

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Rules of Court

1 July 2014

Registry of the Court

Strasbourg

Practice Directions amended on 29 September 2014



Note by the Registry

This new edition of the Rules of Court incorporates amendments made by the Plenary Court on 14 April and 23 June 2014.

The new edition entered into force on 1 July 2014.

Any additional texts and updates will be made public on the Court's website (www.echr.coe.int).

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The European Court of Human Rights,

Having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols thereto,

Makes the present Rules:

Rule 1[1] – Definitions

For the purposes of these Rules unless the context otherwise requires:

(a) the term "Convention" means the Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols thereto;

(b) the expression "plenary Court" means the European Court of Human Rights sitting in plenary session;

(c) the expression "Grand Chamber" means the Grand Chamber of seventeen judges constituted in pursuance of Article 26 § 1 of the Convention;

(d) the term "Section" means a Chamber set up by the plenary Court for a fixed period in pursuance of Article 25 (b) of the Convention and the expression "President of the Section" means the judge elected by the plenary Court in pursuance of Article 25 (c) of the Convention as President of such a Section;

(e) the term "Chamber" means any Chamber of seven judges constituted in pursuance of Article 26 § 1 of the Convention and the expression "President of the Chamber" means the judge presiding over such a "Chamber";

(f) the term "Committee" means a Committee of three judges set up in pursuance of Article 26 § 1 of the Convention and the expression "President of the Committee" means the judge presiding over such a "Committee";

(g) the expression "single-judge formation" means a single judge sitting in accordance with Article 26 § 1 of the Convention;

(h) the term "Court" means either the plenary Court, the Grand Chamber, a Section, a Chamber, a Committee, a single judge or the panel of five judges referred to in Article 43 § 2 of the Convention;

(i) the expression "*ad hoc* judge" means any person chosen in pursuance of Article 26 § 4 of the Convention and in accordance with Rule 29 to sit as a member of the Grand Chamber or as a member of a Chamber;

(j) the terms "judge" and "judges" mean the judges elected by the Parliamentary Assembly of the Council of Europe or *ad hoc* judges;

(k) the expression "Judge Rapporteur" means a judge appointed to carry out the tasks provided for in Rules 48 and 49;

(l) the term "non-judicial rapporteur" means a member of the Registry charged with assisting the single-judge formations provided for in Article 24 § 2 of the Convention;

(m) the term "delegate" means a judge who has been appointed to a delegation by the Chamber and the expression "head of the delegation" means the delegate appointed by the Chamber to lead its delegation;

1. As amended by the Court on 7 July 2003 and 13 November 2006.

(n) the term “delegation” means a body composed of delegates, Registry members and any other person appointed by the Chamber to assist the delegation;

(o) the term “Registrar” denotes the Registrar of the Court or the Registrar of a Section according to the context;

(p) the terms “party” and “parties” mean

- the applicant or respondent Contracting Parties;
- the applicant (the person, non-governmental organisation or group of individuals) that lodged a complaint under Article 34 of the Convention;

(q) the expression “third party” means any Contracting Party or any person concerned or the Council of Europe Commissioner for Human Rights who, as provided for in Article 36 §§ 1, 2 and 3 of the Convention, has exercised the right to submit written comments and take part in a hearing, or has been invited to do so;

(r) the terms “hearing” and “hearings” mean oral proceedings held on the admissibility and/or merits of an application or in connection with a request for revision or an advisory opinion, a request for interpretation by a party or by the Committee of Ministers, or a question whether there has been a failure to fulfil an obligation which may be referred to the Court by virtue of Article 46 § 4 of the Convention;

(s) the expression “Committee of Ministers” means the Committee of Ministers of the Council of Europe;

(t) the terms “former Court” and “Commission” mean respectively the European Court and European Commission of Human Rights set up under former Article 19 of the Convention.

Title I – Organisation and Working of the Court

Chapter I – Judges

Rule 2[1] – Calculation of term of office

1. Where the seat is vacant on the date of the judge's election, or where the election takes place less than three months before the seat becomes vacant, the term of office shall begin as from the date of taking up office which shall be no later than three months after the date of election.

2. Where the judge's election takes place more than three months before the seat becomes vacant, the term of office shall begin on the date on which the seat becomes vacant.

3. In accordance with Article 23 § 3 of the Convention, an elected judge shall hold office until a successor has taken the oath or made the declaration provided for in Rule 3.

Rule 3 – Oath or solemn declaration

1. Before taking up office, each elected judge shall, at the first sitting of the plenary Court at which the judge is present or, in case of need, before the President of the Court, take the following oath or make the following solemn declaration:

> "I swear" – or "I solemnly declare" – "that I will exercise my functions as a judge honourably, independently and impartially and that I will keep secret all deliberations."

2. This act shall be recorded in minutes.

Rule 4[2] – Incompatible activities

1. In accordance with Article 21 § 3 of the Convention, the judges shall not during their term of office engage in any political or administrative activity or any professional activity which is incompatible with their independence or impartiality or with the demands of a full-time office. Each judge shall declare to the President of the Court any additional activity. In the event of a disagreement between the President and the judge concerned, any question arising shall be decided by the plenary Court.

2. A former judge shall not represent a party or third party in any capacity in proceedings before the Court relating to an application lodged before the date on which he or she ceased to hold office. As regards applications lodged subsequently, a former judge may not represent a party or third party in any capacity in proceedings before the Court until a period of two years from the date on which he or she ceased to hold office has elapsed.

Rule 5[3] – Precedence

1. Elected judges shall take precedence after the President and Vice-Presidents of the Court and the Presidents of the Sections, according to the date of their taking up office in accordance with Rule 2 §§ 1 and 2.

2. Vice-Presidents of the Court elected to office on the same date shall take precedence according to the length of time they have served as judges. If the length of time they have served as judges is

1. As amended by the Court on 13 November 2006 and 2 April 2012.
2. As amended by the Court on 29 March 2010.
3. As amended by the Court on 14 May 2007.

the same, they shall take precedence according to age. The same rule shall apply to Presidents of Sections.

3. Judges who have served the same length of time shall take precedence according to age.

4. *Ad hoc* judges shall take precedence after the elected judges according to age.

Rule 6 – Resignation

Resignation of a judge shall be notified to the President of the Court, who shall transmit it to the Secretary General of the Council of Europe. Subject to the provisions of Rules 24 § 4 *in fine* and 26 § 3, resignation shall constitute vacation of office.

Rule 7 – Dismissal from office

No judge may be dismissed from his or her office unless the other judges, meeting in plenary session, decide by a majority of two-thirds of the elected judges in office that he or she has ceased to fulfil the required conditions. He or she must first be heard by the plenary Court. Any judge may set in motion the procedure for dismissal from office.

Chapter II[1] – Presidency of the Court and the role of the Bureau

Rule 8[2] – Election of the President and Vice-Presidents of the Court and the Presidents and Vice-Presidents of the Sections

1. The plenary Court shall elect its President, two Vice-Presidents and the Presidents of the Sections for a period of three years, provided that such period shall not exceed the duration of their terms of office as judges.

2. Each Section shall likewise elect for a period of three years a Vice-President, who shall replace the President of the Section if the latter is unable to carry out his or her duties.

3. A judge elected in accordance with paragraphs 1 or 2 above may be re-elected but only once to the same level of office. This limitation on the number of terms of office shall not prevent a judge holding an office as described above on the date of the entry into force[3] of the present amendment to Rule 8 from being re-elected once to the same level of office.

4. The Presidents and Vice-Presidents shall continue to hold office until the election of their successors.

5. The elections referred to in paragraph 1 of this Rule shall be by secret ballot. Only the elected judges who are present shall take part. If no candidate receives an absolute majority of the votes cast, an additional round or rounds shall take place until one candidate has achieved an absolute majority. After each round, any candidate receiving fewer than five votes shall be eliminated; and if more than two candidates have received five votes or more, the one who has received the least number of votes shall also be eliminated. If there is more than one candidate in this position, only the candidate who is lowest in the order of precedence in accordance with Rule 5 shall be eliminated. In the event of a tie between two candidates in the final round, preference shall be given to the judge having precedence in accordance with Rule 5.

6. The rules set out in the preceding paragraph shall apply to the elections referred to in paragraph 2 of this Rule. However, where more than one round of voting is required until one candidate has achieved an absolute majority, only the candidate who has received the least number of votes shall be eliminated after each round.

Rule 9 – Functions of the President of the Court

1. The President of the Court shall direct the work and administration of the Court. The President shall represent the Court and, in particular, be responsible for its relations with the authorities of the Council of Europe.

2. The President shall preside at plenary meetings of the Court, meetings of the Grand Chamber and meetings of the panel of five judges.

3. The President shall not take part in the consideration of cases being heard by Chambers except where he or she is the judge elected in respect of a Contracting Party concerned.

1. As amended by the Court on 7 July 2003.
2. As amended by the Court on 7 November 2005, 20 February 2012, 14 January 2013 and 14 April 2014.
3. 1 December 2005.

Rule 9A[1] – Role of the Bureau

1. (a) The Court shall have a Bureau, composed of the President of the Court, the Vice-Presidents of the Court and the Section Presidents. Where a Vice-President or a Section President is unable to attend a Bureau meeting, he or she shall be replaced by the Section Vice-President or, failing that, by the next most senior member of the Section according to the order of precedence established in Rule 5.

(b) The Bureau may request the attendance of any other member of the Court or any other person whose presence it considers necessary.

2. The Bureau shall be assisted by the Registrar and the Deputy Registrars.

3. The Bureau's task shall be to assist the President in carrying out his or her function in directing the work and administration of the Court. To this end the President may submit to the Bureau any administrative or extra-judicial matter which falls within his or her competence.

4. The Bureau shall also facilitate coordination between the Court's Sections.

5. The President may consult the Bureau before issuing practice directions under Rule 32 and before approving general instructions drawn up by the Registrar under Rule 17 § 4.

6. The Bureau may report on any matter to the Plenary. It may also make proposals to the Plenary.

7. A record shall be kept of the Bureau's meetings and distributed to the Judges in both the Court's official languages. The secretary to the Bureau shall be designated by the Registrar in agreement with the President.

Rule 10 – Functions of the Vice-Presidents of the Court

The Vice-Presidents of the Court shall assist the President of the Court. They shall take the place of the President if the latter is unable to carry out his or her duties or the office of President is vacant, or at the request of the President. They shall also act as Presidents of Sections.

Rule 11 – Replacement of the President and the Vice-Presidents of the Court

If the President and the Vice-Presidents of the Court are at the same time unable to carry out their duties or if their offices are at the same time vacant, the office of President of the Court shall be assumed by a President of a Section or, if none is available, by another elected judge, in accordance with the order of precedence provided for in Rule 5.

Rule 12[2] – Presidency of Sections and Chambers

The Presidents of the Sections shall preside at the sittings of the Section and Chambers of which they are members and shall direct the Sections' work. The Vice-Presidents of the Sections shall take their place if they are unable to carry out their duties or if the office of President of the Section concerned is vacant, or at the request of the President of the Section. Failing that, the judges of the Section and the Chambers shall take their place, in the order of precedence provided for in Rule 5.

1. Inserted by the Court on 7 July 2003.
2. As amended by the Court on 17 June and 8 July 2002.

Rule 13[1] – Inability to preside

Judges of the Court may not preside in cases in which the Contracting Party of which they are nationals or in respect of which they were elected is a party, or in cases where they sit as a judge appointed by virtue of Rule 29 § 1 (a) or Rule 30 § 1.

Rule 14 – Balanced representation of the sexes

In relation to the making of appointments governed by this and the following chapter of the present Rules, the Court shall pursue a policy aimed at securing a balanced representation of the sexes.

1. As amended by the Court on 4 July 2005.

Chapter III – The Registry

Rule 15[1] – Election of the Registrar

1. The plenary Court shall elect its Registrar. The candidates shall be of high moral character and must possess the legal, managerial and linguistic knowledge and experience necessary to carry out the functions attaching to the post.

2. The Registrar shall be elected for a term of five years and may be re-elected. The Registrar may not be dismissed from office, unless the judges, meeting in plenary session, decide by a majority of two-thirds of the elected judges in office that the person concerned has ceased to fulfil the required conditions. He or she must first be heard by the plenary Court. Any judge may set in motion the procedure for dismissal from office.

3. The elections referred to in this Rule shall be by secret ballot; only the elected judges who are present shall take part. If no candidate receives an absolute majority of the votes cast, an additional round or rounds of voting shall take place until one candidate has achieved an absolute majority. After each round, any candidate receiving fewer than five votes shall be eliminated; and if more than two candidates have received five votes or more, the one who has received the least number of votes shall also be eliminated. In the event of a tie in an additional round of voting, preference shall be given, firstly, to the female candidate, if any, and, secondly, to the older candidate.

4. Before taking up office, the Registrar shall take the following oath or make the following solemn declaration before the plenary Court or, if need be, before the President of the Court:

> "I swear" – or "I solemnly declare" – "that I will exercise loyally, discreetly and conscientiously the functions conferred upon me as Registrar of the European Court of Human Rights."

This act shall be recorded in minutes.

Rule 16[2] – Election of the Deputy Registrars

1. The plenary Court shall also elect one or more Deputy Registrars on the conditions and in the manner and for the term prescribed in the preceding Rule. The procedure for dismissal from office provided for in respect of the Registrar shall likewise apply. The Court shall first consult the Registrar in both these matters.

2. Before taking up office, a Deputy Registrar shall take an oath or make a solemn declaration before the plenary Court or, if need be, before the President of the Court, in terms similar to those prescribed in respect of the Registrar. This act shall be recorded in minutes.

Rule 17 – Functions of the Registrar

1. The Registrar shall assist the Court in the performance of its functions and shall be responsible for the organisation and activities of the Registry under the authority of the President of the Court.

2. The Registrar shall have the custody of the archives of the Court and shall be the channel for all communications and notifications made by, or addressed to, the Court in connection with the cases brought or to be brought before it.

3. The Registrar shall, subject to the duty of discretion attaching to this office, reply to requests for information concerning the work of the Court, in particular to enquiries from the press.

1. As amended by the Court on 14 April 2014.
2. As amended by the Court on 14 April 2014.

4. General instructions drawn up by the Registrar, and approved by the President of the Court, shall regulate the working of the Registry.

Rule 18[1] – Organisation of the Registry

1. The Registry shall consist of Section Registries equal to the number of Sections set up by the Court and of the departments necessary to provide the legal and administrative services required by the Court.

2. The Section Registrar shall assist the Section in the performance of its functions and may be assisted by a Deputy Section Registrar.

3. The officials of the Registry shall be appointed by the Registrar under the authority of the President of the Court. The appointment of the Registrar and Deputy Registrars shall be governed by Rules 15 and 16 above.

Rule 18A[2] – Non-judicial rapporteurs

1. When sitting in a single-judge formation, the Court shall be assisted by non-judicial rapporteurs who shall function under the authority of the President of the Court. They shall form part of the Court's Registry.

2. The non-judicial rapporteurs shall be appointed by the President of the Court on a proposal by the Registrar. Section Registrars and Deputy Section Registrars, as referred to in Rule 18 § 2, shall act *ex officio* as non-judicial rapporteurs.

