



Mandate of the Department for the Execution of Judgments of the European Court of Human Rights

OVERALL MANDATE

According to the mandate of the Directorate General “Human Rights and Rule of Law”, by delegation of the Director General and under his authority, the Department for the execution of judgments of the European Court of Human Rights:

- on the one hand, advises and assists the Committee of Ministers in its functions of supervision of the execution of judgments of the European Court of Human Rights, in accordance with Article 46, paragraph 2, of the Convention; and
- on the other hand, the Department provides support to the member States in their efforts to achieve full, effective and prompt execution of the judgments of the European Court of Human Rights, in the cases to which they are parties.

Main objectives:

- To assist, through its independent and impartial expertise, the Committee of Ministers in its assessment of the measures taken and/or envisaged by states to implement the judgments of the European Court and in the identification of the responses to be given;
- To assist the Committee of Ministers in its efforts to reinforce its supervisory action, notably through improvement of its working methods and strengthening of the tools at its disposal;
- To promote the strengthening of synergies with other actors of the Council of Europe in their areas of competence, notably the Court, the Parliamentary Assembly and the Commissioner for Human Rights;
- To support respondent states in the identification and the implementation of the individual and/or general execution measures required;
- To ensure transparency and visibility of the results of the supervision process.

Main activities:

According to the rules of the Committee of Ministers for the supervision of the execution of judgments and the additional indications contained in its working methods, the Department ensures a close and continuous follow up of the progress of the execution of all cases, irrespective of their supervision track (standard or enhanced).

As regards the Committee of Ministers:

- makes proposals for the prioritisation of the Committee’s supervision action, notably concerning the initial choice of the supervision track (standard or enhanced) and any subsequent transfer of cases between the two tracks, as well as proposals relating to cases requiring specific support from the Committee of Ministers through a detailed examination at its meetings;

- prepares, in this context, proposals for cases to be included on the order of business of the Committee's meetings;
- prepares and provides all necessary assistance to the Committee, including analyses and assessments of the state of execution in the form of contributions to the order of business, and proposes actions, in particular in draft decisions and draft resolutions; intervenes if necessary during the Committee's meetings to present the analyses, assessments and proposed actions;
- cooperates with the Secretariat of the Committee in its mission to prepare, to organise the latter's meetings and to assist the Chair in the preparation and conduct of meetings;
- is in contact with the injured party (ies), national institutions for the promotion and protection of human rights, non-governmental organisations regarding the execution of judgments, for the application of Rule 9 of the Rules of the Committee for the supervision, as well as with any other interested organisation;
- follows closely the implementation of the Rules for the supervision of the execution of judgments of the terms of friendly settlements, and of the working methods with a view to submitting to the Committee, in cooperation with the Secretariat, proposals for improvements.

As regards member States:

- maintains an on-going bilateral dialogue with national authorities to foster the execution process, in particular through early assessments of action plans / action reports and regular contact meetings;
- supports, on request, the respondent states' efforts to ensure full, effective and prompt execution by providing them with technical advice and support through targeted activities, such as legal expertise, meetings involving all national actors concerned, or training activities.

As regards synergies:

- maintains close contacts with members of the Registry of the Court on all relevant matters regarding execution, developing where appropriate, meetings with the Court's Sections;
- maintains and develops contacts with the Secretariat of the Parliamentary Assembly, the Office of the Commissioner and other relevant entities within the Secretariat regarding execution matters;
- ensures that relevant actors of the Council of Europe take into account, in the programs and cooperation activities, problems revealed by the execution of judgments;
- enters into contact, where appropriate, with the relevant departments of other international organisations.

As regards the visibility and transparency of the process of execution of judgments:

- develops all the means necessary to promote and strengthen the visibility of the Committee of Ministers' supervision action, notably through the dedicated website, the preparation of thematic sheets and country fact sheets, and the elaboration of the Annual report of the Committee of Ministers on its supervision action.