



HELP Network Annual Conference

'HELP: leading the way towards national case law harmonisation'

**Opening address by Secretary General
Thorbjørn Jagland**

16 June 2016 - Strasbourg

Check against delivery

Introduction: "Nationalising" the Convention

It was important to me to come back here today, to open your Annual Conference, in order to pay tribute to all involved in HELP.

This unique, pan-European Network is becoming stronger and stronger.

I made it clear during last year's High Level Conference in Brussels that HELP should be used more by national training institutions for judges and prosecutors, as well as bar associations.

And our governments did not need much convincing – which is not always the case!

The fact is, we share responsibility for the Convention – Strasbourg and the member states – and HELP is a part of that.

So much of what I have tried to do as Secretary General is about working with member states to sow the Convention into their national fabric.

Whether by putting more resources out in the field...

...or by supporting the structural reforms in the countries that will better protect human rights in the long-term...

...or by aligning our priorities here with the priorities in the capitals, so that we are using the Convention in the ways which are the most relevant for them, be it to tackle terrorism, to help navigate the refugee crisis, or to support peace in Ukraine and therefore stability across the continent.

So you see that the bigger mission, for me, is to in effect “nationalise” the Convention.

And by deepening the understanding of it – and of the case law of the Court – among Europe’s legal professionals, HELP plays an important role.

The importance of the Convention today

My strong view is that our Convention System is as important today as when the treaty was first drafted, 65 years ago.

Take a look at Europe today.

How can Ukraine find a new, inclusive political settlement on which to build lasting stability?

By shaping its constitutional reforms around the standards set out in the Convention, to which all sides have signed up.

How was I able to send a human rights mission into Crimea, making the Council of Europe the first international organisation to set foot on the peninsula in 18 months?

Only because I was able to use the Convention as the basis of an agreement that both Kyiv and Moscow could accept.

How has Europe been able to negotiate the first international treaty to clamp down on foreign terrorist fighters – a growing and dangerous threat?

Because the Convention – our shared, legal vocabulary – allowed us to agree a joint response, and in a record 7 weeks.

How can we build inclusive societies, in which people from hugely diverse cultures and backgrounds can live alongside each other?

By taking the Convention and saying: these are the rights and freedoms all in Europe must respect, no matter what else you believe.

And where politics stalls, as it sometimes does, the Convention can move us forward.

We have seen this in Poland, where much controversy has surrounded reforms to the functioning of the Constitutional Court and the country’s media law.

As you may remember, the situation became highly polarised and the initial draft legislation raised a number of issues as regards Council of Europe standards. Our Venice Commission adopted an Opinion in March criticising attempts to make the Court ineffective and outlined possible ways forward for the Polish authorities, in order to resolve the crisis. We are now having a constructive and open dialogue with the Polish authorities to improve the draft laws on public service media. This dialogue is based on common legal standards and our impartial expertise. We have just learnt that the adoption of the law has been postponed to give the authorities more time to align the draft laws with Council of Europe standards.

HELP going from strength to strength

All this is to say that the European Convention on Human Rights remains extremely important to stability and liberty on the continent – and you are doing Europe a service by helping embed it into national life.

I know that there have been a number of important developments in the Programme.

The updated Guidebook on human rights training methodology, which will be presented today, will help aid harmonisation – the theme of today’s meeting.

I am also aware that the course on “the ECHR and asylum” – developed in close co-operation with the UNHCR – has been successfully launched in 8 member states.

Most recently, around 600 Greek lawyers, including those directly involved in providing legal aid to asylum seekers in Greece, applied to take part in the course, which has been made available to them.

The same course has also been launched for a group of Turkish lawyers, in co-operation with the Union of Turkish Bars.

Other recent courses are working well, notably regarding hate crime, discrimination and international co-operation – which are particularly valuable given the populism and nationalism we see on the rise in many member states.

There is also growing interest in the HELP Programme within the EU.

We are already successfully implementing the largest human rights training programme for legal professionals anywhere in the world in co-operation with the European Commission.

Funded by the EU, “HELP in the 28” is our main contribution to the EU objective of training half of all legal practitioners in EU member states by 2020.

The programme promotes the application of the European Convention on Human Rights, the European Social Charter, and also the EU Charter on Fundamental Rights.

As I have said many times, these activities are meant to support the efforts of national training institutions, not replace them.

I believe we are achieving this, building strong partnerships between Strasbourg and national bodies – which, as I said, is the name of the game.

Every time I come to this meeting, or speak to those involved in the programme, I feel even more confident that it is an excellent use of our energy and time.

With that I wish you well for your conference, I look forward to hearing its outcome, and I thank you for being here today.