

Parliamentary Projects Support Division

PPSD (2019) 12

Implementation of the European Convention on Human Rights: Key Role of the Parliament

Seminar organised by

the Parliamentary Assembly of the Council of Europe (PACE)
for members of the Verkhovna Rada, Ukraine

PROGRAMME

STRASBOURG

7- 8 November 2019

Palais de l'Europe (Room 14)

and

European Court of Human Rights (Seminar Room)

1. Objectives

The main objective of this series of seminars is to support members of the Verkhovna Rada in improving their knowledge of the European Convention on Human Rights (ECHR) and of the case-law of the European Court of Human Rights (ECtHR), including the requirement of implementation of the Court's judgments with respect to Ukraine. This event also provides members of the Verkhovna Rada with the opportunity to take cognisance of and discuss the effectiveness of parliamentary oversight structures and mechanisms which exist in other Council of Europe (CoE) member States, in comparison with its own parliamentary mechanism responsible for ensuring effective oversight of the execution of the ECtHR judgments.

2. Participants

- Members of the Verkhovna Rada
- Representatives of the Registry of the ECtHR and of the CoE's Department for the execution of judgements of ECtHR (DG I: Directorate General Human Rights and Rule of Law);
- Representatives from Parliamentary Secretariats of other CoE member State.

The working languages of the seminar will be English and Ukrainian.

3. Reference Documents

- **Parliamentary Assembly (PACE):**
 - ✓ Resolution 1823 (2011) "National parliaments: guarantors of human rights in Europe" <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=18011&lang=en>
 - ✓ *PACE Recommendation 2110 (2017) Implementation of judgments of the ECHR* <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23988&lang=en>
 - ✓ AS/JUR/Inf. (2016) 04 "Impact of the ECHR in States Parties: selected examples" <http://website-pace.net/documents/19838/2008330/AS-JUR-INF-2016-04-EN.pdf/12d802b0-5f09-463f-8145-b084a095e895>
 - ✓ PPSD (2017) 16 rev. "Inter-parliamentary Cooperation activities- The role of parliaments in implementing the ECHR standards" <http://website-pace.net/documents/10643/695436/PPSD-2014-07-EN.pdf/5f85425d-5cfc-4954-968d-4fa7c4f0a0e4>
 - PACE Handbook for Parliamentarians (2018) - "National parliaments as guarantors of human rights in Europe" <http://website-pace.net/documents/19838/4986890/HumanRightsHandbook-EN.pdf/2318235f-b1fd-4cd9-8a29-83cc98615917>
 - ✓ Six ways parliaments can ensure human rights standards are better applied in member States - <http://assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=7285&cat=151>
- **European Court of Human Rights (ECtHR):** Text of the European Convention on Human Rights (ECHR):
 - ✓ https://www.echr.coe.int/Documents/Convention_UKR.pdf
 - ✓ ECtHR - Country profiles: https://www.echr.coe.int/Documents/CP_Ukraine_ENG.pdf
- **CoE Department for the execution of judgments of the ECtHR (DG I):**
 - ✓ Country Factsheet: <https://rm.coe.int/1680709769>
 - ✓ CM Recommendation(2004)5: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805dd194
 - ✓ CM Resolution(2004)3 https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805dd190

4. Draft Programme

Thursday, 7 November 2019

8.00 - 8.30 Registration of participants (main entrance of the Palais de l' Europe)

INTRODUCTORY SESSION

Palais de l'Europe, Room 14

8.45 - 9.00 Welcome by **Mr Wojciech SAWICKI**, Secretary General of the Parliamentary Assembly of the Council of Europe

Moderator **Mr Murray HUNT**, Director, Bingham Centre for the Rule of Law, London, former Legal Adviser, Joint Committee on Human Rights (JCHR) of the U.K. Parliament

9.00 - 9.20 Overview of the Parliamentary Assembly's work in the human rights field by **Mr Günter SCHIRMER**, Head of the Secretariat of the Committee on Legal Affairs and Human Rights