Rule 18B[3] – Jurisconsult

For the purposes of ensuring the quality and consistency of its case-law, the Court shall be assisted by a Jurisconsult. He or she shall be a member of the Registry. The Jurisconsult shall provide opinions and information, in particular to the judicial formations and the members of the Court.

1. As amended by the Court on 13 November 2006 and 2 April 2012.
2. Inserted by the Court on 13 November 2006 and amended on 14 January 2013.
3. Inserted by the Court on 23 June 2014.

Chapter IV – The Working of the Court

Rule 19 – Seat of the Court

1. The seat of the Court shall be at the seat of the Council of Europe at Strasbourg. The Court may, however, if it considers it expedient, perform its functions elsewhere in the territories of the member States of the Council of Europe.

2. The Court may decide, at any stage of the examination of an application, that it is necessary that an investigation or any other function be carried out elsewhere by it or one or more of its members.

Rule 20 – Sessions of the plenary Court

1. The plenary sessions of the Court shall be convened by the President of the Court whenever the performance of its functions under the Convention and under these Rules so requires. The President of the Court shall convene a plenary session if at least one-third of the members of the Court so request, and in any event once a year to consider administrative matters.

2. The quorum of the plenary Court shall be two-thirds of the elected judges in office.

3. If there is no quorum, the President shall adjourn the sitting.

Rule 21 – Other sessions of the Court

1. The Grand Chamber, the Chambers and the Committees shall sit full time. On a proposal by the President, however, the Court shall fix session periods each year.

2. Outside those periods the Grand Chamber and the Chambers shall be convened by their Presidents in cases of urgency.

Rule 22 – Deliberations

1. The Court shall deliberate in private. Its deliberations shall remain secret.

2. Only the judges shall take part in the deliberations. The Registrar or the designated substitute, as well as such other officials of the Registry and interpreters whose assistance is deemed necessary, shall be present. No other person may be admitted except by special decision of the Court.

3. Before a vote is taken on any matter in the Court, the President may request the judges to state their opinions on it.

Rule 23 – Votes

1. The decisions of the Court shall be taken by a majority of the judges present. In the event of a tie, a fresh vote shall be taken and, if there is still a tie, the President shall have a casting vote. This paragraph shall apply unless otherwise provided for in these Rules.

2. The decisions and judgments of the Grand Chamber and the Chambers shall be adopted by a majority of the sitting judges. Abstentions shall not be allowed in final votes on the admissibility and merits of cases.

3. As a general rule, votes shall be taken by a show of hands. The President may take a roll-call vote, in reverse order of precedence.

4. Any matter that is to be voted upon shall be formulated in precise terms.

Rule 23A[1] – Decision by tacit agreement

Where it is necessary for the Court to decide a point of procedure or any other question other than at a scheduled meeting of the Court, the President may direct that a draft decision be circulated among the judges and that a deadline be set for their comments on the draft. In the absence of any objection from a judge, the proposal shall be deemed to have been adopted at the expiry of the deadline.

1. Inserted by the Court on 13 December 2004.

Chapter V – The Composition of the Court

Rule 24[1] – Composition of the Grand Chamber

1. The Grand Chamber shall be composed of seventeen judges and at least three substitute judges.

2. (a) The Grand Chamber shall include the President and the Vice-Presidents of the Court and the Presidents of the Sections. Any Vice-President of the Court or President of a Section who is unable to sit as a member of the Grand Chamber shall be replaced by the Vice-President of the relevant Section.

(b) The judge elected in respect of the Contracting Party concerned or, where appropriate, the judge designated by virtue of Rule 29 or Rule 30 shall sit as an *ex officio* member of the Grand Chamber in accordance with Article 26 §§ 4 and 5 of the Convention.

(c) In cases referred to the Grand Chamber under Article 30 of the Convention, the Grand Chamber shall also include the members of the Chamber which relinquished jurisdiction.

(d) In cases referred to it under Article 43 of the Convention, the Grand Chamber shall not include any judge who sat in the Chamber which rendered the judgment in the case so referred, with the exception of the President of that Chamber and the judge who sat in respect of the State Party concerned, or any judge who sat in the Chamber or Chambers which ruled on the admissibility of the application.

(e) The judges and substitute judges who are to complete the Grand Chamber in each case referred to it shall be designated from among the remaining judges by a drawing of lots by the President of the Court in the presence of the Registrar. The modalities for the drawing of lots shall be laid down by the Plenary Court, having due regard to the need for a geographically balanced composition reflecting the different legal systems among the Contracting Parties.

(f) In examining a request for an advisory opinion under Article 47 of the Convention, the Grand Chamber shall be constituted in accordance with the provisions of paragraph 2 (a) and (e) of this Rule.

(g) In examining a request under Article 46 § 4 of the Convention, the Grand Chamber shall include, in addition to the judges referred to in paragraph 2 (a) and (b) of this Rule, the members of the Chamber or Committee which rendered the judgment in the case concerned. If the judgment was rendered by a Grand Chamber, the Grand Chamber shall be constituted as the original Grand Chamber. In all cases, including those where it is not possible to reconstitute the original Grand Chamber, the judges and substitute judges who are to complete the Grand Chamber shall be designated in accordance with paragraph 2 (e) of this Rule.

3. If any judges are prevented from sitting, they shall be replaced by the substitute judges in the order in which the latter were selected under paragraph 2 (e) of this Rule.

4. The judges and substitute judges designated in accordance with the above provisions shall continue to sit in the Grand Chamber for the consideration of the case until the proceedings have been completed. Even after the end of their terms of office, they shall continue to deal with the case if they have participated in the consideration of the merits. These provisions shall also apply to proceedings relating to advisory opinions.

5. (a) The panel of five judges of the Grand Chamber called upon to consider a request submitted under Article 43 of the Convention shall be composed of

1. As amended by the Court on 8 December 2000, 13 December 2004, 4 July and 7 November 2005, 29 May and 13 November 2006 and 6 May 2013.

- the President of the Court. If the President of the Court is prevented from sitting, he or she shall be replaced by the Vice-President of the Court taking precedence;
- two Presidents of Sections designated by rotation. If the Presidents of the Sections so designated are prevented from sitting, they shall be replaced by the Vice-Presidents of their Sections;
- two judges designated by rotation from among the judges elected by the remaining Sections to sit on the panel for a period of six months;
- at least two substitute judges designated in rotation from among the judges elected by the Sections to serve on the panel for a period of six months.

(b) When considering a referral request, the panel shall not include any judge who took part in the consideration of the admissibility or merits of the case in question.

(c) No judge elected in respect of, or who is a national of, a Contracting Party concerned by a referral request may be a member of the panel when it examines that request. An elected judge appointed pursuant to Rules 29 or 30 shall likewise be excluded from consideration of any such request.

(d) Any member of the panel unable to sit, for the reasons set out in (b) or (c) shall be replaced by a substitute judge designated in rotation from among the judges elected by the Sections to serve on the panel for a period of six months.

Rule 25 – Setting-up of Sections

1. The Chambers provided for in Article 25 (b) of the Convention (referred to in these Rules as "Sections") shall be set up by the plenary Court, on a proposal by its President, for a period of three years with effect from the election of the presidential office-holders of the Court under Rule 8. There shall be at least four Sections.

2. Each judge shall be a member of a Section. The composition of the Sections shall be geographically and gender balanced and shall reflect the different legal systems among the Contracting Parties.

3. Where a judge ceases to be a member of the Court before the expiry of the period for which the Section has been constituted, the judge's place in the Section shall be taken by his or her successor as a member of the Court.

4. The President of the Court may exceptionally make modifications to the composition of the Sections if circumstances so require.

5. On a proposal by the President, the plenary Court may constitute an additional Section.

Rule 26[1] – Constitution of Chambers

1. The Chambers of seven judges provided for in Article 26 § 1 of the Convention for the consideration of cases brought before the Court shall be constituted from the Sections as follows.

(a) Subject to paragraph 2 of this Rule and to Rule 28 § 4, last sentence, the Chamber shall in each case include the President of the Section and the judge elected in respect of any Contracting Party concerned. If the latter judge is not a member of the Section to which the application has been assigned under Rules 51 or 52, he or she shall sit as an *ex officio* member of the Chamber in

1. As amended by the Court on 17 June and 8 July 2002 and 6 May 2013.

accordance with Article 26 § 4 of the Convention. Rule 29 shall apply if that judge is unable to sit or withdraws.

(b) The other members of the Chamber shall be designated by the President of the Section in rotation from among the members of the relevant Section.

(c) The members of the Section who are not so designated shall sit in the case as substitute judges.

2. The judge elected in respect of any Contracting Party concerned or, where appropriate, another elected judge or *ad hoc* judge appointed in accordance with Rules 29 and 30 may be dispensed by the President of the Chamber from attending meetings devoted to preparatory or procedural matters. For the purposes of such meetings the first substitute judge shall sit.

3. Even after the end of their terms of office, judges shall continue to deal with cases in which they have participated in the consideration of the merits.

Rule 27[1] – Committees

1. Committees composed of three judges belonging to the same Section shall be set up under Article 26 § 1 of the Convention. After consulting the Presidents of the Sections, the President of the Court shall decide on the number of Committees to be set up.

2. The Committees shall be constituted for a period of twelve months by rotation among the members of each Section, excepting the President of the Section.

3. The judges of the Section, including the President of the Section, who are not members of a Committee may, as appropriate, be called upon to sit. They may also be called upon to take the place of members who are unable to sit.

4. The President of the Committee shall be the member having precedence in the Section.

Rule 27A[2] – Single-judge formation

1. A single-judge formation shall be introduced in pursuance of Article 26 § 1 of the Convention. After consulting the Bureau, the President of the Court shall decide on the number of single judges to be appointed and shall appoint them. The President shall draw up in advance the list of Contracting Parties in respect of which each judge shall examine applications throughout the period for which that judge is appointed to sit as a single judge.

2. The following shall also sit as single judges

(a) the Presidents of the Sections when exercising their competences under Rule 54 §§ 2 (b) and 3;

(b) Vice-Presidents of Sections appointed to decide on requests for interim measures in accordance with Rule 39 § 4.

3. Single judges shall be appointed for a period of twelve months. They shall continue to carry out their other duties within the Sections of which they are members in accordance with Rule 25 § 2.

4. Pursuant to Article 24 § 2 of the Convention, when deciding, each single judge shall be assisted by a non-judicial rapporteur.

1. As amended by the Court on 13 November 2006 and 16 November 2009.
2. Inserted by the Court on 13 November 2006 and amended on 14 January 2013.

Rule 28[1] – Inability to sit, withdrawal or exemption

1. Any judge who is prevented from taking part in sittings which he or she has been called upon to attend shall, as soon as possible, give notice to the President of the Chamber.

2. A judge may not take part in the consideration of any case if

(a) he or she has a personal interest in the case, including a spousal, parental or other close family, personal or professional relationship, or a subordinate relationship, with any of the parties;

(b) he or she has previously acted in the case, whether as the Agent, advocate or adviser of a party or of a person having an interest in the case, or as a member of another national or international tribunal or commission of inquiry, or in any other capacity;

(c) he or she, being an *ad hoc* judge or a former elected judge continuing to sit by virtue of Rule 26 § 3, engages in any political or administrative activity or any professional activity which is incompatible with his or her independence or impartiality;

(d) he or she has expressed opinions publicly, through the communications media, in writing, through his or her public actions or otherwise, that are objectively capable of adversely affecting his or her impartiality;

(e) for any other reason, his or her independence or impartiality may legitimately be called into doubt.

3. If a judge withdraws for one of the said reasons, he or she shall notify the President of the Chamber, who shall exempt the judge from sitting.

4. In the event of any doubt on the part of the judge concerned or the President as to the existence of one of the grounds referred to in paragraph 2 of this Rule, that issue shall be decided by the Chamber. After hearing the views of the judge concerned, the Chamber shall deliberate and vote, without that judge being present. For the purposes of the Chamber's deliberations and vote on this issue, he or she shall be replaced by the first substitute judge in the Chamber. The same shall apply if the judge sits in respect of any Contracting Party concerned in accordance with Rules 29 and 30.

5. The provisions above shall apply also to a judge's acting as a single judge or participation in a Committee, save that the notice required under paragraphs 1 or 3 of this Rule shall be given to the President of the Section.

Rule 29[2] – *Ad hoc* judges

1. (a) If the judge elected in respect of a Contracting Party concerned is unable to sit in the Chamber, withdraws, or is exempted, or if there is none, the President of the Court shall choose an *ad hoc* judge, who is eligible to take part in the consideration of the case in accordance with Rule 28, from a list submitted in advance by the Contracting Party containing the names of three to five persons whom the Contracting Party has designated as eligible to serve as *ad hoc* judges for a renewable period of two years and as satisfying the conditions set out in paragraph 1 (c) of this Rule.

The list shall include both sexes and shall be accompanied by biographical details of the persons whose names appear on the list. The persons whose names appear on the list may not represent a party or a third party in any capacity in proceedings before the Court.

1. As amended by the Court on 17 June and 8 July 2002, 13 December 2004, 13 November 2006 and 6 May 2013.
2. As amended by the Court on 17 June and 8 July 2002, 13 November 2006, 29 March 2010 and 6 May 2013.

(b) The procedure set out in paragraph 1 (a) of this Rule shall apply if the person so appointed is unable to sit or withdraws.

(c) An *ad hoc* judge shall possess the qualifications required by Article 21 § 1 of the Convention and must be in a position to meet the demands of availability and attendance provided for in paragraph 5 of this Rule. For the duration of their appointment, an *ad hoc* judge shall not represent any party or third party in any capacity in proceedings before the Court.

2. The President of the Court shall appoint another elected judge to sit as an *ad hoc* judge where

(a) at the time of notice being given of the application under Rule 54 § 2 (b), the Contracting Party concerned has not supplied the Registrar with a list as described in paragraph 1 (a) of this Rule, or

(b) the President of the Court finds that less than three of the persons indicated in the list satisfy the conditions laid down in paragraph 1 (c) of this Rule.

3. The President of the Court may decide not to appoint an *ad hoc* judge pursuant to paragraph 1 (a) or 2 of this Rule until notice of the application is given to the Contracting Party under Rule 54 § 2 (b). Pending the decision of the President of the Court, the first substitute judge shall sit.

4. An *ad hoc* judge shall, at the beginning of the first sitting held to consider the case after the judge has been appointed, take the oath or make the solemn declaration provided for in Rule 3. This act shall be recorded in minutes.

5. *Ad hoc* judges are required to make themselves available to the Court and, subject to Rule 26 § 2, to attend the meetings of the Chamber.

Rule 30[1] – Common interest

1. If two or more applicant or respondent Contracting Parties have a common interest, the President of the Chamber may invite them to agree to appoint a single judge elected in respect of one of the Contracting Parties concerned as common-interest judge who will be called upon to sit *ex officio*. If the Parties are unable to agree, the President shall choose the common-interest judge by lot from the judges proposed by the Parties.

2. The President of the Chamber may decide not to invite the Contracting Parties concerned to make an appointment under paragraph 1 of this Rule until notice of the application has been given under Rule 54 § 2.

3. In the event of a dispute as to the existence of a common interest or as to any related matter, the Chamber shall decide, if necessary after obtaining written submissions from the Contracting Parties concerned.

