

Structure for national reports to be submitted by member states to the Committee of Ministers by the end of 2011 on the implementation of the Interlaken Declaration

The Interlaken Declaration (Action Plan, Implementation, Article 3) calls upon the States Parties to inform the Committee of Ministers, before the end of 2011, of the measures taken to implement its relevant parts.

The Izmir Declaration (Follow-up Plan, Part B Implementation of the Convention at national level, paragraph 2) invites the States Parties to devote all the necessary attention to the preparation of the national reports that they must present by the end of 2011, describing measures taken to implement relevant parts of the Interlaken Declaration and how they intend to address possible shortcomings, in order that these reports provide a solid basis for subsequent improvements at national level.

At their 1114th meeting (25 May 2011), the Ministers' Deputies adopted the following structure for the national reports. Its aim is twofold: firstly, to assist member states when providing the requested information and, secondly, to provide for a uniform structure of national reports that would subsequently allow the Committee of Ministers when dealing with the information collected to consider on an equal basis the measures taken by member states to implement the Interlaken Declaration Action Plan.

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Relevant elements of the Interlaken Declaration

The Interlaken Declaration contains the following elements which are addressed to the member states exclusively or in collaboration with other stakeholders:

1. *Continuing to increase, where appropriate in co-operation with national human rights institutions or other relevant bodies, the awareness of national authorities of the Convention standards and to ensure their application;*
2. *Fully executing the Court's judgments, ensuring that the necessary measures are taken to prevent further similar violations;*
3. *Taking into account the Court's developing case-law, also with a view to considering the conclusions to be drawn from a judgment finding a violation of the Convention by another state, where the same problem of principle exists within their own legal system;*
4. *Ensuring, if necessary by introducing new legal remedies, whether they be of a specific nature or a general domestic remedy, that any person with an arguable claim that their rights and freedoms as set forth in the Convention have been violated has available to them an effective remedy before a national authority providing adequate redress where appropriate;*
5. *Considering the possibility of seconding national judges and, where appropriate, other high-level independent lawyers, to the Registry of the Court;*
6. *Ensuring review of the implementation of the recommendations adopted by the Committee of Ministers to help States Parties to fulfil their obligations;*
7. *Ensuring that comprehensive and objective information is provided to potential applicants on the Convention and the Court's case-law, in particular on the application procedures and admissibility criteria;*

8. *Facilitating, where appropriate, within the guarantees provided for by the Court and, as necessary, with the support of the Court, the adoption of friendly settlements and unilateral declarations;*
9. *Cooperating with the Committee of Ministers, after a final pilot judgment, in order to adopt and implement general measures capable of remedying effectively the structural problems at the origin of repetitive cases;*
10. *Ensuring, if necessary by improving the transparency and quality of the selection procedure at national level, full satisfaction of the Convention's criteria for office as a judge of the Court, including knowledge of public international law and of the national legal system as well as proficiency in at least one official language;*

Questions to the member states

- I. Please indicate whether a specific domestic structure has been established to implement or oversee the implementation of the Interlaken declaration at national level.
- II. Please indicate whether any national priorities have been identified with respect to the implementation of the Action Plan and if so, what?
- III. For each of the Interlaken Declaration Action Plan elements identified above (1-10), please provide relevant information, in particular the following:
 - (i) What has or will be done to implement that particular element? (This could include, for example, changes in the legislation, any new relevant case law or new administrative arrangements or practices.)
 - (ii) What practical impact is expected?
 - (iii) Are there any factors that may make it difficult to achieve this impact? If so, what?
 - (iv) If it has not been considered necessary to take any such action, please indicate the reasons why. (This could, for example, include the fact that relevant measures taken prior to the Interlaken Conference were found to be sufficient.)
- IV. Please indicate whether your authorities have held or are planning to hold consultations with civil society on effective means to implement the Interlaken Declaration Action Plan, as called for in the Declaration itself.
- V. Please indicate whether your authorities would wish to benefit from the technical or financial assistance of the Council of Europe in fulfilling the calls set out in the Interlaken Declaration.