

1) How would you evaluate the conference? We have to say that the conference aroused great interest. Where do you think this interest of all legal professions in the conference comes from?

Ales Pejchal: I am very happy that the conference was carried out in the first place. Without any exaggeration I consider it a historic moment. There have never been seven judges of the European Court of Human Rights (ECHR) at a conference in the Czech Republic at once. I also am not aware of such a conference having been organized in premises of a Parliament of any of the member states of the Council of Europe. Thus I would like to thank the Czech Bar Association and the other organisers for the way they took charge of the issue after I had approached them more than a year ago with the idea of organizing such a conference.

Organisers and participants themselves have to judge whether the conference was successful. Personally, I consider it a great success. Interest of the legal professions (but not only legal) in the conference in the Czech Republic is logical. The European Court of Human Rights has built a strong position in Europe during its existence. It is partly due to the fact that member states with very different histories, cultural heritages and legal systems met under the roof of one international organization – The Council of Europe. Nevertheless, the states like Russia, Turkey, Great Britain, Azerbaijan, or Portugal found in today's complicated world common ground in protecting freedom of their citizens. Who would not be interested in meeting the judges who interpret the European Convention on Human Rights?

Moreover, seeing the judge from Germany and from Russia sitting at one table is something extraordinary. However, I don't want to disparage presence of the judges elected for Slovakia, Sweden, Poland or Liechtenstein, who accepted the invitation to the conference as well. I am really grateful to my friends – fellow judges – that they have come to Prague with me.

2) What is it like being a judge on such an institution? What do you find challenging in your work?

Mark Villiger: As a lawyer, it is a crowning element of my professional career to work in the highest Human Rights Court in Europe. As a Judge it is very rewarding for me to adjudicate in a subject-matter of law which ensures the dignity of all human beings and a minimum standard of human rights protection.

3) What type of complaints do you have to deal with most frequently?

MV: The Court has to deal with complaints concerning all aspects of modern European Society. Quantitatively speaking, among the many Convention provisions complaints concerning Article 6 of the Convention (fair hearing / fair trial) attract the largest number of complaints. This is not surprising, as in all court proceedings there is always one party which "loses" – and which therefore wishes to contest the outcome. There is a growing number of complaints concerning Article 8 of the Convention (in particular the right to respect for private and family life) and on Article 3 of the Convention (prohibition of torture).

4) Was there a case during your practice you would consider especially significant/fundamental for you?

MV: Naturally, there are many cases which I consider fundamental. I have dealt with too many to be able to make a "short-list". As a professional Judge, I would reply that for me the most important case is the next one with which I will be dealing.

5) The ECHR is a respected institution and is facing, as many other institutions, many challenges or needs for alteration. What are the greatest challenges the ECHR is facing right now?

MV: The Court is constantly aiming at ameliorating its procedures, not least in view of the some 60'000 applications which are annually filed in Strasbourg. Currently, one important topic is the prioritisation of cases. Another is the effects of the Court's judgments, in particular their implementation in the domestic legal order.

6) Being a judge, can you see any progress in the protection of human rights?

MV: Of course, just compare the state of Human Rights in Europe in 1950, when the Convention was adopted, with the situation today. But European society constantly changes, and with the changes come new challenges.

7) This interview will be read by Czech lawyers. Is there any message you would like to send them, or anything you would like to draw their attention to?

AP: My message to Czech lawyers (I myself was a lawyer for more than thirty years) may sound a little strange. Dear colleagues, please turn to the ECHR only in those cases, where there is no other way. Rather, thoroughly press for the implementation of the Court's case law at the national courts level. The Convention for the Protection of Human Rights and Fundamental Freedoms has been nearly completely explained by the Court. There are not many novelties we could come up with. The power of a lawyer lies in his ability to save his client's money and time by solving his case without any assistance from courts or at a court of first instance. The ECHR is not a court of last resort; it is an international institution which tries to show European states and their citizens their way in protecting human freedom.