appears in Appendix I. The agenda, as it was adopted, appears in Appendix II.

### **Item 2: Work on the Recommendation CM/Rec(2008)2**

2. The Group proceeded to the examination of the preliminary draft Guide to good practice on the implementation of Recommendation CM/Rec(2008)2. It endorsed the general structure of the Guide, in conformity with the guidance given by the DH-SYSC and the CDDH and following the presentation of the Guide to good practice in respect of domestic remedies.<sup>1</sup>

3. In the light of the proposals put forward during the meeting, a revised text will be transmitted to the Committee of Experts on the system of the Convention (DH-SYSC) in view of its 3<sup>rd</sup> meeting (10-12 May 2017) (see also item 3). The Secretariat will ensure a homogeneous presentation of all parts of the draft Guide. The Secretariat is instructed to redraft relevant parts of the Guide, following changes approved or proposals made by the Group on the specific structure of certain parts. It will also ensure that when references to the same type of information are useful in different parts, unnecessary duplication will be avoided. Finally, the Group instructed the Secretariat to enrich the stocktaking as well as the part regarding means to prevent and remedy significant persistent problems in the execution process<sup>2</sup> in light of the discussions at the present meeting.

4. The Secretariat indicated that it will do its best to include in the revised text, when appropriate, relevant information contained in the national reports that have been received on the measures taken to implement the relevant parts of the Brussels Declaration. Furthermore, it noted that it would include relevant references to the proceeding of the International Conference on “Enhancing National Mechanisms for Effective Implementation of the European Convention on Human Rights” (Saint Petersburg, 22-23 October 2015). The Group agreed with these proposals.

### **Item 3: Organisation of future work**

5. As regards the organisation of future work, the Group decided the following:
- in view of the 3<sup>rd</sup> DH-SYSC meeting (10-12 May 2017), the Secretariat is instructed to prepare a revised version of the draft Guide based on:
    - Comments formulated at the present meeting;
    - New contributions of experts (particularly on the authority of the co-ordinator and the corresponding challenges, the action of the co-ordinator regarding individual measures, means to prevent and remedy significant persistent problems in the execution process, as well as on additional elements for the stocktaking), who are

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<sup>1</sup> See the report of the 2<sup>nd</sup> DH-SYSC meeting (DH-SYSC(2016)R2), §19.

<sup>2</sup> See the report of the 86<sup>th</sup> CDDH meeting (CDDH(2016)R86), §10.

invited to send them to the Secretariat ([DGI-CDDH-Reform@coe.int](mailto:DGI-CDDH-Reform@coe.int)) by **31 March 2017**;

- The revised draft Guide will be sent to the experts by **24 April 2017**;
- Experts will be invited to comment on this draft by **3 May 2017**, so that the comments can be transmitted in due course before the 3<sup>rd</sup> DH-SYSC meeting.

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Appendix I

**List of participants**

**MEMBERS / MEMBRES**

**ALBANIA/ALBANIE**

Ms. Evi SADUSHAJ, Permanent Representative of the Albanian Government Agent to the European Court of Human Rights

**BELGIUM/BELGIQUE**

Mme. Stéphanie GRISARD, Attachée, Co-Agent du Gouvernement devant la Cour européenne des droits de l'Homme, SPF Justice, Direction générale de la législation et des libertés et droits fondamentaux, Service des droits de l'Homme

**BULGARIA/BULGARIE**

Mme. Emanuela TOMOVA, Chairperson of the DH-SYSC-REC/Présidente du DH- SYSC-REC, chef de service « Droits de l'homme » à la direction Droits de l'homme au Ministère des affaires étrangères.

**DENMARK/DANEMARK**

Mr. Martin BANG, Head of Section, Danish Ministry of Justice

**FINLAND/FINLANDE**

Ms. Satu SISTONEN, Legal Officer, Ministry for Foreign Affairs, Legal Service, Unit for Human Rights Courts and Conventions

**FRANCE**

Mme. Elise TROALEN, Rédactrice, Direction des affaires juridiques, Sous-direction des droits de l'homme, Ministère des Affaires étrangères et du développement international

**GREECE/GRÈCE**

Mme Efstathia TSAOUSI, Conseillère Juridique, Conseil Juridique de l'Etat

**LATVIA/LETTONIE**

E. Emilija PLAKSINS, Deputy Head of the Office of the Government Agent, Ministry of Foreign Affairs

**POLAND/POLOGNE**

Ms. Aleksandra ORR, Specialist, Criminal Proceedings Unit, Department of Proceedings before International Human Rights Protection Bodies, Ministry of Foreign Affairs

**ROMANIA/ROUMANIE**

Mme. Manuela LUDUŞAN, Juge détachée, Direction de l'Agent du Gouvernement, Ministère des Affaires étrangères

**RUSSIAN FEDERATION/FEDERATION DE RUSSIE**

Ms. Kseniya ROGOZYANSKAYA, Attaché, Ministry of Justice of Russian Federation, Permanent Representation of Russian Federation to the Council of Europe

