

## CONCEPT NOTE

### ***for the Roundtable on Effective national co-ordination: a key factor in reinforcing the domestic capacity for rapid execution of judgments of the European Court of Human Rights***

**(Strasbourg, 7 March 2022)**

**to be organised under the aegis of the Irish Vice-Presidency of the Committee of Ministers**

#### **Background**

1. A key element in the Committee of Ministers' Recommendation (2008)<sup>2</sup> to member States on efficient domestic capacity for rapid execution of judgments of the European Court of Human Rights relates to designating a co-ordinator – individual or body – of execution of judgments at the national level, with reference contacts in the relevant national authorities involved in the execution process. This co-ordinator should have the necessary powers and authority to acquire relevant information; liaise with persons or bodies responsible at the national level for deciding on the measures necessary to execute the judgment; and, if necessary, be able to take or initiate relevant measures to accelerate the execution process.
2. The Committee of Ministers at its 130<sup>th</sup> Session in Athens (November 2020) urged all member States to ensure that its Recommendation CM/Rec(2008)<sup>2</sup> is given full effect.<sup>1</sup> This call is all more relevant now after the entry into force in August 2021 of Protocol No. 15 introducing in the preamble of the ECHR the principle of subsidiarity, under which the primary responsibility to secure the rights defined in the Convention falls to the Contracting Parties.
3. While progress has been made in recent years in enhancing the domestic capacity for rapid execution of the Court's judgments, challenges remain.<sup>2</sup> When it comes specifically to the co-ordination of execution efforts, a mission which a significant number of member States have entrusted to the Government Agent, practice shows that these challenges essentially relate to the co-ordinator's capacity to fulfill a wide range of execution-related responsibilities, frequently in addition to their function of representation before the Court and possibly other attributions assigned at domestic level. To carry out their mission with the greatest efficiency, it is essential that the national co-ordinator has the necessary status and authority and is provided with sufficient resources and support.
4. The aim of the roundtable is to foster an open and constructive, peer-to-peer exchange of views on these challenges and ways to overcome them, based on relevant national experiences.

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<sup>1</sup> CM/Del/Dec(2020)130/4.

<sup>2</sup> See Guide to good practice on the implementation of Recommendation (2008)<sup>2</sup> of the Committee of Ministers on efficient domestic capacity for rapid execution of judgments of the European Court of Human Rights (as adopted by the CDDH at its 87<sup>th</sup> meeting, 6-9 June 2017).

5. To underscore the complexity attached to the mission of national co-ordination and represent the prerequisites for effective action in this area, the discussions could focus on:
  - a) the co-ordinator's role to steer the execution process by liaising with the relevant authorities to promptly identify the necessary execution measures and to draw up action plans in order to address in particular long-standing structural human rights issues highlighted in the judgments;
  - b) the co-ordinator's contribution to maintaining an effective dialogue with the Committee of Ministers, through the timely transmission of relevant information on the execution process;
  - c) the co-ordinator's contribution to developing effective synergies with actors in the execution process and other national stakeholders, including National Human Rights Institutions and civil society organisations whose respective role in the ECHR implementation process and contribution to the promotion and protection of the rights enshrined therein was likewise emphasised by the Committee of Ministers at its 130<sup>th</sup> Session in Athens (November 2020).

**PROGRAMME**  
**Strasbourg, 7 March 2022**

**14.15 – 14.30 Welcome remarks** by *Ambassador Breifne O'Reilly*, Ireland, Vice-Chair of the Committee of Ministers and *Christos Giakoumopoulos*, Director General of Human Rights and Rule of Law

**14.30 – 14.45 Setting the scene - Role of national co-ordinators in ensuring the execution of the Court's judgments**

*Kristine Lice*, Chair of the CDDH, Agent of the Government of Latvia before the European Court of Human Rights

**14.45 – 15.45 Session one - Co-ordinator's role to steer the execution process in cases raising long-standing structural human rights issues (early identification of the actions required, possible difficulties and ways to overcome them; fostering co-operation and consensus amongst relevant actors and adherence to the solutions identified)**

Moderated by *Pavlo Pushkar*, Head of Division, Department for the Execution of Judgments

Speakers

*Lina Urbaitė*, Senior Adviser of the Legal Representation Group, Ministry of Justice, Lithuania

*Alfonso Brezmes Martínez de Villarreal*, Agent of the Government of Spain before the European Court of Human Rights

*Almut Wittling-Vogel*, former Agent of the Government of Germany before the European Court of Human Rights

Discussions, Q&A

**15.45 –16.30 Session two - Co-ordinators' contribution to maintaining an effective dialogue with the Committee of Ministers, through timely transmission of relevant information on the execution process**

Moderated by *Dimitrina Lilovska*, Head of Division *a.i.*, Department for the Execution of Judgments

Speakers

*Štefica Stažnik*, Representative of Croatia before the European Court of Human Rights

*Hacı Ali Açıkgül*, Head of Department of Human Rights, Ministry of Justice, Turkey

Discussions, Q&A

**16.30 – 16.45 Break**

**16.45 – 17.45 Session three - Co-ordinator's contribution to developing effective synergies with actors in the execution process and other national stakeholders, including NHRIs and civil society organisations**

Moderated by *Nikolaos Sitaropoulos*, Head of Division, Department for the Execution of Judgments

Speakers

*Simona Drenik Bavdek*, Counsellor to the Ombudsman of Slovenia, Assistant Head of the Center for Human Rights

*Bozhura Simeonova*, Agent of the Government of Bulgaria before the European Court of Human Rights

*Vít Schorm*, Agent of the Government of the Czech Republic before the European Court of Human Rights

Discussions, Q&A

**17.45 – 18.00 Closing remarks** by *Clare Ovey*, Head of the Department for the Execution of Judgments

**18.00 End of the roundtable**