

Parliamentary Projects Support Division

PPSD (2020) 13
24 October 2020

PARLIAMENTARY WEBCONFERENCE

Implementing standards of the European Convention on Human Rights: key role of national parliaments

Organised by

The Parliamentary Assembly of the Council of Europe (PACE)

27 October 2020

*for Members of the Parliaments of Albania, Bosnia and Herzegovina,
North Macedonia, Serbia*

10.00 - 13.00 CET

DRAFT PROGRAMME

*Financed by the
Horizontal Facility II, joint programme financed by the European Union and the Council of Europe
and implemented by the Council of Europe*

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by the European Union
and the Council of Europe



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by the Council of Europe

BACKGROUND

The Parliamentary Assembly's Resolution 1823 (2011) calls for adequate parliamentary procedures to verify the compatibility of draft national legislation with the standards of the European Convention on Human Rights (ECHR), the supervision of Strasbourg Court judgments and the provision of relevant human rights awareness-raising activities for parliamentarians and training for the staff of national parliaments.

As from 2012, the Parliamentary Assembly of the Council of Europe (PACE) has held a series of seminars for parliamentarians and staff of member States in order to improve their knowledge of the ECHR system and of the case-law of the European Court of Human Rights (ECtHR), in view of States legal duty to implement the Court's judgments. Five parliamentary conferences and five seminars for the staff of national parliaments were held between 2013 and 2019. A first webinar for the staff was organised in 2020, in an online accessible toolkit format due to COVID 19 travel restrictions.

The present webConference, addressed to parliamentarians from Albania, Bosnia and Herzegovina, North Macedonia and Serbia, is organised in order to:

- strengthen their practical knowledge of relevant provisions of the ECHR and the Strasbourg Court's case-law and the need for national legislation to comply with these standards;
- better inform them of the structure and functioning of the ECtHR;
- increase their awareness of the role of national parliaments in the execution of judgments of the ECtHR;
- support their efforts in the creation and/or reinforcement of specific structures (committees, sub-committees, legal affairs divisions, etc.) dealing with human rights and/or execution of the ECtHR judgments within national parliaments on regular basis.

In this way, national parliaments strengthen their role to systematically apply the standards of the Convention in national legislation and exercise their role in the control of the executive, particularly with regard to the effective execution of the Court's judgments.

The Handbook "[National parliaments as guarantors of human rights in Europe](#)" is currently available online in English, French, Albanian, Bosnian, Croatian, Macedonian, Serbian, among other languages, and will serve as a very useful instrument providing practical solutions for national parliaments to fulfil obligations to guarantee human rights.

This webConference is part of the Action "PACE co-operation with parliamentary assemblies with a view to achieving legislative improvements", funded by the European Union and the Council of Europe and implemented by the Council of Europe under the Horizontal Facility Phase II. The PACE Action will concentrate on the co-operation with the Parliaments of Albania, Bosnia and Herzegovina, North Macedonia and Serbia to support legislative improvements with a view to facilitating the execution of the European Court of Human Rights judgments.

PARTICIPANTS AND WORKING LANGUAGES

- Members of the Parliaments of Albania, Bosnia and Herzegovina, North Macedonia, Serbia
- Members of the Parliamentary Assembly of the Council of Europe, in particular of the Committee on Legal Affairs and Human Rights and PACE Committee on the Election of Judges to the ECHR;
- Representatives of the ECtHR and of the Department for the execution of judgements of ECtHR (DG I: Directorate General Human Rights and Rule of law);

The working language will be English, with simultaneous interpretation in Albanian, Bosnian, Macedonian and Serbian.

The discussions will be available in the form of a toolkit for parliamentarians, accessible in English, Albanian, Serbian on the PACE website.

READING LIST

- PACE Handbook for Parliamentarians (2018) – “[National parliaments as guarantors of human rights in Europe](#)”, in particular the checklist on p. 89 of the English version
- [The life of an application](#) to ECtHR
- The European Court of Human Rights impact website – <https://www.coe.int/en/web/impact-convention-human-rights/home#/>
- ECtHR - country factsheets
- Department for the Execution of Judgments of the ECtHR – Country factsheets
- Film – ECHR as the Conscience of Europe – <https://www.youtube.com/watch?v=YlgEbKWuvxc>
- Film about the execution process - <https://www.youtube.com/watch?v=4UybulA5rSo>

