

**Statement by Ireland at the
High level Conference on the Future of the European Court of
Human Rights
Brighton, the United Kingdom 18-20 April 2012**

Mr Chairman

Ladies and Gentlemen

Please allow me to begin by thanking the United Kingdom authorities for their leadership in organising this High level Conference and for the hospitality extended to us all in Brighton. We have before us a draft Declaration of real substance, and I commend the United Kingdom Chairmanship for their skill and hard work in bringing the text to this advanced stage.

The position of my country is clear: Ireland fully endorses and supports the draft Declaration before us today.

Just over two years ago at Interlaken, we, the member states of the Council of Europe, committed ourselves to a work programme aimed at securing the long term future of the European Court of Human Rights. Last year in Izmir, at a Conference generously hosted by the Turkish authorities, we resolved to continue that process and build upon the significant work already undertaken by both the Court and our respective Governments.

There has been good progress since then. However, the Court's Annual Report for 2011, and its Statistical Annex, are clear as to the numerical scale and also the diversity of the problems still to be addressed.

We are here now as part of our commitment to preparing, by June of this year, specific proposals for measures requiring amendment of the Convention. It is important though to remember that securing the future of the European Court of Human Rights is not about simply agreeing to amend the Convention. Our collective – and I should say successful – experience in implementing Protocol 14 is instructive in that respect. The amendments in that Protocol have not of themselves produced the positive results that are now becoming evident. Rather, it was the commitment, hard work, and determination of all involved in that particular process that made the difference. It is right too that we pay particular tribute to the Court and the Registry for their commitment to both adapting to and maximising the benefit from the new working methods introduced by that Protocol.

Ireland is particularly pleased to see the right of individual petition described in the draft declaration as a cornerstone of the Convention system. At Interlaken and Izmir, we confirmed the importance of this right and it is wholly appropriate that we reaffirm this. As the Court has noted in its preliminary opinion in preparation for the Brighton Conference *“It is the individual complaint which triggers the Convention review and enables the Court to identify shortcomings at national level.”* At the same time we have to equip the Court to concentrate on those cases that warrant its consideration. Today’s Declaration manages that combination skilfully.

The draft Declaration, as we know, proposes a number of amendments to the Convention, the purpose of which are to secure the future of the European Court of Human Rights, not to lessen human rights protection

in Europe. Since Interlaken we have engaged in in-depth analysis and consideration of options and have had the benefit of numerous inputs. We can move with confidence now to the implementation phase. Ireland looks forward to working with others in elaborating the wording of the proposed amendments in good time, as well as giving effect to non-amendment measures.

I believe that with today's work we are on the right track to securing the future of the European Court of Human Rights. We have struck the right balance between much needed reform and the universal objective of the maintenance and further realization of human rights and fundamental freedoms.

Thank you.