1. As amended by the Court on 7 July 2003.

Title II – Procedure

Chapter I – General Rules

Rule 31 – Possibility of particular derogations

The provisions of this Title shall not prevent the Court from derogating from them for the consideration of a particular case after having consulted the parties where appropriate.

Rule 32 – Practice directions

The President of the Court may issue practice directions, notably in relation to such matters as appearance at hearings and the filing of pleadings and other documents.

Rule 33[1] – Public character of documents

1. All documents deposited with the Registry by the parties or by any third party in connection with an application, except those deposited within the framework of friendly-settlement negotiations as provided for in Rule 62, shall be accessible to the public in accordance with arrangements determined by the Registrar, unless the President of the Chamber, for the reasons set out in paragraph 2 of this Rule, decides otherwise, either of his or her own motion or at the request of a party or any other person concerned.

2. Public access to a document or to any part of it may be restricted in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties or of any person concerned so require, or to the extent strictly necessary in the opinion of the President of the Chamber in special circumstances where publicity would prejudice the interests of justice.

3. Any request for confidentiality made under paragraph 1 of this Rule must include reasons and specify whether it is requested that all or part of the documents be inaccessible to the public.

4. Decisions and judgments given by a Chamber shall be accessible to the public. Decisions and judgments given by a Committee, including decisions covered by the proviso to Rule 53 § 5, shall be accessible to the public. The Court shall periodically make accessible to the public general information about decisions taken by single-judge formations pursuant to Rule 52A § 1 and by Committees in application of Rule 53 § 5.

Rule 34[2] – Use of languages

1. The official languages of the Court shall be English and French.

2. In connection with applications lodged under Article 34 of the Convention, and for as long as no Contracting Party has been given notice of such an application in accordance with these Rules, all communications with and oral and written submissions by applicants or their representatives, if not in one of the Court's official languages, shall be in one of the official languages of the Contracting Parties. If a Contracting Party is informed or given notice of an application in accordance with these Rules, the application and any accompanying documents shall be communicated to that State in the language in which they were lodged with the Registry by the applicant.

1. As amended by the Court on 17 June and 8 July 2002, 7 July 2003, 4 July 2005, 13 November 2006 and 14 May 2007.
2. As amended by the Court on 13 December 2004.

3. (a) All communications with and oral and written submissions by applicants or their representatives in respect of a hearing, or after notice of an application has been given to a Contracting Party, shall be in one of the Court's official languages, unless the President of the Chamber grants leave for the continued use of the official language of a Contracting Party.

(b) If such leave is granted, the Registrar shall make the necessary arrangements for the interpretation and translation into English or French of the applicant's oral and written submissions respectively, in full or in part, where the President of the Chamber considers it to be in the interests of the proper conduct of the proceedings.

(c) Exceptionally the President of the Chamber may make the grant of leave subject to the condition that the applicant bear all or part of the costs of making such arrangements.

(d) Unless the President of the Chamber decides otherwise, any decision made under the foregoing provisions of this paragraph shall remain valid in all subsequent proceedings in the case, including those in respect of requests for referral of the case to the Grand Chamber and requests for interpretation or revision of a judgment under Rules 73, 79 and 80 respectively.

4. (a) All communications with and oral and written submissions by a Contracting Party which is a party to the case shall be in one of the Court's official languages. The President of the Chamber may grant the Contracting Party concerned leave to use one of its official languages for its oral and written submissions.

(b) If such leave is granted, it shall be the responsibility of the requesting Party

(i) to file a translation of its written submissions into one of the official languages of the Court within a time-limit to be fixed by the President of the Chamber. Should that Party not file the translation within that time-limit, the Registrar may make the necessary arrangements for such translation, the expenses to be charged to the requesting Party;

(ii) to bear the expenses of interpreting its oral submissions into English or French. The Registrar shall be responsible for making the necessary arrangements for such interpretation.

(c) The President of the Chamber may direct that a Contracting Party which is a party to the case shall, within a specified time, provide a translation into, or a summary in, English or French of all or certain annexes to its written submissions or of any other relevant document, or of extracts therefrom.

(d) The preceding sub-paragraphs of this paragraph shall also apply, *mutatis mutandis*, to third-party intervention under Rule 44 and to the use of a non-official language by a third party.

5. The President of the Chamber may invite the respondent Contracting Party to provide a translation of its written submissions in the or an official language of that Party in order to facilitate the applicant's understanding of those submissions.

6. Any witness, expert or other person appearing before the Court may use his or her own language if he or she does not have sufficient knowledge of either of the two official languages. In that event the Registrar shall make the necessary arrangements for interpreting or translation.

Rule 35 – Representation of Contracting Parties

The Contracting Parties shall be represented by Agents, who may have the assistance of advocates or advisers.

Rule 36[1] – Representation of applicants

1. Persons, non-governmental organisations or groups of individuals may initially present applications under Article 34 of the Convention themselves or through a representative.

2. Following notification of the application to the respondent Contracting Party under Rule 54 § 2 (b), the applicant should be represented in accordance with paragraph 4 of this Rule, unless the President of the Chamber decides otherwise.

3. The applicant must be so represented at any hearing decided on by the Chamber, unless the President of the Chamber exceptionally grants leave to the applicant to present his or her own case, subject, if necessary, to being assisted by an advocate or other approved representative.

4. (a) The representative acting on behalf of the applicant pursuant to paragraphs 2 and 3 of this Rule shall be an advocate authorised to practise in any of the Contracting Parties and resident in the territory of one of them, or any other person approved by the President of the Chamber.

(b) In exceptional circumstances and at any stage of the procedure, the President of the Chamber may, where he or she considers that the circumstances or the conduct of the advocate or other person appointed under the preceding sub-paragraph so warrant, direct that the latter may no longer represent or assist the applicant and that the applicant should seek alternative representation.

5. (a) The advocate or other approved representative, or the applicant in person who seeks leave to present his or her own case, must even if leave is granted under the following sub-paragraph have an adequate understanding of one of the Court's official languages.

(b) If he or she does not have sufficient proficiency to express himself or herself in one of the Court's official languages, leave to use one of the official languages of the Contracting Parties may be given by the President of the Chamber under Rule 34 § 3.

Rule 37[2] – Communications, notifications and summonses

1. Communications or notifications addressed to the Agents or advocates of the parties shall be deemed to have been addressed to the parties.

2. If, for any communication, notification or summons addressed to persons other than the Agents or advocates of the parties, the Court considers it necessary to have the assistance of the Government of the State on whose territory such communication, notification or summons is to have effect, the President of the Court shall apply directly to that Government in order to obtain the necessary facilities.

Rule 38 – Written pleadings

1. No written observations or other documents may be filed after the time-limit set by the President of the Chamber or the Judge Rapporteur, as the case may be, in accordance with these Rules. No written observations or other documents filed outside that time-limit or contrary to any practice direction issued under Rule 32 shall be included in the case file unless the President of the Chamber decides otherwise.

2. For the purposes of observing the time-limit referred to in paragraph 1 of this Rule, the material date is the certified date of dispatch of the document or, if there is none, the actual date of receipt at the Registry.

1. As amended by the Court on 7 July 2003.
2. As amended by the Court on 7 July 2003.

Rule 38A[1] – Examination of matters of procedure

Questions of procedure requiring a decision by the Chamber shall be considered simultaneously with the examination of the case, unless the President of the Chamber decides otherwise.

Rule 39[2] – Interim measures

1. The Chamber or, where appropriate, the President of the Section or a duty judge appointed pursuant to paragraph 4 of this Rule may, at the request of a party or of any other person concerned, or of their own motion, indicate to the parties any interim measure which they consider should be adopted in the interests of the parties or of the proper conduct of the proceedings.

2. Where it is considered appropriate, immediate notice of the measure adopted in a particular case may be given to the Committee of Ministers.

3. The Chamber or, where appropriate, the President of the Section or a duty judge appointed pursuant to paragraph 4 of this Rule may request information from the parties on any matter connected with the implementation of any interim measure indicated.

4. The President of the Court may appoint Vice-Presidents of Sections as duty judges to decide on requests for interim measures.

Rule 40 – Urgent notification of an application

In any case of urgency the Registrar, with the authorisation of the President of the Chamber, may, without prejudice to the taking of any other procedural steps and by any available means, inform a Contracting Party concerned in an application of the introduction of the application and of a summary of its objects.

Rule 41[3] – Order of dealing with cases

In determining the order in which cases are to be dealt with, the Court shall have regard to the importance and urgency of the issues raised on the basis of criteria fixed by it. The Chamber, or its President, may, however, derogate from these criteria so as to give priority to a particular application.

Rule 42 – Joinder and simultaneous examination of applications (former Rule 43)

1. The Chamber may, either at the request of the parties or of its own motion, order the joinder of two or more applications.

2. The President of the Chamber may, after consulting the parties, order that the proceedings in applications assigned to the same Chamber be conducted simultaneously, without prejudice to the decision of the Chamber on the joinder of the applications.

1. Inserted by the Court on 17 June and 8 July 2002.
2. As amended by the Court on 4 July 2005, 16 January 2012 and 14 January 2013.
3. As amended by the Court on 17 June and 8 July 2002 and 29 June 2009.

Rule 43[1] – Striking out and restoration to the list (former Rule 44)

1. The Court may at any stage of the proceedings decide to strike an application out of its list of cases in accordance with Article 37 of the Convention.

2. When an applicant Contracting Party notifies the Registrar of its intention not to proceed with the case, the Chamber may strike the application out of the Court's list under Article 37 of the Convention if the other Contracting Party or Parties concerned in the case agree to such discontinuance.

3. If a friendly settlement is effected in accordance with Article 39 of the Convention, the application shall be struck out of the Court's list of cases by means of a decision. In accordance with Article 39 § 4 of the Convention, this decision shall be transmitted to the Committee of Ministers, which shall supervise the execution of the terms of the friendly settlement as set out in the decision. In other cases provided for in Article 37 of the Convention, the application shall be struck out by means of a judgment if it has been declared admissible or, if not declared admissible, by means of a decision. Where the application has been struck out by means of a judgment, the President of the Chamber shall forward that judgment, once it has become final, to the Committee of Ministers in order to allow the latter to supervise, in accordance with Article 46 § 2 of the Convention, the execution of any undertakings which may have been attached to the discontinuance or solution of the matter.

4. When an application has been struck out in accordance with Article 37 of the Convention, the costs shall be at the discretion of the Court. If an award of costs is made in a decision striking out an application which has not been declared admissible, the President of the Chamber shall forward the decision to the Committee of Ministers.

5. Where an application has been struck out in accordance with Article 37 of the Convention, the Court may restore it to its list if it considers that exceptional circumstances so justify.

Rule 44[2] – Third-party intervention

1. (a) When notice of an application lodged under Article 33 or 34 of the Convention is given to the respondent Contracting Party under Rules 51 § 1 or 54 § 2 (b), a copy of the application shall at the same time be transmitted by the Registrar to any other Contracting Party one of whose nationals is an applicant in the case. The Registrar shall similarly notify any such Contracting Party of a decision to hold an oral hearing in the case.

(b) If a Contracting Party wishes to exercise its right under Article 36 § 1 of the Convention to submit written comments or to take part in a hearing, it shall so advise the Registrar in writing not later than twelve weeks after the transmission or notification referred to in the preceding sub-paragraph. Another time-limit may be fixed by the President of the Chamber for exceptional reasons.

2. If the Council of Europe Commissioner for Human Rights wishes to exercise the right under Article 36 § 3 of the Convention to submit written observations or take part in a hearing, he or she shall so advise the Registrar in writing not later than twelve weeks after transmission of the application to the respondent Contracting Party or notification to it of the decision to hold an oral hearing. Another time-limit may be fixed by the President of the Chamber for exceptional reasons.

1. As amended by the Court on 17 June and 8 July 2002, 7 July 2003, 13 November 2006 and 2 April 2012.
2. As amended by the Court on 7 July 2003 and 13 November 2006.

Should the Commissioner for Human Rights be unable to take part in the proceedings before the Court himself, he or she shall indicate the name of the person or persons from his or her Office whom he or she has appointed to represent him. He or she may be assisted by an advocate.

3. (a) Once notice of an application has been given to the respondent Contracting Party under Rules 51 § 1 or 54 § 2 (b), the President of the Chamber may, in the interests of the proper administration of justice, as provided in Article 36 § 2 of the Convention, invite, or grant leave to, any Contracting Party which is not a party to the proceedings, or any person concerned who is not the applicant, to submit written comments or, in exceptional cases, to take part in a hearing.

(b) Requests for leave for this purpose must be duly reasoned and submitted in writing in one of the official languages as provided in Rule 34 § 4 not later than twelve weeks after notice of the application has been given to the respondent Contracting Party. Another time-limit may be fixed by the President of the Chamber for exceptional reasons.

4. (a) In cases to be considered by the Grand Chamber, the periods of time prescribed in the preceding paragraphs shall run from the notification to the parties of the decision of the Chamber under Rule 72 § 1 to relinquish jurisdiction in favour of the Grand Chamber or of the decision of the panel of the Grand Chamber under Rule 73 § 2 to accept a request by a party for referral of the case to the Grand Chamber.

(b) The time-limits laid down in this Rule may exceptionally be extended by the President of the Chamber if sufficient cause is shown.

5. Any invitation or grant of leave referred to in paragraph 3 (a) of this Rule shall be subject to any conditions, including time-limits, set by the President of the Chamber. Where such conditions are not complied with, the President may decide not to include the comments in the case file or to limit participation in the hearing to the extent that he or she considers appropriate.

6. Written comments submitted under this Rule shall be drafted in one of the official languages as provided in Rule 34 § 4. They shall be forwarded by the Registrar to the parties to the case, who shall be entitled, subject to any conditions, including time-limits, set by the President of the Chamber, to file written observations in reply or, where appropriate, to reply at the hearing.

Rule 44A[1] – Duty to cooperate with the Court

The parties have a duty to cooperate fully in the conduct of the proceedings and, in particular, to take such action within their power as the Court considers necessary for the proper administration of justice. This duty shall also apply to a Contracting Party not party to the proceedings where such cooperation is necessary.

Rule 44B[2] – Failure to comply with an order of the Court

Where a party fails to comply with an order of the Court concerning the conduct of the proceedings, the President of the Chamber may take any steps which he or she considers appropriate.

1. Inserted by the Court on 13 December 2004.
2. Inserted by the Court on 13 December 2004.

Rule 44C[1] – Failure to participate effectively

1. Where a party fails to adduce evidence or provide information requested by the Court or to divulge relevant information of its own motion or otherwise fails to participate effectively in the proceedings, the Court may draw such inferences as it deems appropriate.

2. Failure or refusal by a respondent Contracting Party to participate effectively in the proceedings shall not, in itself, be a reason for the Chamber to discontinue the examination of the application.

Rule 44D[2] – Inappropriate submissions by a party

If the representative of a party makes abusive, frivolous, vexatious, misleading or prolix submissions, the President of the Chamber may exclude that representative from the proceedings, refuse to accept all or part of the submissions or make any other order which he or she considers it appropriate to make, without prejudice to Article 35 § 3 of the Convention.

Rule 44E[3] – Failure to pursue an application

In accordance with Article 37 § 1 (a) of the Convention, if an applicant Contracting Party or an individual applicant fails to pursue the application, the Chamber may strike the application out of the Court's list under Rule 43.

