

DH-SYSC-V(2020)R1
16/10/2020

STEERING COMMITTEE FOR HUMAN RIGHTS

(CDDH)

COMMITTEE OF EXPERTS ON THE SYSTEM
OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

(DH-SYSC)

**DRAFTING GROUP ON ENHANCING THE NATIONAL
IMPLEMENTATION OF THE SYSTEM OF THE EUROPEAN
CONVENTION ON HUMAN RIGHTS**

(DH-SYSC-V)

MEETING REPORT

1st meeting
14 – 16 October 2020 via videoconference

Item 1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND THE ORDER OF BUSINESS AND ELECTION OF A VICE-PRESIDENT

1. The Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V) held its 1st meeting in Strasbourg from 14 to 16 October 2020 by videoconference due to the measures related to the COVID-19 pandemic. The meeting was chaired by Mr Vít A. SCHORM (Czech Republic) from Prague. The list of participants appears in Appendix I.
2. According to the Resolution [CM/Res\(2011\)24](#) of the Committee of Ministers, the Drafting Group elected Ms Helen Lindqvist (Sweden) as its Vice-Chairperson.
3. The Drafting Group adopted the agenda (see Appendix II) and the order of business (see Appendix III).
4. Mr Morten RUUD (Norway) the Chairperson of the Steering Committee for Human Rights (CDDH) addressed a welcome message to the Group and underlined the importance of its work in the post-Interlaken work entrusted by the Committee of Ministers to the Steering Committee.
5. Mr Alfonso DE SALAS, Head of Division, Secretary of the CDDH explained the adaptations of the calendar of meetings of the CDDH, DH-SYSC and DH-SYSC-V following the measures taken to tackle the Covid-19 pandemic. Nevertheless, in order to prepare for this meeting, the Secretariat made arrangements for the preparation of a concept paper by the consultant (see paragraphs 7 and 8 below) in relation to items (b) and (c) of the terms of reference of the DH-SYSC-V.

Item 2: WORK ON ENHANCING THE NATIONAL IMPLEMENTATION OF THE SYSTEM OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

6. The DH-SYSC-V had a general discussion about the scope of its work on the basis of the mandate it received from the CDDH in November 2019 (document [DH-SYSC-V\(2020\)01](#)) which reads as follows:

“In the light, in particular, of the reflections carried out during the elaboration of (i) the Contribution of the CDDH to the evaluation provided for by the Interlaken Declaration; (ii) the CDDH Report on measures taken by the member States to implement relevant parts of the Brussels Declaration and (iii) the CDDH Report on the place of the European Convention on Human Rights in the European and international legal order, the DH-SYSC Drafting Group on enhancing the national implementation of the system of the European Convention on Human Rights (DH-SYSC-V) is called upon to explore possible ways and means to enhance the national implementation of the system of the European Convention on Human Rights, in order to assist the State authorities involved in the operation of the Convention and in the process of the execution of judgments to fulfil their mission in the best possible way, in the light of existing national best practices. In this context and under the supervision of the Committee of Experts on the System of the European Convention on Human Rights (DH-SYSC), the Group is tasked to:

- (a) prepare, in co-operation with *Pluricourts*, the Seminar scheduled for 9 June 2020 at the 93rd meeting of the CDDH;
- (b) develop draft guidelines covering all of the action at national level expected from States Parties to prevent and remedy violations of the Convention, accompanied by a Guide of existing national best practices (deadline: 15 October 2021);

- (c) update the Recommendation (2002)13 on the publication and dissemination in the member States of the text of the European Convention on Human Rights and of the case-law of the European Court of Human Rights (deadline: 15 October 2020).

All work should be conducted in a prospective and, as far as possible, innovative way, in close cooperation with representatives of the legal profession, civil society and academic research (deadline: 15 October 2021).

The CDDH agreed that issues arising at the stage of the execution of judgments and decisions in cases concerning the extraterritorial application of the Convention were covered by the terms of reference of the DH-SYSC-V.”

7. The DH-SYSC-V took note of the information provided by the Secretariat on the postponement of the Seminar on “National implementation of the European Convention on Human Rights – how to put the ‘shared responsibility’ into practice?” to be organised with *Pluricourts* (item (a) of DH-SYSC-V’s mandate) to 2021 in conjunction with the CDDH plenary.

