ECHR Quick Facts Sheet

What is the ECHR

- The European Convention on Human Rights is an international treaty created in 1950 to protect fundamental rights and freedoms.
- The Convention is overseen by the Council of Europe, not the European Union. The UK helped draft it in 1950 and was the first signatory.

Article 3 – Prohibition of Torture:

- This is an absolute right, meaning it cannot be limited or derogated from—even in times of war or emergency.
- It's crucial for protecting individuals from abuse by the state, including in detention, deportation, or policing contexts.

Article 8 – Right to Respect for Private and Family Life:

- This Article protects a wide range of rights, including personal privacy, family relationships, and home life.
- This right is qualified, meaning it can be restricted for legitimate aims like national security or public safety, but only when necessary and proportionate.

Myths around the ECHR

Myth 1: "The ECHR stops us from deporting criminals."

- So far, only 0.73% of foreign national offenders successfully appealed deportation on human rights grounds in 2025.
- UK courts already apply these tests rigorously.
- The few cases where Article 8 is applied tend to be misreported in the media, creating a dangerous and anti-democratic trope about "activist judges."
- The UK legal system includes a court of appeal so cases can be overturned.

Myth 2: "The ECHR overrides UK sovereignty."

- UK courts apply the Convention through the Human Rights Act 1998.
- The European Court of Human Rights' judgments are not automatically binding.
- The UK helped draft the Convention and was among its first signatories.
- The Convention reflects British legal traditions, including the rule of law and individual liberty.

Myth 3: "The ECHR is old and needs to be updated"

- The Convention is a 'living document', allowing it to be interpreted given present-day conditions. It can respond to modern challenges like digital privacy and migration.
- Leaving the ECHR would not stop small boats or resolve systemic migration issues.

The UK has one of the lowest rates of violations among member states:	
European Court violations in 2024	One
UK compliance rate with Court judgments	Over 90%
UK share of total European Court cases	Less than 2%
Comparative violations (2023)	Russia: 2000+, Turkey: 500+, UK: 1