

BIAŁYSTOK LAW BOOKS

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Iwona Wrońska

FUNDAMENTAL RIGHTS PROTECTION
IN THE COUNCIL OF EUROPE:
THE ROLE OF THE EUROPEAN COURT
OF HUMAN RIGHTS



Temida2
Białystok 2011

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Editor-in-Chief: Jerzy Banasiuk

Cover design: Jerzy Banasiuk

Publisher: Temida 2, Faculty of Law, University of Białystok

Series Editor: Izabela Kraśnicka

English language consultant: Cezary Okruszko

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ISBN: 978-83-62813-19-3

ISSN: 2083-9790

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Table of Contents

List of abbreviations	9
Introduction.....	11

Part 1

Human rights in contemporary international relations

1. Introduction.....	13
2. Human rights notion	14
3. International law of human rights.....	20
3.1. Introductory issues.....	20
3.2. Significance and development of international law of human rights.....	25
4. Catalogue of individual's rights and freedoms in international law..	30

Part 2

Human rights in international convention

1. Introduction.....	35
2. Sources of human rights international protection.....	36
3. International systems of human rights protection.....	40
3.1. Human rights protection universalism in the United Nations.....	40
3.2. Regional systems of human rights protection.....	45
3.2.1. European model of human rights protection.....	45
3.2.2. Non-European approaches to regional protection of human rights	53
4. International instruments of human rights supervision.....	57

Part 3
Activity of the Council of Europe

1. Genesis of the Council of Europe	64
2. Aims and tasks of the Council of Europe	69
3. Organization and composition of the Council of Europe	72
3.1. Membership of the Council of Europe and the admission of new members.....	72
3.2. Statute bodies.....	76
3.3. Other bodies.....	83
4. Legal heritage of the Council of Europe.....	87

Part 4
**Human rights protection model in the system of European
Convention on Human Rights and Fundamental Freedoms**

1. Subjective and objective scope of European Convention on Human Rights and Fundamental Freedoms.....	94
2. Control mechanism of the European Convention on Human Rights and Fundamental Freedoms.....	101
2.1. Evolution of the protective system of the European Convention on Human Rights and Fundamental Freedoms...	101
2.2. The character of individual and inter–state complaint	105
3. Legal international character of obligations of the European Convention on Human Rights and Fundamental Freedoms	110
4. The place of the European Convention on Human Rights and Fundamental Freedoms in European democratic architecture .	116

Part 5
Activity of the European Court of Human Rights

1. Organization structures of the European Court of Human Rights ..	125
1.1. Judicial composition of the European Court of Human Rights.....	125

1.2. Composition of the European Court of Human Rights: Plenary Court, Single–judge formation, Committees, Chambers and Grand Chamber.....	130
2. Recognition of individual complaints.....	133
2.1. Conditions of admissibility of individual complaint.....	133
2.2. Recognition procedure of individual complaint	137
3. Implementation of the European Court of Human Rights’ adjudication in domestic legal orders	142
3.1. Methods of implementation of the European Court of Human Rights’ adjudication in domestic legal orders	142
3.2. Refusal to execute adjudication of the European Court of Human Rights as an infringement of the European Convention on Human Rights and the Statute of the Council of Europe	148
4. The Court’s activity 2000–2010	154

Part 6

Cooperation of the Council of Europe with the European Union. Institutional and legal issues

1. The Council of Europe’s relations with the European Union.....	159
1.1. Legal foundations of the cooperation	159
1.2. Objectives, principles and areas of cooperation	169
2. European Union Charter of Fundamental Rights in European system of human rights protection.....	174
2.1. Charter of Fundamental Rights in the Lisbon Treaty	174
2.2. Standards of European Convention on Human Rights and Fundamental Freedoms vs. EU Charter.....	181
3. Accession of the European Union to European Convention on Human Rights and Fundamental Freedoms.....	186
Bibliography	191

LIST OF ABBREVIATIONS

AU	- African Union
CERD	- Committee on the Elimination of Racial Discriminations
CFR or Charter	- Charter of Fundamental Rights
CLRAE	- Congress of Local and Regional Authorities in Europe
COE	- Council of Europe
Convenats HRIP	- Human Rights International Pacts 1966
Court	- European Court of Human Rights
CPT or Committee	- European Committee for Prevention of Torture and Inhuman or Degrading Treatment or Punishment
CSCE	- Conference on Security and Co-operation in Europe
ECHR	- European Convention for the Protection of Human Rights and Fundamental Freedoms 1950
ECOSOC	- Economic and Social Council
EU	- European Union
GRECO	- Group of States against Corruptions
HRC	- Human Rights Committee
IACHR	- Inter - American Court of Human Rights
ICCPR	- International Covenant on Civil and Political Rights 1966
ICJ	- International Court of Justice
ILO	- International Labour Organization
LAS	- League of Arab States
NGOs	- non - governmental organizations

OAS	- Organization of American States
OAU	- Organization of African Unity
Office	- Office for Democratic Institutions and Human Rights
OSCE	- Organization on Security and Co-operation in Europe
PACE	- Parliamentary Assembly of the Council of Europe
TEU	- Treaty on European Union 1992
UDHR	- Universal Declaration of Human Rights
UNC	- United Nations Charter
UNESCO	- United Nations Educational, Scientific and Cultural Organization
UN	- United Nations

INTRODUCTION

The significance of the judicative role of the European Court of Human Rights (ECHR) is considerable and constantly growing. It has been especially evident in recent years in Central and Eastern Europe, which is a “pioneer” in application of standards of the European Convention on Human Rights and Fundamental Freedoms from 1950, even more so if we realize that states of this region have only more than a dozen years of experience in being members of the Council of Europe which has existed since 1949. Main reasons that contribute to this significance are: development of legal knowledge and awareness of individuals, growing number of infringements of rights and freedoms – especially in the spheres of so called system deficiencies in member states of the Council of Europe, and also political and legal transformations.

This publication provides a holistic presentation of issues relating to the standards of human rights protection within the Council of Europe, with special emphasis on the “constitutional”, for the fundamental rights, role of the European Convention on Human Rights and Fundamental Freedoms and its judicature of the European Court of Human Rights in Strasbourg. The book does not include analysis of broad judicature of the Court, it rather focuses on more general standards for construction and operation of legal regime of the ECHR and the Court. The European Convention, poetically referred to as “the pearl in the crown”, is today the most important international document providing basis for minimal standard of the European democratic states. Of course, the operation of the European Court of Human Rights, whose adjudication serves as a reference point and model in understanding and observance of the rights and freedoms of an individual, is also of great importance.

I hope that familiarization with basic standards of human rights protection system and its operation within the European Convention

on Human Rights and Fundamental Freedoms and the European Court of Human Rights will make this book a position deserving a closer attention.

Iwona Wrońska