1. Inserted by the Court on 13 December 2004.
2. Inserted by the Court on 13 December 2004.
3. Inserted by the Court on 13 December 2004.

Chapter II – Institution of Proceedings

Rule 45 – Signatures

1. Any application made under Articles 33 or 34 of the Convention shall be submitted in writing and shall be signed by the applicant or by the applicant's representative.

2. Where an application is made by a non-governmental organisation or by a group of individuals, it shall be signed by those persons competent to represent that organisation or group. The Chamber or Committee concerned shall determine any question as to whether the persons who have signed an application are competent to do so.

3. Where applicants are represented in accordance with Rule 36, a power of attorney or written authority to act shall be supplied by their representative or representatives.

Rule 46 – Contents of an inter-State application

Any Contracting Party or Parties intending to bring a case before the Court under Article 33 of the Convention shall file with the Registry an application setting out

(a) the name of the Contracting Party against which the application is made;

(b) a statement of the facts;

(c) a statement of the alleged violation(s) of the Convention and the relevant arguments;

(d) a statement on compliance with the admissibility criteria (exhaustion of domestic remedies and the six-month rule) laid down in Article 35 § 1 of the Convention;

(e) the object of the application and a general indication of any claims for just satisfaction made under Article 41 of the Convention on behalf of the alleged injured party or parties; and

(f) the name and address of the person or persons appointed as Agent;

and accompanied by

(g) copies of any relevant documents and in particular the decisions, whether judicial or not, relating to the object of the application.

Rule 47[1] – Contents of an individual application

1. An application under Article 34 of the Convention shall be made on the application form provided by the Registry, unless the Court decides otherwise. It shall contain all of the information requested in the relevant parts of the application form and set out

(a) the name, date of birth, nationality and address of the applicant and, where the applicant is a legal person, the full name, date of incorporation or registration, the official registration number (if any) and the official address;

(b) the name, occupation, address, telephone and fax numbers and e-mail address of the representative, if any;

(c) the name of the Contracting Party or Parties against which the application is made;

(d) a concise and legible statement of the facts;

1. As amended by the Court on 17 June and 8 July 2002, 11 December 2007, 22 September 2008 and 6 May 2013.

(e) a concise and legible statement of the alleged violation(s) of the Convention and the relevant arguments; and

(f) a concise and legible statement confirming the applicant's compliance with the admissibility criteria laid down in Article 35 § 1 of the Convention.

2. (a) All of the information referred to in paragraph 1 (d) to (f) above that is set out in the relevant part of the application form should be sufficient to enable the Court to determine the nature and scope of the application without recourse to any other document.

(b) The applicant may however supplement the information by appending to the application form further details on the facts, alleged violations of the Convention and the relevant arguments. Such information shall not exceed 20 pages.

3.1 The application form shall be signed by the applicant or the applicant's representative and shall be accompanied by

(a) copies of documents relating to the decisions or measures complained of, judicial or otherwise;

(b) copies of documents and decisions showing that the applicant has complied with the exhaustion of domestic remedies requirement and the time-limit contained in Article 35 § 1 of the Convention;

(c) where appropriate, copies of documents relating to any other procedure of international investigation or settlement;

(d) where represented, the original of the power of attorney or form of authority signed by the applicant.

3.2 Documents submitted in support of the application shall be listed in order by date, numbered consecutively and be identified clearly.

4. Applicants who do not wish their identity to be disclosed to the public shall so indicate and shall submit a statement of the reasons justifying such a departure from the normal rule of public access to information in proceedings before the Court. The Court may authorise anonymity or grant it of its own motion.

5.1 Failure to comply with the requirements set out in paragraphs 1 to 3 of this Rule will result in the application not being examined by the Court, unless

(a) the applicant has provided an adequate explanation for the failure to comply;

(b) the application concerns a request for an interim measure;

(c) the Court otherwise directs of its own motion or at the request of an applicant.

5.2. The Court may in any case request an applicant to provide information or documents in any form or manner which may be appropriate within a fixed time-limit.

6. (a) The date of introduction of the application for the purposes of Article 35 § 1 of the Convention shall be the date on which an application form satisfying the requirements of this Rule is sent to the Court. The date of dispatch shall be the date of the postmark.

(b) Where it finds it justified, the Court may nevertheless decide that a different date shall be considered to be the date of introduction.

7. Applicants shall keep the Court informed of any change of address and of all circumstances relevant to the application.

Chapter III – Judge Rapporteurs

Rule 48[1] – Inter-State applications

1. Where an application is made under Article 33 of the Convention, the Chamber constituted to consider the case shall designate one or more of its judges as Judge Rapporteur(s), who shall submit a report on admissibility when the written observations of the Contracting Parties concerned have been received.

2. The Judge Rapporteur(s) shall submit such reports, drafts and other documents as may assist the Chamber and its President in carrying out their functions.

Rule 49[2] – Individual applications

1. Where the material submitted by the applicant is on its own sufficient to disclose that the application is inadmissible or should be struck out of the list, the application shall be considered by a single-judge formation unless there is some special reason to the contrary.

2. Where an application is made under Article 34 of the Convention and its examination by a Chamber or a Committee exercising the functions attributed to it under Rule 53 § 2 seems justified, the President of the Section to which the case has been assigned shall designate a judge as Judge Rapporteur, who shall examine the application.

3. In their examination of applications, Judge Rapporteurs

(a) may request the parties to submit, within a specified time, any factual information, documents or other material which they consider to be relevant;

(b) shall, subject to the President of the Section directing that the case be considered by a Chamber or a Committee, decide whether the application is to be considered by a single-judge formation, by a Committee or by a Chamber;

(c) shall submit such reports, drafts and other documents as may assist the Chamber or the Committee or the respective President in carrying out their functions.

Rule 50 – Grand Chamber proceedings

Where a case has been submitted to the Grand Chamber either under Article 30 or under Article 43 of the Convention, the President of the Grand Chamber shall designate as Judge Rapporteur(s) one or, in the case of an inter-State application, one or more of its members.

1. As amended by the Court on 17 June and 8 July 2002.
2. As amended by the Court on 17 June and 8 July 2002, 4 July 2005, 13 November 2006 and 14 May 2007.

Chapter IV – Proceedings on Admissibility

Inter-State applications

Rule 51[1] – Assignment of applications and subsequent procedure

1. When an application is made under Article 33 of the Convention, the President of the Court shall immediately give notice of the application to the respondent Contracting Party and shall assign the application to one of the Sections.

2. In accordance with Rule 26 § 1 (a), the judges elected in respect of the applicant and respondent Contracting Parties shall sit as *ex officio* members of the Chamber constituted to consider the case. Rule 30 shall apply if the application has been brought by several Contracting Parties or if applications with the same object brought by several Contracting Parties are being examined jointly under Rule 42.

3. On assignment of the case to a Section, the President of the Section shall constitute the Chamber in accordance with Rule 26 § 1 and shall invite the respondent Contracting Party to submit its observations in writing on the admissibility of the application. The observations so obtained shall be communicated by the Registrar to the applicant Contracting Party, which may submit written observations in reply.

4. Before the ruling on the admissibility of the application is given, the Chamber or its President may decide to invite the Parties to submit further observations in writing.

5. A hearing on the admissibility shall be held if one or more of the Contracting Parties concerned so requests or if the Chamber so decides of its own motion.

6. Before fixing the written and, where appropriate, oral procedure, the President of the Chamber shall consult the Parties.

Individual applications

Rule 52[2] – Assignment of applications to the Sections

1. Any application made under Article 34 of the Convention shall be assigned to a Section by the President of the Court, who in so doing shall endeavour to ensure a fair distribution of cases between the Sections.

2. The Chamber of seven judges provided for in Article 26 § 1 of the Convention shall be constituted by the President of the Section concerned in accordance with Rule 26 § 1.

3. Pending the constitution of a Chamber in accordance with paragraph 2 of this Rule, the President of the Section shall exercise any powers conferred on the President of the Chamber by these Rules.

Rule 52A[3] – Procedure before a single judge

1. In accordance with Article 27 of the Convention, a single judge may declare inadmissible or strike out of the Court's list of cases an application submitted under Article 34, where such a decision can

1. As amended by the Court on 17 June and 8 July 2002.
2. As amended by the Court on 17 June and 8 July 2002.
3. Inserted by the Court on 13 November 2006.

be taken without further examination. The decision shall be final. The applicant shall be informed of the decision by letter.

2. In accordance with Article 26 § 3 of the Convention, a single judge may not examine any application against the Contracting Party in respect of which that judge has been elected.

3. If the single judge does not take a decision of the kind provided for in the first paragraph of the present Rule, that judge shall forward the application to a Committee or to a Chamber for further examination.

Rule 53[1] – Procedure before a Committee

1. In accordance with Article 28 § 1 (a) of the Convention, the Committee may, by a unanimous vote and at any stage of the proceedings, declare an application inadmissible or strike it out of the Court's list of cases where such a decision can be taken without further examination.

2. If the Committee is satisfied, in the light of the parties' observations received pursuant to Rule 54 § 2 (b), that the case falls to be examined in accordance with the procedure under Article 28 § 1 (b) of the Convention, it shall, by a unanimous vote, adopt a judgment including its decision on admissibility and, as appropriate, on just satisfaction.

3. If the judge elected in respect of the Contracting Party concerned is not a member of the Committee, the Committee may at any stage of the proceedings before it, by a unanimous vote, invite that judge to take the place of one of its members, having regard to all relevant factors, including whether that Party has contested the application of the procedure under Article 28 § 1 (b) of the Convention.

4. Decisions and judgments under Article 28 § 1 of the Convention shall be final.

5. The applicant, as well as the Contracting Parties concerned where these have previously been involved in the application in accordance with the present Rules, shall be informed of the decision of the Committee pursuant to Article 28 § 1 (a) of the Convention by letter, unless the Committee decides otherwise.

6. If no decision or judgment is adopted by the Committee, the application shall be forwarded to the Chamber constituted under Rule 52 § 2 to examine the case.

7. The provisions of Rule 42 § 1 and Rules 79 to 81 shall apply, *mutatis mutandis*, to proceedings before a Committee.

Rule 54[2] – Procedure before a Chamber

1. The Chamber may at once declare the application inadmissible or strike it out of the Court's list of cases. The decision of the Chamber may relate to all or part of the application.

2. Alternatively, the Chamber or the President of the Section may decide to

(a) request the parties to submit any factual information, documents or other material considered by the Chamber or its President to be relevant;

(b) give notice of the application or part of the application to the respondent Contracting Party and invite that Party to submit written observations thereon and, upon receipt thereof, invite the applicant to submit observations in reply;

1. As amended by the Court on 17 June and 8 July 2002, 4 July 2005, 14 May 2007 and 16 January 2012.
2. As amended by the Court on 17 June and 8 July 2002 and 14 January 2013.

(c) invite the parties to submit further observations in writing.

3. In the exercise of the competences under paragraph 2 (b) of this Rule, the President of the Section, acting as a single judge, may at once declare part of the application inadmissible or strike part of the application out of the Court's list of cases. The decision shall be final. The applicant shall be informed of the decision by letter.

4. Paragraphs 2 and 3 of this Rule shall also apply to Vice-Presidents of Sections appointed as duty judges in accordance with Rule 39 § 4 to decide on requests for interim measures.

5. Before taking a decision on admissibility, the Chamber may decide, either at the request of a party or of its own motion, to hold a hearing if it considers that the discharge of its functions under the Convention so requires. In that event, unless the Chamber shall exceptionally decide otherwise, the parties shall also be invited to address the issues arising in relation to the merits of the application.

Rule 54A[1] – Joint examination of admissibility and merits

1. When giving notice of the application to the respondent Contracting Party pursuant to Rule 54 § 2 (b), the Chamber may also decide to examine the admissibility and merits at the same time in accordance with Article 29 § 1 of the Convention. The parties shall be invited to include in their observations any submissions concerning just satisfaction and any proposals for a friendly settlement. The conditions laid down in Rules 60 and 62 shall apply, *mutatis mutandis*. The Court may, however, decide at any stage, if necessary, to take a separate decision on admissibility.

2. If no friendly settlement or other solution is reached and the Chamber is satisfied, in the light of the parties' arguments, that the case is admissible and ready for a determination on the merits, it shall immediately adopt a judgment including the Chamber's decision on admissibility, save in cases where it decides to take such a decision separately.

Inter-State and individual applications

Rule 55 – Pleas of inadmissibility

Any plea of inadmissibility must, in so far as its character and the circumstances permit, be raised by the respondent Contracting Party in its written or oral observations on the admissibility of the application submitted as provided in Rule 51 or 54, as the case may be.

Rule 56[2] – Decision of a Chamber

1. The decision of the Chamber shall state whether it was taken unanimously or by a majority and shall be accompanied or followed by reasons.

2. The decision of the Chamber shall be communicated by the Registrar to the applicant. It shall also be communicated to the Contracting Party or Parties concerned and to any third party, including the Council of Europe Commissioner for Human Rights, where these have previously been informed of the application in accordance with the present Rules. If a friendly settlement is effected, the decision to strike an application out of the list of cases shall be forwarded to the Committee of Ministers in accordance with Rule 43 § 3.

1. Inserted by the Court on 17 June and 8 July 2002 and amended on 13 December 2004 and 13 November 2006.
2. As amended by the Court on 17 June and 8 July 2002 and 13 November 2006.

Rule 57[1] – Language of the decision

1. Unless the Court decides that a decision shall be given in both official languages, all decisions of Chambers shall be given either in English or in French.

2. Publication of such decisions in the official reports of the Court, as provided for in Rule 78, shall be in both official languages of the Court.

1. As amended by the Court on 17 June and 8 July 2002.

Chapter V – Proceedings after the Admission of an Application

Rule 58[1] – Inter-State applications

1. Once the Chamber has decided to admit an application made under Article 33 of the Convention, the President of the Chamber shall, after consulting the Contracting Parties concerned, lay down the time-limits for the filing of written observations on the merits and for the production of any further evidence. The President may however, with the agreement of the Contracting Parties concerned, direct that a written procedure is to be dispensed with.

2. A hearing on the merits shall be held if one or more of the Contracting Parties concerned so requests or if the Chamber so decides of its own motion. The President of the Chamber shall fix the oral procedure.

Rule 59[2] – Individual applications

1. Once an application made under Article 34 of the Convention has been declared admissible, the Chamber or its President may invite the parties to submit further evidence and written observations.

2. Unless decided otherwise, the parties shall be allowed the same time for submission of their observations.

3. The Chamber may decide, either at the request of a party or of its own motion, to hold a hearing on the merits if it considers that the discharge of its functions under the Convention so requires.

4. The President of the Chamber shall, where appropriate, fix the written and oral procedure.

Rule 60[3] – Claims for just satisfaction

1. An applicant who wishes to obtain an award of just satisfaction under Article 41 of the Convention in the event of the Court finding a violation of his or her Convention rights must make a specific claim to that effect.

2. The applicant must submit itemised particulars of all claims, together with any relevant supporting documents, within the time-limit fixed for the submission of the applicant's observations on the merits unless the President of the Chamber directs otherwise.

3. If the applicant fails to comply with the requirements set out in the preceding paragraphs the Chamber may reject the claims in whole or in part.

