

Dear Mr. Chairman!

Dear Madam Secretary General!

Dear Excellencies!

- At the outset, let me join the warm **thanks to Greece and the Council of Europe** for organising this important high-level event almost exactly 70 years after signing the European Convention on Human Rights.
- Thank you very much for your kind words of solidarity and support. It means a lot to Austria not to stand alone in these difficult times.
- This convention embodies essential values of our democratic systems and even has constitutional status in Austria. Unfortunately, the heinous terrorist attacks of recent weeks and of last Monday have once again made it painfully clear to us that these values are repeatedly subject to massive attacks. This makes it all the more important to keep reminding us of the importance of those values that make up our systems.
- **Respect for the rule of law** is a common value of democratic societies around the world and a central pillar of the Council of Europe alongside the protection of human rights and democracy. Nowadays, the **rule of law** is taken **for granted by many**. However, recent developments even in some European countries have shown **how fragile** the fundamental commitment to the achievements of **the rule of law is**.
- The **executive branch**, and thus the government, should in principle **abstain from any influence on the judiciary**. The independence of the judiciary is a central achievement and an indispensable element of the rule of law according to European understanding. The independence of the judiciary must therefore be vigorously defended! Attacks on the judiciary are attacks on the rule of law and endanger the trust of our citizens in the work of the judiciary.
- The rule of law is only as good as the trust in it. Of course, we **must justify this trust on a daily basis** and convince all those who lack the insight into the indispensability of constitutional guarantees of the rule of law of the need for an independent judiciary.
- In this context, I would also like to thank the **Venice Commission** and the **Commission for the Efficiency of Justice**, which make a significant contribution to objectifying the rule of law principle and thus to strengthening the rule of law. Austria also supports all measures that support the efficiency and effectiveness of the **European Convention on Human Rights and the European Court of Human Rights**.
- Under **no circumstances** should the **COVID 19 crisis** be used as an **excuse for shortcomings in judicial systems**, even less as an excuse for lowering standards or violating legal guarantees.
- Such a health crisis can recur at any time, which is why **judicial systems need to be prepared**, especially when it comes to finding effective solutions to ensure the continuity of judicial work and access to justice while respecting individual rights.
- **I would like to emphasize the following points:**
- **Article 5 (right to liberty and security)** and **Article 6 (right to a fair trial)** of the **ECHR** must be **respected at all times** and take on particular importance in such a crisis. All **emergency measures** introduced must have a **predetermined end date** and be open to **judicial review** in due course.

- **Access to justice:** The public service of justice must be maintained as far as possible, including providing access to justice through **alternative means such as online services** or strengthening access to information through websites and other means of communication (e-mail, telephone, etc.). **Particular attention** must be paid to **vulnerable groups**. Therefore, judicial systems should give priority to cases that affect these groups (e.g. cases of domestic violence).

- **Monitoring seizure, quality and performance: A well-functioning case management system** is particularly **important during a health crisis**. In view of the number of cases that remain unresolved and the postponement of court proceedings, personnel and budget support should help the courts to draw up a plan to avoid delays.

- **Regarding digital justice:** The **use of new information technologies** makes it possible for justice **to function even during the health crisis**. However, **IT solutions** such as online services, remote hearings and video conferences **must always respect the fundamental rights and principles of a fair trial**. The impact of the use of these technologies on the administration of justice should therefore be regularly evaluated and, if necessary, remedial action must be taken. Ensuring **cyber security** and the **protection of personal data** must be a **priority**.

- In conclusion, I would like to emphasize that the **current discussions** will hopefully lead to the fact that the **achievement of the rule of law** will once again be **increasingly recognized** as such. In any case, we must **continue to fight tirelessly to improve our systems based on the rule of law** and make them **more crisis-proof** in the future.