

# ECHR LITIGATORS' MEETING - DECEMBER 2016

## Outline Agenda

### **Day 1: Thursday 1 December**

**Centre Culturel St. Thomas, 2 rue de la Carpe-Haute, Strasbourg**

0930 Session 1: Introductions (30 minutes).

Introduction to the program.

1000 Session 2: Plenary: Procedural Developments (75 minutes).

This session will review some of the issues that will be covered in the discussions with the Court and the Registry on Friday 2 December, allowing NGOs to share experiences and consider their response in advance. Discussions will cover: Advisory opinions/Protocol 16; third-party interventions; prioritization and urgent applications (Rules 40 and 41); Interim measures (Rule 39); Single judge procedures; Correspondence with the Court and from parties.

1115 *Break (15 minutes)*

1130 Session 3: Breakout Groups: Substance (75 minutes).

These sessions will allow smaller groups to discuss recent developments in law and procedure. They will focus on a review of changes in the case law, any particular strategies that have been successful, and upcoming cases that colleagues are preparing to file. The breakout groups will be facilitated by lawyers specializing in each area. Issues might include: Fair trial rights, discrimination, Art 2/3/state violence, freedom of expression, asylum/refugees.

1245 Report back (15 minutes)

1300 *Lunch (45 minutes)*

1345 Session 4: Plenary: Impact (30 minutes)

This session will cover the following questions: What are the different types of impact that can be brought about through strategic litigation? How should lawyers plan their projects with a specific impact in mind? Which tactics can be deployed to increase the impact of litigation?

1415 Session 5: Breakout Groups: Practice (60 minutes).

These sessions will allow for a technical discussion of problems that arise in the practice of litigation before the European Court. Practitioners will share experiences and propose best practice that works. Sessions might include: community engagement, failure to investigate/commissions of inquiry, settlement.

1515 Report back (15 minutes)

1530 *Break (15 minutes)*

1545 Session 6: Plenary Session: Current Controversies (60 minutes).

This session will review three larger questions of concern to litigators before the ECHR, and might include: civil society space and attacks on human rights lawyers; implementation; reform of the Court.

1645 Conclusions (15 minutes)

1700 End

1930 Group Dinner

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**Day 2: Friday 2 December (0930-1600)**

**European Court of Human Rights**

*Session I, 9:00-10:30*

Chair: Mr Guido Raimondi, President of the ECtHR

1. *Introductory remarks by the President*

2. *Amendments to the Rules of Court*

Lawrence Early, Jurisconsult

Presentation of recent changes to the Rules of Court, particularly in relation to Protocol No. 16.

3. *Issues relating to the institution of proceedings and the filtering of applications*

Karen Reid, Registrar of the Filtering Section.

Presentation of rules and practice presently applied by the Court.

Reply to questions raised by participants.

4. *Interim measures*

Sophie Piquet, Head of Rule 39 Unit

Current practice of the Court in applying Rule 39

Reply to questions raised by participants.

*Coffee break*

*Session II, 11:00-12:30*

Chair: Judge Erik Møse

5. *Issues with respect to communication and information*

John Hunter, Head of Information Technology Department

Presentation on new IT tools for applicants, and on communication by applicants and third parties with the Court.

Reply to questions raised by participants

6. *Third party intervention*

Abel de Campos, Section Registrar

Brief introduction and reply to questions raised by participants.

*Lunch for participants at the Court's cafeteria*

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*Session III: 14:00-16:00*

Chair: Judge Julia Laffranque

*7. Co-operation with national courts.*

Anna Austin, Deputy Jurisconsult.

Presentation on the role of the new Superior Courts Network.

*8. The conduct of proceedings*

Françoise Elens-Passos, Deputy Registrar

Reply to various questions raised relating to different aspects of proceedings before the Court, notably:

- Handling of cases within the pilot judgment procedure
- Unilateral declarations and friendly settlements
- Prioritisation of cases
- Backlog of cases and delay
- Timeframe for processing cases after the exchange of parties' observations
- The Indication to the State of appropriate remedial measures

*9. General discussion with panel of speakers*

Opportunity to raise other issues not yet covered.

*10. Closing remarks*

By James Goldston, on behalf of participants

By Roderick Liddell, Registrar

By Judge Julia Laffranque