4. The applicant's claims shall be transmitted to the respondent Contracting Party for comment.

Rule 61[4] – Pilot-judgment procedure

1. The Court may initiate a pilot-judgment procedure and adopt a pilot judgment where the facts of an application reveal in the Contracting Party concerned the existence of a structural or systemic problem or other similar dysfunction which has given rise or may give rise to similar applications.

2. (a) Before initiating a pilot-judgment procedure, the Court shall first seek the views of the parties on whether the application under examination results from the existence of such a problem or

1. As amended by the Court on 17 June and 8 July 2002.
2. As amended by the Court on 17 June and 8 July 2002.
3. As amended by the Court on 13 December 2004.
4. Inserted by the Court on 21 February 2011.

dysfunction in the Contracting Party concerned and on the suitability of processing the application in accordance with that procedure.

(b) A pilot-judgment procedure may be initiated by the Court of its own motion or at the request of one or both parties.

(c) Any application selected for pilot-judgment treatment shall be processed as a matter of priority in accordance with Rule 41 of the Rules of Court.

3. The Court shall in its pilot judgment identify both the nature of the structural or systemic problem or other dysfunction as established as well as the type of remedial measures which the Contracting Party concerned is required to take at the domestic level by virtue of the operative provisions of the judgment.

4. The Court may direct in the operative provisions of the pilot judgment that the remedial measures referred to in paragraph 3 above be adopted within a specified time, bearing in mind the nature of the measures required and the speed with which the problem which it has identified can be remedied at the domestic level.

5. When adopting a pilot judgment, the Court may reserve the question of just satisfaction either in whole or in part pending the adoption by the respondent Contracting Party of the individual and general measures specified in the pilot judgment.

6. (a) As appropriate, the Court may adjourn the examination of all similar applications pending the adoption of the remedial measures required by virtue of the operative provisions of the pilot judgment.

(b) The applicants concerned shall be informed in a suitable manner of the decision to adjourn. They shall be notified as appropriate of all relevant developments affecting their cases.

(c) The Court may at any time examine an adjourned application where the interests of the proper administration of justice so require.

7. Where the parties to the pilot case reach a friendly-settlement agreement, such agreement shall comprise a declaration by the respondent Contracting Party on the implementation of the general measures identified in the pilot judgment as well as the redress to be afforded to other actual or potential applicants.

8. Subject to any decision to the contrary, in the event of the failure of the Contracting Party concerned to comply with the operative provisions of a pilot judgment, the Court shall resume its examination of the applications which have been adjourned in accordance with paragraph 6 above.

9. The Committee of Ministers, the Parliamentary Assembly of the Council of Europe, the Secretary General of the Council of Europe, and the Council of Europe Commissioner for Human Rights shall be informed of the adoption of a pilot judgment as well as of any other judgment in which the Court draws attention to the existence of a structural or systemic problem in a Contracting Party.

10. Information about the initiation of pilot-judgment procedures, the adoption of pilot judgments and their execution as well as the closure of such procedures shall be published on the Court's website.

Rule 62[1] – Friendly settlement

1. Once an application has been declared admissible, the Registrar, acting on the instructions of the Chamber or its President, shall enter into contact with the parties with a view to securing a friendly

1. As amended by the Court on 17 June and 8 July 2002 and 13 November 2006.

settlement of the matter in accordance with Article 39 § 1 of the Convention. The Chamber shall take any steps that appear appropriate to facilitate such a settlement.

2. In accordance with Article 39 § 2 of the Convention, the friendly-settlement negotiations shall be confidential and without prejudice to the parties' arguments in the contentious proceedings. No written or oral communication and no offer or concession made in the framework of the attempt to secure a friendly settlement may be referred to or relied on in the contentious proceedings.

3. If the Chamber is informed by the Registrar that the parties have agreed to a friendly settlement, it shall, after verifying that the settlement has been reached on the basis of respect for human rights as defined in the Convention and the Protocols thereto, strike the case out of the Court's list in accordance with Rule 43 § 3.

4. Paragraphs 2 and 3 apply, *mutatis mutandis*, to the procedure under Rule 54A.

Rule 62A[1] – Unilateral declaration

1. (a) Where an applicant has refused the terms of a friendly-settlement proposal made pursuant to Rule 62, the Contracting Party concerned may file with the Court a request to strike the application out of the list in accordance with Article 37 § 1 of the Convention.

(b) Such request shall be accompanied by a declaration clearly acknowledging that there has been a violation of the Convention in the applicant's case together with an undertaking to provide adequate redress and, as appropriate, to take necessary remedial measures.

(c) The filing of a declaration under paragraph 1 (b) of this Rule must be made in public and adversarial proceedings conducted separately from and with due respect for the confidentiality of any friendly-settlement proceedings referred to in Article 39 § 2 of the Convention and Rule 62 § 2.

2. Where exceptional circumstances so justify, a request and accompanying declaration may be filed with the Court even in the absence of a prior attempt to reach a friendly settlement.

3. If it is satisfied that the declaration offers a sufficient basis for finding that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue its examination of the application, the Court may strike it out of the list, either in whole or in part, even if the applicant wishes the examination of the application to be continued.

4. This Rule applies, *mutatis mutandis*, to the procedure under Rule 54A.

1. Inserted by the Court on 2 April 2012.

Chapter VI – Hearings

Rule 63[1] – Public character of hearings

1. Hearings shall be public unless, in accordance with paragraph 2 of this Rule, the Chamber in exceptional circumstances decides otherwise, either of its own motion or at the request of a party or any other person concerned.

2. The press and the public may be excluded from all or part of a hearing in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the Chamber in special circumstances where publicity would prejudice the interests of justice.

3. Any request for a hearing to be held in camera made under paragraph 1 of this Rule must include reasons and specify whether it concerns all or only part of the hearing.

Rule 64[2] – Conduct of hearings

1. The President of the Chamber shall organise and direct hearings and shall prescribe the order in which those appearing before the Chamber shall be called upon to speak.

2. Any judge may put questions to any person appearing before the Chamber.

Rule 65[3] – Failure to appear

Where a party or any other person due to appear fails or declines to do so, the Chamber may, provided that it is satisfied that such a course is consistent with the proper administration of justice, nonetheless proceed with the hearing.

Rules 66 to 69 deleted

Rule 70[4] – Verbatim record of a hearing

1. If the President of the Chamber so directs, the Registrar shall be responsible for the making of a verbatim record of the hearing. Any such record shall include:

(a) the composition of the Chamber;

(b) a list of those appearing before the Chamber;

(c) the text of the submissions made, questions put and replies given;

(d) the text of any ruling delivered during the hearing.

2. If all or part of the verbatim record is in a non-official language, the Registrar shall arrange for its translation into one of the official languages.

3. The representatives of the parties shall receive a copy of the verbatim record in order that they may, subject to the control of the Registrar or the President of the Chamber, make corrections, but

1. As amended by the Court on 7 July 2003.
2. As amended by the Court on 7 July 2003.
3. As amended by the Court on 7 July 2003.
4. As amended by the Court on 17 June and 8 July 2002.

in no case may such corrections affect the sense and bearing of what was said. The Registrar shall lay down, in accordance with the instructions of the President of the Chamber, the time-limits granted for this purpose.

4. The verbatim record, once so corrected, shall be signed by the President of the Chamber and the Registrar and shall then constitute certified matters of record.

Chapter VII – Proceedings before the Grand Chamber

Rule 71[1] – Applicability of procedural provisions

1. Any provisions governing proceedings before the Chambers shall apply, *mutatis mutandis*, to proceedings before the Grand Chamber.

2. The powers conferred on a Chamber by Rules 54 § 5 and 59 § 3 in relation to the holding of a hearing may, in proceedings before the Grand Chamber, also be exercised by the President of the Grand Chamber.

Rule 72[2] – Relinquishment of jurisdiction in favour of the Grand Chamber

1. Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, the Chamber may relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case has objected in accordance with paragraph 4 of this Rule.

2. Where the resolution of a question raised in a case before the Chamber might have a result inconsistent with the Court's case-law, the Chamber shall relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case has objected in accordance with paragraph 4 of this Rule.

3. Reasons need not be given for the decision to relinquish.

4. The Registrar shall notify the parties of the Chamber's intention to relinquish jurisdiction. The parties shall have one month from the date of that notification within which to file at the Registry a duly reasoned objection. An objection which does not fulfil these conditions shall be considered invalid by the Chamber.

Rule 73 – Request by a party for referral of a case to the Grand Chamber

1. In accordance with Article 43 of the Convention, any party to a case may exceptionally, within a period of three months from the date of delivery of the judgment of a Chamber, file in writing at the Registry a request that the case be referred to the Grand Chamber. The party shall specify in its request the serious question affecting the interpretation or application of the Convention or the Protocols thereto, or the serious issue of general importance, which in its view warrants consideration by the Grand Chamber.

2. A panel of five judges of the Grand Chamber constituted in accordance with Rule 24 § 5 shall examine the request solely on the basis of the existing case file. It shall accept the request only if it considers that the case does raise such a question or issue. Reasons need not be given for a refusal of the request.

3. If the panel accepts the request, the Grand Chamber shall decide the case by means of a judgment.

1. As amended by the Court on 17 June and 8 July 2002.
2. As amended by the Court on 6 February 2013.

Chapter VIII – Judgments

Rule 74[1] – Contents of the judgment

1. A judgment as referred to in Articles 28, 42 and 44 of the Convention shall contain

(a) the names of the President and the other judges constituting the Chamber or the Committee concerned, and the name of the Registrar or the Deputy Registrar;

(b) the dates on which it was adopted and delivered;

(c) a description of the parties;

(d) the names of the Agents, advocates or advisers of the parties;

(e) an account of the procedure followed;

(f) the facts of the case;

(g) a summary of the submissions of the parties;

(h) the reasons in point of law;

(i) the operative provisions;

(j) the decision, if any, in respect of costs;

(k) the number of judges constituting the majority;

(l) where appropriate, a statement as to which text is authentic.

2. Any judge who has taken part in the consideration of the case by a Chamber or by the Grand Chamber shall be entitled to annex to the judgment either a separate opinion, concurring with or dissenting from that judgment, or a bare statement of dissent.

Rule 75[2] – Ruling on just satisfaction

1. Where the Chamber or the Committee finds that there has been a violation of the Convention or the Protocols thereto, it shall give in the same judgment a ruling on the application of Article 41 of the Convention if a specific claim has been submitted in accordance with Rule 60 and the question is ready for decision; if the question is not ready for decision, the Chamber or the Committee shall reserve it in whole or in part and shall fix the further procedure.

2. For the purposes of ruling on the application of Article 41 of the Convention, the Chamber or the Committee shall, as far as possible, be composed of those judges who sat to consider the merits of the case. Where it is not possible to constitute the original Chamber or Committee, the President of the Section shall complete or compose the Chamber or Committee by drawing lots.

3. The Chamber or the Committee may, when affording just satisfaction under Article 41 of the Convention, direct that if settlement is not made within a specified time, interest is to be payable on any sums awarded.

4. If the Court is informed that an agreement has been reached between the injured party and the Contracting Party liable, it shall verify the equitable nature of the agreement and, where it finds the agreement to be equitable, strike the case out of the list in accordance with Rule 43 § 3.

1. As amended by the Court on 13 November 2006.
2. As amended by the Court on 13 December 2004 and 13 November 2006.

Rule 76[1] – Language of the judgment

1. Unless the Court decides that a judgment shall be given in both official languages, all judgments shall be given either in English or in French.

2. Publication of such judgments in the official reports of the Court, as provided for in Rule 78, shall be in both official languages of the Court.

Rule 77[2] – Signature, delivery and notification of the judgment

1. Judgments shall be signed by the President of the Chamber or the Committee and the Registrar.

2. The judgment adopted by a Chamber may be read out at a public hearing by the President of the Chamber or by another judge delegated by him or her. The Agents and representatives of the parties shall be informed in due time of the date of the hearing. Otherwise, and in respect of judgments adopted by Committees, the notification provided for in paragraph 3 of this Rule shall constitute delivery of the judgment.

3. The judgment shall be transmitted to the Committee of Ministers. The Registrar shall send copies to the parties, to the Secretary General of the Council of Europe, to any third party, including the Council of Europe Commissioner for Human Rights, and to any other person directly concerned. The original copy, duly signed and sealed, shall be placed in the archives of the Court.

Rule 78 – Publication of judgments and other documents

In accordance with Article 44 § 3 of the Convention, final judgments of the Court shall be published, under the responsibility of the Registrar, in an appropriate form. The Registrar shall in addition be responsible for the publication of official reports of selected judgments and decisions and of any document which the President of the Court considers it useful to publish.

Rule 79 – Request for interpretation of a judgment

1. A party may request the interpretation of a judgment within a period of one year following the delivery of that judgment.

2. The request shall be filed with the Registry. It shall state precisely the point or points in the operative provisions of the judgment on which interpretation is required.

3. The original Chamber may decide of its own motion to refuse the request on the ground that there is no reason to warrant considering it. Where it is not possible to constitute the original Chamber, the President of the Court shall complete or compose the Chamber by drawing lots.

4. If the Chamber does not refuse the request, the Registrar shall communicate it to the other party or parties and shall invite them to submit any written comments within a time-limit laid down by the President of the Chamber. The President of the Chamber shall also fix the date of the hearing should the Chamber decide to hold one. The Chamber shall decide by means of a judgment.

Rule 80 – Request for revision of a judgment

1. A party may, in the event of the discovery of a fact which might by its nature have a decisive influence and which, when a judgment was delivered, was unknown to the Court and could not

1. As amended by the Court on 17 June and 8 July 2002.
2. As amended by the Court on 13 November 2006 and 1 December 2008.

reasonably have been known to that party, request the Court, within a period of six months after that party acquired knowledge of the fact, to revise that judgment.

2. The request shall mention the judgment of which revision is requested and shall contain the information necessary to show that the conditions laid down in paragraph 1 of this Rule have been complied with. It shall be accompanied by a copy of all supporting documents. The request and supporting documents shall be filed with the Registry.

3. The original Chamber may decide of its own motion to refuse the request on the ground that there is no reason to warrant considering it. Where it is not possible to constitute the original Chamber, the President of the Court shall complete or compose the Chamber by drawing lots.

4. If the Chamber does not refuse the request, the Registrar shall communicate it to the other party or parties and shall invite them to submit any written comments within a time-limit laid down by the President of the Chamber. The President of the Chamber shall also fix the date of the hearing should the Chamber decide to hold one. The Chamber shall decide by means of a judgment.

Rule 81 – Rectification of errors in decisions and judgments

Without prejudice to the provisions on revision of judgments and on restoration to the list of applications, the Court may, of its own motion or at the request of a party made within one month of the delivery of a decision or a judgment, rectify clerical errors, errors in calculation or obvious mistakes.

Chapter IX – Advisory Opinions

Rule 82

In proceedings relating to advisory opinions the Court shall apply, in addition to the provisions of Articles 47, 48 and 49 of the Convention, the provisions which follow. It shall also apply the other provisions of these Rules to the extent to which it considers this to be appropriate.

Rule 83[1]

The request for an advisory opinion shall be filed with the Registrar. It shall state fully and precisely the question on which the opinion of the Court is sought, and also

(a) the date on which the Committee of Ministers adopted the decision referred to in Article 47 § 3 of the Convention;

(b) the name and address of the person or persons appointed by the Committee of Ministers to give the Court any explanations which it may require.

