

**CDDH comments on Parliamentary Assembly Recommendation 2039(2014) - *The need to reinforce the training of legal professionals***

**CDDH: 80<sup>th</sup> meeting – 8/10 April 2014 CDDH(2014)R80**

1. The Steering Committee for Human Rights (CDDH) takes note of Parliamentary Assembly Recommendation 2039. It concurs with the Parliamentary Assembly's emphasis on the "crucial importance" of providing solid training on the Convention and the Court's case-law to legal professionals, both in initial and continuous training. It recalls its earlier role in drafting Committee of Ministers' Recommendation Rec(2004)4 on the Convention in university education and professional training, and its follow-up of initial national implementation of the recommendation, concluded in 2006. It also recalls the emphasis placed on the issue in the Declarations adopted at the Interlaken (2010), Izmir (2011) and Brighton (2012) High-level Conferences on the future of the Court.

2. The CDDH notes the important role of the Council of Europe's HELP programme, which was established specifically to support member States' implementation of the Convention at national level by enhancing the capacity of judges, lawyers and prosecutors to apply the Convention in their daily work. It recalls the support it has in the past expressed for this activity, including in its Report on the measures taken by the member States to implement relevant parts of the Interlaken and Izmir Declarations (see doc. CDDH(2012)R76 Addendum I). It welcomes the development of the HELP programme, for example, to include a focus on training in the Convention's admissibility criteria, considering that this latter aspect may assist in addressing the problem of the Court's case-load of clearly inadmissible applications.

3. The CDDH notes that, although the budget of the HELP programme has increased significantly in recent years, the great majority of this is provided by the Human Rights Trust Fund (HRTF) and is thus to an extent reliant on individual member States contributions to this fund. The CDDH considers that it would be sensible to endeavour to ensure that at least the 'fixed costs' of the HELP programme – its central infrastructure – is ensured by the Ordinary Budget.

4. Regarding the update of the Committee of Ministers' Recommendation Rec(2004)4, the CDDH notes that this task already appears in the terms of reference of the Committee of experts on the reform of the Court (DH-GDR) for 2014-2015, subject to the availability of resources in the light of any activities on follow-up to its forthcoming report on longer-term reform of the Convention system and the Court, whose implementation would have priority.

*Appendix - Information on the budget of the HELP programme*

- In 2013, €830,000 (70%) of the €1,180,000 total budget came from the HRTF
- In 2014-2015, it is expected that €1,200,000 (75%) of the €1,600,000 total budget will come from the HRTF.

Recommendation 2039(2014)

Final version

**The European Convention on Human Rights: the need to reinforce the training of legal professionals**

Parliamentary Assembly

1. The Parliamentary Assembly, referring to its [Resolution 1982 \(2014\)](#) on the European Convention on Human Rights: the need to reinforce the training of legal professionals, stresses the crucial importance of good training for law professionals on the European Convention on Human Rights (ETS No. 5) and the case law of the European Court of Human Rights.
2. The Assembly recommends that the Committee of Ministers:
  - 2.1. ensure that the budget allocated to the European Programme for Human Rights Education for Legal Professionals (HELP Programme) is consistent with the task assigned to it, namely to provide different types of co-operation in the training of law professionals in any member State that requests it;
  - 2.2. update its Recommendation Rec(2004)4 on the European Convention on Human Rights in university education and professional training, and monitor its follow-up.