

## Conference on

# SUBSIDIARITY PRINCIPLE: NATIONAL IMPLEMENTATION OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

organised

by the Icelandic Presidency of the Committee of Ministers of the Council of Europe with the European Court of Human Rights and the Council of Europe's Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards

## Agenda

**Thursday 4 May 2023**

**9:30 - 17:00**

***Hybrid format (Room 9, Palais de l'Europe, Strasbourg and online)***

As highlighted in the Priorities of the Icelandic Presidency of the Committee of Ministers, democracy needs transparent and accountable institutions, and the legitimacy of those institutions depends on compliance with the rule of law and respect for human rights.

In this context, the implementation of the European Convention on Human Rights (the Convention) at national level remains of fundamental importance and is essential to ensure the effectiveness of the Convention's system. The primary responsibility to ensure the application and effective implementation of the Convention lies with the States Parties and national authorities and in particular courts, which are the first guardians of human rights, ensuring the full application of the Convention as interpreted by the European Court of Human Rights (the Court), in accordance with the principle of subsidiarity. However, States are not left alone in this endeavour.

In its decisions of 4 November 2020<sup>1</sup>, on the occasion of the 70<sup>th</sup> anniversary of the Convention, the Committee of Ministers "*emphasised the importance of maximising the potential of the Council of Europe to support States Parties in the execution process and in the implementation of the Convention at national level, including through co-operation projects such as the HELP Programme (Human Rights Education for Legal Professionals), and by developing synergies with the knowledge sharing platform developed by the Court, in order to facilitate Convention-compliant adjudication by national courts*".

This conference "Subsidiarity principle: national implementation of the European Convention on human rights" aims to provide an up-to-date overview and to establish opportunities to exchange on the support offered by the Council of Europe to this purpose. Particular emphasis will be placed on (multilateral and bilateral) co-operation projects, as well as specific tools to support Member States in the national implementation of the ECHR. In the afternoon, the launch of a new co-operation project "Support to efficient domestic capacity for the execution of ECtHR judgments (Phase 1)"<sup>2</sup> will be marked.

\*\*\*

---

<sup>1</sup> [CM/Del/Dec\(2020\)130/4](#)

<sup>2</sup> Project financed by the Human Rights Trust Fund (HRTF)

### **Practical information:**

**Conference venue:** *Room 9, Palais de l'Europe (Strasbourg) and online*

**Working languages:** English and French; interpretation will be provided, both on site and online.

**Visibility:** official photos will be taken during the event and may be used on the internet, social networks and other forms of public communication. If you do not wish to be photographed, please inform the Secretariat (e-mail: [natasa.radojevic@coe.int](mailto:natasa.radojevic@coe.int)) as soon as possible. A video of the event will be recorded on Kudo. Participants will have their cameras switched off and they can only switch them on when they request the floor during the discussion.

**OPENING**

09:30 - 9:50

**Mr Benedikt BOGASON**, *President of the Supreme Court of Iceland (online participation)*

**Ms Marialena TSIRLI**, *Registrar of the European Court of Human Rights*

**Mr Christophe POIREL**, *Director of Human Rights, Directorate General Human Rights and Rule of Law (DGI), Council of Europe*

**SESSION I - NATIONAL IMPLEMENTATION OF THE ECHR PRIOR TO, AND INDEPENDENTLY OF THE PROCESSING OF CASES BY THE COURT**

**A. Relevant Standards**

09:50 - 10:10

**Dr Hans-Jörg BEHRENS**, *Chairperson of the Drafting Group on issues relating to judges of the European Court of Human Rights (DH-SYSC-JC); Head of Unit IVC1 (Human Rights), Government Agent before the European Court of Human Rights, Federal Ministry of Justice, Germany (online participation)*

**B. Multilateral project “Enhancing Subsidiarity: support to the ECHR knowledge-sharing and superior courts dialogue”: state of play, half a year after the public launch**

10:10 - 10:40

A publicly accessible Knowledge Sharing platform (ECHR-KS): first observations and next steps

**Moderator: Ms Anouchka GALHARDO**, *Senior Project Officer, Transversal Challenges and Multilateral Projects Task Force, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe*

**Mr Stefano PIEDIMONTE BODINI**, *Head of the Private Office of the President, European Court of Human Rights*

**Mr Frédéric DOLT**, *Head of the Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe*

**Mr Liparit DRMEYAN**, *Head of the Office of the Representative of Armenia on International Legal Matters (online participation)*

Discussion

10:40 - 10:55

Superior courts dialogue: developments and prospects

**Moderator: Ms Milica VESOVIC**, *Programme Manager-Lawyer, Transversal Challenges and Multilateral Projects Task Force, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe*