The request shall be accompanied by all documents likely to elucidate the question.

Rule 84[2]

1. On receipt of a request, the Registrar shall transmit a copy of it and of the accompanying documents to all members of the Court.

2. The Registrar shall inform the Contracting Parties that they may submit written comments on the request.

Rule 85[3]

1. The President of the Court shall lay down the time-limits for filing written comments or other documents.

2. Written comments or other documents shall be filed with the Registrar. The Registrar shall transmit copies of them to all the members of the Court, to the Committee of Ministers and to each of the Contracting Parties.

Rule 86

After the close of the written procedure, the President of the Court shall decide whether the Contracting Parties which have submitted written comments are to be given an opportunity to develop them at an oral hearing held for the purpose.

Rule 87[4]

1. A Grand Chamber shall be constituted to consider the request for an advisory opinion.

1. As amended by the Court on 4 July 2005.
2. As amended by the Court on 4 July 2005.
3. As amended by the Court on 4 July 2005.
4. As amended by the Court on 4 July 2005.

2. If the Grand Chamber considers that the request is not within its competence as defined in Article 47 of the Convention, it shall so declare in a reasoned decision.

Rule 88[1]

1. Reasoned decisions and advisory opinions shall be given by a majority vote of the Grand Chamber. They shall mention the number of judges constituting the majority.

2. Any judge may, if he or she so desires, attach to the reasoned decision or advisory opinion of the Court either a separate opinion, concurring with or dissenting from the reasoned decision or advisory opinion, or a bare statement of dissent.

Rule 89[2]

The reasoned decision or advisory opinion may be read out in one of the two official languages by the President of the Grand Chamber, or by another judge delegated by the President, at a public hearing, prior notice having been given to the Committee of Ministers and to each of the Contracting Parties. Otherwise the notification provided for in Rule 90 shall constitute delivery of the opinion or reasoned decision.

Rule 90[3]

The advisory opinion or reasoned decision shall be signed by the President of the Grand Chamber and by the Registrar. The original copy, duly signed and sealed, shall be placed in the archives of the Court. The Registrar shall send certified copies to the Committee of Ministers, to the Contracting Parties and to the Secretary General of the Council of Europe.

1. As amended by the Court on 4 July 2005.
2. As amended by the Court on 4 July 2005.
3. As amended by the Court on 4 July 2005.

Chapter X[1] – Proceedings under Article 46 §§ 3, 4 and 5 of the Convention

Sub-chapter I – Proceedings under Article 46 § 3 of the Convention

Rule 91

Any request for interpretation under Article 46 § 3 of the Convention shall be filed with the Registrar. The request shall state fully and precisely the nature and source of the question of interpretation that has hindered execution of the judgment mentioned in the request and shall be accompanied by

(a) information about the execution proceedings, if any, before the Committee of Ministers in respect of the judgment;

(b) a copy of the decision referred to in Article 46 § 3 of the Convention;

(c) the name and address of the person or persons appointed by the Committee of Ministers to give the Court any explanations which it may require.

Rule 92

1. The request shall be examined by the Grand Chamber, Chamber or Committee which rendered the judgment in question.

2. Where it is not possible to constitute the original Grand Chamber, Chamber or Committee, the President of the Court shall complete or compose it by drawing lots.

Rule 93

The decision of the Court on the question of interpretation referred to it by the Committee of Ministers is final. No separate opinion of the judges may be delivered thereto. Copies of the ruling shall be transmitted to the Committee of Ministers and to the parties concerned as well as to any third party, including the Council of Europe Commissioner for Human Rights.

Sub-chapter II – Proceedings under Article 46 §§ 4 and 5 of the Convention

Rule 94

In proceedings relating to a referral to the Court of a question whether a Contracting Party has failed to fulfil its obligation under Article 46 § 1 of the Convention the Court shall apply, in addition to the provisions of Article 31 (b) and Article 46 §§ 4 and 5 of the Convention, the provisions which follow. It shall also apply the other provisions of these Rules to the extent to which it considers this to be appropriate.

Rule 95

Any request made pursuant to Article 46 § 4 of the Convention shall be reasoned and shall be filed with the Registrar. It shall be accompanied by

1. Inserted by the Court on 13 November 2006 and 14 May 2007.

(a) the judgment concerned;

(b) information about the execution proceedings before the Committee of Ministers in respect of the judgment concerned, including, if any, the views expressed in writing by the parties concerned and communications submitted in those proceedings;

(c) copies of the formal notice served on the respondent Contracting Party or Parties and the decision referred to in Article 46 § 4 of the Convention;

(d) the name and address of the person or persons appointed by the Committee of Ministers to give the Court any explanations which it may require;

(e) copies of all other documents likely to elucidate the question.

Rule 96

A Grand Chamber shall be constituted, in accordance with Rule 24 § 2 (g), to consider the question referred to the Court.

Rule 97

The President of the Grand Chamber shall inform the Committee of Ministers and the parties concerned that they may submit written comments on the question referred.

Rule 98

1. The President of the Grand Chamber shall lay down the time-limits for filing written comments or other documents.

2. The Grand Chamber may decide to hold a hearing.

Rule 99

The Grand Chamber shall decide by means of a judgment. Copies of the judgment shall be transmitted to the Committee of Ministers and to the parties concerned as well as to any third party, including the Council of Europe Commissioner for Human Rights.

Chapter XI – Legal Aid

Rule 100
(former Rule 91)

1. The President of the Chamber may, either at the request of an applicant having lodged an application under Article 34 of the Convention or of his or her own motion, grant free legal aid to the applicant in connection with the presentation of the case from the moment when observations in writing on the admissibility of that application are received from the respondent Contracting Party in accordance with Rule 54 § 2 b, or where the time-limit for their submission has expired.

2. Subject to Rule 105, where the applicant has been granted legal aid in connection with the presentation of his or her case before the Chamber, that grant shall continue in force for the purposes of his or her representation before the Grand Chamber.

Rule 101
(former Rule 92)

Legal aid shall be granted only where the President of the Chamber is satisfied

(a) that it is necessary for the proper conduct of the case before the Chamber;

(b) that the applicant has insufficient means to meet all or part of the costs entailed.

Rule 102
(former Rule 93[1])

1. In order to determine whether or not applicants have sufficient means to meet all or part of the costs entailed, they shall be required to complete a form of declaration stating their income, capital assets and any financial commitments in respect of dependants, or any other financial obligations. The declaration shall be certified by the appropriate domestic authority or authorities.

2. The President of the Chamber may invite the Contracting Party concerned to submit its comments in writing.

3. After receiving the information mentioned in paragraph 1 of this Rule, the President of the Chamber shall decide whether or not to grant legal aid. The Registrar shall inform the parties accordingly.

Rule 103
(former Rule 94)

1. Fees shall be payable to the advocates or other persons appointed in accordance with Rule 36 § 4. Fees may, where appropriate, be paid to more than one such representative.

2. Legal aid may be granted to cover not only representatives' fees but also travelling and subsistence expenses and other necessary expenses incurred by the applicant or appointed representative.

1. As amended by the Court on 29 May 2006.

Rule 104
(former Rule 95)

On a decision to grant legal aid, the Registrar shall fix

(a) the rate of fees to be paid in accordance with the legal-aid scales in force;

(b) the level of expenses to be paid.

Rule 105
(former Rule 96)

The President of the Chamber may, if satisfied that the conditions stated in Rule 101 are no longer fulfilled, revoke or vary a grant of legal aid at any time.

Title III – Transitional Rules

Former rules 97 and 98 deleted

Rule 106 – Relations between the Court and the Commission (former Rule 99)

1. In cases brought before the Court under Article 5 §§ 4 and 5 of Protocol No. 11 to the Convention, the Court may invite the Commission to delegate one or more of its members to take part in the consideration of the case before the Court.

2. In cases referred to in paragraph 1 of this Rule, the Court shall take into consideration the report of the Commission adopted pursuant to former Article 31 of the Convention.

3. Unless the President of the Chamber decides otherwise, the said report shall be made available to the public through the Registrar as soon as possible after the case has been brought before the Court.

4. The remainder of the case file of the Commission, including all pleadings, in cases brought before the Court under Article 5 §§ 2 to 5 of Protocol No. 11 shall remain confidential unless the President of the Chamber decides otherwise.

5. In cases where the Commission has taken evidence but has been unable to adopt a report in accordance with former Article 31 of the Convention, the Court shall take into consideration the verbatim records, documentation and opinion of the Commission's delegations arising from such investigations.

Rule 107 – Chamber and Grand Chamber proceedings (former Rule 100)

1. In cases referred to the Court under Article 5 § 4 of Protocol No. 11 to the Convention, a panel of the Grand Chamber constituted in accordance with Rule 24 § 5 shall determine, solely on the basis of the existing case file, whether a Chamber or the Grand Chamber is to decide the case.

2. If the case is decided by a Chamber, the judgment of the Chamber shall, in accordance with Article 5 § 4 of Protocol No. 11, be final and Rule 73 shall be inapplicable.

3. Cases transmitted to the Court under Article 5 § 5 of Protocol No. 11 shall be forwarded by the President of the Court to the Grand Chamber.

4. For each case transmitted to the Grand Chamber under Article 5 § 5 of Protocol No. 11, the Grand Chamber shall be completed by judges designated by rotation within one of the groups mentioned in Rule 24 § 3[1], the cases being allocated to the groups on an alternate basis.

Rule 108 – Grant of legal aid (former Rule 101)

Subject to Rule 96, in cases brought before the Court under Article 5 §§ 2 to 5 of Protocol No. 11 to the Convention, a grant of legal aid made to an applicant in the proceedings before the Commission

1. As amended by the Court on 13 December 2004.

or the former Court shall continue in force for the purposes of his or her representation before the Court.

Rule 109 – Request for revision of a judgment (former Rule 102[1])

1. Where a party requests revision of a judgment delivered by the former Court, the President of the Court shall assign the request to one of the Sections in accordance with the conditions laid down in Rule 51 or 52, as the case may be.

2. The President of the relevant Section shall, notwithstanding Rule 80 § 3, constitute a new Chamber to consider the request.

3. The Chamber to be constituted shall include as *ex officio* members

(a) the President of the Section;

and, whether or not they are members of the relevant Section,

(b) the judge elected in respect of any Contracting Party concerned or, if he or she is unable to sit, any judge appointed under Rule 29;

(c) any judge of the Court who was a member of the original Chamber that delivered the judgment in the former Court.

4. (a) The other members of the Chamber shall be designated by the President of the Section by means of a drawing of lots from among the members of the relevant Section.

(b) The members of the Section who are not so designated shall sit in the case as substitute judges.

1. As amended by the Court on 13 December 2004.

Title IV – Final Clauses

Rule 110 – Amendment or suspension of a Rule (former Rule 103)

1. Any Rule may be amended upon a motion made after notice where such a motion is carried at the next session of the plenary Court by a majority of all the members of the Court. Notice of such a motion shall be delivered in writing to the Registrar at least one month before the session at which it is to be discussed. On receipt of such a notice of motion, the Registrar shall inform all members of the Court at the earliest possible moment.

2. A Rule relating to the internal working of the Court may be suspended upon a motion made without notice, provided that this decision is taken unanimously by the Chamber concerned. The suspension of a Rule shall in this case be limited in its operation to the particular purpose for which it was sought.

Rule 111 – Entry into force of the Rules (former Rule 104[1])

The present Rules shall enter into force on 1 November 1998.

1. The amendments adopted on 8 December 2000 entered into force immediately. The amendments adopted on 17 June 2002 and 8 July 2002 entered into force on 1 October 2002. The amendments adopted on 7 July 2003 entered into force on 1 November 2003. The amendments adopted on 13 December 2004 entered into force on 1 March 2005. The amendments adopted on 4 July 2005 entered into force on 3 October 2005. The amendments adopted on 7 November 2005 entered into force on 1 December 2005. The amendments adopted on 29 May 2006 entered into force on 1 July 2006. The amendments adopted on 14 May 2007 entered into force on 1 July 2007. The amendments adopted on 11 December 2007, 22 September and 1 December 2008 entered into force on 1 January 2009. The amendments adopted on 29 June 2009 entered into force on 1 July 2009. The amendments relating to Protocol No. 14 to the Convention, adopted on 13 November 2006 and 14 May 2007, entered into force on 1 June 2010. The amendments adopted on 21 February 2011 entered into force on 1 April 2011. The amendments adopted on 16 January 2012 entered into force on 1 February 2012. The amendments adopted on 20 February 2012 entered into force on 1 May 2012. The amendments adopted on 2 April 2012 entered into force on 1 September 2012. The amendments adopted on 14 January and 6 February 2013 entered into force on 1 May 2013. The amendments adopted on 6 May 2013 entered into force on 1 July 2013 and 1 January 2014. The amendments adopted on 14 April and 23 June 2014 entered into force on 1 July 2014.

Annex to the Rules[1] (concerning investigations)

Rule A1 – Investigative measures

1. The Chamber may, at the request of a party or of its own motion, adopt any investigative measure which it considers capable of clarifying the facts of the case. The Chamber may, *inter alia*, invite the parties to produce documentary evidence and decide to hear as a witness or expert or in any other capacity any person whose evidence or statements seem likely to assist it in carrying out its tasks.

2. The Chamber may also ask any person or institution of its choice to express an opinion or make a written report on any matter considered by it to be relevant to the case.

3. After a case has been declared admissible or, exceptionally, before the decision on admissibility, the Chamber may appoint one or more of its members or of the other judges of the Court, as its delegate or delegates, to conduct an inquiry, carry out an on-site investigation or take evidence in some other manner. The Chamber may also appoint any person or institution of its choice to assist the delegation in such manner as it sees fit.

4. The provisions of this Chapter concerning investigative measures by a delegation shall apply, *mutatis mutandis*, to any such proceedings conducted by the Chamber itself.

5. Proceedings forming part of any investigation by a Chamber or its delegation shall be held in camera, save in so far as the President of the Chamber or the head of the delegation decides otherwise.

6. The President of the Chamber may, as he or she considers appropriate, invite, or grant leave to, any third party to participate in an investigative measure. The President shall lay down the conditions of any such participation and may limit that participation if those conditions are not complied with.

Rule A2 – Obligations of the parties as regards investigative measures

1. The applicant and any Contracting Party concerned shall assist the Court as necessary in implementing any investigative measures.

2. The Contracting Party on whose territory on-site proceedings before a delegation take place shall extend to the delegation the facilities and cooperation necessary for the proper conduct of the proceedings. These shall include, to the full extent necessary, freedom of movement within the territory and all adequate security arrangements for the delegation, for the applicant and for all witnesses, experts and others who may be heard by the delegation. It shall be the responsibility of the Contracting Party concerned to take steps to ensure that no adverse consequences are suffered by any person or organisation on account of any evidence given, or of any assistance provided, to the delegation.

Rule A3 – Failure to appear before a delegation

Where a party or any other person due to appear fails or declines to do so, the delegation may, provided that it is satisfied that such a course is consistent with the proper administration of justice, nonetheless continue with the proceedings.

1. Inserted by the Court on 7 July 2003.

Rule A4 – Conduct of proceedings before a delegation

1. The delegates shall exercise any relevant power conferred on the Chamber by the Convention or these Rules and shall have control of the proceedings before them.

