

DIRECTORATE GENERAL OF HUMAN RIGHTS AND LEGAL AFFAIRS

DIRECTORATE OF MONITORING

**Department for the execution of judgments of the European Court of
Human Rights**

Legal and Human Rights Capacity Building Division



Strasbourg, 20 June 2007

Round Table on

**“Non-enforcement of domestic courts decisions in member states:
general measures to comply with European Court judgments”**

Strasbourg, 21-22 June 2007

Room 11, Palais de l'Europe

PROGRAMME

Thursday 21 June 2007

9.00 *Registration of the participants*

9.30 *Welcome address by Mr Philippe Boillat, Director General of Human Rights and Legal Affairs*

Opening session

- *Speech by Mr Jean-Paul Costa, President of the European Court of Human Rights*

- *Speech by Mr Torbjørn Frøysnes, Ambassador, Permanent Representative of Norway to the Council of Europe*

- *Speech by Mr Philippe Boillat, Director General of Human Rights and Legal Affairs*

Session 1 – A variety of structural problems revealed by the European Court judgments

Chairperson: Mr Christos Giakoumopoulos, Director, Directorate of Monitoring

10.00 **Introduction to various structural problems highlighted by the judgments: Committee of Ministers' perspective**

Mrs Geneviève Mayer, Head of the Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

10.15 **“Tour de table”: Presentation by the national authorities of the main structural problems at the basis of the violations found by the Court**

11.00 *Break*

Session 2 – Solutions adopted by member-states under the Committee of Ministers' supervision

Chairperson: Mrs Geneviève Mayer, Head of the Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

11.15 **Experience of comprehensive reforms adopted by Greece following the European Court's judgments**

Mr Panagiotis-Kimon Efstratiou, Council of State judge, Greece

11.30 **CEPEJ experience in seeking solutions to the problems of non-enforcement of domestic court decisions**

Mr Fausto de Santis, President of the European Commission for the Efficiency of Justice (CEPEJ)

11.45 **Reforms to prevent the public authorities' non-compliance with domestic judicial decisions: Russia's experience in the execution of the European Court's judgments**

Mrs Svetlana Saul, Head of the Legal Department of the Federal Treasury, Russian Federation

A. Improving safeguards against non-execution: Appropriate compensation for delays in execution of judgments (indexation, default interest, etc.)

- 12.00 **ECHR's requirements as regards compensation for delays**
Mr Mikhail Lobov, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring
- 12.15 **Round Table discussion: avenues to introduce adequate safeguards or to improve the existing ones**
- 12.45 *Lunch break*

Session 2 – continuation

Chairperson: Mr Fausto de Santis, President of the European Commission for the Efficiency of Justice (CEPEJ)

B. Improvement of the budgetary proceedings to ensure compliance with domestic court decisions

- 14.30 **Setting up of a special fund to ensure timely compliance with judicial decisions**
Mr Fredrik Sundberg, Deputy to the Head of Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring
- 14.45 **Round Table discussion: proposal for a special fund to ensure timely compliance with judicial decisions**
- 15.30 *Break*

C. Enhancing judicial and other remedies against non-execution

- 15.45 **Efficiency of judicial remedies against the non-enforcement of judicial decisions**
Ms Maria Tsirli, Head of Division, European Court of Human Rights
- 16.00 **Role of prosecutors in enforcement of judicial decisions**
Mr Viktor Kudryavtsev, Deputy Prosecutor General, Office of the Prosecutor General, Ukraine
- 16.15 **Round Table discussion**

D. Compulsory execution of judicial decisions against the State and its entities

- 16.45 **Bailiffs as guarantors for timely enforcement of judicial decisions: possible measures to increase their role and efficiency**
Mr Nikolai Vinnichenko, Director of the Federal Bailiff Service of the Russian Federation
- 17.00 **Compulsory execution as a guarantee for the execution of court decisions**
Mr Serhiy Semerha, Deputy Head of the State Bailiffs' Service, Ministry of Justice of Ukraine
- 17.15 **Round Table discussion**
- 17.45 *Closure of the 1st day*

Friday 22 June 2007

Session 3 – Identification of the priorities and the timeframe for reforms

Chairperson: Mr Fredrik Sundberg, Deputy to the Head of Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

10.00 **“Tour de table” on the reforms envisaged or being taken by the member-states**

11.00 **Cooperation programmes in the field of enforcement of domestic judicial decisions: future prospects**

Mr Giovanni Palmieri, Head of Technical Cooperation Department

11.15 *Break*

11.30 **Discussion and adoption of the conclusions of the Round Table**

12.00 **Closing remarks**

Mr Christos Giakoumopoulos, Director, Directorate of Monitoring

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Simultaneous interpretation will be ensured as follows:

21 June – English, French and Russian

22 June – English and Russian

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Department for the execution of judgments of the European Court of Human Rights
Directorate of Monitoring
Directorate General of Human Rights and Legal Affairs
Council of Europe
F-67075 Strasbourg Cedex
Tel: +33 (0)3 90 21 55 54
Fax: +33 (0)3 88 41 27 93
E-mail: DGII.Execution@coe.int
Web: www.coe.int/Human_rights/execution

LIST OF PARTICIPANTS OF THE ROUND TABLE (Strasbourg, 21-22 June 2007)

Permanent Representations to the Council of Europe

Mr Torbjørn Frøysnes, Ambassador, Permanent Representative of Norway to the Council of Europe

Mr Yevhen Perehyin, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Ukraine to the Council of Europe

Mrs Rodica Postu, Deputy to the Permanent Representative of Moldova to the Council of Europe

EXPERTS

Bulgaria

Ms Milena Kotzeva, Government agent, Ministry of Justice

Ms Jordanka Parparova, Chief expert, Directorate of Human Rights and International Humanitarian Organizations at the Ministry of Foreign Affairs.

