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What is the European Court of Human Rights?

The European Court of Human Rights (the Court), based in Strasbourg, France, has been in operation since 1959. It was established under the 1950 European Convention on Human Rights (ECHR) by the member states of the Council of Europe as a means of enforcing the states' respect for human rights.

All member states of the Council of Europe (CoE) are required to become a party to the European Convention on Human Rights (ECHR), and thus are subject to the jurisdiction of the European Court of Human Rights. Each member state has a duty to ensure that everyone within its jurisdiction enjoys the rights protected by the ECHR.

Following the adoption of the Lisbon treaty the European Union (EU) is expected to become a party to the ECHR and subject to the jurisdiction of the Court in the future.

Since 1998, any individual, group of individuals or non-governmental organisation who considers that they have been a victim of a violation of their rights under the ECHR by a state which is a party to the ECHR, and who has exhausted the avenues for redress available in the state may, subject to certain conditions, apply directly to the European Court of Human Rights.

An estimated 800 million people living in the 47 member states have direct access to the Court. Applications may also be lodged by one state against another.

Over the past half-century the Court has delivered more than 12,000 judgments.

In more than 80 per cent of its judgments, the Court has ruled that the European Convention on Human Rights has been violated. More than half of these judgments have been against 4 states: Italy, Turkey, France and Russia.

The rulings of the Court are binding on the states concerned. Implementation of the judgments of the Court has resulted in changes to law and practice in many fields not only in the state concerned but in other states in Europe. Its judgments have also influenced law and practice in other regions of the world.

The number of judges on the Court is the same as the number of parties to the Convention (now 47*). Judges are elected by the Parliamentary Assembly of the Council of Europe, currently for six-year terms and may be re-elected but this will soon change to 9 year non-renewable terms. The Judges sit in their individual capacity not as representatives of any country.

The Court faces difficult challenges in light of its current resources, as a result of the enormous number of individual applications being lodged (nearly 50,000 in 2008), coupled with the backlog of cases pending before it (more than 110,000) .

*Albania, Andorra, Armenia, **Austria**, Azerbaijan, **Belgium**, Bosnia and Herzegovina, **Bulgaria**, Croatia, **Cyprus**, **Czech Republic**, **Denmark**, **Estonia**, **Finland**, **France**, Georgia, **Germany**,

Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, **Netherlands,** Norway, **Poland, Portugal, Romania,** Russian Federation, San Marino, Serbia, **Slovakia, Slovenia, Spain, Sweden,** Switzerland, FYR Macedonia, Turkey, Ukraine, **United Kingdom** [Of the 47 CoE member states 27 are EU member states which appear in bold].

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