8. Mr Fredrik SUNDBERG (consultant) presented the document “Preventing and remedying violations of the European Convention on Human Rights post-Interlaken (document DH-SYSC-V(2020)02). The Drafting Group thanked Mr Sundberg for his work which provided a solid basis for its first general discussion on the future guidelines. The DH-SYSC-V discussed more in particular the scope of the draft guidelines under item (b) of its terms of reference. It agreed on elements of the structure of draft guidelines to prevent and ensure remedies for violations of the Convention (Appendix IV) and asked the Secretariat to prepare, on this basis, under the supervision of the Chair, draft guidelines for examination at the 2nd meeting of the DH-SYSC-V. All members of the Drafting Group as well as Observers may submit in writing their inputs on the draft guidelines to the Secretariat by 16 November 2020. In addition, the draft guidelines will be sent to the DH-SYSC-V at least three weeks before the 2nd meeting so that delegations have the opportunity to present their comments.

9. The consultant also presented the document “Updating the Recommendation (2002)13 on the publication and dissemination in the member States of the text of the European Convention on Human Rights and of the case-law of the European Court of Human Rights” (document DH-SYSC-V(2020)03). The Drafting Group appreciated very much the work conducted by Mr Sundberg and had a general discussion on the scope of its work under item (c) of its terms of reference. The DH-SYSC-V discussed the proposals made by the consultant for a new draft recommendation and agreed to ask the Secretariat to prepare, under the supervision of the Chair, a draft recommendation on the basis of the consultant’s proposals (Appendix V), amending them as necessary in light of its discussions. The DH-SYSC-V should examine the draft recommendation at its upcoming meeting. All members of the Drafting Group as well as Observers may submit in writing their inputs on the draft recommendation to the Secretariat by 16 November 2020. In addition, the draft recommendation will be sent to the DH-SYSC-V at least three weeks before the 2nd meeting so that delegations have the opportunity to present their comments.

10. In addition, the DH-SYSC-V discussed the desirability of launching a questionnaire with the member States with a view to collecting good national practices on the publication and dissemination of the text of the Convention, the case-law of the Court and other major texts and practices concerning the Convention system. Considering in particular the need to streamline the wording of the proposed questions (see document DH-SYSC-V(2020)03) it agreed that this activity would bring more added value to the process at a later stage such as once the Recommendation on the subject matter has been finalised.

11. The DH-SYSC-V also noted the idea of amending the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements in order to enable the bar associations to make submissions under Rule 9 with a view to promoting the involvement of all national stakeholders. This seems, however, to go beyond the scope of the current mandate of the Group which decided to seek advice from the CDDH on this point.¹

Item 3: ORGANISATION OF FUTURE WORK

12. The DH-SYSC-V discussed plans for the holding of its meetings in 2021 and agreed with the draft roadmap prepared by the Secretariat (document DH-SYSC-V(2020)04) noting that it should be updated according to the situation related to the COVID-19 and the pending schedule of meetings of the CDDH. The Secretariat will inform the Drafting Group on the decisions taken by the Bureau regarding the calendar of meetings in 2021. Also, the DH-SYSC-V agreed to hold an exchange of views at its next meeting with representatives of the Registry of the Court, the Department for the Execution of Judgments, relevant Co-operation Programmes, and civil society identified in co-operation with ENNHRI.

13. Given the more advanced state of reflections on item (c) of the terms of reference, the DH-SYSC-V agreed to give priority to this item as agreed (see paragraph 8 above) with a view to finalising the work on this item at its next meeting.

Item 4: OTHER ISSUES

14. No other business was discussed.

Item 5: ADOPTION OF THE MEETING REPORT

15. At the end of its meeting, the Drafting Group adopted the present meeting report in the two official languages of the Organisation.

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¹ The Russian Federation opposed this idea with regard to amendment to the rules and with regard to seeking advice from CDDH.