Georgia

Ms Irine Bartaia, Agent of the Government to the European Court of Human Rights, Ministry of Justice of Georgia

Mr Solomon Elisabedashvili, Head of the Execution Department, Ministry of Justice of Georgia

Greece

Mr Panagiotis-Kimon Efstratiou, Council of State judge

Ms Irene Sharpe, Council of State judge

Moldova

Mrs Lilia Grimalschi, Head of Governmental Agent Directorate, Ministry of Justice of the Republic of Moldova

Mr Valeriu Secas, Head of Directorate for Legal Affairs, Ministry of Finance of the Republic of Moldova

Poland

Ms Paulina Polowniak, Third Secretary, Legal and Treaty Department, Ministry of Foreign Affairs

Romania

Ms Ingrid Zaarour, President of the National Authority for the Restitution of Properties (ANRP)

Mr Theodor Nicolescu, Vice-President of the National Authority for the Restitution of Properties (ANRP)

Mrs Dana Mihaela Stan, Legal Counsellor within the Directorate General for Legal Affairs, Ministry of Economy and Finances of Romania

Mrs Violeta Belegante, Head of the Private Law Office, Ministry of Justice of Romania

Mrs Cristina Manda, Minister's Counsellor, Ministry of Domestic Affairs and Administrative Reform of Romania

Mrs Udrea Madalina, Legal Advisor, Directorate General for Legal Affairs, Ministry of Domestic Affairs and Administrative Reform of Romania

Mrs Gabriel Crăciun, Legal Counsellor within the Directorate General for Legal Affairs, Ministry of Domestic Affairs and Administrative Reform of Romania

Mrs Catrinel Brumar, 3rd Secretary within the Agent of the Government Directorate, Ministry of Foreign Affairs of Romania

Mrs Roxana Caproșu, Attaché within the Agent of the Government Directorate, Ministry of Foreign Affairs of Romania

Mr Marius Morari, Vice-President of the Union's Council, National Union of the Bailiffs in Romania

Mr Ispas Cârja, Member of the Executive Bureau of the Union's Council, National Union of the Bailiffs in Romania

Russian Federation

Ms Svetlana Saul, Head of Legal Department, Federal Treasury

Mr Nikolai Vinnichenko, Director, Federal Bailiff Service

Mrs Olga Grevtsova, Office of the Representative of the Russian Federation at the European Court of Human Rights, Ministry of Justice of the Russian Federation

Mr Ilya Skvortsov, Deputy Director of the Federal Bailiff Service

Ukraine

Mr Viktor Kudryavtsev, Deputy Prosecutor General, Office of the Prosecutor General

Mr Volodymyr Bogatyr, Deputy Minister, Ministry of Justice

Ms Valentyna Doletska, Deputy Head of the Department for State Budget, Ministry of Finance

Mr Stanislav Kotorobai, Head of Account Department, Ministry of Justice

Ms Iryna Kushnir, Head of Information and Analytic Division, Representative of the Office of the Government Agent before the European Court of Human Rights, Ministry of Justice

Mr Serhiy Semerha, Deputy Head of the State Bailiffs' Service, Ministry of Justice

COUNCIL OF EUROPE

European Court of Human Rights

Mr Jean-Paul Costa, President of the European Court of Human Rights (France)

Mrs Botoucharova, Judge at the European Court of Human Rights (Bulgaria)

Mr Anatoly Kovler, Judge at the European Court of Human Rights (Russian Federation)

Mr Stanislav Pavlovski, Judge at the European Court of Human Rights (Moldova)

Mr Jan Sikuta, Judge at the European Court of Human Rights (Slovakia)

Mr Dean Spielmann, Judge at the European Court of Human Rights (Luxembourg)

Mr Erik Friberg, Registrar of the European Court of Human Rights

Ms Maria Tzirli, Head of Division, European Court of Human Rights

Mr Patrick Titiun, Office of the President of the European Court of Human Rights

Mr Valentin Nicolescu, Lawyer, Registry of the European Court of Human Rights

Ms Ilse Freiwirth, Lawyer, Registry of the European Court of Human Rights

Ms Anne-Marie Dougin, Lawyer, Registry of the European Court of Human Rights

Mr Jurgen Marcet, Lawyer, Registry of the European Court of Human Rights

Ms Martina Keller, Lawyer, Registry of the European Court of Human Rights

Mrs Olga Chernishova, Head of Division, Registry of the European Court of Human Rights

Mr Montserrat Enrich Mas, Head of Division, Research Division and Library, Registry of the European Court of Human Rights

Mr Toomas Sillaste, Research Division and Library, Registry of the European Court of Human Rights

Directorate general of human rights and legal affairs (DG-HRLA)

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Mr Fredrik Sundberg, Deputy to the Head of Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Mr Mikhail Lobov, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Mr Jan Sobczak, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Mrs Anna Stepanova, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Ms Katarina Nedeljkovic, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Ms Satu Heikkilä, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Ms Dimitrina Lilovska, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Mrs Charlotte de Broutelles, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Mr Nikolaos Sitaropoulos, Administrator, Department for the execution of judgments of the European Court of Human Rights, Directorate of Monitoring

Office of the Commissioner for Human Rights

Mrs Irène Kitsou-Milonas, Legal Advisor to the Commissioner

European Commission for the Efficiency of Justice (CEPEJ)

Mr Fausto de Santis, President of the European Commission for the Efficiency of Justice

Mr Stéphane Leyenberger, Secretary of the European Commission for the Efficiency of Justice

Mrs Muriel Décot, Co-Secretary of the European Commission for the Efficiency of Justice

Technical Cooperation Department

Mr Giovanni Palmieri, Head of Technical Cooperation Department