

## Regional Council of Europe HELP online launch of the course on

### Interplay between the ECHR and the EU CFR

16 October 2024, 14h

Join Zoom Meeting

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int.zoom.us/j/66427904630?pwd=uYUUSa9LJWEtiOB3T4Ua3WcDAzUO8j.1](https://coe-int.zoom.us/j/66427904630?pwd=uYUUSa9LJWEtiOB3T4Ua3WcDAzUO8j.1)

Meeting ID: 664 2790 4630

Passcode: 917338



*Concept paper and agenda*

Link	<a href="https://coe-int.zoom.us/j/69470706762?pwd=KCHHHLJET9wrYuFBFSgu0I2a81Cc4f.1">https://coe- int.zoom.us/j/69470706762?pwd=KCHHHLJET9wrYuFBFSgu0I2a81Cc4f.1</a>
Language	English
Participation	Legal professionals from the Western Balkans
Registration	Through a call by Justice Academies from Western Balkans

## Background

EU legal and justice professionals involved in protecting human rights need to understand the European setting in terms of standards and applicability of the two main systems in place, namely under the Council of Europe, with the European Convention on Human Rights and the European Social Charter, and under the European Union, with the EU Charter of Fundamental Rights and the relevant EU law. The two European systems and their mechanisms have substantially evolved towards convergence and interplay and the two European Courts – the European Court of Human Rights (ECtHR) and the Court of Justice of the EU (CJEU) are actively engaged in a judicial dialogue and draw inspiration from each other. Moreover, the future accession of the EU to the ECHR (currently under negotiation) will come as an accomplishment to the efforts carried over the years to ensuring a thorough and effective human rights protection system in Europe.

*“The European Union’s accession to the ECHR will be an important milestone in the protection of human rights and fundamental freedoms across Europe. For 70 years, the Convention has been a unique and invaluable tool protecting millions of Europeans and supporting our shared values of human rights, democracy and the rule of law. The EU’s accession to the Convention, which is a legal requirement under the Lisbon Treaty, will further strengthen human rights protection in Europe.*

*Accession will help to guarantee coherence and consistency between EU law and the Convention system; (...) It means that citizens will be able to challenge the EU’s actions before the European Court of Human Rights. The EU will also be able to join its member states in proceedings at the European Court of Human Rights concerning alleged violations resulting from EU law. The ECHR represents everything that the Council of Europe and the European Union stand for. In these difficult times, the resumption of these crucial negotiations sends a strong signal about the commitment of our two organisations, and our member states, to the fundamental values that we cherish.”<sup>1</sup>*

## About the course

The HELP course was developed in 2023 by the [Council of Europe Human Rights Education for Legal Professionals \(HELP\) Programme](#) under the EU-CoE HELP in the EU III project. It aims at assisting legal professionals in effectively applying the European

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<sup>1</sup> September 2020, Joint statement of the Secretary General of the CoE and the EU Commission’s Vice President for Values and Transparency concerning the resumption of negotiations on the EU’s accession to the ECHR

human rights standards at national level. The HELP course was developed addressing the need of training on fundamental rights issues within the scope of both the ECHR and EU Charter, focusing on the interplay between the 2 systems.

The topics are explored in a practical way by using presentations, interactive screens, knowledge tests and reflective exercises, enabling the users to apply the gained knowledge and skills.

## Target audience

The course is primarily addressed at **legal/justice professionals** (judges, prosecutors, lawyers, court staff), but could also be extremely beneficial to bailiffs, notaries, mediators, legal interpreters and translators, court experts etc. It can also be useful for the training of policymakers, national human rights institutions, as well as civil society organisations, university students, EU/CoE staff and is also open to anybody interested on the topic.

When contextualised to the national legislation and challenges, HELP courses address the training needs identified by various Council of Europe monitoring mechanisms and support the implementation of ECtHR judgments pending execution. They also contribute to the objectives set in the [EU Judicial Training Strategy](#).

## Course outline

The course consists of an introductory module and **4 substantive modules**:

0	<b>Introductory module</b> <ul style="list-style-type: none"> <li>• Information about the course</li> <li>• Learning objectives</li> <li>• Welcome videos</li> </ul>
1	<b>Introduction to Human Rights Protection in Europe</b> <ul style="list-style-type: none"> <li>• Pioneers of Europe</li> <li>• The Council of Europe (Conventions; Member States; key organs)</li> <li>• The European Union (evolution; EU institutions, bodies, offices, agencies; EU accession to the ECHR)</li> <li>• Recap</li> <li>• The very different twins</li> <li>• Knowledge check</li> </ul>

2	<b>Protection of Human Rights within the Council of Europe and the European Union</b> <ul style="list-style-type: none"> <li>• The European Convention on Human Rights (introduction; rights and freedoms; obligations; interpretation; implementation; supervision; execution)</li> <li>• The European Social Charter (introduction; characteristics; interpretation; rights; monitoring; impact)</li> <li>• The Charter of Fundamental Rights of the EU (sources of interpretation; level of protection; rights and principles; scope of application; limitations; rationale of Art 51; direct (vertical and horizontal) effect; who applies it?; beneficiaries; access to CJEU)</li> <li>• General points and comparative perspective</li> <li>• Recap</li> <li>• Knowledge check</li> </ul>
3	<b>Interplay</b> <ul style="list-style-type: none"> <li>• Evolution of the relationship between the ECHR and the EU law (foundations; journey towards recognition; convergence and interplay)</li> <li>• Interplay (how do national judges apply the ECHR, the ESC, the EU Charter and national bills of rights?; how does the ECtHR monitor member states applying the EU law when ECHR rights are invoked?; how can conflicting scenarios be prevented and resolved?)</li> <li>• Knowledge check</li> </ul>
4	<b>Practical Implications</b> <ul style="list-style-type: none"> <li>• Raising an issue of violation of rights (how can rights protected by the ECHR and/or the EU Charter be invoked before courts?)</li> <li>• Jurisdiction of the ECtHR and the CJEU in respect of human rights violations</li> <li>• From national to European courts: preliminary rulings and advisory opinions</li> <li>• Recap</li> <li>• Knowledge check</li> </ul>

## How to access the HELP online course

The course is freely available in self-learning format on the [Council of Europe HELP e-learning platform](#). The overall length of the online course is approximately **6 hours**, and those who complete it in a self-learning format can obtain an individualised electronic '**Statement of accomplishment**'.

To access the course, you need a HELP account. If you haven't created one yet, you can [sign up here](#); it only takes 2 minutes.

Is this your first time here?

Create new account

## Agenda

13.45 – 14.00	<i>Online connection</i>
14.00 – 14.10	<b>Welcoming address</b>  <i>Ana Maria TELBIS, Head of the HELP Programme, Council of Europe</i>
14.10 – 14.20	<b>HELP courses as a tool to bridge/enhance EU-CoE cooperation</b>  <i>Sanja JOVICIC, Legal Expert, Fundamental Rights Agency</i>
14.20 – 14.30	<b>The Council of Europe Programme for Human Rights Education for Legal Professionals and the HELP in the Western Balkan project: presentation</b>  <i>Jasminka PERUNICIC ALLEN, Project Coordinator, HELP in the Western Balkans, Council of Europe</i>
14.30 – 15.00	<b>HELP online course on the Interplay between the ECHR and the EU Charter of Fundamental Rights: practical aspects of its implementation</b>  <i>Rafael BUSTOS, HELP tutor</i>
15.00 – 15.30	<b>Expectations from the course</b> <b>All participants</b>