

HELP Online course on INTRODUCTION TO THE ECHR AND THE ECtHR

Background and aim

The European Convention on Human Rights (the ECHR) protects human rights and fundamental freedoms across the 47 member states of the Council of Europe. The ratification of the ECHR is a prerequisite for membership of the Council of Europe and all new members are expected to comply with it. The implementation and application of the ECHR is overseen by the European Court of Human Rights (the ECtHR) in Strasbourg, whose judgments are binding for the Council of Europe member States. Since its establishment, the ECtHR has been developing an abundant case law in dealing with specific cases under various ECHR Articles.

This supervisory mechanism established by the ECHR is of a subsidiary nature. This means that national authorities, namely governments, courts and parliaments, have a primary role and enjoy a certain margin of appreciation in guaranteeing and protecting human rights at national level. This requires substantial knowledge on the European human rights protection system established by the ECHR. Understanding and applying the ECHR often requires a different perspective from the national approach.

This HELP online course aims at assisting member states in effectively applying the ECHR at the national level, by enabling national legal professionals to understand the ECHR system and the ECtHR functioning. It is also aimed at assisting applicants and their representatives to lodge good quality applications to the ECtHR.



The course was the first interactive online course developed by the HELP Programme.

The topics are explored in a practical way, by using presentations, interactive screens, knowledge tests and reflective exercises. The course consists of two parts: the substantive modules and the final assessment. If users pass the final assessment, they will be able to print out their scores.

The course was last updated in June 2016.

Target audience

This free on-line course is primarily addressed to all legal professionals (judges, prosecutors, lawyers or court staff). It can also be used by other public authorities, including national human rights institutions, as well as civil society organizations, university students etc. who want to be introduced to the European human right protection system.

Course outline (3 chapters)

- 1. The European Convention on Human Rights** (history and structure of the Convention; structure of a Convention Article; rights guaranteed with the Convention Articles; Protocols to the Convention; hierarchy of rights; interpreting the Convention; purpose and democratic value; living instrument; autonomous concepts; key concepts under the Convention: subsidiarity, margin of appreciation, necessity, legality, fourth instance, abuse of rights, practical and effective; fields of law)
- 2. The European Court of Human Rights** (judicial formations; organization of the Court; procedure before the Court; just satisfaction; execution of judgments; interim measures; reading the Court's judgments; HUDOC; statistics; Protocol No. 16)
- 3. Admissibility criteria** (filling-in an application to the Court and compliance with Rule 47 of the Rules of the Court; incompatibility with the Convention; anonymity; substantially the same; abuse of the right of individual application; non-exhaustion of domestic remedies; six-months rule; non-significant disadvantage; manifestly ill-founded)

Learning objectives

By the end of the course, you will be able to recognise the relevance of direct implementation of human rights standards at a national level and to automatically link national case law to the possible implementation of the ECHR. You will achieve this by demonstrating knowledge of the key principles of the ECHR and its Protocols; understanding how to implement it at a national level; demonstrating knowledge of the general functioning of the ECtHR and being able to lodge an application to the ECtHR.

Development and implementation of the course

The course was developed under the European Programme for Human Rights Education for Legal Professionals (HELP; www.coe.int/help) of the Council of Europe, by using the HELP methodology (<http://www.coe.int/en/web/help/help-training-methodology>).

The course was implemented in many Council of Europe member states, including Albania, Croatia, France, Montenegro, Moldova, Serbia, the Russian Federation, the former Yugoslav Republic of Macedonia, Turkey etc. In some countries, it has become part of the training curriculum of the national training institutions for judges and prosecutors (eg. Moldova) or the Bar associations (eg. France).

Access the free online course

To access the course, you just need to enter the HELP e-learning platform at <http://help.elearning.ext.coe.int/>. First you need to open yourself an account at HELP if you have not yet done so (2 minutes). Then you can follow this link to directly access the online course: <http://help.elearning.ext.coe.int/course/view.php?id=1663>

The course is available in English, French, Albanian, Armenian, Azerbaijani, Croatian, German, Georgian, Italian, Macedonian, Polish, Romanian, Russian, Spanish, Serbian, Turkish and Ukrainian.