REFERENCE DOCUMENTS

- **Parliamentary Assembly (PACE):**
 - ✓ [Resolution 1823](#) (2011) National parliaments: guarantors of human rights in Europe
 - ✓ [Recommendation 2110](#) (2017) Implementation of judgments of the ECtHR
 - ✓ [Resolution 2178](#) (2017) on the implementation of judgments of the European Court of Human Rights
 - ✓ [AS/JUR/Inf. \(2016\) 04](#) Impact of the ECHR in States Parties: selected examples (this briefing document includes examples of the impact of ECtHR judgments in Serbia)
 - ✓ [AS/JUR \(2020\) 14](#) Implementation of the judgments of the European Court of Human Rights: 10th report
 - ✓ PPSD (2019) 03 rev. “The role of Parliaments in implementing standards of the European Convention of Human Rights – PACE Inter-parliamentary co-operation activities 2013-2019”
- **European Court of Human Rights (ECtHR):**
 - [The European Convention on Human Rights \(ECHR\)](#):
 - The [HUDOC database](#) provides access to the case law of the Court, which can be searched e.g. by case, country and language
- **Council of Europe Department for the execution of judgments of the ECtHR (DG I):**
 - ✓ [CM Recommendation \(2004\)5](#)
 - ✓ [CM Resolution \(2004\)3](#)
 - ✓ Information about the current status of execution of judgments can be found on the [HUDOC-EXEC database](#), (which can be searched e.g. by case, country and language)

PROGRAMME

Tuesday 27 October 2020

09.00 - 10.00 KUDO Connectivity Tests

10.00 – 10.15 OPENING SESSION

Mr Rik DAEMS, President of the Parliamentary Assembly of the Council of Europe (PACE)

Mr Constantinos EFSTATHIOU, Rapporteur of the Committee on Legal Affairs and Human Rights of the PACE, Member of the Parliament of Cyprus

**10.15 – 11.15
SESSION 1**

THE EUROPEAN CONVENTION ON HUMAN RIGHTS SYSTEM: AN OVERVIEW

Chaired by: **Ms Thorhildur Sunna ÆVARSDÓTTIR**, Former Chairperson of the Committee on Legal Affairs and Human Rights of the PACE, Member of the Monitoring Committee of the PACE, Member of the Parliament of Iceland

Overview of the work of the European Court of Human Rights (ECtHR):
Mr Lawrence EARLY, Former jurisconsult for the ECtHR

Supervision by the Committee of Ministers of the ECtHR judgments:
Ms Bojana NIKOLIN, Head of Section, Department for the Execution of ECtHR judgments, Directorate General of Human Rights and Rule of Law (DG I)

Discussion facilitated by **Mx Anne-Katrin SPECK**, PhD researcher, Human Rights Centre, Ghent University

**11.15 – 12.45
SESSION 2**

THE ROLE OF NATIONAL PARLIAMENTS IN IMPLEMENTING THE EUROPEAN CONVENTION ON HUMAN RIGHTS AND IN SUPERVISING THE EXECUTION OF THE COURT'S JUDGMENTS

Chaired by: **Mr Constantinos EFSTATHIOU**, Rapporteur of the Committee on Legal Affairs and Human Rights of the PACE, Member of the Parliament of Cyprus

Implementing Convention standards in domestic legislation and policy: reflections from Iceland

Ms Thorhildur Sunna ÆVARSDÓTTIR, Former Chairperson of the Committee on Legal Affairs and Human Rights of the PACE, Member of the Monitoring Committee of the PACE, Member of the Parliament of Iceland

The role of parliaments in the implementation of judgments of the European Court of Human Rights

Mr Constantinos EFSTATHIOU, Rapporteur of the Committee on Legal Affairs and Human Rights of the PACE, Member of the Parliament of Cyprus

Panel Discussion facilitated by **Mx Anne-Katrin SPECK**, with presentations by:

Ms Klotilda BUSHKA, Member of the Committee on Legal Affairs, Public Administration and Human Rights, Parliament of Albania

Ms Mirjana MARINKOVIĆ LEPIĆ, Member of the House of the Representatives and of the Joint Committee on Human Rights of the Parliamentary Assembly of Bosnia and Herzegovina

Mr Halil SNOPCE, Member of the Standing Inquiry Committee for protection of civil freedoms and rights, Parliament of North Macedonia

12.45 – 13.00 CONCLUDING REMARKS by:

Ms Thorhildur Sunna ÆVARSDÓTTIR, Former Chairperson of the Committee on Legal Affairs and Human Rights of the PACE, Member of the Monitoring Committee of the PACE, Member of the Parliament of Iceland