

Right to Liberty and Security

HELP

Human Rights Education for Legal Professionals
Council of Europe



RIGHT TO LIBERTY AND SECURITY

HELP ONLINE COURSE

Duration: 6 hours

Available for free on the CoE
HELP e-learning platform

Statement of
Accomplishment

START COURSE 

Council of Europe
Human Rights Education for Legal Professionals (HELP) Programme

2024

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Human Rights and Rule of Law Training
for Legal Professionals
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CoE HELP Catalogue of
online courses
✓ free
✓ self-paced
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Background

The **right to liberty and security** is a fundamental human right, central to democratic societies. It holds a **key position in the European Convention on Human Rights (ECHR)**, specifically in **Article 5**, which **ensures protection from arbitrary or unjustified deprivation of liberty**. The European Court of Human Rights (ECtHR) plays a crucial role in interpreting this Article, providing detailed guidance on the safeguards required against arbitrary detention.

Under the EU framework, the right to liberty and security is enshrined in **Article 6 of the Charter of Fundamental Rights**, protecting individuals from arbitrary detention. The European Arrest Warrant (EAW) facilitates extradition between member states but must respect these rights, ensuring any arrest or surrender is lawful and proportionate.

For legal professionals, understanding the European framework applicable and the extensive case law is essential for deciding cases related to deprivation of liberty.

About the course

This HELP free online course is designed to **equip legal professionals** with the skills needed **to apply the standards of the right to liberty effectively**. It provides a comprehensive overview of the concept of liberty, focusing on the protections against arbitrary detention as outlined in Article 5 of the ECHR. The course delves into the interpretation of these safeguards by the European Court of Human Rights (ECtHR), offering insights into the principles of lawfulness and due process through its extensive case law. It also places these principles within the broader EU framework, emphasising their importance in contexts such as the European Arrest Warrant, where respecting the right to liberty is crucial during cross-border judicial cooperation.

Using practical tools like presentations, interactive screens, and exercises, the course ensures a hands-on learning experience.

Target audience

This free on-line course is primarily addressed to legal professionals (judges, prosecutors and lawyers), as well as law enforcement and other state authorities which are dealing with cases concerning deprivation of liberty.



Course outline

The course consists of 4 substantive modules:

	Introductory module <ul style="list-style-type: none"> About the course Learning objectives For whom and by whom Resources Course structure
1	Introduction <ul style="list-style-type: none"> Purpose and scope of the right to liberty and security International legal instruments Definition of deprivation of liberty
2	Authorised deprivation of liberty <ul style="list-style-type: none"> Detention after conviction Detention for non-compliance with a court order or legal obligation Detention on remand and preventive detention Detention of a minor Detention for medical or social reasons Detention of a foreigner
3	Lawfulness <ul style="list-style-type: none"> In accordance with a procedure prescribed by law Avoidance of arbitrariness The European Arrest Warrant
4	Safeguards <ul style="list-style-type: none"> Information Judicial review Right to compensation Additional safeguards in pre-trial or preventive detention

How to access the HELP online course

The course is freely available on the [HELP eLearning platform](https://help.elearning.ext.coe.int/) in self-learning format. You can access it directly at this [link](#), go through it at your own pace and once you complete it, you can generate your electronic Statement of Accomplishment.

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