



the global voice of  
the legal profession\*

Prime Minister David Cameron  
10 Downing Street  
London  
SW1A 2AA  
United Kingdom

Justice Secretary Michael Gove  
Ministry of Justice  
102 Petty France  
London  
SW1H 9AJ  
United Kingdom

14 May 2015

## Open letter to Prime Minister David Cameron and Justice Secretary Michael Gove from the International Bar Association's Human Rights Institute

Dear Prime Minister, Justice Secretary,

As the Conservative Party embarks on its second term in government, we ask that you continue to respect and adhere to universally accepted human rights and to work with European partners to reform the European Court of Human Rights, rather than break any formal link with this institution.

In the Conservative Party Manifesto 2015, you commit to scrapping the Human Rights Act, curtailing the role of the European Court of Human Rights and introducing a British Bill of Rights. The Conservatives' proposals for changing Britain's human rights laws also state that it will 'break the formal link between British Courts and the European Court of Human Rights'. These same proposals refer to limiting the use of human rights laws to the 'most serious cases' and state that those 'who do not fulfil their responsibilities in society should not be able to claim so-called "qualified rights"'. We are deeply concerned by the above commitments and their potential effect on law in the United Kingdom and the rights of people within it.

We have just celebrated VE Day. Do not forget what this means. Following the atrocities of World War II, the United Kingdom was at the forefront of international efforts to establish the European Convention on Human Rights, and subsequently the European Court of Human Rights, in an attempt to protect individuals from the actions and whims of states and their governments, as well as to provide safeguards against abuses of public authority.

We would also like to remind you of the universality with which human rights law is enshrined in international agreements, to which the UK has always been a willing party. Human rights can only be an effective mechanism for protection if they apply to *all* people in *all* cases. No differentiation can or should be made between

London

São Paulo

Seoul

The Hague

Washington DC

---

4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom Tel: +44 (0)20 7842 0090 Fax: +44 (0)20 7842 0091 [www.ibanet.org](http://www.ibanet.org)

International Bar Association is incorporated as a Not-for-Profit Corporation under the laws of the State of New York in the United States of America and is registered with the Department of State of the State of New York with registration number 071114006655 - and the liability of its members is limited. Its registered address in New York is c/o Capitol Services Inc, 1218 Central Avenue, Suite 100, Albany, New York 12205.

The London office of International Bar Association is registered in England and Wales as a branch with registration number FC028342.



the global voice of  
the legal profession'

'serious' or 'trivial' cases and those who have or have not fulfilled particular requirements. To make such differentiations within any new Bill of Rights would be to remove the effectiveness of any human rights laws in protecting all people, including marginalised or vulnerable individuals. This would not be leadership, but its very antithesis.

Currently, proposals for repealing the Human Rights Act, severing ties with the European Court of Human Rights and drafting of a new British Bill of Rights appear to be vague, at best, and misguided, at worst. Every effort should be made on your part, and that of your government, to ensure that human rights are respected in the United Kingdom, Europe and around the world, for the benefit of all people.

Yours sincerely,

A handwritten signature in blue ink that reads 'Helena A. Kennedy'.

Baroness Helena Kennedy QC  
Co-Chair  
International Bar Association's  
Human Rights Institute

A handwritten signature in blue ink that reads 'Hans Corell'.

Ambassador Hans Corell  
Co-Chair  
International Bar Association's  
Human Rights Institute

London

São Paulo

Seoul

The Hague

Washington DC

---

4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom Tel: +44 (0)20 7842 0090 Fax: +44 (0)20 7842 0091 [www.ibanet.org](http://www.ibanet.org)

International Bar Association is incorporated as a Not-for-Profit Corporation under the laws of the State of New York in the United States of America and is registered with the Department of State of the State of New York with registration number 071114000655 - and the liability of its members is limited. Its registered address in New York is c/o Capitol Services Inc, 1218 Central Avenue, Suite 100, Albany, New York 12205.

The London office of International Bar Association is registered in England and Wales as a branch with registration number FC028342.