Protecting Civil Society in Europe: Challenges and Opportunities for the Rule of Law

Programme

Chair: Adrian Di Giovanni (Senior Program Specialist, Law & Development at the International Development Research Centre (IDRC) and International Visiting Fellow, Bingham Centre for the Rule of Law)

Katerina Hadzi-Miceva Evans (Executive Director, The European Center for Not-for-Profit Law)

Setting the scene: Restrictions facing civil society in Europe and key themes

Richard Clayton QC (UK member, Venice Commission; Deputy High Court Judge; and 4-5 Gray's Inn Square)

The Council of Europe: Focus on the work of the Venice Commission

Philip Leach (Professor of Human Rights Law, School of Law, Middlesex University London; and Director of the European Human Rights Advocacy Centre (EHRAC))

The Council of Europe: Access to justice for civil society and the approach of the European Court of Human Rights

Kersty McCourt (Senior Advocacy Advisor, Open Society Justice Initiative) and Natacha Kazatchkine (Senior Policy Analyst, Open Society European Policy Institute)

The European Union’s internal and external policies to protect civil society rights

Discussion and Q&A

Event convened by: Lucy Moxham (Associate Senior Research Fellow, Bingham Centre for the Rule of Law)

About the speakers

Richard Clayton QC (UK member, Venice Commission; Deputy High Court Judge; and 4-5 Gray’s Inn Square)

Richard Clayton QC carries out a wide range of advisory and litigation work in the public law human rights and local government field. He has appeared in many Supreme Court, House of Lords, Privy Council cases and ECtHR cases, most recently in the important Freedom of Information case, Kennedy v Charity Commission concerning whether Article 10 confers a right of access to information. He recently re-argued the same point before the Grand Chamber in Magyar Helsinki Bizottság v. Hungary.

Richard has been the United Kingdom’s representative to the Venice Commission, the Council of Europe’s advisory body on constitutional law since 2011, is a former Chairman
of the Constitutional and Administrative Law Bar Association and a former Vice Chair of Liberty. Richard is a Visiting Professor at UCL, London and an Associate Fellow at the Centre for Public Law at Cambridge University and joint author of Clayton and Tomlinson The Law of Human Rights.

Adrian Di Giovanni (Senior Program Specialist, Law & Development at the International Development Research Centre (IDRC) and International Visiting Fellow, Bingham Centre for the Rule of Law)

Adrian Di Giovanni is currently a Senior Program Specialist in Law and Development at the International Development Research Centre (IDRC), Canada where he manages a series of research projects in around 15 countries in Africa and Latin America that focus on public law and accountability in the developing world.

Before joining IDRC, Adrian worked for the Department of Justice Canada’s Human Rights Law Section, where he provided legal advice on the Canadian Charter of Rights and Freedoms and Canada’s international human rights obligations. He has represented Canada in litigation before UN human rights tribunals and the Inter-American Commission on Human Rights. He has also worked in the World Bank’s legal department and helped launch the Nordic Trust Fund, a multi-year initiative on human rights and the World Bank.

Adrian holds an LLM in international law from New York University and an LLB from the University of Toronto. He is a member of the Law Society of Upper Canada and an honorary member of the Uganda Law Society. He has been a visiting academic at the University of Ottawa where he taught courses on law and development.

Katerina Hadzi-Miceva Evans (Executive Director, The European Center for Not-for-Profit Law)

Katerina Hadzi-Miceva is working as the Executive Director at the European Center for Not-for-Profit Law. She has been working closely with ECNL and its affiliate, the International Center for Not-for-Profit Law since 2000. She currently implements programs on legal reform affecting civil society organizations (CSOs) in Central and Eastern Europe and particularly the Balkan region. She provides assistance in development of policies affecting the sustainability of CSOs and public participation by working closely with government officials, CSOs, judges, lawyers, and international donors in the region. She has been developing comparative analysis in the areas of sustainability of CSOs and has experience in fundraising, planning and implementing projects within the frameworks of various project management models.

Katerina received a Law Degree from the University of St. Cyril and Methodius, in Skopje, Macedonia, and a Master of Law (L.L.M.) degree in Comparative Constitutional Law with Additional Specialization in Human Rights, from the Central European University (CEU) in Hungary. She also co-founded and managed the CEU Human Rights Students’ Initiative in Budapest, when she initiated courses to supplement the curriculum of the Human Rights Program and developed human rights awareness raising and capacity building projects. Prior that, she volunteered for the Civil Society Resource Center in Skopje, working on projects regarding the rights of pre-trial detainees and refugees.

Natacha Kazatchkine (Senior Policy Analyst, Open Society European Policy Institute)

Natacha Kazatchkine is responsible for developing analysis and advocacy strategies on EU policies to protect and promote human rights and the rule of law within Europe. She joined the Open Society European Policy Institute in April 2015.
Before joining the Open Society Foundations, Kazatchkine was senior executive officer at the European Office of Amnesty International in Brussels, responsible for advocacy on EU internal human rights policy, justice, nondiscrimination, and security. From September 2013, she coordinated the Human Rights and Democracy Network’s working group on the EU’s internal human rights policy. She also worked for the European Parliament, drafting its 2012 report on the CIA rendition and secret detention programs in Europe.

Kazatchkine holds an MA in European law and criminal policy from Paris Sorbonne University and has held academic posts as a lecturer and researcher. She also worked as a legal adviser for asylum seekers in the United Kingdom and as program coordinator on prison reform in Africa at Penal Reform International.

**Philip Leach (Professor of Human Rights Law, School of Law, Middlesex University London; and Director of the European Human Rights Advocacy Centre (EHRAC))**

Philip Leach is Professor of Human Rights Law at Middlesex University, a solicitor, and Director of the European Human Rights Advocacy Centre (EHRAC), also based at Middlesex University. He has extensive experience of representing applicants before the European Court, in particular against Russia, Turkey and the UK.

He is the author of "Taking a Case to the European Court of Human Rights," 3rd ed., Oxford University Press, 2011. His recent human rights research projects have been commissioned, or supported, by the Nuffield Foundation, the Leverhulme Trust, the Equality and Human Rights Commission and the Council of Europe. He is the author of a number of books, journal and online articles and book chapters on various human rights issues.

He is a member of the Independent Advisory Panel on Deaths in Custody (which provides advice to the Ministerial Board on Deaths in Custody). He is on the Editorial Board of European Human Rights Law Review, and is a Trustee of the Media Legal Defence Initiative (MLDI) and the Human Dignity Trust. He has conducted human rights training for the Council of Europe, the OSCE, the British Council, the Foreign & Commonwealth Office, the Law Society of England and Wales, the Arab Lawyers' Union and for various NGOs.

**Kersty McCourt (Senior Advocacy Advisor, Open Society Justice Initiative)**

Kersty McCourt is a senior advocacy advisor with the Open Society Justice Initiative based in Brussels where she leads on a range of advocacy work related to rights, justice and civic space. Previously Kersty led advocacy work on criminal justice reform and a Global Campaign for Pretrial Justice. Prior to joining OSJI Kersty worked with the Danish Institute for Human Rights. From 2008 to 2009, she was program manager in Copenhagen, Denmark, and managed projects on access to justice and justice sector reform.

From 2005 to 2007, she was stationed in Kigali, Rwanda, as the Head of Mission for the Danish Institute for Human Rights and managed all aspects of the Rwanda program that focused on access to justice in post conflict transition. Kersty holds a BSc Hons in Biological Sciences from Durham University, UK, a Post Graduate Diploma in Law from The College of Law, UK, and a European Masters in Human Rights and Democratization. She is a member of the Law Society of England and Wales.