2. The head of the delegation may decide to hold a preparatory meeting with the parties or their representatives prior to any proceedings taking place before the delegation.

Rule A5 – Convocation of witnesses, experts and of other persons to proceedings before a delegation

1. Witnesses, experts and other persons to be heard by the delegation shall be summoned by the Registrar.

2. The summons shall indicate

(a) the case in connection with which it has been issued;

(b) the object of the inquiry, expert opinion or other investigative measure ordered by the Chamber or the President of the Chamber;

(c) any provisions for the payment of sums due to the person summoned.

3. The parties shall provide, in so far as possible, sufficient information to establish the identity and addresses of witnesses, experts or other persons to be summoned.

4. In accordance with Rule 37 § 2, the Contracting Party in whose territory the witness resides shall be responsible for servicing any summons sent to it by the Chamber for service. In the event of such service not being possible, the Contracting Party shall give reasons in writing. The Contracting Party shall further take all reasonable steps to ensure the attendance of persons summoned who are under its authority or control.

5. The head of the delegation may request the attendance of witnesses, experts and other persons during on-site proceedings before a delegation. The Contracting Party on whose territory such proceedings are held shall, if so requested, take all reasonable steps to facilitate that attendance.

6. Where a witness, expert or other person is summoned at the request or on behalf of a Contracting Party, the costs of their appearance shall be borne by that Party unless the Chamber decides otherwise. The costs of the appearance of any such person who is in detention in the Contracting Party on whose territory on-site proceedings before a delegation take place shall be borne by that Party unless the Chamber decides otherwise. In all other cases, the Chamber shall decide whether such costs are to be borne by the Council of Europe or awarded against the applicant or third party at whose request or on whose behalf the person appears. In all cases, such costs shall be taxed by the President of the Chamber.

Rule A6 – Oath or solemn declaration by witnesses and experts heard by a delegation

1. After the establishment of the identity of a witness and before testifying, each witness shall take the oath or make the following solemn declaration:

> "I swear" – or "I solemnly declare upon my honour and conscience" – "that I shall speak the truth, the whole truth and nothing but the truth."

This act shall be recorded in minutes.

2. After the establishment of the identity of the expert and before carrying out his or her task for the delegation, every expert shall take the oath or make the following solemn declaration:

"I swear" – or "I solemnly declare" – "that I will discharge my duty as an expert honourably and conscientiously."

This act shall be recorded in minutes.

Rule A7 – Hearing of witnesses, experts and other persons by a delegation

1. Any delegate may put questions to the Agents, advocates or advisers of the parties, to the applicant, witnesses and experts, and to any other persons appearing before the delegation.

2. Witnesses, experts and other persons appearing before the delegation may, subject to the control of the head of the delegation, be examined by the Agents and advocates or advisers of the parties. In the event of an objection to a question put, the head of the delegation shall decide.

3. Save in exceptional circumstances and with the consent of the head of the delegation, witnesses, experts and other persons to be heard by a delegation will not be admitted to the hearing room before they give evidence.

4. The head of the delegation may make special arrangements for witnesses, experts or other persons to be heard in the absence of the parties where that is required for the proper administration of justice.

5. The head of the delegation shall decide in the event of any dispute arising from an objection to a witness or expert. The delegation may hear for information purposes a person who is not qualified to be heard as a witness or expert.

Rule A8 – Verbatim record of proceedings before a delegation

1. A verbatim record shall be prepared by the Registrar of any proceedings concerning an investigative measure by a delegation. The verbatim record shall include:

(a) the composition of the delegation;

(b) a list of those appearing before the delegation, that is to say Agents, advocates and advisers of the parties taking part;

(c) the surname, forenames, description and address of each witness, expert or other person heard;

(d) the text of statements made, questions put and replies given;

(e) the text of any ruling delivered during the proceedings before the delegation or by the head of the delegation.

2. If all or part of the verbatim record is in a non-official language, the Registrar shall arrange for its translation into one of the official languages.

3. The representatives of the parties shall receive a copy of the verbatim record in order that they may, subject to the control of the Registrar or the head of the delegation, make corrections, but in no case may such corrections affect the sense and bearing of what was said. The Registrar shall lay down, in accordance with the instructions of the head of the delegation, the time-limits granted for this purpose.

4. The verbatim record, once so corrected, shall be signed by the head of the delegation and the Registrar and shall then constitute certified matters of record.

Practice Directions

Requests for interim measures[1]

(Rule 39 of the Rules of Court)

By virtue of Rule 39 of the Rules of Court, the Court may issue interim measures which are binding on the State concerned. Interim measures are only applied in exceptional cases.

The Court will only issue an interim measure against a Member State where, having reviewed all the relevant information, it considers that the applicant faces a real risk of serious, irreversible harm if the measure is not applied.

Applicants or their legal representatives[2] who make a request for an interim measure pursuant to Rule 39 of the Rules of Court should comply with the requirements set out below.

I. Accompanying information

Any request lodged with the Court must state reasons. The applicant must in particular specify in detail the grounds on which his or her particular fears are based, the nature of the alleged risks and the Convention provisions alleged to have been violated.

A mere reference to submissions in other documents or domestic proceedings is not sufficient. It is essential that requests be accompanied by all necessary supporting documents, in particular relevant domestic court, tribunal or other decisions, together with any other material which is considered to substantiate the applicant's allegations.

The Court will not necessarily contact applicants whose request for interim measures is incomplete, and requests which do not include the information necessary to make a decision will not normally be submitted for a decision.

Where the case is already pending before the Court, reference should be made to the application number allocated to it.

In cases concerning extradition or deportation, details should be provided of the expected date and time of the removal, the applicant's address or place of detention and his or her official case-reference number. The Court must be notified of any change to those details (date and time of removal, address etc.) as soon as possible.

The Court may decide to take a decision on the admissibility of the case at the same time as considering the request for interim measures.

II. Requests to be made by facsimile or letter[3]

Requests for interim measures under Rule 39 should be sent by facsimile or by post. The Court will not deal with requests sent by e-mail. The request should, where possible, be in one of the official languages of the Contracting Parties. All requests should be marked as follows in bold on the face of the request:

> **"Rule 39 – Urgent**
> **Person to contact (name and contact details): …**

1. Practice direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 5 March 2003 and amended on 16 October 2009 and on 7 July 2011.
2. It is essential that full contact details be provided.
3. According to the degree of urgency and bearing in mind that requests by letter must not be sent by standard post.

[*In deportation or extradition cases*]
Date and time of removal and destination: …"

III. Making requests in good time

Requests for interim measures should normally be received as soon as possible after the final domestic decision has been taken, in order to enable the Court and its Registry to have sufficient time to examine the matter. The Court may not be able to deal with requests in removal cases received less than a working day before the planned time of removal[1].

Where the final domestic decision is imminent and there is a risk of immediate enforcement, especially in extradition or deportation cases, applicants and their representatives should submit the request for interim measures without waiting for that decision, indicating clearly the date on which it will be taken and that the request is subject to the final domestic decision being negative.

IV. Domestic measures with suspensive effect

The Court is not an appeal tribunal from domestic tribunals, and applicants in extradition and expulsion cases should pursue domestic avenues which are capable of suspending removal before applying to the Court for interim measures. Where it remains open to an applicant to pursue domestic remedies which have suspensive effect, the Court will not apply Rule 39 to prevent removal.

V. Follow-up

Applicants who apply for an interim measure under Rule 39 should ensure that they reply to correspondence from the Court's Registry. In particular, where a measure has been refused, they should inform the Court whether they wish to pursue the application. Where a measure has been applied, they must keep the Court regularly and promptly informed about the state of any continuing domestic proceedings. Failure to do so may lead to the case being struck out of the Court's list of cases.

1. The list of public and other holidays when the Court's Registry is closed can be consulted on the Court's internet site: www.echr.coe.int/contact.

Institution of proceedings[1]

(Individual applications under Article 34 of the Convention)

I. General

1. An application under Article 34 of the Convention must be submitted in writing. No application may be made by telephone. Except as provided otherwise by Rule 47 of the Rules of Court, only a completed application form will interrupt the running of the six-month time-limit set out in Article 35 § 1 of the Convention. An application form is available online from the Court's website[2]. Applicants are strongly encouraged to download and print the application form instead of contacting the Court for a paper copy to be sent by post. By doing this, applicants will save time and will be in a better position to ensure that their completed application form is submitted within the six-month time-limit. Help with the completion of the various fields is available online.

2. An application must be sent to the following address:

The Registrar
European Court of Human Rights
Council of Europe
F-67075 Strasbourg Cedex

3. Applications sent by fax will not interrupt the running of the six-month time-limit set out in Article 35 § 1 of the Convention. Applicants must also dispatch the signed original by post within the same six-month time-limit.

4. An applicant should be diligent in corresponding with the Court's Registry. A delay in replying or failure to reply may be regarded as a sign that the applicant is no longer interested in pursuing his or her application.

II. Form and contents

5. The submissions in the application form concerning the facts, complaints and compliance with the requirements of exhaustion of domestic remedies and the time-limit set out in Article 35 § 1 of the Convention must respect the conditions set out in Rule 47 of the Rules of Court. Any additional submissions must not exceed 20 pages (see Rule 47 § 2) and should:

a) be in an A4 page format with a margin of not less than 3.5 cm;

b) be wholly legible and, if typed, the text should be at least 12 pt in the body of the document and 10 pt in the footnotes, with one and a half line spacing;

c) have all numbers expressed as figures;

d) have pages numbered consecutively;

e) be divided into numbered paragraphs;

f) be divided into headings corresponding to "Facts", "Complaints or statements of violations", "Information about the exhaustion of domestic remedies and compliance with the time-limit set out in Article 35 § 1".

1. Practice direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 1 November 2003 and amended on 22 September 2008, 24 June 2009 and 6 November 2013. This practice direction supplements Rules 45 and 47.
2. www.echr.coe.int

6. All fields in the application form must be filled in by use of words. Avoid using symbols, signs or abbreviations. Explain in words even if the answer is negative or the question does not appear relevant.

7. An applicant who has already had a previous application or applications decided by the Court or who has an application or applications pending before the Court must inform the Registry accordingly, stating the application number or numbers.

8. (a) Where an applicant does not wish to have his or her identity disclosed, he or she should state the reasons for his or her request in writing, pursuant to Rule 47 § 4.

(b) The applicant should also state whether, in the event of anonymity being authorised by the President of the Chamber, he or she wishes to be designated by his or her initials or by a single letter (e.g., "X", "Y", "Z", etc.).

9. The applicant or the applicant's representative must sign the application form. If represented, the applicant must sign the letter of authority, which forms part of the application form. Neither the application form nor the letter can be signed *per procurationem* (p.p.).

III. Grouped applications and multiple applicants

10. Where an applicant or representative lodges complaints on behalf of two or more applicants whose applications are based on different facts, a separate application form should be filled in for each individual giving all the information required. The documents relevant to each applicant should also be annexed to that individual's application form.

11. Where there are more than five applicants, the representative should provide – in addition to the application forms and documents – a table setting out for each applicant the required personal information, an example of which may be downloaded from the Court's website[1]. Where the representative is a lawyer, this table should also be provided in electronic form.

12. In cases of large groups of applicants or applications, applicants or their representatives may be directed by the Court to provide the text of their submissions or documents by electronic or other means. Other directions may be given by the Court as to steps required to facilitate the effective and speedy processing of applications.

IV. Failure to comply with requests for information or directions

13. Failure, within the specified time-limit, to provide further information or documents at the Court's request or to comply with the Court's directions as to the form or manner of the lodging of an application – including grouped applications or applications by multiple applicants – may result, depending on the stage reached in the proceedings, in the complaint(s) not being examined by the Court or the application(s) being declared inadmissible or struck out of the Court's list of cases.

1. www.echr.coe.int

Written pleadings[1]

I. Filing of pleadings

General

1. A pleading must be filed with the Registry within the time-limit fixed in accordance with Rule 38 of the Rules of Court and in the manner described in paragraph 2 of that Rule.

2. The date on which a pleading or other document is received at the Court's Registry will be recorded on that document by a receipt stamp.

3. With the exception of pleadings and documents for which a system of electronic filing has been set up (see the relevant practice directions), all other pleadings, as well as all documents annexed thereto, should be submitted to the Court's Registry in three copies sent by post or in one copy by fax[2], followed by three copies sent by post.

4. Pleadings or other documents submitted by electronic mail shall not be accepted.

5. Secret documents should be filed by registered post.

6. Unsolicited pleadings shall not be admitted to the case file unless the President of the Chamber decides otherwise (see Rule 38 § 1).

Filing by fax

7. A party may file pleadings or other documents with the Court by sending them by fax.

8. The name of the person signing a pleading must also be printed on it so that he or she can be identified.

Electronic filing

9. The Court may authorise the Government of a Contracting Party or, after the communication of an application, an applicant to file pleadings and other documents electronically. In such cases, the practice direction on written pleadings shall apply in conjunction with the practice directions on electronic filing.

II. Form and contents

Form

10. A pleading should include:

(a) the application number and the name of the case;

(b) a title indicating the nature of the content (e.g., observations on admissibility [and the merits]; reply to the Government's/the applicant's observations on admissibility [and the merits]; observations on the merits; additional observations on admissibility [and the merits]; memorial etc.).

11. In addition, a pleading should normally:

(a) be in an A4 page format having a margin of not less than 3.5 cm wide;

1. Practice direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 1 November 2003 and amended on 22 September 2008 and 29 September 2014.
2. Fax no. +33 (0)3 88 41 27 30; other fax numbers can be found on the Court's website (www.echr.coe.int).

(b) be typed and wholly legible, the text appearing in at least 12 pt in the body and 10 pt in the footnotes, with one-and-a-half line spacing;

(c) have all numbers expressed as figures;

(d) have pages numbered consecutively;

(e) be divided into numbered paragraphs;

(f) be divided into chapters and/or headings corresponding to the form and style of the Court's decisions and judgments ("Facts"/"Domestic law [and practice]"/"Complaints"/"Law"; the latter chapter should be followed by headings entitled "Preliminary objection on ...", "Alleged violation of Article ...", as the case may be);

(g) place any answer to a question by the Court or to the other party's arguments under a separate heading;

(h) give a reference to every document or piece of evidence mentioned in the pleading and annexed thereto;

(i) if sent by post, have its text printed on one side of the page only and pages and attachments placed together in such a way as to enable them to be easily separated (they must not be glued or stapled).

12. If a pleading exceptionally exceeds thirty pages, a short summary should also be filed with it.

13. Where a party produces documents and/or other exhibits together with a pleading, every piece of evidence should be listed in a separate annex.

Contents

14. The parties' pleadings following communication of the application should include:

(a) any comments they wish to make on the facts of the case; however,

(i) if a party does not contest the facts as set out in the statement of facts prepared by the Registry, it should limit its observations to a brief statement to that effect;

(ii) if a party contests only part of the facts as set out by the Registry, or wishes to supplement them, it should limit its observations to those specific points;

(iii) if a party objects to the facts or part of the facts as presented by the other party, it should state clearly which facts are uncontested and limit its observations to the points in dispute;

(b) legal arguments relating firstly to admissibility and, secondly, to the merits of the case; however,

(i) if specific questions on a factual or legal point were put to a party, it should, without prejudice to Rule 55, limit its arguments to such questions;

(ii) if a pleading replies to arguments of the other party, submissions should refer to the specific arguments in the order prescribed above.

