



**UDKAST TIL TALE**  
**Copenhagen Conference**  
**”Continued reform of the European Human Rights System”**  
**April 12, 2018**

**[Introduction]**

Mr. Secretary General, President of the Court, President of the Parliamentary Assembly, Madam Commissioner.  
Distinguished colleagues and guests:

It is a great pleasure for me to open the Copenhagen Conference on “Continued reform of the European Human Rights System – better balance, improved protection.”

As one of the founding fathers of the Council of Europe, and among the first States to ratify the European Convention on Human Rights, Denmark is delighted to be holding the Chairmanship and hosting this conference. It

is a huge honour, and a responsibility that we take very seriously.

**[The Danish initiative on ECHR reform]**

We have placed continued reform of the Convention system at the centre of our Chairmanship.

We have done so because Denmark is and has always been a strong supporter of human rights and the Convention System.

And because we must remain committed to continuously improve the Convention system and take the necessary steps to ensure its relevance and effective functioning.

Discussing reforms is not new. Reform of the European human rights system has been on the agenda of the Council of Europe for a long time. Since 2010 within the framework of the Interlaken Process.

Much has been achieved. And we must continue this important work.

Because it is no time to rest.

At a time where Europe faces many difficult challenges, we need to remain committed, and take all necessary steps to ensure the future of our human rights system.

**[A new deal - better balance, improved protection]**

In a series of political conferences, in Interlaken, Izmir, Brighton and Brussels, Member States have stressed the importance of moving the centre of gravity of the European system closer to the national level.

And for good reason. Accepting the shared responsibility, between Member States and the Strasbourg system, is vital if we are to ensure the future of human rights in Europe.

This has marked a “new deal” for the Convention system.

A deal on a more effective and focused Convention system. Where the Strasbourg Court can focus on identifying serious, systemic and structural problems, and important questions of interpretation. And where Member States take on a larger role and responsibility for protecting and enforcing human rights at home.

A deal that offers better balance and improved protection.

A deal we must seal. By all States Parties ratifying Protocol 15.

And a deal which we should build on. In Copenhagen, and in the future.

**[National implementation]**

Placing great emphasis on subsidiarity should not be seen as an attempt to limit or weaken human rights protection.

On the contrary, subsidiarity should operate to strengthen human rights by reinforcing the role and responsibility at the national level.

And we need to do better in this regard.

The failure to effectively implement the Convention at national level, in particular in relation to serious structural human rights problems in some countries, remains a principal challenge.

This is unacceptable.

It affects European citizens, who are denied basic rights and freedoms. It affects the functioning of the Court, receiving thousands of repetitive cases, and it affects Europe and European cooperation as a whole.

States must fulfil their responsibility to implement and enforce the Convention at national level.

And we need a strong commitment to execute the judgments of the Court. Fully, and promptly.

**[The caseload]**

The Court has done an impressive job to bring down the backlog.

In 2010, when the reform process was started, the number of cases pending before the Court amounted to more than 140,000. And it continued to grow. Reaching more than 160,000 cases!

Entering into 2018, the Court had managed to reduce this number to 56,000.

This clearly testifies to the impressive ability of the Court to reform and streamline its working methods.

Well done, I have to say.

Nevertheless, the Court's caseload still gives rise to serious concern.

We need to address this issue further.

[Today, in this building, France will, as the 10<sup>th</sup> country, ratify Protocol 16. Thereby introducing a new institute of advisory opinions. This is an important development. But, on the short hand, it may give even more work to the Court.]

We need to ensure that the Court has the necessary tools and resources to do its important job. Today. And tomorrow.

### **[Judge selection]**

There are other key challenges we need to address.

We need to ensure that the Court and its judgments are of the highest possible quality.

Therefore, ensuring a better procedure for the selection and election of judges is essential.

And there is still room for improvement.

## **[Dialogue]**

Finally, Ladies and gentlemen, a key Danish priority is to ensure a stronger dialogue and interplay between the national and the international level.

On their respective roles and on the development of the Convention system.

Civil society should be involved in this dialogue, which will ensure that the development of human rights is more solidly anchored in our democracies.

We need to strengthen the avenues for such dialogue.

By improving access to third party interventions in cases, which may affect several member states.

By ensuring that the important turns in case-law takes place in the Grand Chamber, ensuring transparency.

And by discussing developments in the case law of the Court. With respect for the independence of the Court, of course.

Denmark is willing to take the lead. As a follow up to the Kokkedal Conference, we will therefore invite Member

States, and other stakeholders, to an informal meeting, in what we hope will be a new and important dialogue.

We do so, because we strongly believe that dialogue, also on difficult questions, between all stakeholders, is the only way to ensure a strong European human rights system for the future. With broad support and ownership.

### **[Afslutning]**

Ladies and gentlemen,

I am pleased to present a draft Declaration to you today, which addresses all the issues I have touched upon today and more.

If we get it right, the impact will be great.

We will get a substantial package of measures that builds on common sense, and addresses the current challenges facing the Convention system.

But also an agreement that makes clear that the protection of human rights goes hand-in-hand with democracy and the role of national parliaments.

I hope that together we can find consensus.



The benefits will be stronger protection of rights, more easily enforced, more widely respected.

I look forward to hearing your views, and to working with you during the conference.