

2018 HELP NETWORK CONFERENCE

GOOD TRAINING FOR GOOD JUDGMENTS

CONCEPT PAPER

21-22 JUNE 2018, STRASBOURG

1. BACKGROUND

The European Programme for **H**uman Rights **E**ducation for **L**egal **P**rofessionals (HELP) of the Council of Europe (CoE) aims at assisting legal professionals (judges, prosecutors and lawyers) and other professionals to effectively apply the European human rights standards in their daily work. This is done by developing and implementing high-quality, tailor made online courses on various human rights related topics.

HELP's three pillars are:

- the [HELP Network](#);
- the [HELP online platform/portal and courses](#); and
- the [HELP Training methodology](#).

The HELP Network is the only European peer-to-peer human rights training network. It consists of representatives of national training institutions for legal professionals (judiciary schools and Bar associations) from all 47 CoE member States and beyond. Other international organisations, as well as some NGOs, are partners of the Network, including the main international associations of legal professionals (European Judicial Training Network (EJTN), Council of Bars and Law Societies of Europe (CCBE), European Bars Federation (FBE), International Association of Judges (IAJ), International Association of Prosecutors (IAP) etc.).

The HELP Annual Network Conference is the main gathering of the HELP Network members and partners. It provides a forum for discussion on ways of enhancing human rights training results and on how to improve effective co-operation among all members and partners of the HELP Network. Information on past Network Conferences is available here: <https://www.coe.int/en/web/help/help-network-conference>.

2. THE 2018 HELP NETWORK CONFERENCE

This year, the Conference's title is "**Good training for good judgments**". It will aim at:

- highlighting the impact of human rights training in delivering justice and the role of national training institutions for legal professionals in this endeavour;
- presenting the developments in HELP since the 2017 Conference:
 - new HELP projects and initiatives; and
 - newly developed HELP courses;
- discussing the challenges of human rights training evaluation and possible solutions to overcome those challenges; and
- developing strategies for including effective human rights legal education in the stage of university education.



Participants to the Conference will be updated on the [new projects/follow up projects](#) launched in the period between the 2017 and 2018 Conferences:

- HELP in the EU
- HELP Radicalization Prevention
- HELP in the Western Balkans
- HELP in the Russian Federation
- HELP Refugee and Migrant Children
- HELP Protection of Rights of Refugees and Migrants in Turkey

The [newly developed HELP courses](#) will be presented to the participants (for more information on the new courses please see section 3 below):

- Rights of Refugee and Migrant Children
- Key Human Rights Principles in Biomedicine
- Child-friendly Justice
- Combatting Trafficking in Human Beings
- International Cooperation in Criminal Matters
- Rights of Persons with Disabilities
- Human Rights in Sports
- Internal Displacement
- Prohibition of Ill-treatment (in law-enforcement, security and other coercive contexts)

Synergies between the HELP Programme and the idea of Academic Networks on the Council of Europe Conventions will be explored. Furthermore, the EJTN Guidelines for evaluation of judicial training practices will be presented. These two presentations will serve as an introduction to the Working Groups in the second day of the Conference.

Participants will also hear on the reform and current challenges in the work of the European Court of Human Rights. The Superior Courts' Network created by the European Court of Human Rights will also be presented.

The Conference will also serve as a forum to present best practices and experiences in implementing the HELP Methodology in judicial schools and Bar associations, by way of specific country examples.

On the second day of the Conference, two Working group sessions will be held:

1) Measuring the impact of human rights training: evaluation of human rights training

The objective of this Working group is to address the challenge of effective long-term evaluation of human rights trainings, exchange experiences with participants and identify possible solutions for overcoming that challenge.

2) Human Rights Education and Universities: developing strategies

The objective of the Working group is to exchange the existing experiences in implementing HELP courses in universities and to identify best approaches for further enhancement of online learning on human rights in universities.

Finally, HELP [Focal](#) and [Info Points](#) will be presented an update of their respective roles and will have a possibility to discuss their activities and exchange experiences with their peers.

