

**Round Table: Implementation of the ECHR in the Domestic Legal Systems:
Experience in the Translation and Dissemination of the Judgments
of the European Court in a Comparative Perspective**

Welcoming Remarks

Access to the translated Court's case-law
as an essential element for successful implementation
of the ECHR at the national level

Ladies and Gentlemen,
Dear participants,

I would like to warmly welcome you at this round table co-organised by the Human Rights Policy and Co-operation Department, the Department for the Execution of Judgments of the European Court of Human Rights, and the publishing house "Development of Legal Systems" from Russia.

Easy access to high-quality translations of the case-law of the European Court of Human Rights is essential for the effective implementation of the Convention at the national level. This has been highlighted in Committee of Ministers' 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.

This Recommendation was adopted following the European Ministerial Conference on Human Rights, held in Rome in November 2000. The conference encouraged member States to ensure that the developments in the case-law of the European Court of Human Rights are sufficiently accessible in the languages of the country.

I will not go more into history here – we have prominent speakers today who will do that better than me.

However, allow me to mention some basic principles stemming from this Recommendation.

First of all, according to the principle of subsidiarity, it is of course up to the States to organise their systems to grant the users easy access to translations. In some countries it may be done by public authorities, in others – by private publishers, and also sometimes by both public and private entities.

Whatever the system, the translations have to be of high quality. This is particularly important as otherwise the users will simply not trust these translations.

I would like to note that, according to Article 12 of the Statute of the Council of Europe, its official languages are only English and French. Nonetheless, the translations of the Court's case-law can and should be the basis for the relevant domestic judgments and other decisions. For that, it is obvious that the responsible State bodies should encourage their officials to use these translations in their day-to-day work so as to ensure the effective implementation of the judgments of the European Court.

Some 16 years have passed since the adoption of the Recommendation. Significant progress has been achieved during that period. Public authorities in member States have been reporting to the Committee of Ministers on the translation and dissemination of a great number of judgments. A huge number of these translations are available on HUDOC. So it is obvious that member States are in general complying with the Recommendation.

However, no overall assessment has yet been made as to whether the systems in place in member States are working ideally, or whether there is still some room for improvement. If this is the case, no overall research has been made either into what improvements can or should be made and how.

This round-table is an opportunity to initiate such an in-depth research with the participation of experts from several countries (Germany, Italy, Poland Romania and Russia).

The presence in this room of eminent publishers who have been disseminating the Court's case-law in non-official languages for decades promises us an enriching exchange of views about good practices and outstanding issues.

Our discussion on access to high-quality translations will be logically divided into two parts. The first session will cover the question of quality of translations. The second session will be dedicated to the question of how access to those translations is_ensured in member States. Needless to say that both sessions are complementary.

I would like to thank all the participants very much for their availability. I should also say that we greatly appreciate Russia's contribution to this round table through the efforts of the publishing house "Development of Legal Systems", represented here by its chief editors.

I now have the pleasure to give the floor to the moderator of the first session, Mr Yuriy BERESTNEV, Editor-in-Chief of the Russian Bulletin of the European Court of Human Rights.