

Diluting the European Convention on Human Rights

What is going on?

27 states, including the UK, sent a [statement](#) to the Council of Europe in December 2025. The statement asks to change how certain articles of the European Convention on Human Rights (the European Convention) are interpreted by the European Court on Human Rights in Strasbourg. In particular, it suggests adjusting the balance between the rights of individuals and the need to ensure national security and public safety.

The Council of Europe published the [Chişinău Declaration](#) about this on 15 May 2026. This does not amend the European Convention. Indeed it reaffirms it.

In fact, this impacts very few people, specifically a few cases of Foreign National Offenders. These are people who have been living in the UK, often legally, who have committed a crime and served their sentence, but are then threatened with deportation. Some people may challenge their removal because they would be at risk of torture or similar harm if sent back to their country of origin, or that this will breach their right to private & family life in the UK (Articles 3 and 8 of the European Convention, respectively). Although it will not affect many people, these changes will have a major effect on some people.

When asked about this at a meeting of the Association of Jewish Lawyers on 24th February, the Attorney General, Lord Hermer, said that the UK needs to keep up with today's challenges where unprecedented levels of irregular migration are expected, especially with the global challenges posed by climate change¹. Such changes are therefore preparing for the challenges of the future. He went on to say that core values of the European Convention will be kept. He also said that this initiative demonstrates the benefit of being in the Council of Europe as we can deal with problems of the time with other Member States.

What are the **facts**?

- The European Convention recognises that States have the right to control the entry, residence, and removal of people from other countries.
- The European Court of Human Rights cannot decide a case unless the case has been previously examined by the domestic courts.
- The proportion of applications submitted to the Court that concern immigration matters is extremely low.
- In the past year, immigration applications accounted for only 1.5% of all applications, most were found to be inadmissible, and violations were found in only 6% of these cases (300 cases).
- In the UK, since 1980, the European Court has ruled against the UK in only 13 removal cases and just four of those concerned the right to family life, which is at the centre of the discussions.
- The Court has only ruled three times that the UK's immigration rules violate the European Convention in the past 45 years.

¹ Rt Hon Lord Hermer KC, Attorney General, speaking at the UK Association of Jewish Lawyers, London, 24th February 2026

Why is this relevant to the Jewish community?

Monsieur René Cassin was instrumental in shaping the intellectual foundations of the European Convention, which established enforceable rights precisely because the Holocaust had shown the catastrophic consequences of relying on goodwill alone. Rights needed to be codified, enforceable, and universal, not optional, or dependent on political mood.

Today, the Convention faces unprecedented criticism and calls for weakening its authority. But to dilute the Convention is to forget why it exists. The Convention prevents governments from acting above the law; it protects minorities like our own when majorities turn hostile; and it provides remedies when chipping away at people's human rights protections is provided as the solution.

Articles 3 and 8 may seem far from the priorities of the British Jewish community in 2026, but they are anything but. The right to a personal and family life, protected by Article 8, underpins many aspects of our daily lives. It has enabled Jewish individuals and families to stay together and to safeguard their dignity in the face of bureaucratic or discriminatory pressures. Meanwhile, Article 3 – the absolute prohibition of torture – reflects our shared morality that causing unnecessary harm can never be justified. Jewish teachings overwhelmingly reject torture, and watering down an international human rights convention to allow us to turn a blind eye when other states commit torture is an affront to our Jewish values.

This initiative will have a limited effect, but the erosion of rights starts with marginalised groups. The Jewish community knows all too well that reducing the rights of some leads to reducing all our rights. Eroding universal human rights for a political reason is a major concern.

What can we do about this?

Lawyers and academics wrote to the Council of Europe voicing their concerns. Even the European Court of Human Rights provided a [fact sheet](#). René Cassin was one of 24 organisations that supported a [Call to Action](#) initiated by the British Institute of Human Rights in late February.

Building knowledge about the practical use and impact of human rights, in everyday life and for the benefit of individuals and our community as a whole, is important. Whether through a targeted workshop, offered by René Cassin, to embed the UK's Human Rights Act in Jewish community support services, of which Article 8 is a core part of our training. Or through the establishment of the Jewish Everyday Rights Forum - a growing network of Jewish welfare organisations committed to improving socio-economic rights through shared learning and collaboration. We can all recognise the importance of the European Convention as it was created to prevent what happened to our parents and grandparents from happening again. It provides a framework for ensuring that individuals are not overpowered by the state.

About René Cassin

René Cassin, a UK-based human rights organisation, works to promote and protect human rights in the UK, drawing on Jewish experience and Jewish values. René Cassin works within the Jewish community by building support for human rights values amongst British Jews, and in the wider community, by bringing the authority of a Jewish perspective on issues that resonate with Jewish experience.