

# Council of Europe - HELP Thematic Seminar Independence of the Judiciary and the Rule of Law



HELP  
Human Rights Education for Legal Professionals  
Council of Europe

Co-funded  
by the European Union



Co-funded and implemented  
by the Council of Europe

**DATE:** 5-6 March 2024  
**LOCATION:** Strasbourg  
**FORMAT:** face-to-face seminar followed by online course  
**DURATION:** 2 days (thematic seminar); 6 weeks (online course)  
**OPEN TO:** judges from the EU MS  
**LANGUAGE:** English  
**ORGANISED BY** the CoE HELP Programme, under the EU-CoE Judicial Training on Rule of Law and Fundamental

Participation in this training contributes to the goal set by **EU Judicial Training Strategy** in training 65% judges on EU law, including human rights, by 2024; judges are therefore warmly encouraged to participate.

# Concept paper and Agenda

## Background

The **Council of Europe (CoE) Programme for Human Rights Education for Legal Professionals (HELP)**<sup>1</sup> is aimed at supporting the CoE member States in implementing the European human rights standards at the national level, focusing on the European Convention on Human Rights (ECHR), other key CoE instruments, and since 2015, EU law. This is done by raising the capacities of legal professionals to apply those instruments in their daily work.

The objective of HELP is to provide high quality education on human rights to judges, lawyers and prosecutors throughout Europe. Law enforcement authorities such as police and prison staff are also targeted by HELP. Thanks to HELP courses, legal professionals can better protect human rights on a national level and keep up to date with the ever-evolving standards and case law of the European Court of Human Rights (ECtHR). HELP courses specifically designed for EU countries increasingly incorporate relevant EU laws.

HELP is:

1. the only pan-European Network of national training institutions for judges, prosecutors and lawyers in the 46 CoE Member States.
2. an e-learning platform with free on-line courses on human rights.
3. a human rights training methodology for legal professionals.

## Thematic Seminar on Independence of the Judiciary and the Rule of Law

The seminar will provide a comprehensive overview of the standards on the independence of the judiciary, case law and good practices in the light of the European standards on the subject, stemming from the CoE and the EU frameworks. It aims also to create a forum for practical exchange among judges on principles, best practice and challenges.

The theme will be examined from the perspective of the human rights protection and the impact on the rule of law and will address connections with the judicial ethics.

In order to deepen their discussions and follow up on the exchanges, the group of participants will continue with the implementation of the HELP course on Ethics for Judges, tutored by an international expert.

Before the seminar, participants should create an account on the [HELP e-learning platform](#)

*For creating your HELP account, please follow these steps:*

- go to this link and fill in the form (it takes about 2 mins):  
<https://help.elearning.ext.coe.int/login/signup.php>
- once submitted, you will receive an activation link on the email you used for creating the account

**VIDEO TUTORIAL**

how to create a HELP account

<sup>1</sup> For more information on HELP please visit HELP's website: [www.coe.int/help](http://www.coe.int/help)

- go to your email inbox and click on the link to activate your account.

During the seminar, the participants will be registered on their course page, prepared in advance by the tutor. Over the following 6 weeks and based on the planning set by the tutor, the participants will go through the **online course**, complemented by the additional materials and practical exercises prepared by the tutor.

The participants who have successfully completed the course and passed the evaluation set by the tutor will receive certificates issued by the HELP Programme of the Council of Europe.

## Participation

Interested participants should:

- be available to **attend the thematic seminar**
- undertake to also **follow and complete the online tutored course** in the following 6 weeks (approx. 1-2 hours of work per week)
- register for the event as indicated

The trip to Strasbourg will be covered by the project. Participants that have been selected will be contacted by the project team for their travel arrangements.

## Further information

For any information, do not hesitate to **contact the project team**:

Content related issues, speakers, agenda: Giulia Lo Presti – Project Manager ([giulia.lo-presti@coe.int](mailto:giulia.lo-presti@coe.int))

Organisational and administrative issues: Ferial Belguechi – Project Assistant ([ferial.belguechi@coe.int](mailto:ferial.belguechi@coe.int))

## The HELP course on Ethics for Judges, Prosecutors and Lawyers

The state of **rule of law** is an increasing concern in respect of many European countries. In recent years concerted efforts have been made at European level to prevent degradation of the rule of law through measures aimed at the well-functioning of national justice systems. Judges, prosecutors, and lawyers occupy a critical and sensitive place in society; the way they conduct themselves directly impacts on **public confidence and on the administration of justice**. Therefore, they have a duty to maintain the highest of ethical behavior. There are international standards providing guidance on ethical conduct and on the core principles of these professions. **Independence, impartiality and integrity underpin the rule of law** in a healthy democracy and guarantee the protection of human rights.

