

PROGRAMME

STUDY VISIT

OF REPRESENTATIVES OF THE GOVERNMENTAL AGENT'S OFFICE OF THE MINISTRY OF JUSTICE OF THE REPUBLIC OF MOLDOVA
BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS
TO THE COUNCIL OF EUROPE HEADQUARTERS' AND THE EUROPEAN COURT OF HUMAN RIGHTS

STRASBOURG, FRANCE

18-20 APRIL, 2018

ORGANISED BY

HUMAN RIGHTS NATIONAL IMPLEMENTATION DIVISION

DIRECTORATE GENERAL OF HUMAN RIGHTS AND RULE OF LAW

*Within the frames of the Council of Europe Programme
"Promoting a Human Rights Compliant Criminal Justice System in the Republic of Moldova" (component 1),
funded by the Norwegian government*

18 April 2018
Agora building/European Court of Human Rights (ECtHR)

10:00 -10:15 Arrival and registration of participants (issuance of badges at Council of Europe Agora building) - administrative matters

10:15 – 10:45 **Welcoming Addresses**

Mr Tigran KARAPETYAN, Human Rights National Implementation Division, Human Rights Policy and Development Department, Directorate General of Human Rights and Rule of Law, Council of Europe (CoE)

Ambassador Corina CALUGARU, Permanent Representative of the Republic of Moldova to the Council of Europe

Agora, room G5

11:00 – 12:00 **Presentation of the HUDOC database: interactive session**

Ms Vanessa AEBY, Lawyer, Case Law Information and Publications Division, Registry, European Court of Human Rights

ECtHR premises, Room 20 RC Jardin

12:15 – 14:00 Lunch time (*outside the ECtHR premises*)

14:00 Arrival of the Delegation at the main entrance of the Human Rights Building (ECtHR premises)

14:45 – 16:45 **GRAND CHAMBER HEARING**

Z.A. and Others v. Russia (nos. 61411/15, 61420/15, 61427/15 and 3028/16)

19 April 2018
Agora building G5 room

9:30 –10:45 **The European Court of Human Rights: organisation of work, internal procedures, Rules of Court, statistical data, interim measures under Rule 39 of the Rules of Court**

Mr Radu PANTIRU, Lawyer of the ECtHR's Registry
Discussion 30 min

10:45 – 11:00 *Break*

11:00 –11:45 **Interpretation of Article 5 ECHR in the ECtHR relevant case-law**

Mr Radu PANTIRU, Lawyer of the ECtHR's Registry
Discussion 15 min

11:45 – 12:45 **Interpretation of Articles 2, 3 ECHR in the Court case-law: substantive and procedural aspects. Effectiveness of investigation in the light of Court case-law under the Articles 2, 3 ECHR**

Mr Victor BRAGOI, *Lawyer of the ECtHR's Registry*

Discussion 15 min

12:45 – 14:00 *Lunch time*

14:15 – 15:00 **Freedom of thought, conscience and religion and freedom of expression under Articles 9 and 10 of the ECHR: interpretation in the ECtHR case law**

Ms Raluca STANCESCU-COJOCARU, *Lawyer of the ECtHR's Registry*

Discussion 15 min

Next two meetings in parallel:

15:00 – 16:00 **Meeting of Mr Stanley NAISMITH**, Registrar of the Section 2 and **Mr Hasan BAKIRCI**, *Deputy Section Registrar of Section 2, with Mr Oleg ROTARI*, *the Governmental Agent of the Republic of Moldova*, aiming at discussing the collaboration between the office of the Government Agent of the Republic of Moldova before the ECtHR and the Registry of the Court (*interest in the following topics was expressed by the Moldovan beneficiary: communications in group of the applications, extensions of deadlines, relevance of submission of complete dossiers etc.*)

Office of **Mr Stanley NAISMITH**, Premises of the Court, office of Mr NAISMITH 30 05 301 3E

15:15 -16:00 **Interpretation of Article 8 ECHR in the ECtHR relevant case-law**

Ms Carmela APOSTOL, *Lawyer of the ECtHR's Registry*

Discussion 15 min

16:00 - 16:15 **Break**

16:15 – 17:00 **Freedom of assembly and association under the Article 11 ECHR: interpretation in the ECtHR case law**