Appendix I**List of participants****MEMBERS / MEMBRES****ALBANIA / ALBANIE**

Ms Enkelejda MUCAJ, State Advocate General, Ministry of Justice

ARMENIA / ARMENIE

Ms Zoya TOVMASYAN, Attache at the Multilateral Treaties Division Department of International Treaties and Law, Ministry for Foreign Affairs

Ms Manushak ARAKELYAN, Acting Head of Multilateral Treaties Division Department of International Treaties and Law, Ministry for Foreign Affairs

BULGARIA / BULGARIE

Ms Milena KOTZEVA, Director, Ministry of Justice

Ms Irina NEDYALKOVA, Government Agent, Ministry of Justice

Ms Iva STANCHEVA-CHINOVA, Government Agent, Ministry of Justice

Ms Svetlana S. STAMENOVA, Attaché, Human Rights Directorate, Ministry of Foreign Affairs

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Mr Vít A. SCHORM, Government Agent before the EctHR, Ministry of Justice

ESTONIA / ESTONIE

Ms Triin TIISLER, lawyer, International Law Division, Legal Department of the Ministry of Foreign Affairs

FINLAND / FINLANDE

Ms Katja KUUPPELOMÄKI, Legal Officer, Unit for Human Rights Courts and Conventions, Legal Service, Ministry for Foreign Affairs

FRANCE

Ms BARBARA MASSIOU, Rédactrice, Ministère de l'Europe et des affaires étrangères, Direction des affaires juridiques, Sous-direction des droits de l'Homme

GERMANY / ALLEMAGNE

Ms Sarah WEINKAUFF, Legal Advisor - Human Rights Division, Federal Ministry of Justice and Consumer Protection

GEORGIA / GÉORGIE

Mr Giorgi BAIDZE, Legal Adviser of the Department of the State Representation to the International Courts, Ministry of Justice

Mr Beka DZAMASHVILI, Government Agent of Georgia before the ECtHR, Head of the Department of the State Representation to the International Courts, Ministry of Justice

Ms Nino NIKOLAISHVILI, Deputy Head of the Department of State Representation to the International Courts, Ministry of Justice

HUNGARY / HONGRIE

Ms Monika WELLER, senior legal adviser, Ministry of Justice

ITALY / ITALIE

Mr Arturo ARCANO, Representative of the Italian mission in Strasbourg

Ms Emma RIZZATO, Representative of the Italian Ministry of Justice

NORWAY / NORVEGE

Ms Isa RAMA, Adviser, Norwegian Ministry of Justice and Public Security, Department of Legislation

Ms Helle Aase FALKENBERG, Legal Adviser, Norwegian Ministry of Justice and Public Security, Department of Legislation

Mr Morten RUUD, Special adviser, Norwegian Ministry of Justice and Public Security, Legislation Department

POLAND / POLOGNE

Mr Jan SOBCZAK, Government Agent, Acting Director, Department for Proceedings before International Human Rights Protection Bodies, Ministry of Foreign Affairs

PORTUGAL

Ms Ana GARCIA MARQUES, Lawyer, Portuguese Government Agent's Office

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Ms Olga ZINCHENKO, Third Secretary of the Department for Humanitarian Cooperation and Human Rights of the Ministry of Foreign Affairs

Mr Stanislav KOVPAK, Représentant du Ministère de la Justice de la Fédération de Russie à Strasbourg

Mr Roman SEDOV, Ministère de la Justice de la Fédération de Russie à Strasbourg

Mr Konstantin KOSORUKOV

Deputy Permanent Representative of the Russian Federation at the Council of Europe

SPAIN / ESPAGNE

Ms Heide-Elena NICOLÁS MARTÍNEZ, Agent of the Kingdom of Spain before de ECtHR Area of Human Rights of the Constitutional & Human Rights department, Ministry of Justice

SWEDEN / SUEDE

Ms Helen LINDQUIST, Deputy Director, Ministry for Foreign Affairs, Department for International Law, Human Rights and Treaty Law

SWITZERLAND / SUISSE

Mr Adrian SCHEIDEGGER, Agent suppléant du Gouvernement suisse devant la Cour Européenne des droits de l'Homme le CAT, le CEDR, le CEDAW et le CDE, Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Représentation de la Suisse devant la Cour européenne des droits de l'Homme, le CAT, le CEDR, le CEDEF et le CDE

TURKEY / TURQUIE

Mme Aysen EMÜLER, Experte Juridique, Ministère des Affaires Etrangères, Représentation Permanente de la Turquie auprès du Conseil de l'Europe

