

Council of Europe – HELP Course Launch: Freedom of Expression

FREEDOM OF EXPRESSION

HELP
Human Rights Education for Legal Professionals



Funded
by the European Union
and the Council of Europe



COUNCIL OF EUROPE



Implemented
by the Council of Europe

Launch Date: 12 April 2024

Duration: 6 weeks

Format: online tutored course with
in person launch seminar at the Nicosia Bar Association

Open to: national lawyers and prosecutors

Council of Europe/EU HELP Certificates delivered for
successful participants

**Organized under the framework of the EU-CoE project Judicial
Training on the Rule of Law and Fundamental Rights**

Participation in this training contributes to the goal set by **EU Judicial Training Strategy** of training legal professionals, on EU law, by 2024.

Launch of the HELP course on Freedom of Expression Concept Paper and Agenda

Date	12 April 2024
Location	Nicosia Bar Association, Nicosia
Language	English
Participation	National group of lawyers and prosecutors
Registration	Through the procedure outlined in the nationwide call within the specified period

Background

The **Council of Europe (CoE) Programme for Human Rights Education for Legal Professionals (HELP)**¹ supports the CoE member states in implementing European human rights standards at the national level, focusing on the European Convention on Human Rights (ECHR), the European Social Charter, other key CoE instruments, and, since 2015, relevant EU legal framework. This is done by raising the capacities of professionals to apply those instruments in their daily work.

The objective of HELP is to provide high quality education on human rights to judges, prosecutors and lawyers throughout Europe, and beyond. Law enforcement authorities such as police and prison staff may also be 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 Courts: The European Court of Human Rights and the Court of Justice of the EU. HELP courses specifically designed for EU countries increasingly incorporate relevant EU legal content.

HELP's **three pillars** are:

1. A European **Network** of national training institutions for judges, prosecutors and lawyers in the 46 CoE member states, and beyond.
2. **Free online courses on human rights** hosted on an e-learning platform.
3. A human rights **training methodology** for (mainly) legal professionals.

The Judicial Training on Rule of Law and Fundamental Rights Project

The Joint EU-CoE Judicial Training on Rule of Law and Fundamental Rights Project (RoL Frights) is funded by the European Union's Justice Programme (2021-2027) and administered by the Council of Europe (CoE) from November 2022 to November 2024.

The objective of the EU-CoE Project is to contribute to the effective and coherent application of European law in the areas of rule of law, criminal law, and fundamental rights, as enshrined in the EU Charter of Fundamental Rights and in the European Convention on Human Rights (ECHR). To achieve

¹ For more information on HELP please visit HELP's website: www.coe.int/help

this objected, the project aims to strengthen the capacity of EU justice institutions (multipliers) and the knowledge and skills of justice professionals. Additionally, the project aims to strengthen the HELP Network in the EU and the capacity of network members to effectively implement the HELP Methodology and Courses. Through targeted capacity-building initiatives, the RoL Frights project aims to advance the application of European law and promote the rule of law and fundamental rights across European jurisdictions.

The HELP Course on Freedom of Expression

In the European system of human rights protection, Article 10 of the ECHR safeguards freedom of expression. However, this right can sometimes clash with other rights enshrined in the ECHR, such as the right to privacy, conscience, and religion. Conflicts may also arise when authorities seek to uphold interests outlined in Article 10(2) of the ECHR, such as national security or public health. In such cases, the European Court of Human Rights (ECtHR) undertakes a careful balancing act to determine the priority of one right or interest over another. This balancing process, which considers the significance of freedom of expression, underscores its fundamental importance.

The ECtHR has developed extensive jurisprudence concerning the application of Article 10. When adjudicating cases involving freedom of expression, national courts are required to adhere to the principles established by the ECtHR. Therefore, a comprehensive understanding of the relevant ECtHR jurisprudence is essential for these courts.

This free online HELP course aims to provide legal professionals, as well as other relevant practitioners and university students, with the necessary knowledge and skills to understand European regulations regarding freedom of expression. Moreover, it seeks to facilitate the effective application of Article 10 of the ECHR within national contexts.

About the Course

The HELP course is a comprehensive course, aiming to **increase the knowledge of legal professionals** and other relevant stakeholders on the applicable **international and European (CoE and EU) standards**. The course provides information about the most important instruments at international and European level, and about how they are being implemented in practice across Europe and beyond. The course has been tailored to meet the learning needs of legal and other relevant professionals working on **freedom of expression**.