**Ms Aysegul UZUN MARINKOVIC**, *Senior Legal Adviser, Directorate of the Jurisconsult*

**Mr Frédéric GOSSELIN**, *Superior Courts Network Focal Point for the Belgian Council of State*

Discussion

10:55 - 11:25 Embedding the ECHR into national legal systems

**Moderator: Ms Milica VESOVIC**, Programme Manager-Lawyer, Transversal Challenges and Multilateral Projects Task Force, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe

**Mr Tigran KARAPETYAN**, Head of Division, Transversal Challenges and Multilateral Projects Task Force, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe

**Ms Sandrine ZIENTARA-LOGEAY**, President of Chamber, Director of the Documentation, Studies and Reports Department, Court of Cassation of France

**Mr John HUNTER**, Chief Information Officer (CIO), Directorate of Information Technology, Council of Europe

Discussion

11:25 - 11:40 Coffee break

### **C. ECHR training for legal professionals**

11:40 - 12:30 **Moderator: Mr Mahir MUSHTEIDZADA**, Head of Georgia and Azerbaijan Unit, Co-operation Programme Division, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe

**Ms Ana-Maria TELBIS**, Deputy Head of Division, Justice and Human Rights Training Division, HELP Programme (Human Rights Education for Legal Professionals), Council of Europe

**Mr Fethullah SOYUBELLI**, Judge, Seconded, Senior Project Coordinator, HELP (Human Rights Education for Legal Professionals), Council of Europe

**Ms Olesia OTRADNOVA**, Head of the Prosecutors' Training Centre of Ukraine (online participation)

Discussion

12:30 - 14:00 Lunch break

### **D. Other tools to nourish the shared responsibility to apply the ECHR**

14:00 - 14:45 Analytical and organisational tools developed under the CoE cooperation to strengthen national application of ECHR

**Moderator: Ms Lilit DANEGHIAN-BOSSLER**, Deputy Head of Co-operation Programmes Division, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe (online participation)

**Mr Rasim BABANLY**, Head of Department of Analytical and Legal Work, Supreme Court of Ukraine (online participation)

**Ms Seila IMAMOVIC**, High Judicial and Prosecutorial Council Bosnia and Herzegovina

**Dr Tomasz KISIELEWICZ**, Ph.D., Expert in the Modern Technologies Team of the Ministry of Justice of Poland

Discussion

## II - NATIONAL IMPLEMENTATION OF THE ECHR AFTER THE COURT'S JUDGMENTS

### A. *Relevant Standards*

14:45 - 15:00 **Dr Alain CHABLAIS**, *Chairperson of the Committee of experts on the system of the European Convention on Human Rights (DH-SYSC); Federal Department of Justice and Police FDJP, Federal Office of Justice FOJ, Agent of the Swiss Government before the European Court of Human Rights*

### B. *Launch of the new multilateral project "Support to efficient domestic capacity for the execution of ECtHR judgments (Phase 1)"*

15:00 - 15:45 **Moderator: Ms Rafaella HADJIKYRIACOU**, *Project Officer/Legal Analyst, Transversal Challenges and Multilateral Projects Task Force, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, CoE*

#### "Raison d'être" of the project

**Ms Clare OVEY**, *Head of the Department for the Execution of Judgments of the European Court of Human Rights, DGI, Council of Europe*

#### Presentation of the project

**Mr Tigran KARAPETYAN**, *Head of Division, Transversal Challenges and Multilateral Projects Task Force, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe*

**Ms Štefica STAZNIK**, *Government Agent of Croatia before the ECtHR*

**Ms Kateřina RADOVÁ**, *Lawyer at the Office of the Government Agent of the Czech Republic before the ECtHR, Ministry of Justice,*

Discussion

15:45 - 16:00 *Coffee break*

### C. *Supporting the execution of ECtHR judgments through bilateral co-operation*

16:00 - 16:45 **Moderator: Ms Elena JOVANOVSKA-BREZOSKA**, *Head of Southeast Europe Unit, Co-operation Programme Division, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, Council of Europe*

#### Benefits and contributions of cooperation programmes

**Ms Zorana JADRIJEVIC MLADAR**, *Government Agent of Serbia before the ECtHR*

**Mr. Odise MOCKA**, *State Advocate of Albania*

**Ms Valentina PAVLICIC**, *Government Agent of Montenegro before the ECtHR*

**Ms Diana KARAZYAN**, *Deputy Head, Office of the Representative of Armenia on International Legal Matters*

Discussion

### CLOSING REMARKS

16:45 - 17:00 **Mr Frédéric DOLT**, *Head of the Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, DGI, CoE*