Mr Yakup YILDIRIM, legal counselor, Représentation Permanente de la Turquie auprès du Conseil de l'Europe

Ms Duygu ÇELIK, Experte juridique, Ministère des Affaires Etrangère

UNITED KINGDOM / ROYAUME-UNI

Ms Patricia ZIMMERMANN, (Head of Delegation), Ministry of Justice

Mr Michael JOHNSTONE, Ministry of Justice

PARTICIPANTS

Committee of Ministers / Comité des Ministres

Mme Geneviève MAYER, Deputy to the Secretary of the Committee of Ministers / Adjointe au Secrétaire du Comité des Ministres

Department for the Execution of Judgements of the European Court of Human Rights / Service de l'exécution des arrêts de la Cour européenne des droits de l'homme

Mr Pavlo PUSHKAR, Head of Division III, Execution

CCBE

Mr Piers GARDNER, Chair of the Permanent Delegation, Strasbourg

OBSERVERS / OBSERVATEURS

European Network of National Human Rights Institutions (ENNHRI) / Réseau européen des institutions nationales des droits de l'Homme

Ms Katrien MEUWISSEN, Senior Human Rights Officer (Accreditation), Permanent Secretariat

Ms Simona DRENİK BAVDEK, Counsellor to the Ombudsman, Assistant Head of the Centre for Human Rights at the Human Rights Ombudsman of the Republic of Slovenia

CONSULTANT

Mr Fredrik SUNDBERG

SECRETARIAT

DG I – Human Rights and Rule of Law / Droits de l'Homme et État de droit Council of Europe / Conseil de l'Europe, F-67075 Strasbourg Cedex

Mr Alfonso DE SALAS, Head of Division / Chef de Division, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l'Homme, Secretary of the CDDH / Secrétaire du CDDH

Ms Elvana THACI, Administrator, Human Rights Intergovernmental Cooperation Division, **Secretary of the DH-SYSC-V / Secrétaire du DH-SYSC-V**

Ms Sarah BELHADJ MILED, Assistant Lawyer / Juriste assistant, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l'Homme

Mme Corinne GAVRILOVIC, Assistant / Assistante, Human Rights Intergovernmental Cooperation Division / Division de la coopération intergouvernementale en matière de droits de l'Homme

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INTERPRETERS / INTERPRÈTES

Mme Chloé CHENETIER

Mme Lucie DE BURLET

M. Jean-Jacques PEDUSSAUD

Appendix II**Annotated Agenda****ITEM 1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND THE ORDER OF BUSINESS AND ELECTION OF A VICE-PRESIDENT**

Draft annotated agenda

DH-SYSC-V(2020)OJ1Annotated

Draft order of business

[DH-SYSC-V\(2020\)OT1](#)

Resolution CM/Res(2011)24 of the Committee of Ministers on intergovernmental committees and subordinate bodies, their terms of reference and working methods

[CM/Res\(2011\)24](#)

After the opening of the meeting by the Chairperson, Mr Vit A. Schorm (Czech Republic), the Group is invited to adopt the agenda and the order of business. The Group is also invited to proceed to the election of its Vice-Chair in accordance with Resolution [CM/Res\(2011\)24 of the Committee of Ministers](#).

ITEM 2: WORK ON ENHANCING THE NATIONAL IMPLEMENTATION OF THE SYSTEM OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

Terms of reference of the DH-SYSC-V during the 2020-2021 biennium - Extracts of the terms of reference given by the Committee of Ministers to the CDDH and DH-SYSC regarding the work of the DH-SYSC-V and relevant extracts of the 92nd CDDH meeting report.

[DH-SYSC-V\(2020\)01](#)

Concept paper prepared by the consultant

Part I – Preventing and remedying violations of the European Convention on Human Rights post Interlaken

DH-SYSC-V(2020)02

Part II – Updating the Recommendation (2002)13 on the publication and dissemination in the member States of the text of the European Convention on Human Rights and of the case-law of the European Court of Human Rights

[DH-SYSC-V\(2020\)03](#)

In the light notably of elements prepared by the consultant, the Group is invited to conduct a preliminary general discussion on the terms of reference received and, on the priorities, it wishes for its work. It is recalled that the aim of the exercise is to identify possible ways and means to enhance the national implementation of the system of the European Convention on Human Rights, in order to help the States' authorities involved in the functioning of the Convention and in the process of execution of judgements to better achieve their mission, in the light of the best existing national practices.

