

Transnational Exchange Workshop on litigation before the European Court of Human Rights Immigration detention and alternatives to detention of children

**Athens, Greece
13-14 October 2025**

This workshop will serve as a collaborative space to enhance understanding of the procedural and strategic aspects of litigating the rights of children in (alternatives to) immigration detention before the European Court of Human Rights (ECtHR). Through a blend of case studies and expert-led discussions, participants will engage with topics ranging from effective litigation strategies to advocacy in support of legal cases.

- > The most relevant jurisprudence of the ECtHR in the area of (alternatives to) detention of migrant children will be discussed.
- > Lawyers will discuss best strategies on how to bring a case to the ECtHR in migration cases and share practical litigation tips.
- > Advocacy and communication strategies that can enhance the impact of litigation and build public awareness around these issues will also be explored.

DAY 1

9:00-9:30 COFFEE AND REGISTRATION

9:30-9:45 WELCOME AND INTRODUCTIONS

*International Commission of Jurists (ICJ)
Greek Council for Refugees (GCR)*

9:45-11:15 INTRODUCTION TO THE LITIGATION BEFORE THE ECtHR

9:45-10:30 **How to bring a case before the ECtHR**

- Admissibility requirements
- Different steps of the procedure
- Communication with the Registry
- Practical advice on representing an applicant
- Q&A and discussion on procedural issues

Michail Christodoulou, Registry's Lawyer, ECtHR

10:30-11:15 **The rights of migrant children and protection against detention under the ECHR**

- The scope of the European Convention for Human Rights
- Relevant ECtHR case-law

Nuala Mole, Senior Lawyer, Founder of the Advice on Individual Rights in Europe (AIRE) Centre

Moderator: Vivi Paschalidou, Lawyer, GCR

11:15-11:30 COFFEE BREAK

11:30-13:00 LITIGATING ALLEGED VIOLATIONS OF MIGRANT CHILDREN'S RIGHTS

11:30-12:15 **The jurisprudence of the Inter-American Commission on Human Rights regarding migration and asylum**

- Examples of case-law re immigration detention of children

Santiago A. Canton, Secretary General, ICJ

12:15-13:00 **Interim measures protecting migrant children in detention**

- Requirements of Rule 39
- Relevant ECtHR case-law
- Practical tips for lawyers
- Q&A and discussion

Michail Christodoulou, ECtHR

Moderator: Karolína Babická, Senior Legal Adviser, ICJ

13:00-14:00 LUNCH BREAK

14:00-17:00 BRINGING A CASE TO THE ECtHR – PART 1

14:00-14:45 **Practical insight into the litigation**

- Case studies and lessons learned from litigating before the ECtHR

Panelists: Alexandros Konstantinou, Attorney at Law, GCR

Nuala Mole, the AIRE Centre

Kateřina Radová, Lawyer, Czech Government Agent's Office before the ECtHR

14:45-15:15 **Q&A and discussion**

Moderator: Laura Duchamp, Legal Researcher, ICJ

15:15-15:45 COFFEE BREAK

15:45-17:00 BRINGING A CASE TO THE ECtHR – PART 2

15:45-16:30 **Break-out groups**

Discussion on litigation strategies

- Identifying entry points for ECtHR litigation on issues and specific Articles of the ECHR violations

16:30-17:00 **Reporting back**

Moderator: Laura Duchamp, ICJ

DAY 2

9:30-10:15 EXPLORING ALTERNATIVE INTERNATIONAL LITIGATION VENUES

Overview of other international mechanisms

- European Committee of Social Rights (ECSR)
- Court of Justice of the European Union (CJEU)
- UN Treaty Bodies, including the UN Committee on the Rights of the Child under Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (OPIC) and Special Procedures

Panelists: Nuala Mole, AIRE Centre

Karolína Babická, ICJ

Santiago A. Canton, ICJ

10:15-11:00 THIRD-PARTY INTERVENTIONS BEFORE THE ECtHR AND FOLLOW UP IMPLEMENTATION

Discussion on the third-party interventions and on the implementation of ECtHR judgements

- Overview of the third-party intervention *rationale* and requirements
- The role of the Committee of Ministers
- Rule 9 for the supervision of the execution of judgments

Panelists: Nuala Mole, AIRE Centre

Karolína Babická, ICJ

Kateřina Radová, Czech Government Agent's Office before the ECtHR

Moderator: Vivi Paschalidou, GCR

11:00-11:30 COFFEE BREAK

11:30-13:00 LITIGATION STRATEGIES BEFORE THE ECtHR

11:30-12:15 **Break-out groups**

Discussion on general advocacy and litigation strategies

- What other mechanisms apart from the ECtHR can be used?
- What follow-up advocacy work at national level is needed for better implementation?

12:15-12:45 **Reporting back**

12:45-13:00 **Closing remarks**

Moderator: Laura Duchamp, ICJ

13:00 LUNCH

The transnational workshop will convene national lawyers and European practitioners alongside experts affiliated with the ECtHR. It offers a platform for sharing best practices, advancing ongoing and future litigation efforts, and strengthening legal practitioners' capabilities in strategic litigation to address immigration detention and alternatives to detention of children. This workshop, part of a three-part transnational exchange series held in Luxembourg, the Czech Republic, and Greece, builds on prior national training sessions tailored for legal practitioners from the Czech Republic, Belgium, Malta, Greece, Bulgaria, and Poland.



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