René Cassin
the jewish voice for human rights

The ECHR Is For Us All

What is the ECHR?

We often don't realise the rights we have until they are taken away. The European Convention on Human Rights (ECHR) was created after the Holocaust to protect individuals from state abuse and prevent future atrocities. The UK played a key role in its creation. By signing the European Convention in 1951, the UK enshrined fundamental rights in law: protecting people from torture, slavery, and unlawful killing, and guaranteeing freedoms like speech, religion, privacy, and assembly.

Why do we need the ECHR?

The European Convention on Human Rights, incorporated into UK law through the Human Rights Act, is a landmark achievement whose benefits we all share. It lays clear the responsibilities that states have towards their citizens. Although some would like us to believe that the ECHR is used to harm the UK, **the rights guaranteed by the convention are rights we enjoy every single day.** Consider some of the following aspects of our lives protected by the ECHR:

- **You cannot be compelled into a job you don't want.**
- **You can marry the person you want and have a family.**
- **You can practice your faith, use religious symbols and observe customs freely.**
- **You can join groups like unions and take part in peaceful protests.**
- **You can speak out on what you want, providing you don't incite harm.**
- **You cannot be arbitrarily detained and you have the right to a fair trial.**
- **Your data, family life, and home are protected from unjustified interference .**

Origins of the European Convention

As the traumatic extent of the Holocaust became known towards the end of the Second World War, so did the understanding that a state must never again be able to perpetuate such horrors against its own people. Amongst others, Jewish lawyers who had lost their family in the Holocaust made a major contribution to the international human rights framework that emerged. This was encapsulated in the European Convention on Human Rights and since has been incorporated into UK law through the Human Rights Act.

Why is the Convention under threat?

The European Convention has become the latest target of populist rhetoric as bad-faith arguments have misrepresented the Convention as a tool to block deportations of criminals. A number of media outlets have recently misreported anomalous cases around Article 8, which guarantees ones right to a family life, as a barrier to the UK having an effective immigration system. The attacks on the Convention are part of a trend across Europe to weaken the rule of law, where states such as Italy, Denmark and Poland have called for the Convention to be reformed, but not suggested how they would do so. These attempts to weaken human rights protections without providing productive conversation on the Convention reveal that the concern is not about making the Convention better but is part of the global trend of democratic backsliding.

The Convention and minorities

As Jews, our history of seeking refuge from persecution makes us deeply concerned about laws that reduce the rights of minorities. We know firsthand the importance of standing up for others who are marginalised. The current way in which the European Convention is discussed creates a divide between those deemed 'deserving' and 'undeserving' of human rights, a divide which has been used against Jews in the past. Legal protections like the Convention are what make minorities feel safe and valued in the UK. Without them, that safety is at risk. As Jews, the European Convention is vital in protecting our cultural practices:

Religious Burials

The ECHR has been used to protect the right of religious burial. In 2018 the Adath Yisroel Burial Society challenged the Inner North London Coroner's disregard of the short amount of time Jews and Muslims need to be buried. Relying on **Article 9 of the ECHR** (freedom of religion), the court found the policy incompatible with religious freedom, leading to amended national coroner guidance to expedite faith-based burials.

Sunrise, not Sunset

Some people say that **Article 8 of the ECHR** - protection of family life - is used to "protect foreign criminals," but this is used commonly to keep families together. When Edith and Sydney, an elderly Jewish couple, were allocated to separate care homes, their daughter Judith used the ECHR to challenge the decision. Article 8 is a vital mechanism for protecting families from being separated by arbitrary decisions.

About René Cassin

René Cassin's mission is to promote and protect universal human rights within the UK by drawing on Jewish teachings, values, and historical experiences, and to catalyse the British Jewish community's engagement with fundamental human rights and freedoms.

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