ITEM 3: ORGANISATION OF FUTURE WORK

Roadmap of the work of DH-SYSC-V

[DH-SYSC-V\(2020\)04](#)

The Group is invited to take all the necessary decisions regarding the organisation of its future work. The Group is also invited to establish the working methods for the continuation of its work.

ITEM 4: OTHER ISSUES

ITEM 5: ADOPTION OF THE MEETING REPORT

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The Group is invited to adopt the meeting report.

OTHER DOCUMENTS FOR INFORMATION

Contribution of the CDDH to the evaluation provided for by the Interlaken Declaration

[CDDH\(2019\)R92Addendum2](#)

CDDH Report on the place of the European Convention on Human Rights in the European and international legal order

[CDDH\(2019\)R92Addendum1](#)

Report of the 92nd CDDH meeting (26-29 November 2019)

[CDDH\(2019\)R92](#)

[Copenhagen Declaration](#)

Draft CDDH report on the effective processing and resolution of cases relating to inter-State disputes

[DH-SYSC-IV\(2020\)04](#)

CDDH report on the longer-term future of the system of the European Convention on Human Rights

[CDDH\(2015\)R84Addendum I](#)

[Publication](#)

Appendix III**Order of business****Wednesday 14 October 2020**

- 10:00 – 10:45 **ITEM 1: OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND OF THE ORDER OF BUSINESS, ELECTION OF THE VICE-PRESIDENT**
- Opening of the meeting by the Chair;
 - Welcoming remarks by the Secretariat;
 - Adoption of the agenda;
 - Chair's invitation to members of the DH-SYSC-V to propose candidates for the Vice-President.
- 10:45 – 12:30 **ITEM 2: WORK ON ENHANCING THE NATIONAL IMPLEMENTATION OF THE SYSTEM OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS**
- Chair's presentation of the mandate of DH-SYSC-V;
 - General discussion with members of the Drafting Group (*tour de table*) about its terms of reference and scope of the work;
 - Information on the postponement of the Seminar *Pluricourts-CDDH* (item (a) of DH-SYSC-V's terms of reference);
 - Presentation by the consultant of the document "Preventing and remedying violations of the European Convention on Human Rights post-Interlaken (document DH-SYSC-V(2020)02); questions and answers."
- 12:30 – 15:00 *Lunch break*
- 15:00 – 17:30 **ITEM 2: Continuation**
- Draft guidelines on preventing and ensuring remedies for violations of the Convention (item (b) of DH-SYSC-V terms of reference)
- General discussion on the scope of the draft guidelines;
 - Discussion of elements of structure of draft guidelines (e.g. promoting direct application of the Convention; creating effective remedies, etc).

Thursday 15 October 2020

- 10:00 – 12:30 **ITEM 2: Continuation**
- Draft guidelines on preventing and ensuring remedies for violations of the Convention (item (b) of DH-SYSC-V term of reference)
- Discussion of elements of structure of draft guidelines (e.g. ensuring compatibility of legislation with the Convention; raising awareness of and providing training for national authorities; promoting exchanges of information, etc).

12:30 – 14:00 *Lunch break*

14:00 – 16:30 **ITEM 2: Continuation**

- Election of Vice- President
- Presentation by the consultant of the document 'Updating the Recommendation (2002)13 on the publication and dissemination in the member States of the text of the European Convention on Human Rights and of the case-law of the European Court of Human Rights' (document DH-SYSC-V(2020)03); questions and answers.
- General discussion on the scope of the update of the Recommendation(2002)13 and elements for possible inclusion in the update.

Friday 16 October 2020

10:00 – 12:30 **ITEM 2: Continuation of outstanding questions (if necessary)**

ITEM 3: ORGANISATION OF FUTURE WORK

Discussion and agreement on priorities to be given to the activities to be carried out and documents to be elaborated under the DH-SYSC-V terms of reference (document DH-SYSC-V(2020)04).

