

Budapest, 26 November 2018 – PACE Parliamentary Seminar on role of national parliaments in implementing standards of the European Convention of Human Rights

CLOSING REMARKS by Andrew Drzemczewski, Facilitator of the Seminar:

Based on today's discussions as well as on work carried out by the Parliamentary Assembly, permit me to provide you with the following "checklist" of 6 points:

1. The basic premise: where possible, an appropriate parliamentary "supervision" mechanism should be put into place; ideally, a permanent structure, whose existence is not contingent on short-term political considerations;
2. Systematic verification of the compatibility of draft legislation with ECHR standards ought to be ensured by parliaments; the U.K. and The Netherlands stand out as 'models' to be followed where the executive organ indicates to parliament that the draft text is 'ECHR compliant.';
3. Governments (e.g., ministers &/or government agents before the ECtHR) should be required to regularly – at least once a year - submit reports to Parliament on the manner in which the state complies with Strasbourg Court judgments;
4. The designated parliamentary body or bodies must be provided with a remit to initiate legislative proposals and amendments to laws; the body/committee should be able to undertake inquiries, compel witnesses to attend - including government ministers; compel the production of documents, and to hold oral evidence hearings, when necessary;
5. Parliamentarians must have access to independent expertise in human rights law; preferably specialist full-time staff members within the legal service of the legislature itself; this presupposes, obviously, that adequate logistical and financial resources are provided for this;
6. As indicated in PACE Resolution 1823 (2011), entitled "National Parliaments: guarantors of human rights in Europe," co-operation and regular dialogue should be maintained with representatives of civil society, academic/research institutions, and, where they exist, NIHRs and ombudsmen/parliamentary commissioners.