Upon conclusion of the Conference, the HELP Roadmap for the 2018-2019 HELP activities will be formulated.

3. NEWLY DEVELOPED HELP COURSES

Rights of Refugee and Migrant Children

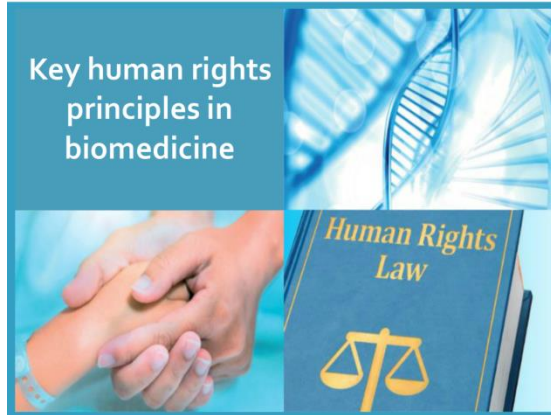


The HELP Online course on Rights of Refugee and Migrant Children is one of the measures for the implementation of the CoE [Action Plan on Protecting Refugee and Migrant Children in Europe \(2017-2019\)](#). It is designed to equip all relevant professional dealing with children on the move with the relevant knowledge and skills on how to effectively protect the rights of those children in their everyday work.

Course outline:

1. Introduction to the applicable legal framework
2. Child-friendly Procedures
3. Alternatives to detention
4. Family Reunification
5. Social Rights and Integration
6. Guardianship
7. Age Assessment

Key human rights principles in Biomedicine



This HELP course is aimed at raising awareness on the relevant human rights issues arising in the field of biomedicine. It covers the relevant CoE and international legal framework and focuses on the standards set in the European Convention on Human Rights and Biomedicine (Oviedo Convention) and its Additional Protocols.

The course has a twofold target group:

- legal professionals and
- medical professionals.

Course outline:

1. Introduction
2. Free and Informed consent
3. Medical confidentiality and health related data
4. Protection of the embryo and procreation
5. End of life
6. Biomedical research
7. Genetic testing
8. Transplantation of human organs and tissues

Child-friendly Justice



The CoE has developed many legal standards and practical guidelines in the field of child-friendly justice. The most extensive set of those standards are contained in the [Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice](#). The implementation of these guidelines, and other aspects of child-friendly justice, is a key priority area of the [CoE Strategy for the Rights of the Child 2016-2021](#), whose implementation is entrusted to the Ad hoc Committee for the Rights of the Child (CAHENF).

The aim of this HELP course is to strengthen and harmonise the knowledge of the relevant European standards on child-friendly justice across the CoE member States.

Course outline:

1. Introduction
2. Child-friendly justice
3. Non-judicial proceedings
4. General elements
5. Interaction with children in the judicial system – main challenges
6. Interdisciplinarity
7. Deprivation of liberty
8. Violence against children
9. Migration and asylum

Combatting Trafficking in Human Beings



Trafficking in human beings, with the entrapment of its victims, is the modern form of the old worldwide slave trade. It treats human beings as a commodity to be bought and sold.

Since the late 1980s, the CoE has undertaken a series of initiatives in the fight against trafficking in human beings, which culminated in the adoption, in May 2005, of the Convention on Action against Trafficking in Human Beings, which entered into force on 1 February 2008. It is currently in force in 46 of the 47 Council of Europe member States, as well as Belarus.

This HELP course focuses on the Anti-Trafficking Convention, but also explores the case law of the ECtHR as well as other international legal instruments and national good practices, always focussing on the protection of the victims of human trafficking.

Course outline:

1. Introduction and legal framework
2. Definitions and legal concepts
3. Identification of victims of human trafficking
4. Assistance for victims of human trafficking
5. The non-punishment principle
6. Investigation, Prosecution and victims' rights
7. Sentencing
8. Compensation for victims of human trafficking

9. Return and Repatriation

International Cooperation in Criminal Matters



The HELP online course on International Cooperation in Criminal Matters explores fundamental principles of international judicial cooperation and a range of legal frameworks and legal instruments for cooperation, applied under a general consideration for human rights issues.

