

Meeting between First President Christophe Soulard and Ambassador Pap Ndiaye

18/10/2023



On 13 October 2023, First President Christophe Soulard met with Ambassador Pap Ndiaye, Permanent Representative of France to the Council of Europe.

The meeting provided an opportunity for the First President to explain the working methods of the *Cour de Cassation* and the mechanisms used to incorporate the compliance of laws to international conventions and the decisions of the European Court of Human Rights into our case law. Using recent examples from case law, the First President recalled the ever-increasing legitimacy of the rulings of the European Court of Human Rights in the domestic legal order and the systematic use of European and comparative law in the rulings of the Court of Cassation. These reflexes, particularly highlighted in the recent reasoning reforms of the *Cour de cassation*, and in particular in the work on enriched reasoning, appear to be highly topical for the Court.

The negotiations concerning the European Union's accession to the European Convention on Human Rights and Fundamental Freedoms was also discussed. Thanks to his experience as a referendary at the Court of Justice of the European Union, the First President was able to discuss the related issues of normative control.

Lastly, this meeting was an opportunity for the *Cour de Cassation* and the Permanent Representation to discuss the rule of law, which is increasingly being called into question within the Council of Europe. The First President and the

Ambassador were able to discuss the latest events and the difficulties facing the European community at a time when war has returned to Europe and the principles it has established are being called into question. The issue of the execution of the European Court of Human Rights' rulings was also discussed. This issue is all the more fundamental as the members of the Permanent Representation, under the authority of their ambassador, promote and defend French positions, particularly at the weekly meetings of the Committee of Ministers. In particular, the Representation is involved in monitoring the execution of judgments of the European Court of Human Rights.

It was agreed that discussions would continue on projects to strengthen dialogue between judges in this area.

Conseil de l'Europe

International