ITEM 4: OTHER ISSUES

12:30 – 15:00 *Lunch break*

15:00 – 17:30 **ITEM 5: ADOPTION OF THE MEETING REPORT**

Appendix IV**Elements of a possible content of the draft guidelines****I) Preventing violations through good national implementation of the Convention**

- Promoting direct application of the Convention by national courts;
- Creating effective remedies;
- Ensuring the compatibility of legislation with the Convention;
- Raising awareness of and providing training for national authorities;
- Promoting exchanges of information on the implementation of the Convention;
- Strengthening the role of NHRI and NGO's;
- Promoting co-operation programmes with the Council of Europe

II) Providing redress in case of violations found by the Court

- Ensuring domestic capacities for the rapid execution of judgments of the Court ;
- Ensuring co-operation of Member States with the Committee of Ministers as regards supervision of execution;
- Promoting the stakeholders' participation in the execution of judgments;
- Other issues (individual redress; pro-active handling of problems revealed through national procedures; pro-active handling also of individual redress; preventing blockages, absence of political will and refusals; possible issues arising at the stage of the execution of judgments and decisions in cases concerning the extraterritorial application of the Convention);

III) Promoting the entry into force and application of Protocol No. 16 to the ECHR

Appendix V

Text proposal for a new Recommendation (2021)... of the Committee of Ministers to member states on the publication and dissemination, at domestic level, of the text of the European Convention on Human Rights, the case-law of the Court and other major texts and practices concerning the Convention system (this proposals will serve as a basis for further work and be amended accordingly, see paragraph 9 of the meeting report)

The Committee of Ministers of the Council of Europe, as stated in Article 15.b of the Statute of the Council of Europe,

1. Reaffirming the commitment to the Statute of the Council of Europe and its aim of achieving greater unity between its members, in particular by promoting common standards and activities in the field of human rights and fundamental freedoms;
2. Recalling the essential role of the system of the Convention for the Protection of Human Rights and Fundamental Freedoms in the effective protection of human rights, the rule of law and democracy in Europe;
3. Recalling that the Convention has become an integral part of the domestic legal order of all States Parties;
4. Recalling the recent Recommendation CM/Rec(2019)5 of the Committee of Ministers to member states on the system of the European Convention on Human Rights in university education and vocational training;
5. Stressing in the light of this recommendation the importance of a thorough knowledge not only of the judgments and case-law of the Court, but also of the various texts, decisions, recommendations, opinions and expert opinions necessary for the proper functioning of the Convention system as elaborated by the competent bodies of the Council of Europe, through systems of publication and effective dissemination adapted to the needs and traditions of States;
6. Stressing the significant increase in the number and diversity of cases decided by the Court since 2002 and in the number of authorities concerned (whether national, regional or local);
7. Noting, therefore, in view of the developments since Recommendation Rec(2002)13 of the Committee of Ministers to member states on the publication and dissemination in member states of the text of the European Convention on Human Rights and the case-law of the European Court of Human Rights, the need to update this recommendation;
8. Stressing the continued importance of publishing the case-law of the Court relevant to each state in such a way as to be easily accessible to state organs and the legal community, including through the channels normally used for the case-law of national courts, where appropriate in translation; and other texts in a manner appropriate to the nature of the texts and decisions concerned and the existing recommendations of the Committee of Ministers, in particular in Recommendation (2008)2 on effective national capacity for rapid execution of the Court's judgments;
9. Stressing the interest that could be attached to the organisation, where appropriate, of regional databases between States sharing the same language;

10. Stressing, in view of the development of the Court's case-law, that it is of major importance to have summaries or syntheses of that case-law in the language of the country, and that the same importance attaches to summaries or syntheses of the acquis of the Committee of Ministers in the context of its supervision of the execution of judgments, and that such texts should be drafted by professionals and be readily available in member States;

11. Noting the need to ensure, where appropriate, prompt and [authenticated] translations of judgments, decisions or other relevant texts (in particular at the execution stage, in the context of applications for the reopening of proceedings or the review of incriminated decisions by the Court);

12. Stressing the major contribution to the proper functioning of the Convention system made by the recommendations of the Committee of Ministers and other texts such as the opinions and expert opinions adopted by the advisory and monitoring bodies/bodies of the Council of Europe and the importance which can also be attached to ensuring, in an appropriate manner, their publication and dissemination;