Mr Dragos CUCEREANU, *Lawyer of the ECtHR's Registry*

Discussion 15 mins

17:00 – 17:15 **Recap of Day 1.**

Mr Oleg ROTARI, *Head of the Moldovan Delegation* & **Ms Bozhena MALANCHUK**, *Project Coordinator, Human Rights National Implementation Division*

20 April 2018
Agora building, G5 Room

- 9:00 – 9:15 Registration of participants
- 9:15 – 16:00 ***Meetings with the Department for Execution of the ECtHR Judgments TBC***
- 9:15 – 9:45 **Execution of judgments of the ECtHR: Council of Europe supervision mechanism**
- Mr Pavlo PUSHKAR**, *Head of Division, Department for the Execution of ECtHR judgments*
- General presentation (20 min)
 Discussion (10 min)
- 09:45 – 11:00 **Training session on drafting action plans and reports (part I)**
- Ms Veronika KOTEK**, *Head of Section*, and **Ms Tatiana COJOCARU**, *Lawyer, Department for the Execution of ECtHR judgments*
- 11:00 – 11:15 **Break**
- 11:15 – 11:45 **Training session on drafting action plans and reports: Examples of good practice (part II)**
- Ms Veronika KOTEK**, *Head of Section*, and **Ms Tatiana COJOCARU**, *Lawyer, Department for the Execution of ECtHR judgments*
- 11:45 – 12:45 **Issues pertaining to the reopening of domestic proceedings following ECtHR judgments (individual measures notably in cases of violation of Article 6, as well as Articles 8 or 10 ECHR)**
- Ms Veronika KOTEK**, *Head of Section*, and **Ms Tatiana COJOCARU**, *Lawyer, Department for the Execution of ECtHR judgments*
- 12:45 – 13:45 *Lunch-time*
- 14:00 – 15:00 **Issues pertaining to initiation of new investigations or reopening of investigation following ECtHR judgments in cases of violation of Articles 2 and/or 3 ECHR**
- Ms Veronika KOTEK**, *Head of Section*, and **Ms Tatiana COJOCARU**, *Lawyer, Department for the Execution of ECtHR judgments*
- 15:00 – 16:00 **Issues pertaining to the execution of other important cases against the Republic of Moldova currently pending supervision by the CM (Sarban, Genderdoc-M, Eremia and Others group, Luntre group, Ciorap/Becciev/Paladi groups of cases)**
- Ms Veronika KOTEK**, *Head of Section*, and **Ms Tatiana COJOCARU**, *Lawyer, Department for Execution of ECtHR judgments*

- 16:00-16:30 **Meeting on coordination of certain cooperation activities** within the CoE Programme “Promoting a Human Rights Compliant Criminal Justice System in the Republic of Moldova” in the light of the execution of relevant ECtHR judgments with respect to the Republic of Moldova
- **Ms Bozhena MALANCHUK**, Project Coordinator, Human Rights National Implementation Division, DG-I
 - **Ms Ivan RALUCA**, Project Coordinator, Criminal Law Co-operation Unit, DG-I
 - **Ms Margarita GALSTYAN**, Programme Manager, CoE Chisinau Office
 - **Ms Tatiana COJOCARU**, Legal officer, Department for Execution of ECtHR judgments TBC
- 16:30-16:45 **Recap of the visit, Mr Oleg ROTARI**, Head of the Moldovan Delegation & **Ms Bozhena MALANCHUK**, Project Coordinator, Human Rights National Implementation Division
- 17:00 Visit to the Permanent Representation of the Republic of Moldova before the Council of Europe
Wrap-up meeting.

LIST OF PARTICIPANTS

DELEGATION OF REPRESENTATIVES OF THE GOVERNMENTAL AGENT’S OFFICE

OF THE MINISTRY OF JUSTICE OF THE REPUBLIC OF MOLDOVA

BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS

1. Mr Oleg ROTARI – Governmental Agent (GA)
2. Ms Aliona MANDRABURCA - Deputy Head of the GA Department
3. Ms Victoria FUSU - Senior Adviser, GA Department
4. Ms Corina ȘIMAN - Senior Adviser, GA Department
5. Ms Natalia MOCAN - Senior Adviser, GA Department
6. Ms Emilia PAVLOVSCHI – Adviser, GA Department
7. Ms Margarita GALSTYAN, Programme Manager, CoE office in Chișinău
8. Ms Bozhena MALANCHUK, Project Coordinator, CoE HQ
9. Ms Simona ION BADULESCU, Project Assistant, CoE HQ

Total: 9 persons

Working languages: English and Romanian