

European Criminal Bar Association

Spring Conference 2018, Oslo

Report on Human Rights Committee

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The HR Committee was formed last year at the Prague Conference.

It was formed in anticipation of coming assaults on the rule of law in general and on human rights in particular, so serious that they could not adequately be dealt with by the human rights officer alone.

Since then the Committee has

- i) opposed the threat by the UK Prime Minister to “rip up” the Human Rights Act (the matter has been postponed to after Brexit – so we may await Brexit plus);
- ii) intervened in the case of Salih Akinci, a Turkish lawyer being persecuted for alleged support of Fethullah Gülen or of disagreeing with the Turkish President (who was freed from detention in Greece)
- iii) intervened in the case of Robert Rosu, a Romanian lawyer unjustly persecuted and prosecuted by the DNA because he successfully recovered property from his client which had been confiscated by the Ceaucescu regime (who was awarded damages for his mistreatment by the Romanian police).

Matters which the HRC may, after discussion, act upon are

- iv) the obvious break down of the rule of law in Turkey, the lower courts now openly defying the Constitutional Court;
- v) the system of pre-trial detention in Spain, not just in connection with detained Catalanian politicians
- vi) the secreto de sumario facility in Spain whereby detainees may be denied access to the evidence against them;

vii) ongoing surrender under EAW requests to States where the minimum standards are not observed.

The Committee is establishing links with NGOs and the HR committees of other lawyers' associations with objectives similar to its own, such as Lawyers for Lawyers, Fair Trials, the UIA, the CCBE, the IBA and, most recently, the HR Committee of the Norwegian Bar Association.

The ECBA HR Committee is currently discussing how its purpose may best be defined and its particular identity described. This may be revealed at the conference.

The members of the Committee are listed on the ECBA website.

Interested members of the ECBA are invited to join if motivated.