The HELP online course covers in an interactive way the key concepts and principles, the **International and European (CoE and EU) framework** as well as the relevant **case law of the European Court of Human Rights (ECtHR) and of the Court of Justice of the European Union (CJEU)**. It is aimed at deepening the knowledge and understanding of professional tools and at developing reflective skills, based on practical examples, to address ethical dilemmas in the performance of professional duties.

This course is thought to help professionals understand the **purpose and importance of ethics in the administration of justice** for the benefit of the people, allowing to identify key **concepts** and understand common **values**, ethical **principles** and **virtues**.

The online course has been developed in 2021 by the **CoE HELP Programme** under the EU-CoE "HELP in the EU II" project, in cooperation with several CoE entities/services such as the **Secretariats of the Venice Commission, the European Commission for the Efficiency of Justice (CEPEJ)** and the **Consultative Councils of European Judges and Prosecutors (CCJE and CCPE)** as well as the **Registry of the ECtHR**. It also involved representatives of the **European Judicial Training Network (EJTN)** and the **Council of Bars and Law Societies in Europe (CCBE)**.

Structure:

### Introduction

- Why does professional ethics matter?; Common values and principles; Key concepts; Distinction between ethical principles and disciplinary rules

### International and European Framework

- Treaty norms; United Nations; Council of Europe; European Union; Professional bodies; Instruments of international courts

### Ethics for Judges

- Main principles; Qualities and virtues; Tools; Practical examples

### Ethics for Prosecutors

- Main principles; Relation with the media; Tools

### Ethics for Lawyers

- General principles; Relation with other parties; Values; Tools; Practical examples

As the present activity is open to judges from the EU MS, the **2 general modules and the module for judges will be mandatory**, while the modules dedicated to prosecutors and lawyers will be accessible, but not mandatory for the successful completion of the tutored course.

## Agenda\*

Tuesday, 5 March 2024	
8.45	Arrival of participants <b>AGORA - ROOM Go4</b>
9.00 – 9.10	<b>Welcome address</b> <i>Ana-Maria Telbis, Deputy Head of the HELP Programme, Council of Europe</i>
9.10 – 9.45	<b>Presentation of the HELP Programme and the 'EU-CoE Judicial Training on Fundamental Rights and Rule of Law' Project</b> <b>Presentation of the HELP platform and walk through</b> <i>Giulia Lo Presti, Project Coordinator, HELP Programme, Council of Europe</i>
10.00 – 11.30	<b>Visit of the European Court of Human Rights</b> General presentation on the role and work of the ECHR
11.30 – 12.00	<b>Return to the seminar room and coffee break</b>
12.00 – 12.45	<b>Key-note speech – the importance of judicial independence in preserving the rule of law</b> <i>Nina Betetto, Member and former President of the CCJE and co-author of the HELP course on Ethics for Judges, Prosecutors and Lawyers</i>
12.45 – 13.00	<b>Presentation of the HELP course on Ethics for Judges, Prosecutors and Lawyers</b> <i>HELP Secretariat</i>
13.00 – 14.30	<b>Lunch break</b>
14.30 – 15.00	<b>The impact of training on preserving judicial independence - challenges and opportunities</b> <i>Ingrid Derveaux – Secretary General of the European Judicial Training Network (EJTN)</i>
15.00– 15.30	<b>The work of the CoE in upholding the independence of the judiciary</b> <b>Overview of the Legal Cooperation Division and CCJE Secretariat</b>
15.30 – 16.00	<b>Break</b>
16.00 – 16.30	<b>Key case-law on judicial independence and relevant resources</b>
16.30 – 17.00	<b>Tour de table on key takeaways and closure</b>

<b>Wednesday, 6 March 2024</b>	
8.30	Arrival of participants - <b>ECtHR</b>
9.00 – 11.30	<b>Attendance to the ECtHR Grand Chamber Hearing <i>Ships Waste Oil Collector B.V. and Others v. the Netherlands</i></b>
11.30 – 12.00	<b>Return to the seminar room and coffee break</b>
12.00 – 13.00	<b>Judicial Ethics and Independence of the Judiciary - open discussion</b> <b>The implementation of the online course: presentation of the page, planning, evaluation</b> <i>Nina Betetto, HELP course tutor</i>

*\*Agenda may be subject to change*