13. Stressing that technological developments in the field of communication and information, in particular the HUDOC systems, are indisputable assets for the rapid publication and dissemination of the major texts and practices of the Convention system, but that they also pose challenges for national authorities in assessing whether these standards are actually known and applied by national actors who do not have access to these technologies or who do not know the official languages of the Council of Europe;

14. Bearing in mind the important developments in the publication and dissemination of the major texts of the Convention system in the 47 member States of the Council of Europe, resulting from the commendable efforts of the member States and civil society as well as of the Committee of Ministers, the Court and the Council of Europe's Human Rights Training Programme for Legal Professionals (HELP);

15. Stressing the role played by various actors of civil society, in particular national institutions for the promotion and protection of human rights and non-governmental organisations, as well as bar associations, in contributing to the effective publication, translation and dissemination of the texts and practices of the Convention system;

16. Taking into consideration the diversity of traditions and practices in Member States with regard to the publication and dissemination of the major texts of the Convention system;

Recommends that the governments of member states:

i. Ensure that the publication and dissemination of [the major texts of the Convention system/relevant texts / selected texts / any other more appropriate formulation] comply with the principles set out in Annex I to this recommendation;

ii. Ensure by appropriate means and actions, including translation if necessary, wide dissemination of this Recommendation to relevant authorities and stakeholders;

iii. Review, within the Committee of Ministers, the implementation of this recommendation five years after its adoption.

I. General principles

1. Member States should ensure the publication and dissemination of [the major texts of the Convention system / relevant texts/ selected texts / any other more appropriate formulation], ensuring that they meet the needs and [expectations] of the different categories of the public. Where necessary, this should be done in cooperation with non-State stakeholders.
2. Member States should, in particular, enhance the effectiveness of such publication and dissemination by ensuring that the tools necessary to comply with the obligations under the Convention are available for each category of the public.
3. To this end, member States should ensure that the [major texts of the Convention system / selected texts / any other more appropriate formulation] are available in an accessible manner and with the required degree of quality and reliability; and that publication and dissemination are targeted, where appropriate, to specific audiences.

II. Target Audience

4. Member states should ensure publication and dissemination of [the major texts of the Convention system / relevant texts/ selected texts / any other more appropriate formulation] that can provide domestic authorities (at various local, regional and national levels) with the knowledge necessary to prevent or remedy violations.
5. Member States, while taking into account the diversity of national situations, should ensure that a wide variety of professionals have access to (i) [the major texts of the Convention system], where appropriate in the language(s) of the member State; (ii) the relevant case-law of the Court in their respective fields of competence; and (iii) the requirements for the execution of judgments, so that these professionals can effectively prevent any foreseeable violation on the basis of this case-law and remedy the violations found.
6. In particular, the attention of member states should focus on the following categories: judges, prosecutors, law enforcement personnel; lawyers; specialised journalists; personnel dealing with vulnerable groups.

III. Means of Publication and Dissemination

7. Member States should ensure that means of publication and dissemination of [the major texts of the Convention system/ relevant texts/ selected texts / any other more appropriate formulation] exist that take into account both the national context and the fact that the Convention, today, is part of the domestic law of all Member States. This implies in particular that :
 - (i) The case law of the Court be published on sites where the legal community expects to find other case law relevant to the understanding of national law,
 - (ii) The specific needs and expectations of the various target audiences are taken into account.

8. Member States may, where appropriate, consider developing these means in close cooperation with non-state actors. The main aim should be to facilitate effective access to the various relevant texts (judgments, decisions, resolutions, recommendations) of the Convention system by also making the best use of the resources made available by the Council of Europe (HUDOC and HUDOC-EXEC databases; Committee of Ministers and Parliamentary Assembly sites; site of the CDDH and other relevant intergovernmental co-operation bodies, HELP thematic courses, etc.).
9. Where they consider it necessary or useful to have translations into the national language(s) of [the major texts of the Convention system, / relevant/ selected texts / any other more appropriate formulation] member states should ensure in particular that translations of the relevant case-law of the Court or summaries of case-law are carried out by professionals or on the basis of reliable and duly supervised electronic methods. Such translations should be easily accessible and free of charge.
10. Member states should encourage initiatives by representatives of civil society to ensure the rigour of translations in relation to the original English or French versions and the quality of the networks for publishing and disseminating the texts.