

Non-discrimination: a human right
Seminar to mark the entry into force of Protocol No. 12

Programme

- 09.30 Opening of the Seminar by the Chair, Mr Emmanuel Decaux, Professor of Public Law, Pantheon-Assas University (Paris II) and Member of the United Nations Sub-Commission for the Promotion and Protection of Human Rights
- 09.35 – 09.45 Welcome address by Mrs Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe
- 09.45 – 10.10 Presentation by Professor Martin Scheinin, Institute for Human Rights, Åbo Akademi University, Finland: *The experience of the United Nations Human Rights Committee in applying the freestanding non-discrimination provision of Article 26 of the ICCPR*
- 10.10 – 10.35 Presentation by Mrs Margarita Tsatsa-Nikolovska, Judge of the European Court of Human Rights: *Protection against discrimination under Article 14 of the European Convention on Human Rights*
- 10.35 – 11.00 Presentation by Mr Michael Head, Chair of the European Commission against Racism and Intolerance (ECRI): *The genesis of Protocol No. 12*
- 11.00 Break
- 11.30 Topic One: *The scope of Protocol No. 12*

Panel:

Mr Mark Bell, Senior Lecturer, Centre for European Law and Integration, University of Leicester

Mr Jean-Michel B elorg y, President of the European Committee for Social Rights (ECSR)

Mr Jim Goldston, Executive Director, The Open Society Justice Initiative

Mr Morten Kjaerum, Executive Director, Danish Institute for Human Rights

Introductory statements to start off discussions.

What is the exact scope of Protocol No. 12? What is its relationship with Article 14 ECHR? To what extent are positive measures required/allowed? Do the provisions of Protocol No. 12 have horizontal effects? How do Protocol No. 12 and EU law compare?

11.45- 13.00 Discussions

14.45 Topic Two: *How to prepare ratification in practice?*

Panel :

Mr Boriss Cilevičs (Latvia), Representative of the Legal Affairs and Human Rights Committee of the Parliamentary Assembly of the Council of Europe

Mrs Dubravka Šimonović, Head of the Human Rights Department, Ministry of Foreign Affairs, Croatia

Mr John Kissane, Head of International Human Rights Law Division, Department for Constitutional Affairs, United Kingdom

Introductory statements to start off discussions.

What has been the experience of States that have ratified Protocol No. 12? What have been obstacles preventing States from ratifying it? What kind of measures (legislative and other) have been taken prior to ratification? Which remedies have been established under domestic law to deal with discrimination issues? How can the Council of Europe assist States in the ratification process?

15.00 – 16.30 Discussions

16.30 Break

17.15 Summing up by the Chair

18.00 Reception given by Mr Pierre-Henri Imbert, Director General of Human Rights