



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

**Message from Mattias Guyomar
President of the European Court of Human Rights**

The European Convention on Human Rights, a Conscience of Europe

Strasbourg, 4 November 2025

During the drafting of the European Convention on Human Rights, Mr Roberts of the United Kingdom declared: *“This Convention means that the European community as a whole guarantees the maintenance in all its member States of a living democracy, and that the liberty of each individual ... is the concern of all.”*

75 years on, Europe again faces escalating geopolitical tensions and war wages on its soil. These pressures are compounded by disinformation, populism, the resurgence of authoritarian tendencies, a troubling erosion of trust in public institutions, and increasing threats to judicial independence.

Today’s anniversary of the European Convention calls upon us to reflect on the *origins* and *achievements* of the Convention’s unique human rights system and on the *responsibilities* we share for its continued vitality.

Origins

It is worth reminding ourselves why the Convention was conceived as a pillar of democracy and the rule of law, and why it remains indispensable more than ever today.

The preparatory works of the Convention provide a window into the minds of its framers, capturing their foresight, the urgency of their mission and the nobility of their aspirations.

They testify that the Convention was an expression of legal humanism, at the same time a new beginning and a bulwark against totalitarianism. It was designed not only to prevent the return of past horrors, but also to shield Europe from new threats.

The Convention was conceived as a regional embodiment of the Universal Declaration of Human Rights of 1948.

What made the Convention unique was that it was the first international instrument which transformed certain aspirational rights into binding legal obligations for States.

It did this by establishing an international supervision mechanism based on the right of individual application.

For the first time in history, that mechanism allowed individuals to bring proceedings against States before an international forum.

Achievements

What was once a dream became a reality. Over the years the Convention system became not only the most advanced and effective international mechanism for enforcing human rights but also the most far-reaching system of international justice.

Through successive accessions the Convention gradually came to embrace almost the entire continent. From its 12 original signatories¹, it expanded to 47 States, and today binds 46, following Russia's expulsion from the Council of Europe in 2022 after its full-scale invasion of Ukraine. It now stands as a safeguard for the rights of some 700 million people.

The system is, by design, a subsidiary one. It is activated only after domestic remedies have been exhausted. The primary responsibility for safeguarding the Convention rights rests squarely with the Contracting States themselves. This reflects the system's true nature: not one of hierarchy, but of complementarity of jurisdictions.

Responsibilities

The Convention has become "a constitutional instrument of European public order". This order is to be understood as embracing, not excluding, national constitutional identities.

In deciding upon the margin of appreciation accorded to each State in a particular case, the Court relies on a European consensus, listening and learning from domestic legislation on a particular issue across Europe.

The Court always remains faithful to the Convention's purpose and respectful of the limits of its own judicial role. Through its "living instrument" doctrine, the Court has ensured that it speaks to realities that were unforeseeable and unimaginable at the time it was adopted, including issues related to new technologies and artificial intelligence, bioethics, climate change or the end of life.

¹ Belgium, Denmark, France, Germany, Iceland, Ireland, Italy, Luxembourg, Norway, the Netherlands, Turkey and the United Kingdom.

Through judicial pragmatism, the Court's judges take into consideration the present day challenges faced by European societies.

Yet, the Court's role has been and continues to be establishing truth, giving voice to victims and ensuring accountability under the law. Ever since the Russian Federation's expulsion from the Council of Europe, it remains responsible for human rights violations committed up until 16 September 2022. This means that alleged violations of the European Convention committed in Ukraine up until 2022 — including the downing of flight MH17 and the forced abduction of children — are not forgotten. They are examined, recorded and judged. The Court's judgments are a historical record, a bill of accountability, and a message to future generations: human dignity cannot be erased, and truth cannot be silenced.

One of the architects of the post-war human rights order, Pierre-Henri Teitgen, warned in 1949: *“Democracies do not become Nazi states overnight. Evil operates cunningly. One by one, freedoms are suppressed ... until public opinion and the entire national conscience are asphyxiated.... It is necessary to intervene before it is too late. A conscience must exist somewhere which will sound the alarm to the minds of a nation menaced by this progressive corruption, to warn them of the peril. ... An international court, within the Council of Europe, a system of supervision and guarantees, could be that conscience ...”*.

It was precisely for troubled times such as these that the Convention which brought to life that “Conscience of Europe” was drafted and the Court was created. The threats that the drafters sought to guard against are re-emerging in new forms.

Today's anniversary reminds us of the responsibility we bear and strengthens the optimism of our will. It is by remaining attentive to this legacy that together we ensure the Convention rights remain practical and effective for the generations to come.