



## **European Implementation Network**

### **Strategy 2016-2020**

April 2016

#### **Introduction**

The European Implementation Network (EIN), created in 2015, responds to the fact that a staggering number of European Court of Human Rights (ECtHR) judgments have not been fully implemented, and therefore have yet to be translated into real progress for their intended beneficiaries. This crisis of implementation, in which more than 10,000 cases remain under the supervision of the Committee of Ministers, profoundly affects the promotion and protection of human rights in the Council of Europe's 47 countries. For example, of these important judgments that fail to provide the protection and redress they promise, violations by security forces represent more than 1,800 cases, and poor detention conditions are addressed in nearly 1,400 cases.

This persistent crisis, combined with resistance to transparency and civil society participation in the Council of Europe's implementation structures, risks creating yet another challenge: implementation fatigue. If the lawyers, NGOs, activists, and others pressing for implementation fail to see actual progress, or at least to understand where and how to advocate for such progress, we risk a loss of commitment to the European human rights system, including its keystone, the European Court of Human Rights. Hence the creation of the EIN.

The EIN, a project of the NGO Judgment Watch, is the only civil society initiative entirely dedicated to pursuing the consistent and effective implementation of ECtHR cases. While dozens of organizations and likely hundreds of private lawyers across the Council of Europe seek implementation of their cases through various activities, none is able to focus exclusively on this crucial aspect of human rights litigation. Anecdotal evidence gained through consultation indicates that most are frustrated by the lack of time, resources, expertise, political will, access to information and to decision-makers, and other barriers that frustrate implementation of their judgments. The EIN aims to correct this gaping hole in the European litigation landscape by proactively supporting those organizations and individuals bringing important human rights cases, knowledgeably engaging the Council of Europe's implementation-related institutions, and connecting the two. As well, the EIN, given its comprehensive understanding of the implementation crisis across Europe, will have the opportunity to address common systematic problems shared by multiple Council of Europe member states.

The 2016-2020 Strategy is EIN's first, and describes key aspects of EIN's goals, structure, and tactics. As distinguished from a work-plan, the strategy does not seek to paint an exhaustive

portrait of all EIN's work, but rather provides a roadmap for its thinking, planning, and activities over the next four years.

### **Vision and Mission**

Judgments of the European Court of Human Rights are a crucial tool in promoting and protecting human rights and redressing human rights violations. Toward that end, the EIN envisions the full, consistent, and effective implementation of European Court judgments. The EIN's mission is to build and strengthen the ability of lawyers, NGOs, and communities to access every part of the Council of Europe that can contribute to better implementation of these judgments; to advocate for full implementation of particular cases; and to support more robust structures that facilitate implementation.

### **Organizational Structure and Governance**

The EIN is a project of Judgment Watch, an organization legally registered in Geneva, and is governed by a Steering Committee comprised of lawyers and activists. The Steering Committee, which meets biannually, as well as the staff of EIN, rely heavily on consultation and engagement with partners to identify priorities and develop initiatives.

The EIN is a group of people and organizations—EIN's partners—that work with each other to achieve the EIN's vision and mission. There is no formal membership; partners become linked to the network through participation in its activities. The EIN is founded on the principles of transparency, participation of civil society, information sharing, and collaboration; the greater the participation of its partners, the greater the value of the network.

The Network has (or will have shortly) a central office in Strasbourg, which enables it to play a coordinating, intermediary role to connect partners with each other and with Council of Europe institutions. EIN staff undertakes initiatives ranging from supportive (information sharing, access, advice and technical support, capacity-building) to proactive (advocacy, new initiatives) to advance its vision and mission.

Funding for the EIN comes from a combination of governmental and private donors. Since its inception in 2015, the governments of the Netherlands and Sweden have contributed financially, as has private donor the Open Society Justice Initiative. Several other governments have expressed an interest in providing either financial or in-kind support, and at least one additional private foundation is entertaining a request for funding.

### **Long-term goals**

1. To advocate for effective implementation of judgments through improved structures and processes, enhanced transparency, and greater participation of civil society;
2. To build the capacity of NGOs and civil society to effectively engage in implementation processes both in the Council of Europe and at the national level;
3. To facilitate the exchange of information between EIN's partners and the Council of Europe; and to increase the access of EIN's partners to Council of Europe decision-makers.

## **2016-2020 Objectives and illustrative activities**

### ***1) To provide an active platform for communication and civil society input to Council of Europe organs concerned with implementation of judgments, including but not limited to the Committee of Ministers***

#### **Illustrative activities**

- Provide quarterly briefings to states on relevant cases prior to quarterly Committee of Ministers Human Rights (CM-DH) meetings, as well as periodic thematic briefings for other CoE organs;
- Communicate closely with states and the various secretariats through Rule 9 submissions and other documents;
- Convene occasional private briefings for states on more sensitive cases;
- Connect NGOs, lawyers, and activists with diplomats and Council of Europe staff through arranged meetings, events, and other networking opportunities.

### ***2) To build and increase the capacity of partners to promote the implementation of judgments in Strasbourg through greater engagement with member States and Council of Europe staff***

#### **Illustrative activities**

- Convene workshops and roundtables on good practices;
- Hold a training on drafting persuasive Rule 9 submissions;
- Publish a handbook on the post-judgment supervision of execution processes at the Council of Europe to be developed in cooperation with the CoE experts.

### ***3) To secure the full implementation of the Brussels Declaration, a political document adopted by the Committee of Ministers in 2015***

#### **Related activities**

- Participate as observers to the relevant intergovernmental working groups (e.g. Drafting Group F on the Reform of the Court, or GT-GDR-F);
- Report to partners on and coordinate possible public statements;
- Advocate with member state representations on the effective implementation of the Declaration.

## **Monitoring and evaluation**

Upon the adoption of this strategy, the EIN secretariat will develop an annual work-plan, including specific indicators for progress. The strategy and work-plan will be monitored and progress evaluated by the Steering Committee on an annual basis.

The EIN strategy has been endorsed by the following EIN partners:

APADOR-CH, Romania

European Human Rights Advocacy Centre, UK

European Roma Rights Centre, Hungary

Greek Council of Refugees

Hakikat Adalet Hafiza Merkezi (Truth Justice Memory Center), Turkey

Helsinki Citizens' Assembly Vanadzor NGO, Armenia

Helsinki Foundation for Human Rights, Poland

Hungarian Helsinki Committee

ILGA-Europe

Lawyers' Committee for Human Rights (YUCOM), Serbia

Legal Resources Centre, Moldova

Memorial Human Rights Centre, Russia

Peace Institute, Slovenia

Russian Justice Initiative

Turkey Human Rights Joint Platform

Ukrainian Helsinki Human Rights Union