



BUDAPEST COMPARATIVE LAW SEMINARS

Chair: Prof. Dr. András Osztoivits

FORTHCOMING EVENT



**PROF. PÉTER
PACZOLAY**
(Judge in respect for
Hungary of the ECtHR)

THE EUROPEAN COURT OF HUMAN RIGHTS BETWEEN ACTIVISM AND DEFERENCE

Abstract

The presentation focuses on the relation of the ECtHR and the national authorities as primary guarantors of human rights, analysing the doctrines of subsidiarity and margin of appreciation. How are these theories connected to the shared responsibility between the Court and the national jurisdictions?

Why does the so-called process-based review play recently an important role? While these important elements of the jurisprudence suggest a position of deference towards the national authorities, the defence of more and more rights not even mentioned in the Convention, the prescription of growing number of positive obligations for the member states act in the opposite direction. Finally, how can these theories connected particularly to the Strasbourg Court serve the universality of human rights?

DATE OF THE SEMINAR: 5TH FEBRUARY 2025, 5 P.M.

THE PRESENTATION IS AVAILABLE BY CLICKING ON THE LINK BELOW:

https://teams.microsoft.com/join/19%3ameeting_MjFIN2QxNDItZTMxZS00MTUzLTkxZWUtNmYyNTU1YjE0ZDVk%40thread.v2/0?context=%7b%22Tid%22%3a%22e06a5dee-cc56-40bd-b41e-bf3f482bcdd3%22%2c%22Oid%22%3a%22a5ea28cf-3b7e-40a0-a073-5880431dcdd5%22%7d