

AMNESTY INTERNATIONAL

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European Court of Human Rights must be reinforced

Amnesty International is calling on the Council of Europe to strengthen the protection of human rights in Europe, as ministers of the 47 member states prepare for a two-day meeting to discuss proposals for further reforms of the European Court of Human Rights.

Ministers are set to gather in the Swiss resort of Interlaken on March 18th and 19th to discuss the future of the court.

It was set up in 1959 to enforce the European Convention on Human Rights, which Council of Europe member states are obliged respect, through binding judgements.

Since then, it has delivered some 10,000 judgments in cases where governments have failed to honour their obligations under the European Convention.

However, the Court has had to deal with a backlog of over 100,000 cases and receives an enormous number of applications annually which put an enormous strain on its resources.

Also under discussion are problems with enforcement of the Court's judgements in member states.

"The way forward is better implementation of the Convention at national level that would increase respect for human rights throughout Europe," said Jill Heine, Legal Advisor at Amnesty International.

"If governments complied with their obligations under the Convention and implemented the Court's judgements quickly and effectively, the applications to the Court would be seriously reduced."

"In the meantime, the direct access of the hundreds of millions of Europeans to the Court that they now enjoy should be further facilitated, not obstructed."

"Proposals requiring applicants to pay fees or to be represented by a lawyer and communicate with the Court in English or French, should be shelved.

Amnesty International wants a strong and independent European Court of Human Rights, accessible to individuals claiming violations of their rights under the European Convention on Human Rights when they have had no effective redress domestically.

The organization calls on the Council of Europe to consider only such reforms to the Court that aim to strengthen the protection of the human rights of the people in Europe and ensure the Court's independence and excellence:

- Individuals must continue to be able to petition the Court when they have not been able to get justice for violations of their human rights domestically.
- The applications must be screened in an efficient, fair, consistent, transparent and effective way to weed out the very high proportion (around 90 per cent) of applications that are inadmissible under the current criteria.
- The Court must be allocated adequate financial and human resources to be able to give judgments within a reasonable time but without adversely impacting the budgets of other Council of Europe human rights mechanisms and bodies.
- Any reforms to the Court should be based on informed analysis, transparent evaluation of both the root of the problems impairing its efficiency and recent and future reforms.

- The role of the Committee of Ministers in supervising states' implementation of the Court's judgments should be strengthened.

See also:

[*Human rights in Europe: Decision time on the European Court of Human Rights*](#)

[*What is the European Court of Human Rights*](#)

[*European Court of Human Rights testimonies*](#)

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