The course covers extradition, mutual legal assistance, transfer of sentenced persons, supervision of offenders, international validity of criminal judgments and transfer of proceedings, seizure and confiscation of proceeds of crime, an International Cooperation Toolbox with links to relevant information and organisations related to International Cooperation in Criminal Matters, as well as Help and Guidance on making and carrying out requests.

Course outline:

1. Introduction
2. Legal Framework
3. Extradition
4. Mutual Legal Assistance
5. Transfer of Sentenced Persons
6. Supervision of Offenders, International Validity of Criminal Judgments and Transfer of Proceedings.
7. Seizure and Confiscation of Proceeds of Crime
8. International Cooperation Toolbox
9. Knowledge Check
10. Case Study

Rights of Persons with Disabilities



This HELP course was developed jointly with ACCESS – the Advocacy Centre on Council of Europe Standards - within the framework of the project "Promoting the social rights of persons with disabilities by building the capacity of Armenian civil society organisations to engage with the CoE monitoring mechanisms", funded by the European Union.

The course aims at increasing the knowledge of legal professionals and other relevant stakeholders on the applicable international and CoE standards in the area of rights of persons with disabilities.

Course outline:

1. Introductory module;
2. Non-discrimination and intersectionality;
3. Legal capacity and independent living;
4. Accessibility and independent living;
5. Social rights of persons with disabilities.

Human Rights in Sports



The HELP online course on Human Rights in Sports aims at increasing the knowledge and skills of (primarily) legal professionals but also sport-related persons (and athletes) to apply international standards in their daily work in this field.

Furthermore, the course aims at raising awareness on key human rights issues that can arise in Sports and promoting sports values. It will increase understanding of the relevant provisions of the international/European legal framework and the key case law concerning human rights in sports. Specific risks and barriers that athletes face in Europe and that impedes the enjoyment of their rights will also be explored.

Course outline:

1. Introduction
2. Sports arbitration and litigation – Fair trial (Art.6 ECHR)
3. Life and physical integrity (Art.2,3,4 ECHR)
4. Liberty and Security (A.5 ECHR)
5. Privacy, F. of expression & assembly (Art 8, 10 and 11 ECHR)
6. Prohibition of discrimination
7. Anti-doping & HR
8. Sports manipulation &HR
9. Spectators and safety & HR

Internal displacement



IDPs are among the most vulnerable people in Europe and beyond, and the protection of their rights is a key tenant of international and regional human rights instruments. States are primarily responsible for protecting and assisting IDPs under their jurisdictions, in line with the obligations set out in the ECHR and other CoE instruments.

The HELP course on internal displacement covers some of the key concepts on the protection of IDPs, giving an insight into the international and European legal framework and the case law of the ECtHR.

Course outline:

1. Overview and key concepts
2. International and European legal framework
3. Protection of property and home under the European Convention on Human Rights (ECHR)
4. Other frequently invoked ECHR Rights
5. Protection of social rights

Prohibition of Ill-treatment (in law-enforcement, security and other coercive contexts)



Article 3 of the European Convention on Human Rights (ECHR) prohibits in absolute terms torture and inhuman or degrading treatment or punishment. However, in 2017, 253 out of 908 judgments in which the European Court of Human Rights found a violation concerned Article 3 of the Convention.

This free HELP online course aims at assisting legal professionals in effectively applying the standards concerning the prohibition of ill-treatment in law-enforcement, security and other coercive contexts.

Course outline:

1. Definitions and international/European legal framework
2. Conditions of detention and medical treatment of detainees
3. Use of force as a means of restraint
4. Safeguards against ill-treatment
5. Effective investigation – combatting impunity
6. Interrelation with other rights