SESSION 1 THE ROLE OF NATIONAL PARLIAMENTS IN THE IMPLEMENTATION OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS AND THE STRASBOURG COURT'S JUDGMENTS

Moderator **Mr Murray HUNT**, Director, Bingham Centre for the Rule of Law, London, former Legal Adviser, Joint Committee on Human Rights (JCHR) of the U.K. Parliament

Panel I: General Overview

9.20 – 10.00 **Ms Anne-Katrin SPECK**, Co-Director, European Implementation Network, Strasbourg

10.00- 10.20 Experience within the Sub-Committee on the effective oversight of the execution of the ECtHR judgments of the Verkhovna Rada

Mr Ruslan SYDOROVYCH, Former member of the Verkhovna Rada of Ukraine

10.20 - 10.50 Discussion

10.50 - 11.00 *Coffee break*

Panel II: Council of Europe member States: peer-to-peer exchange

- 11.00 - 12.20 **Mr Pierre-Yves LE BORGNIER**, Former PACE Rapporteur on the implementation of the ECtHR judgments, former member of Parliament, France
- Mr Mart van de VEN**, Former PACE Member of the Committee on Legal Affairs and Human Rights, former Member of the Senate, Netherlands
- Mr George TUGUSHI**, Deputy Chairperson of the Committee on Human Rights and Civil Integration of the Parliament of Georgia

12.20 - 13.00 General discussion

13.15 - 14.45 *Lunch Restaurant Orangerie*

14.45 - 15.00 *Transfer to the European Court of Human Rights Building (ECtHR)*

SESSION 2 THE EUROPEAN CONVENTION ON HUMAN RIGHTS

ECtHR building, Seminar Room

- 15.00 - 15.15 “The Conscience of Europe” – film on the ECtHR
- 15.15 - 16.00 **Ms Ganna YUDKIVSKA**, Judge of the European Court of Human Rights in respect of Ukraine
- 16.00 - 16.30 Discussion
- 16.30 - 17.00 **Mr Murray HUNT**, Director, Bingham Centre for the Rule of Law, London, former Legal Adviser, Joint Committee on Human Rights (JCHR) of the U.K. Parliament

**Overview of the work of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)*

- 17.00** **Mr Mykola GNATOVSKYY**, President of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

SESSION 3 FOSTERING IMPLEMENTATION OF STRASBOURG COURT JUDGMENTS IN UKRAINE

Moderator **Mr Murray HUNT**, Director, Bingham Centre for the Rule of Law, London, former Legal Adviser, Joint Committee on Human Rights (JCHR) of the U.K. Parliament

Institutional and legal challenges – review of the current domestic system of implementation of judgments of the ECHR in Ukraine and the main systemic and structural problems vis-à-vis Ukraine

- 9.00 – 9.30 **Mr Costas PARASKEVA**, Department of Law, University of Cyprus, Nicosia, member of the CoE's European Committee for the prevention of Torture
- 9.30 - 10.00 **Mr Pavlo PUSHKAR**, Head of Division, CoE Department for the execution of judgements of the European Court of Human Rights (DG I: Human Rights and Rule of Law of the Council of Europe)
- 10.00 - 11.00 Discussion
- 11.00 -11.15 *Coffee break*
- 11.15 – 11.30 *Guided tour of the Council of Europe Hemicycle*

Cooperation between legislative and executive branches

- 11.30 – 12.00 **Mr Martin KUIJER**, Legal Advisor, Ministry of Justice and Security, Netherlands, The Hague
- Mr Konstantin KORKELIA**, Professor of Law, University of Tbilisi, former Ambassador, Permanent Representation of Georgia to the Council of Europe
- 12.00 -12.30 Discussion

CLOSING SESSION

- 12.30 - 12.50 Summary and concluding remarks **Mr Murray HUNT**, Director, Bingham Centre for the Rule of Law, London, former Legal Adviser, Joint Committee on Human Rights (JCHR) of the U.K. Parliament
- 12.50 - 13.00 **Mr Geza MEZEI**, Head of Secretariat, Project Support Division, Parliamentary Assembly of the Council of Europe

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