



Ministry of Foreign Affairs
Republic of Poland

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

**HUMAN RIGHTS IN SITUATIONS OF CRISIS:
TURNING CHALLENGING CIRCUMSTANCES INTO OPPORTUNITIES
14th Warsaw Human Rights Seminar (24 October 2023)**

**Under the auspices of the Secretary General of the Council of Europe,
Ms Marija Pejčinović Burić**

Programme

- 8:30 *Arrival of the participants, registration*
- 9:15 *Welcome address*
Zbigniew Rau, Minister of Foreign Affairs of the Republic of Poland
- 9:30 *Keynote speech: Human rights in times of crisis*
Danielle Bell, Head of Mission, UN Human Rights Monitoring Mission in Ukraine
- 10:00 **Panel 1¹: Institutional protection of human rights in times of crisis:
European response**
*Moderator: Krista Oinonen, Director, Agent of the Government of Finland before
the Court, Vice-Chair of the Steering Committee for Human Rights*
- *Protection of human rights in times of crisis: A pan-European reaction*
*Tea Jaliashvili, First Deputy Director of the OSCE Office for Democratic
Institutions and Human Rights*
 - *Facing human rights restrictions during crises: the role of the European
Court of Human Rights*
Renata Degener, Registrar of Section I, European Court of Human Rights
 - *Standard-setting and implementation to support member States in
strengthening human rights protection in times of crisis*
*Christos Giakoumopoulos, Director General Human Rights and Rule of
Law, Council of Europe*

¹ For each panel: 5 minutes/ short introduction by the moderator + margin, 15 minutes/ presentation and 20 min/ discussion, for a total of 1hr20.

- Protection of fundamental rights in times of crisis by the European Union - institutional dimension

Michael O'Flaherty, Director of the European Union Agency for Fundamental Rights

- Discussion

11:20 Coffee break

11:50 **Panel 2: Preserving human rights in times of emergency: examples and responses**

Moderator: Jan Sobczak, Agent of the Government of Poland before the Court, Chair of the Council of Europe Drafting Group on Human Rights in situations of crisis

- Protecting vulnerable groups in times of crisis
Özgür Derman, Deputy to the Director, Council of Europe Commissioner for Human Rights
- Use of emergency legal regimes and protection of human rights
Joelle Grogan, Head of Research, UK in a Changing Europe; Visiting Senior Research Fellow at the UCD Sutherland School of Law, Dublin
- Balancing human rights against the need to respond to a crisis: the proportionality test
Hélène Tigroudja, Professor at the Aix-Marseille University, Member of the United Nations Human Rights Committee
- Legal and institutional safeguards for human rights during times of crisis
Tuomas Ojanen, Professor of Constitutional Law at the University of Helsinki; Member of the European Commission for Democracy through Law (Venice Commission)
- Discussion

13:10 Lunch break

14:40 **Panel 3: Building on lessons learned from previous crises: in search of a better legal framework?**

Moderator: David Milner, Head of Division, Secretary of the Steering Committee for Human Rights, Council of Europe

- Emergency situations and human rights: compliance with international law
Stefan Kadelbach, Professor at the Goethe University in Frankfurt, Co-Chair of the Human Rights in Times of Emergency Committee, International Law Association
- Do derogations make sense? A critical approach to the application of Article 15 ECHR and ways forward
M i c h a ł B a l c e r z a k , P r o f e s s o r a t t h e and the University in Szczecin
- Evaluating and enhancing human rights protection during a crisis

Martin Scheinin, Professor of International Law and Human Rights at the European University Institute, European University Institute

- Guidance for human rights-compliant responses to future crises
Raoul Wallenberg Institute of Human Rights and Humanitarian Law [tbc]
- Discussion

16:00 *Coffee break*

16:30 **Panel 4: The Russian Aggression against Ukraine: Human Rights Crisis and the Fight Against Impunity**

Moderator: Clare Ovey, Head of Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe

- Humanitarian challenges of Russian aggression in Ukraine: the nexus of human rights and international humanitarian law
Elżbieta Mikos-Skuza, Senior Lecturer at the Faculty of Law and Administration, University of Warsaw
- Eradicating impunity for serious human rights violations in times of armed conflicts
Thomas Lynch, Senior Adviser to the Prosecutor, International Criminal Court
- Investigating and prosecuting violations of human rights during an active conflict
Office of the Prosecutor General of Ukraine [tbc]
- Bringing justice and support to the victims of the Russian aggression against Ukraine
Iryna Kiryeva, Legal Advisor of the Register of Damage for Ukraine
- Discussion

17:45 Closing remarks

18:00 *End of the Warsaw Seminar*

Reception at the invitation of the Polish Ministry of Foreign Affairs