

Parliamentary Projects Support Division

PPSD (2019) 02

CAPACITY BUILDING SEMINAR

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

organised by

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

PROGRAMME

STRASBOURG

21 - 22 March 2019

Palais de l'Europe (Room 11)

and

European Court of Human Rights (Seminar Room)

1. Objectives

The main objective of this series of seminars is to support the staff of the Verkhovna Rada in improving their knowledge on the European Convention on Human Rights (ECHR) and of the case-law of the European Court of Human Rights (ECtHR) including the need to implement the Court's judgments with respect to Ukraine.

The seminar should also help increase the capacity of staff to make members of the Ukrainian Parliament aware of the need of effective parliamentary oversight of Strasbourg human rights standards and to assist them in the preparation of draft legislation and policy measures.

This event also provides staff 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.

2. Participants

- The participants should be members of Secretariat of the Verkhovna Rada (Legal and Scientific Departments; Legal, Legislative and Human Rights Committees)
- Representatives of the Registry of the ECtHR and of the 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 States.

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 Factsheets: <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, 21 March 2019

8.00 - 8.45 Registration of participants (main entrance of the Palais de l'Europe)

INTRODUCTORY SESSION

Palais de l'Europe, Room 11

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 of the 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 Overview of the situation in Ukraine, **Mr Oleg RADCHENKO**, Head of Division, Central Judicial Office of the Verkhovna Rada of Ukraine, Kyiv

10.20 - 10.50 Discussion

10.50 - 11.00 *Coffee break*

Panel II: Best Practices

11.00 - 12.20 **Mr Andrew DRZEMCZEWSKI**, Visiting Professor at Middlesex University School of Law, London, Former Head of Legal Affairs and Human Right Department of the Parliamentary Assembly of the Council of Europe

Ms Claire MENZIES, Equalities and Human Rights Committee, the Scottish Parliament, Edinburgh, UK

Mr Louis MIDDELKOOP, Policy Advisor European Affairs, Committee for Security and Justice, Parliament of Netherlands, The Hague

Ms Foteini TSOUNI, Member of the staff, International Organizations Department, Parliament of Greece, Athens

12.20 - 13.00 Discussion

13.00 - 14.15 *Lunch (Restaurant Bleu)*

14.30 – 14.45 *Guided tour of the Council of Europe Hemicycle*

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

SESSION 2 INTRODUCTION TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS

ECtHR building, Seminar Room

15.00 - 15.15 “The Conscience of Europe” – film on the ECHR

15.15 - 16.00 **Mr Dmytro TRETAKOV**, Non-judicial rapporteur for Ukraine, Head of division, Filtering Section, Registry of the European Court of Human Rights

Ms Olga DMYTRENKO, Lawyer, Registry of the European Court of Human Rights

16.00 - 16.30 Discussion

16.30 - 17.00 Summary and concluding remarks **Mr Murray HUNT**, Director, Bingham Centre for the Rule of Law, London, former Legal Adviser of the JCHR of the UK Parliament

Friday, 22 March 2019

Palais de l'Europe, Room 11

SESSION 3 FOSTERING IMPLEMENTATION OF STRASBOURG COURT JUDGMENTS IN UKRAINE: INSTITUTIONAL AND LEGAL CHALLENGES

9.30 - 10.30 **Mr Oleksiy GOTSUL**, Legal Officer, Registry of the European Court of Human Rights

10.30 - 11.30 **Mr Pavlo PUSHKAR**, Head of Division, 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)

11.30 - 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 of the JCHR of the UK Parliament

12.50 - 13.00 **Mr Geza MEZEI**, Head of Secretariat, Project Support Division, Parliamentary Assembly of the Council of Europe

13.00 - 14.15 *Time for Lunch (Palais de l'Europe)*

14.30 *Bus departure to Palais Rohan for Batorama cruise: Strasbourg, 20 centuries of history*

SECRETARIAT OF THE PACE

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