**SWITZERLAND/SUISSE** *Apologised*

**TURKEY/TURQUIE**

Mr. Yusuf Emre KÖSE, Rapporteur Judge, Ministry of Justice

Mr. Nuri UZUN, Rapporteur Judge, Ministry of Justice

Mme. Ayşen EMÜLER, Experte juridique, Représentation permanente de la Turquie auprès du Conseil de l'Europe

Ms. Sibel ERKAN, Permanent Representative Deputy, Ministry of Foreign Affairs

**UNITED KINGDOM/ROYAUME-UNI**

Mr. Ollie SIMPSON, Head of Domestic Human Rights, Ministry of Justice

**OBSERVERS / OBSERVATEURS**

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

Mme. Morgane COULON, Chargée de mission au CNCDH

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**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

Ms. Irène KITSOU-MILONAS, Head of the Unit on the system of the European Convention on Human Rights / Chef de l'Unité sur le système de la Convention européenne des droits de l'homme, Secretary of the DH-SYSC / Secrétaire du DH-SYSC

Ms. Virginie FLORES, Administrator / Administratrice, Unit on the system of the European Convention on Human Rights / Unité sur le système de la Convention européenne des droits de l'homme

Ms. Simona MARINA, Assistant/Assistante, Unit on the system of the European Convention on Human Rights / Unité sur le système de la Convention européenne des droits de l'homme

**INTERPRETERS/INTERPRETES**

Amanda BEDDOWS

Rebecca BOWEN

Cynera JAFFREY

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Appendix II

**Agenda (as adopted)**

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

General documents

- Draft annotated agenda DH-SYSC-REC(2017)OJ002
- Report of the 86<sup>th</sup> CDDH meeting (6-8 December 2016) [CDDH\(2016\)R86](#)
- Report of the 2<sup>nd</sup> DH-SYSC meeting (8-10 November 2016) [DH-SYSC\(2016\)R2](#)
- Report of the 1<sup>st</sup> DH-SYSC-REC meeting (23-25 May 2016) [DH-SYSC-REC\(2016\)R1](#)
- Report of the 1<sup>st</sup> DH-SYSC meeting (25-27 April 2016) [DH-SYSC\(2016\)R1](#)
- Terms of reference of the Committee of Experts on the System of the European Convention on Human Rights (DH-SYSC) for 2016-2017 [DH-SYSC\(2016\)003](#)

**Item 2 :        **Work on the Recommendation CM/Rec(2008)2****

Working document

- Preliminary draft Guide to Good Practices for the implementation of Recommendation CM/Rec(2008)2 of the Committee of Ministers on efficient domestic capacity for rapid execution of judgments of the European Court of Human Rights DH-SYSC-REC(2017)006

Reference documents

- Contributions in view of the 2<sup>nd</sup> DH-SYSC-REC meeting. DH-SYSC-REC(2017)005
- Revised draft consolidated document on the implementation of Recommendation CM/Rec(2008): Good practices and stocktaking [DH-SYSC-REC\(2016\)003REV](#)
- Compilation of drafting proposals on the consolidated document DH-SYSC-REC(2016)003 in view of the 2<sup>nd</sup> DH-SYSC meeting [DH-SYSC-REC\(2016\)004](#)
- Report of the 86<sup>th</sup> CDDH meeting (6-8 December 2016) [CDDH\(2016\)R86](#)
- Report of the 2<sup>nd</sup> DH-SYSC meeting (8-10 November 2016) [DH-SYSC\(2016\)R2](#)
- Report of the 1<sup>st</sup> DH-SYSC-REC meeting (23-25 May 2016) [DH-SYSC-REC\(2016\)R1](#)
- Compilation of contributions submitted after the 1st meeting of the DH-SYSC-REC [DH-SYSC-REC\(2016\)002](#)
- Reference document in view of the work of DH-SYSC on the Recommendation CM/Rec(2008)2 on efficient domestic capacity for rapid execution of judgments of the European Court of Human Rights. [DH-SYSC\(2016\)007](#)

This document contains relevant extracts of the national reports on the implementation of the Brighton Declaration in the appendix as well as the sources below, with hyperlinks:

- [Compilation of the replies of member States in view of the Round table on efficient domestic capacity for rapid execution of judgments of the European Court of Human Rights](#) (Tirana, 15-16 December 2011)
  - [Conclusions of the Tirana Round table](#)
  - Conclusions of the Round table on “[action plans and reports in the twin-track supervision procedure](#)”, organized by the Department for the Execution of the Judgments of the Court (Strasbourg, 13-14 October 2014)
  - [National reports and general overview](#) drafted during the International conference on effective implementation of the European Convention on Human (Saint Petersburg, 22-23 October 2015) [Proceedings to be published]
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- Report of the 1<sup>st</sup> DH-SYSC meeting (25-27 April 2016) [DH-SYSC\(2016\)R1](#)
  - Terms of reference of the Committee of Experts on the system of the European Convention on Human Rights (DH-SYSC) for 2016-2017 [DH-SYSC\(2016\)003](#)

**Item 3 :            Organisation of future work**

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