HELP NETWORK CONFERENCE / CONFÉRENCE DU RÉSEAU HELP 21-22 June/Juin 2018









Tatiana Termacic

Head of Coordination and International Cooperation Division, DGI

Strasbourg, 21 June 2018

Dear participants of the 2018 HELP Conference, dear members of the HELP Network, dear friends,

It has been a year since we met, a year filled with changes, growth and development, but also serious challenges.

Firstly, for me personally, it has been a year of change as I have started heading a newly created division, the Coordination and International Cooperation Division in the Directorate General Human Rights and Rule of Law. Needless to say, I still continue to follow HELP's progress with interest and to support its development in my new capacity.

Then, you have heard today about the many novelties in the HELP Programme in the past year, including the newly developed courses and the new projects launched. The work of HELP with universities, particularly law faculties, has been also underlined and will further be explored tomorrow over the Working group.

You have also heard that HELP is requested beyond the borders of the Council of Europe member States. In addition to HELP's activities in Belarus, HELP activities are already being implemented in the countries of the South Mediterranean. Steps have been made towards a new action of HELP in Central Asia, to assist legal professionals in this region to appropriate the values and standards that the Council of Europe is known for.

You are also aware that in the past year two large-scale HELP projects funded by the European Union were launched, one of them focusing on the topic of Radicalisation Prevention. It is important to reiterate the importance of the EU support for HELP's actions and to underline the important links between the EU and the Council of Europe concerning judicial training. One of the key partners of the CoE in this respect is the European Judicial Training Network.

You have heard today the Secretary General of the EJTN speak about their recent Guidelines on Judicial Training Evaluation. EJTN has also launched a Rule of Law project. In this context, I cannot but emphasise the natural role of the CoE when it comes to Rule of Law. Indeed, the Council of Europe is home to most of the pan-European legal standards in the area of the Rule of Law. These binding and non-binding "Rule of Law standards" were adopted by the Council of Europe and its bodies in areas such as the independence of justice (including constitutional justice), the proper functioning of state institutions, the combat against torture, the fight against corruption and related crimes, nondiscrimination and equality before the law. All EU member states participated in the development of the Council of Europe "Rule of Law standards", which are therefore common to all European states. In addition to the European Court of Human Rights, the Council of Europe has a number of monitoring and advisory bodies, such as CEPEJ, CCJE, and CCPE, which task is to monitor and support states in complying with and effectively implementing the "Rule of Law standards". While the legal basis, working modalities and composition of these bodies are diverse, their recommendations constitute sources of verification for the implementation of the "Rule of Law standards" by member states. Seeing the challenges to Rule of Law that we witness on daily basis including in EU member States, these standards and sources of verification become more pertinent and, the experience and resources of HELP, namely the HELP courses, constitute undoubtedly valuable tools for the protection of Rule of Law throughout Europe.

The work of the Superior Courts' Network (SCN) established by the Court has also been presented to you. The SCN is an important forum for the dialogue between the Court and the highest domestic courts. Using the Formal Requests procedure, the SCN members can *inter alia* seek a list of relevant case law on a specific topic, in a non-judicial procedure.

This brings me to another novelty within the CoE human rights protection system, in some ways similar but also very different from the SCN: Protocol No. 16 to the Convention. You all know that with France's ratification, the conditions have been met for its entry into force in respect of countries which have ratified it. This Protocol will enable the highest courts of those countries to request the Court to give advisory opinions on questions relating to the interpretation of the Convention, in a judicial procedure. Protocol No 16 will enter into force on 1 August, and as we heard this morning from Judge Sicilianos, the Court is ready for the new avenues that will be provided for the dialogue between European and national judges.

Ladies and gentlemen,

The past year has also been one of challenges. You are by now all aware that the CoE is facing significant financial restrictions after the decision of one country to diminish the level of its contribution and of

another one, not to pay it. This has naturally also affected HELP's capacity to respond to your immediate needs for launching and implementing courses in your countries.

However, the number of launched courses has shown that the real value of the HELP Network is even more visible in times of hardship.

This is why I would like once again to stress the importance of the Network not only for the HELP Programme but for the Council of Europe in general.

It is the only European Human Rights training network for legal professionals. The Network operates focusing on results and produces a two-direction output: on the one hand, it provides information for the CoE on the national priorities for human rights training of legal professionals; and, on the other, we inform you - our partners - about the CoE priorities and the new HELP courses developed that you can make use of.

I would like to commend, welcome and encourage all your efforts in working towards effective domestic human rights implementation, which becomes of even greater importance in times of adversity. We have heard this morning that the Court – and Europe – are facing multifaceted challenges and you have to be proud of the fact that HELP's role in increasing national implementation of human rights has been underlined by several of this morning's eminent speakers.

You can make a difference by including systematically the HELP courses in your own national training curricula, so as to benefit from top quality tailor-made training products. I really encourage you to do so. There have been various promising practices mentioned throughout the day in France with lawyers, in Spain and Moldova for initial and continuous training of judges and/or prosecutors, in Portugal with labour rights, in Romanian universities and also, soon, in Turkey for migration officials.

Being responsible for the training of judges, prosecutors and lawyers, you bear a huge responsibility on the road from good training to good judgments. Our Director General this morning said that HELP was a tool for democratic security. And as you heard from President Nicoletti, we have even larger-scale plans for you, by increasing our cooperation with PACE so that ultimately national laws are compatible with CoE standards from the outset, and by being actively involved with the Academic Networks Initiative that will connect legal professionals, policy-makers and academia to promote knowledge of Council of Europe Conventions amongst these communities and, through them, among society at large. This testifies the trust that the Council of Europe has placed on you and we look forward to this further work together.

I wish you fruitful discussions and exchange of ideas in the Working Groups tomorrow. Given that also now is the time for you to elect the new Consultative Board members, I would like to wish good luck to the candidates.

Thank you for your continued support.