The course, initially developed in 2016, was updated and modernised jointly with the [Council of Europe Information Society Department](#), within the framework of the action "[Freedom of Expression and Freedom of the Media in South-East Europe \(JUFREX\)](#)", as part of the Joint Program of the European Union and the Council of Europe "[Horizontal Facility for the Western Balkans and Turkey II](#)". A senior lawyer from the Registry of the European Court of Human Rights contributed to updating the course.

Comprising four substantive modules, the course begins with an introduction to Article 10 of the ECHR and the fundamental principles guiding its application. Subsequent modules offer an overview

of the ECtHR's approach to topics frequently addressed under Article 10. The course's total duration is approximately nine hours.

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 to all **legal professionals** (judges, prosecutors, lawyers or court staff). It can also be used by other public authorities, including national human rights institutions, as well as civil society organisations, university students etc.

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 4 substantive modules:

1

Introduction and Key Principles

- Freedom of Expression (FoE) in international law
- Key concepts
- Restrictions on FoE
- Positive Obligations
- Abuse of FoE
- Redress for violations

2

Types of speech. FoE and Privacy. Defamation

- Types of speech protected under Article 10
- Privacy and defamation

3

Media regulation. FoE online. FoE and elections. Protection of Sources. Information received in confidence.

- Media regulation
- FoE online
- FoE and elections
- Protection of Sources
- Information received in confidence

4

Access to information. FoE and protest. FoE and administration of justice. FoE in the workplace. FoE and religion.

- Access to information
- FoE and protest
- FoE and administration of justice
- FoE in the workplace
- FoE and religion

At the conclusion of each module, users will encounter a questionnaire and a module summary. Upon successful completion of the entire course, users will receive a HELP achievement statement in electronic format, which they can print.

The Launch

The event is organized in partnership with the **Law Academy of the Office of the Attorney General of the Republic of Cyprus** and the **Cyprus Bar Association**.

The launch event will be held in **Nicosia on Friday April 12th, 2024**. The primary objective of this event is to introduce participants to the HELP platform and the course page, where they will engage in the course under the guidance of a tutor. Additionally, the launch will feature a series of presentations by renowned experts, aimed at providing participants with background information and inspiring them to enroll in the course. The working language of the event will be English.

The Course Preparation and Implementation

Before the online launch event, 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
- go to your email inbox and click on the link to activate your account.



During the launch event, the participants will be registered on their course page, prepared in advance by their tutors. Over the following weeks and based on the planning set by the tutor, the participants will go through the **online course**, complemented by the additional materials and resources prepared by the tutor.

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

Registration

Interested participants should:

- be available to **attend the launch event**;
- undertake to **follow and complete the online tutored course** in the following 6 weeks (approx. 1-2 hours of work per week);
- **have the necessary knowledge of English** to follow the launch event and the online course;
- have a laptop/tablet/smartphone available for accessing the HELP e-learning platform.

Selected participants will be contacted the HELP team for arranging their travel and providing the necessary information about the event.

Further Information

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

Content related issues, speakers, agenda:

- Giulia Lo Presti – Project Coordinator EU-CoE Frights, HELP Programme (giulia.lo-presti@coe.int)

Organisational and administrative issues:

- Ferial Belguechi – Project Assistant, HELP Programme (ferial.belguechi@coe.int)
- Roxane Samaha – Project Assistant, HELP Programme (roxane.samaha@coe.int)

Agenda

12 April 2024

8.45 – 9.00	Registration of participants
09.00 – 9.15	Welcome address <i>TBC, Representative of the Office of the Attorney General</i> <i>TBC, Representative of the Cyprus Bar Association</i>
9.15 – 10.00	The HELP Programme and the HELP Platform <i>Giulia Lo Presti, EU-CoE 'RoL Frights' Project Coordinator, Council of Europe</i>
10.00 – 10.40	Getting to know each other – tour de table and sharing of expectations
10.40 – 11.00	Freedom of Expression in Cyprus: Main Challenges <i>Ms Sofia Kleopa and Ms Katerina Athieniti</i>
11.00 - 11.30	Break (Group photo)
11.30 – 12.15	The jurisprudence of the ECtHR on Freedom of Expression <i>TBC, Jurist at the Registry of the European Court of Human Rights (ECtHR)</i>
12.15 – 13.00	Jurisprudence on Freedom of Expression in Cyprus <i>TBC</i>
13.00 - 14.30	Lunch break
14.30 – 15.15	Topic TBC <i>TBC</i>
15.15 – 15.45	Group session with the tutors <i>Ms Sofia Kleopa and Ms Katerina Athieniti</i> Presentation of the tutors and their role, learning objectives, evaluation criteria, practical aspects and discussions.
15.45 – 16.00	Q/A session, conclusions and closure

**Agenda may be subject to change*