Parliamentary Assembly
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COUNCIL OF EUROPE
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Final version

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

Parliamentary Assembly

1. The European Court of Human Rights ("the Court"), which is responsible for ensuring that the European Convention on Human Rights (ETS No. 5, "the Convention") is correctly applied by the member States of the Council of Europe, plays a fundamental role in reinforcing democracy, the rule of law and human rights in those countries.

2. In order to improve the application of the European Convention on Human Rights as interpreted by the European Court of Human Rights, law professionals must receive better training in this area. Knowledge of this kind requires the Court's case law to be accessible in a language which the law professionals in each State Party can understand.

3. The Parliamentary Assembly notes the wide diversity of systems for training law professionals in the member States, including in the human rights sphere. Some countries already provide basic and further training on the Convention and the Court's case law, whereas others depend on the Council of Europe to set up suitable training programmes and even to provide such training directly to professionals. Given the diversity of the legal systems and the training programmes on offer, it would be unwise to propose standardised training in all member States.

4. The Assembly recalls the work already carried out by the Council of Europe in the training field, including Committee of Ministers Recommendation Rec(2004)4 on the European Convention on Human Rights in university education and professional training, which it invites the member States to implement.

5. The Assembly believes that the Council of Europe's European Programme for Human Rights Education for Legal Professionals ("HELP Programme") is well placed to provide assistance with training on the Convention as interpreted by the Court in any member State that requests it.

6. The HELP Programme is clearly not intended to replace the efforts of the various training bodies for law professionals in each member State to incorporate training on the Convention into their own training programmes. It must limit its input to helping member States introduce such training, by providing them with tools facilitating that task.

7. Co-operation with the HELP Programme may take the form of "training for trainers" for example, or assistance in devising human rights training modules that are part of basic or further training for law professionals, or regularly updated compilations of the Court's case law geared to priorities to be defined with the competent bodies in each interested country. Through the HELP Programme, the member States can also exchange their experiences in this sphere and foster good practices.

8. In the interests of subsidiarity and effectiveness, the HELP Programme will have to rely on regular co-operation with the different players involved in training law professionals (justice ministries, universities, specialised vocational training colleges, bar associations) and with civil society in interested member States.

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1. *Text adopted by the Standing Committee,* acting on behalf of the Assembly, on 7 March 2014 (see Doc. 13429, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Jean-Pierre Michel).
See also Recommendation 2039 (2014).

9. The expertise available within the Court could usefully be exploited on an occasional basis, but without diverting too many resources from the Court's main task, which is dealing with applications.

10. The Assembly invites the member States to improve the training provided to law professionals on the Convention by:

10.1. ensuring that the Convention and the Court's case law form an integral part of the basic and further training they receive;

10.2. translating, in so far as possible, the case law of the Court into their national language(s);

10.3. calling on the services of the HELP Programme to meet their needs for co-operation in the training of law professionals on the Convention.