15. (a) The parties' pleadings following the admission of the application should include:

(i) a short statement confirming a party's position on the facts of the case as established in the decision on admissibility;

(ii) legal arguments relating to the merits of the case;

(iii) a reply to any specific questions on a factual or legal point put by the Court.

(b) An applicant party submitting claims for just satisfaction at the same time should do so in the manner described in the practice direction on filing just satisfaction claims.

16. In view of the confidentiality of friendly-settlement proceedings (see Article 39 § 2 of the Convention and Rule 62 § 2), all submissions and documents filed as part of the attempt to secure a friendly settlement should be submitted separately from the written pleadings.

17. No reference to offers, concessions or other statements submitted in connection with the friendly settlement may be made in the pleadings filed in the contentious proceedings.

III. Time-limits

General

18. It is the responsibility of each party to ensure that pleadings and any accompanying documents or evidence are delivered to the Court's Registry in time.

Extension of time-limits

19. A time-limit set under Rule 38 may be extended on request from a party.

20. A party seeking an extension of the time allowed for submission of a pleading must make a request as soon as it has become aware of the circumstances justifying such an extension and, in any event, before the expiry of the time-limit. It should state the reason for the delay.

21. If an extension is granted, it shall apply to all parties for which the relevant time-limit is running, including those which have not asked for it.

IV. Failure to comply with requirements for pleadings

22. Where a pleading has not been filed in accordance with the requirements set out in paragraphs 8 to 15 of this practice direction, the President of the Chamber may request the party concerned to resubmit the pleading in compliance with those requirements.

23. A failure to satisfy the conditions listed above may result in the pleading being considered not to have been properly lodged (see Rule 38 § 1).

Just satisfaction claims[1]

I. Introduction

1. The award of just satisfaction is not an automatic consequence of a finding by the European Court of Human Rights that there has been a violation of a right guaranteed by the European Convention on Human Rights or its Protocols. The wording of Article 41, which provides that the Court shall award just satisfaction only if domestic law does not allow complete reparation to be made, and even then only "if necessary" (*s'il y a lieu* in the French text), makes this clear.

2. Furthermore, the Court will only award such satisfaction as is considered to be "just" (*équitable* in the French text) in the circumstances. Consequently, regard will be had to the particular features of each case. The Court may decide that for some heads of alleged prejudice the finding of violation constitutes in itself sufficient just satisfaction, without there being any call to afford financial compensation. It may also find reasons of equity to award less than the value of the actual damage sustained or the costs and expenses actually incurred, or even not to make any award at all. This may be the case, for example, if the situation complained of, the amount of damage or the level of the costs is due to the applicant's own fault. In setting the amount of an award, the Court may also consider the respective positions of the applicant as the party injured by a violation and the Contracting Party as responsible for the public interest. Finally, the Court will normally take into account the local economic circumstances.

3. When it makes an award under Article 41, the Court may decide to take guidance from domestic standards. It is, however, never bound by them.

4. Claimants are warned that compliance with the formal and substantive requirements deriving from the Convention and the Rules of Court is a condition for the award of just satisfaction.

II. Submitting claims for just satisfaction: formal requirements

5. Time-limits and other formal requirements for submitting claims for just satisfaction are laid down in Rule 60 of the Rules of Court, the relevant part of which provides as follows:

> "1. An applicant who wishes to obtain an award of just satisfaction under Article 41 of the Convention in the event of the Court finding a violation of his or her Convention rights must make a specific claim to that effect.
>
> 2. The applicant must submit itemised particulars of all claims, together with any relevant supporting documents, within the time-limit fixed for the submission of the applicant's observations on the merits unless the President of the Chamber directs otherwise.
>
> 3. If the applicant fails to comply with the requirements set out in the preceding paragraphs, the Chamber may reject the claims in whole or in part.
>
> …"

Thus, the Court requires specific claims supported by appropriate documentary evidence, failing which it may make no award. The Court will also reject claims set out on the application form but not resubmitted at the appropriate stage of the proceedings and claims lodged out of time.

1. Practice direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 28 March 2007.

III. Submitting claims for just satisfaction: substantive requirements

6. Just satisfaction may be afforded under Article 41 of the Convention in respect of:

(a) pecuniary damage;

(b) non-pecuniary damage; and

(c) costs and expenses.

1. Damage in general

7. A clear causal link must be established between the damage claimed and the violation alleged. The Court will not be satisfied by a merely tenuous connection between the alleged violation and the damage, nor by mere speculation as to what might have been.

8. Compensation for damage can be awarded in so far as the damage is the result of a violation found. No award can be made for damage caused by events or situations that have not been found to constitute a violation of the Convention, or for damage related to complaints declared inadmissible at an earlier stage of the proceedings.

9. The purpose of the Court's award in respect of damage is to compensate the applicant for the actual harmful consequences of a violation. It is not intended to punish the Contracting Party responsible. The Court has therefore, until now, considered it inappropriate to accept claims for damages with labels such as "punitive", "aggravated" or "exemplary".

2. Pecuniary damage

10. The principle with regard to pecuniary damage is that the applicant should be placed, as far as possible, in the position in which he or she would have been had the violation found not taken place, in other words, *restitutio in integrum*. This can involve compensation for both loss actually suffered (*damnum emergens*) and loss, or diminished gain, to be expected in the future (*lucrum cessans*).

11. It is for the applicant to show that pecuniary damage has resulted from the violation or violations alleged. The applicant should submit relevant documents to prove, as far as possible, not only the existence but also the amount or value of the damage.

12. Normally, the Court's award will reflect the full calculated amount of the damage. However, if the actual damage cannot be precisely calculated, the Court will make an estimate based on the facts at its disposal. As pointed out in paragraph 2 above, it is also possible that the Court may find reasons in equity to award less than the full amount of the loss.

3. Non-pecuniary damage

13. The Court's award in respect of non-pecuniary damage is intended to provide financial compensation for non-material harm, for example mental or physical suffering.

14. It is in the nature of non-pecuniary damage that it does not lend itself to precise calculation. If the existence of such damage is established, and if the Court considers that a monetary award is necessary, it will make an assessment on an equitable basis, having regard to the standards which emerge from its case-law.

15. Applicants who wish to be compensated for non-pecuniary damage are invited to specify a sum which in their view would be equitable. Applicants who consider themselves victims of more than one violation may claim either a single lump sum covering all alleged violations or a separate sum in respect of each alleged violation.

4. Costs and expenses

16. The Court can order the reimbursement to the applicant of costs and expenses which he or she has incurred – first at the domestic level, and subsequently in the proceedings before the Court itself – in trying to prevent the violation from occurring, or in trying to obtain redress therefor. Such costs and expenses will typically include the cost of legal assistance, court registration fees and suchlike. They may also include travel and subsistence expenses, in particular if these have been incurred by attendance at a hearing of the Court.

17. The Court will uphold claims for costs and expenses only in so far as they are referable to the violations it has found. It will reject them in so far as they relate to complaints that have not led to the finding of a violation, or to complaints declared inadmissible. This being so, applicants may wish to link separate claim items to particular complaints.

18. Costs and expenses must have been actually incurred. That is, the applicant must have paid them, or be bound to pay them, pursuant to a legal or contractual obligation. Any sums paid or payable by domestic authorities or by the Council of Europe by way of legal aid will be deducted.

19. Costs and expenses must have been necessarily incurred. That is, they must have become unavoidable in order to prevent the violation or obtain redress therefor.

20. They must be reasonable as to quantum. If the Court finds them to be excessive, it will award a sum which, on its own estimate, is reasonable.

21. The Court requires evidence, such as itemised bills and invoices. These must be sufficiently detailed to enable the Court to determine to what extent the above requirements have been met.

5. Payment information

22. Applicants are invited to identify a bank account into which they wish any sums awarded to be paid. If they wish particular amounts, for example the sums awarded in respect of costs and expenses, to be paid separately, for example directly into the bank account of their representative, they should so specify.

IV. The form of the Court's awards

23. The Court's awards, if any, will normally be in the form of a sum of money to be paid by the respondent Contracting Party to the victim or victims of the violations found. Only in extremely rare cases can the Court consider a consequential order aimed at putting an end or remedying the violation in question. The Court may, however, decide at its discretion to offer guidance for the execution of its judgment (Article 46 of the Convention).

24. Any monetary award under Article 41 will normally be in euros (EUR, €) irrespective of the currency in which the applicant expresses his or her claims. If the applicant is to receive payment in a currency other than the euro, the Court will order the sums awarded to be converted into that other currency at the exchange rate applicable on the date of payment. When formulating their claims applicants should, where appropriate, consider the implications of this policy in the light of the effects of converting sums expressed in a different currency into euros or contrariwise.

25. The Court will of its own motion set a time-limit for any payments that may need to be made, which will normally be three months from the date on which its judgment becomes final and binding. The Court will also order default interest to be paid in the event that that time-limit is exceeded, normally at a simple rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Secured electronic filing by Governments[1]

I. Scope of application

1. The Governments of the Contracting Parties that have opted for the Court's system of secured electronic filing shall send all their written communications with the Court by uploading them on the secured website set up for that purpose and shall accept written communications sent to them by the Registry of the Court by downloading them from that site, with the following exceptions:

(a) all written communications in relation to a request for interim measures under Rule 39 of the Rules of Court shall be sent simultaneously by two means: through the secured website and by fax;

(b) attachments, such as plans, manuals, etc. that may not be comprehensively viewed in an electronic format may be filed by post;

(c) the Court's Registry may request that a paper document or attachment be submitted by post.

2. If the Government have filed a document by post or fax, they shall, as soon as possible, file electronically a notice of filing by post or fax, describing the document sent, stating the date of dispatch and setting forth the reasons why electronic filing was not possible.

II. Technical requirements

3. The Government shall possess the necessary technical equipment and follow the user manual sent to them by the Court's Registry.

III. Format and naming convention

4. A document filed electronically shall be in PDF format, preferably in searchable PDF.

5. Unsigned letters and written pleadings shall not be accepted. Signed documents to be filed electronically shall be generated by scanning the original paper copy. The Government shall keep the original paper copy in their files.

6. The name of a document filed electronically shall be prefixed by the application number, followed by the name of the applicant as spelled in Latin script by the Registry of the Court, and contain an indication of the contents of the document[2].

IV. Relevant date with regard to time-limits

7. The date on which the Government have successfully uploaded a document on the secured website shall be considered as the date of dispatch within the meaning of Rule 38 § 2 or the date of filing for the purposes of Rule 73 § 1.

8. To facilitate keeping track of the correspondence exchanged, every day shortly before midnight the secured server generates automatically an electronic mail message listing the documents that have been filed electronically within the past twenty-four hours.

V. Different versions of one and the same document

9. The secured website shall not permit the modification, replacement or deletion of an uploaded document. If the need arises for the Government to modify a document they have uploaded, they

1. Practice direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 22 September 2008 and amended on 29 September 2014.
2. For example, 65051/01 Karagyozov Observ Adm Merits.

shall create a new document named differently (for example, by adding the word “modified” in the document name). This opportunity should only be used where genuinely necessary and should not be used to correct minor errors.

10. Where the Government have filed more than one version of the same document, only the document filed in time shall be taken into consideration. Where more than one version has been filed in time, the latest version shall be taken into consideration, unless the President of the Chamber decides otherwise.

Requests for anonymity[1]

(Rules 33 and 47 of the Rules of Court)

General principles

The parties are reminded that, unless a derogation has been obtained pursuant to Rules 33 or 47 of the Rules of Court, documents in proceedings before the Court are public. Thus, all information that is submitted in connection with an application in both written and oral proceedings, including information about the applicant or third parties, will be accessible to the public.

The parties should also be aware that the statement of facts, decisions and judgments of the Court are usually published in HUDOC[2] on the Court's website (Rule 78).

Requests in pending cases

Any request for anonymity should be made when completing the application form or as soon as possible thereafter. In both cases the applicant should provide reasons for the request and specify the impact that publication may have for him or her.

Retroactive requests

If an applicant wishes to request anonymity in respect of a case or cases published on HUDOC before 1 January 2010, he or she should send a letter to the Registry setting out the reasons for the request and specifying the impact that this publication has had or may have for him or her. The applicant should also provide an explanation as to why anonymity was not requested while the case was pending before the Court.

In deciding on the request the President shall take into account the explanations provided by the applicant, the level of publicity that the decision or judgment has already received and whether or not it is appropriate or practical to grant the request.

When the President grants the request, he or she shall also decide on the most appropriate steps to be taken to protect the applicant from being identified. For example, the decision or judgment could, *inter alia*, be removed from the Court's website or the personal data deleted from the published document.

Other measures

The President may also take any other measure he or she considers necessary or desirable in respect of any material published by the Court in order to ensure respect for private life.

1. Practice direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 14 January 2010.
2. http://hudoc.echr.coe.int/

Electronic filing by applicants[1]

I. Scope of application

1. After the communication of a case, applicants who have opted to file pleadings electronically shall send all written communications with the Court by using the Court's Electronic Communications Service (ECS) and shall accept written communications sent to them by the Registry of the Court by means of ECS, with the following exceptions:

(a) all written communications in relation to a request for interim measures under Rule 39 of the Rules of Court shall be sent only by fax or post;

(b) attachments, such as plans, manuals, etc., that may not be comprehensively viewed in an electronic format may be filed by post;

(c) the Court's Registry may request that a paper document or attachment be submitted by post.

2. If an applicant has filed a document by post or fax, he or she shall, as soon as possible, file electronically a notice of filing by post or fax, describing the document sent, stating the date of dispatch and setting forth the reasons why electronic filing was not possible.

II. Technical requirements

3. Applicants shall possess the necessary technical equipment and follow the user manual sent to them by the Court's Registry.

III. Format and naming convention

4. A document filed electronically shall be in PDF format, preferably in searchable PDF.

5. Unsigned letters and written pleadings shall not be accepted. Signed documents to be filed electronically shall be generated by scanning the original paper copy. Applicants shall keep the original paper copy in their files.

6. The name of a document filed electronically shall be prefixed by the application number, followed by the name of the applicant as spelled in Latin script by the Registry of the Court, and contain an indication of the contents of the document[2].

IV. Relevant date with regard to time limits

7. The date on which an applicant has successfully filed the document electronically with the Court shall be considered as the date, based on Strasbourg time, of dispatch within the meaning of Rule 38 § 2 or the date of filing for the purposes of Rule 73 § 1.

8. To facilitate keeping track of the correspondence exchanged and to ensure compliance with the time limits set by the Court, the applicant should regularly check his or her e-mail account and ECS account.

V. Different versions of one and the same document

9. The ECS shall not permit the modification, replacement or deletion of a filed document. If the need arises for the applicant to modify a document he or she has filed, they shall create a new document named differently (for example, by adding the word "modified" in the document name).

1. Issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 29 September 2014. This practice direction will become operational in 2015 on a date to be decided following a test phase.
2. The following is an example: 65051/01 Karagyozov Observ Adm Merits.

This opportunity should only be used where genuinely necessary and should not be used to correct minor errors.

10. Where an applicant has filed more than one version of the same document, only the document filed in time shall be taken into consideration. Where more than one version has been filed in time, the latest version shall be taken into consideration, unless the President of the Chamber decides otherwise.