

1st Superior Courts Network Focal Point Forum

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Welcome address by Mikhail Lobov,
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I would like at the outset thank the Court for the invitation. On a personal note, it is always a great pleasure for me to come back to the Court but today it is also a great privilege to address the first meeting of the Superior Courts Network (“the SCN”) on behalf of the Council of Europe’s Directorate General Human Rights and Rule of Law.

We see the SCN as a great initiative, may be a historic one for the long-term effectiveness of the Convention system. This is why we supported this initiative without any hesitation, and indeed, we are delighted to contribute to this first forum.

The Court has always had privileged relationship with national courts. This relationship has now been complemented by day-to-day communication through a network which has already covered a majority of our member States. We see it as a crucial step for making the dialogue between the Strasbourg Court and the national superior courts more fluent and more effective.

The Convention is a complex system which is run by judicial and non-judicial actors. We note that the effective functioning of the Convention system is increasingly facilitated by the existence of professional networks. Most of you are familiar with HELP Network (**H**uman Rights **E**ducation for **L**egal **P**rofessionals) composed of judicial training institutions and bar associations of the 47 Member States. The member States’ Government Agents at the Court are thinking of a platform for exchange of best practices regarding the implementation of the Court’s judgments, which could one day also turn in a kind of network.

While the SCN initiated by the Court pursues a very specific judicial purpose, all networks dealing with the Convention converge to the same major objective,

that is to enhance communication between *all* actors of the Convention system, whether they are judicial actors whom you represent, governmental actors, or independent national institutions such as ombudsmen, and not least the institutions representing the applicants.

Not only do we consider the professional communication as a key to effective implementation of the Convention at the national level in line with the idea of shared responsibility. We also believe that it is a prerequisite for maintaining the Convention as a coherent body of law.

The Council of Europe therefore strongly supports all those communication channels through a wealth of bilateral and multilateral projects. I am delighted to see in this room many representatives of national courts who are our partners in such projects.

Our bilateral projects are implemented in cooperation with the national partners in more than 20 countries, with a lot of work being done together with national courts on a great variety of Convention issues. All projects are tailor-made and designed together with national partners to address issues raised by the Court and the Council of Europe's monitoring mechanisms in the countries concerned. There are obvious synergies between the Court judicial activities and cooperation activities. For example, we work a lot to support the effectiveness of national remedies and we have a number of examples where the remedies facilitated by our cooperation activities were recognised as effective remedies by the Court, thus reducing the number of cases brought to Strasbourg.

Among our multilateral projects, I have already mentioned our HELP Programme which is the only pan-European programme of professional training on the Convention including all 47 member States. It is a coincidence – but I find it a symbolic one – that your meeting today will be followed on Monday by the annual meeting of the HELP Network at which all your national institutions for judicial training – justice academies – will review the priorities and methods of the professional training on the Convention.

There are clear synergies between the Court and the HELP Programme, a win-win relationship. HELP provides high-quality training tools to ensure that legal professionals are equipped to adjudicate cases in a human rights friendly

manner, thus ultimately contributing to the decrease of cases coming to the Court. The Court's case law is merged with national law to make sure that the ECHR is not perceived as an alien source of law. There is not a single training intuition in Europe that doubts of the need to include the Convention in its initial and continuous training.

Another multilateral activity of great relevance to professional communication on the Convention will be launched in September in Athens in cooperation with the Greek Council of State and it will aim at supporting the harmonisation of judicial practices across Europe. The objective is to enhance a circular communication between the European judicial actors and thus to promote more consistency in legal interpretation between different courts at the national level but also between national courts and the Strasbourg Court. The Council of Europe has developed through its different projects interesting harmonisation tools and techniques used and we would like to share the good practices in that regard with more member States. We have invited to this first event judges and heads of case law departments of national court registries and we hope it will be a kick off for a new interesting multilateral project that would enhance the communication between European courts and their registries on the Convention matters.

In conclusion, I would like to thank the Court and all national courts here represented for active participation in the Council of Europe's cooperation activities aiming at effective implementation of the Convention. The Court contributes to the development of the targeted and tailor-made training tools at the national level. We actively cooperate with the Registry on placement of national magistrates with the Court for limited periods and this practice has proved most effective. The Court's judges and lawyers readily participate in most of our activities and value those activities as a place of dialogue and communication with their national counterparts. We are most grateful for this interaction and trust that the SCN will open new avenues for cooperation involving both the Court and the national judiciaries. I would like to wish the SCN every success and assure you, once again, of our full support to this exercise.