

Parliamentary Projects Support Division

PPSD (2020) 04

7 July 2020

WEBINAR

on the role of national parliaments in implementing the European Convention on Human Rights (ECHR) and the judgments of the European Court of Human Rights (ECtHR)

Organised by

The Parliamentary Assembly of the Council of Europe (PACE)

for the staff of the Parliament of Serbia

7 - 8 July 2020

10 am - 12.30 pm 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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BACKGROUND

Parliamentary Assembly's Resolution 1823 (2011) calls for adequate parliamentary procedures to verify the compatibility of national draft 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 member States in order to improve their knowledge on the ECHR system and on the case-law of the European Court of Human Rights (ECtHR), including the need to implement the Court's judgments. Five parliamentary conference and five seminars for the staff of national parliaments were held between 2013 and 2019.

The first objective of this webinar is to reinforce the knowledge of staff members of the Parliament of Serbia regarding standards of the ECHR, the functioning and case-law of the ECtHR, why the implementation of judgments is important, and develop an understanding that they have a stake in promoting implementation.

The second main objective is to strengthen the role of the national parliament which, thanks to the capacities and regular work of its staff, must, on the one hand, systematically apply the standards of the Convention in national legislation, and on the other hand, exercise its role in the control of the executive, particularly with regard to the effective execution of the Court's judgments.

The present webinar for the staff members of the Parliament of Serbia will give the opportunity to acquire knowledge on the current case-law with examples from lawyers of the Strasbourg Court and the Department for the Execution of the Court judgments, as well as Council of Europe colleagues from the HELP programme.

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

This webinar 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.

SPEAKERS AND WORKING LANGUAGES

- PACE Secretariat, lawyers from the ECtHR and the Department for the Execution of the ECtHR judgments of the Council of Europe, HELP (Human Rights Education for Legal Professionals)
- International experts

The working languages will be English and Serbian.

READING LIST

- PACE Handbook for Parliamentarians (2018) – “National parliaments as guarantors of human rights in Europe” This is available in (among other languages) [English](#) and [Serbian](#), in particular the checklist on p. 89 of the English version; p. 95 of Serbian 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 - [Serbia](#) country factsheet
- Department for the Execution of Judgments of the ECtHR - [Serbia country factsheet](#)
- 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=4UybuIA5rSo>
- [Public hearing on execution](#)
- Parliament’s involvement in the execution of Zorica Jovanović
 - Meeting with the Speaker <https://www.coe.int/en/web/execution/-/mission-to-belgrade-focused-on-missing-babies-and-old-foreign-currency-savings>
 - Public hearing http://www.parlament.gov.rs/Odrzano_javno_slusanje_o_Predlogu_zakona_o_utvrdivanju_cinjenica_o_statusu_novorodene_dece_za_koju_se_sumnja_da_su_nestala_iz_porodilista_u_Republici.38105.941.html
 - http://www.parlament.gov.rs/Public_Hearing_on_the_Bill_on_Ascertaining_the_Facts_about_the_Status_of_New-Borns_Suspected_to_Have_Gone_Missing_from_Maternity_Wards_in_the_Republic.38106.537.html
 - <https://www.coe.int/en/web/execution/-/missing-babies-parliamentary-hearing-in-belgrade>
 - Adoption of the law http://www.coe-strasbourg.mfa.gov.rs/cir/newstext.php?subaction=showfull&id=1583515403&ucat=309&template=Frontpage3Cir&#disqus_thread

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)
 - Zorica Jovanović
 - [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2020\)1369/H46-30E](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2020)1369/H46-30E)
 - [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2019\)1362/H46-28E](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2019)1362/H46-28E)
 - [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2019\)1355/H46-23E](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2019)1355/H46-23E)
 - [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2019\)1348/H46-27E](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2019)1348/H46-27E)
 - <http://hudoc.exec.coe.int/eng?i=001-188698>
 - <http://hudoc.exec.coe.int/eng?i=001-177639>
 - Ališić

- [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2019\)1362/H46-27E](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2019)1362/H46-27E)
- [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2017\)1280/H46-27E](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2017)1280/H46-27E)
- [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2016\)1273/H46-28](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2016)1273/H46-28)
- [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2015\)1236/20](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2015)1236/20)
- Milojević
 - https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=0900001680762b04
 - <http://hudoc.exec.coe.int/eng?i=001-181944>
- Stojanović, Jovančić and Milošević
 - <http://hudoc.exec.coe.int/eng?i=001-105998>
- Backović
 - <http://hudoc.exec.coe.int/eng?i=001-118291>

PROGRAMME

Tuesday 7 July 2020

09.00 - 10.00 **KUDO Connectivity Tests**

10.00 – 11.30 **Welcome**

Moderator: **Mr Alessandro MANCINI**, Programme Manager, PACE Project Support Division

Presentation Road Map

Facilitator: **Dr Alice DONALD**, Senior Lecturer, PhD Programme leader and joint Chair of Ethics, School of Law, Middlesex University

The impact of the ECHR in the State parties and the role of national parliaments in the Convention system

Speakers: **Dr Alice DONALD**, Senior Lecturer, PhD Programme leader and joint Chair of Ethics, School of Law, Middlesex University

Ms Katherine HILL, Committee Specialist, Joint Committee on Human Rights in the UK Parliament

11.30 – 12.00 pm **Parliamentary Structures. Activities of the Committee on Legal Affairs and Human Rights of the PACE**

Speaker: **Ms Agnieszka SZKLANNA**, Secretary of the Committee

12.00 pm – 12.15 pm Wrap up and overview of 8 July session

Wednesday 8 July 2020

9.00 - 10.00 **KUDO Connectivity Tests**

10.00 – 11.15 **Welcome**

Moderator: **Mr Alessandro MANCINI**, Programme Manager, PACE Project Support Division

Introduction

Facilitator: **Dr Alice DONALD**, Senior Lecturer, PhD Programme leader and joint Chair of Ethics, School of Law, Middlesex University

The structures and functioning of the European Court of Human Rights in relation to Serbia

Speakers: **Ms Bojana BOSKOVIC-HUSANOVIC**, **Mr Aleksandar RISTANIC**, Registry of the ECtHR

The work of the Department for the Execution of Judgments of the European Court of Human Rights with regards to Serbia

Speakers: **Ms Katarina NEDELJKOVIC**, **Ms Bojana NIKOLIN**, Department for the Execution of ECtHR judgments, Directorate General of Human Rights and Rule of Law (DG I)

11.15 – 12.00 The European Implementation Network – experience in Serbia

Mr George STAFFORD, Director of EIN

The HELP Programme in Serbia

Ms Valentina BOZ, HELP Unit (Human Rights Education for Legal Professionals), Directorate General Human Rights and Rule of Law (DG I)

12.00 – 12.15

Wrap Up

Conclusions

Dr Alice DONALD, General rapporteur

Concluding remarks

Mr Alessandro MANCINI, Programme Manager, PACE Project Support Division

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