



**CHAIRMANSHIP OF DENMARK**  
Council of Europe  
November 2017 – May 2018

**PRÉSIDENTIE DU DANEMARK**  
Conseil de l'Europe  
Novembre 2017 – Mai 2018

**Programme  
High-Level Expert Conference**

# **2019 and Beyond: Taking Stock and Moving Forward from the Interlaken Process**

**Wednesday 22 to Friday 24 November 2017  
Kokkedal Castle, Denmark**

By the end of 2019, the Committee of Ministers must decide whether the measures already adopted within the Interlaken Process have proven to be sufficient to assure sustainable functioning of the control mechanism of the Convention or whether more profound changes are necessary.

Approaching this deadline, the Danish Chairmanship wishes to facilitate a renewed discussion on the future of the Convention system looking beyond the 2019 deadline.

At the Conference, representatives of Council of Europe Member States will meet with judges of the European Court of Human Rights and officials from the Secretariat of the Council of Europe, parliamentarians and national judges, as well as experts from civil society to address both the immediate problems facing the Convention system and discuss ideas for the long-term future.

The goal is to explore how the promotion and protection of human rights under the Convention system can be developed and improved in both the short-term and long-term. Following the main tracks laid out in the Interlaken Process, the Conference will address both the question of how to ensure a more sustainable functioning of the Convention system and discuss ways of strengthening the authority of the system.

In order to encourage a free and open discussion and the sharing of information, discussions at the Conference will take place under the Chatham House Rule.

## Wednesday 22 November

15:00-17:00	Participants arrive (sandwiches available)
18:00-18:05	<b>Welcome to Kokkedal</b>
	<b>Rasmus Kieffer-Kristensen</b> Head of Danish ECHR Initiative, Danish Ministry of Justice
18:05-19:30	<b>Reflections on the Interlaken Process and a Look to the Future</b>
	<b>Søren Pape Poulsen</b> Danish Minister of Justice
	<b>Guido Raimondi</b> President of the European Court of Human Rights
	<b>Frank Schürmann</b> Government Agent of Switzerland
	<b>Başak Çali</b> Professor of International Law at Hertie School of Governance and Director of the Center for Global Public Law at Koç University
20:00	Reception followed by welcome dinner hosted by the Danish Minister of Justice

## Thursday 23 November

07:00-09:00	Breakfast
09:00-09:45	<b>1. The Caseload Challenge – How to Achieve a Balanced Throughput</b>
	<b>Facilitator: Philip Leach</b> Professor of Human Rights Law at Middlesex University, solicitor, and Director of the European Human Rights Advocacy Centre
	<b>Keynote speaker: Mikael Rask Madsen</b> Professor of Law and Director of iCourts, Center of Excellence for International Courts, University of Copenhagen
	<b>'The ECtHR Post Interlaken and Brighton: Taking Stock, Looking Ahead'</b>
09:45-10:30	<b>Breakout Discussions</b>
	<ul style="list-style-type: none"><li>• Dealing with systemic and structural problems – the case of prison conditions</li><li>• Pilot-judgments and the Burmych case – a new institutional balance?</li><li>• Admissibility on the road to Protocol 15</li><li>• The art of the possible: Setting ambitious, yet realistic goals for the future</li></ul>
10:30-11:00	<b>Feedback from Breakout Discussions</b>
11:00-11:30	Photograph followed by coffee/tea break

11:30-12:15

## 2. The Authority Challenge: Key Factors to Address

**Facilitator: Isabelle Niedlispacher**  
Government agent of Belgium

**Keynote speaker: Jonas Christoffersen**  
Director of the Danish Institute of Human Rights

**‘Lessons Learned and New Perspectives on Human Rights Dialogue’**

12:15-13:00

### Breakout Discussions

- Selection and election of judges
- The need for a clear and commonly accepted framework – dynamic interpretation and its limits
- Addressing the element of surprise – keeping member states informed and involved
- Advocating the Strasbourg system – a shared responsibility

13:00-14:30

Lunch

14:30-15:00

### Feedback from Breakout Discussions

15:00-15:30

Coffee/tea

15:30-16:15

## 3. Bolstering Authority through Communication and Participation

**Facilitator: Mikael Rask Madsen**

Professor of Law and Director of iCourts, Center of Excellence for International Courts, University of Copenhagen

**Keynote speaker: Ingo Venzke**

Associate Professor of International and European Law and Director of the Amsterdam Center for International Law

**‘Justifying the ECtHR’s Public Authority: Strategies of Procedural Legitimation and Politicization’**

16:15-17:00

### Breakout Discussions

- Increasing third party interventions by member states
- Increasing third party interventions (amicus curiae) by civil society, NHRIs and other interest organisations
- A new role for the Committee of Ministers?

17:00-17:30

### Feedback from Breakout Discussions

19:30

Dinner (informal)

## Friday 24 November

07:00-09:00	Breakfast
09:00-10:00	<b>4. Towards an Age of Subsidiarity?</b> <b>Facilitator: Kristine Lice</b> Government Agent of Latvia  <b>Keynote speaker: Robert Spano</b> Judge, Section President, European Court of Human Rights  <b>'The Future of the European Court of Human Rights – Subsidiarity, Process-Based Review and the Rule of Law'</b>
10:00-10:45	<b>Breakout Discussions</b> <ul style="list-style-type: none"><li>• Codifying subsidiarity in the light of recent case law</li><li>• Judicial dialogue post Protocol 16</li><li>• Subsidiarity – parliaments as key interlocutors</li></ul>
10:45-11:15	<b>Feedback from Breakout Discussions</b>
11:15-11:20	<b>Closing of Conference</b>
11:30-12:00	Participants departure