



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

“A Court that matters/Une Cour qui compte”

A strategy for more targeted and effective case-processing

17 March 2021

The Court’s new case-processing strategy consists of putting into place a more targeted approach to processing potentially well-founded “impact” cases, building on and strengthening the priority policy adopted by the Court in 2009 and amended in 2017¹.

The current priority policy sets out seven categories of cases ranging from the most urgent (category I) to the least important (category VII). Cases falling under categories I-III are dealt with by the Court by way of judgments or decisions mainly taken by the Grand Chamber or Chambers of seven Judges. Repetitive cases and manifestly inadmissible cases under categories V-VII are processed speedily by the Court by way of various filtering mechanisms and new working methods which have been put in place successfully during the Interlaken reform period.

However, there are currently 17,800 potentially well-founded applications under category IV which do not raise core rights and which on average take the Court between 5-6 years to process. Among these category IV cases, a small percentage may raise very important issues of relevance for the State in question and/or the Convention system as a whole and justify more expeditious case-processing. These cases will be identified and marked as “impact” cases under a new category IV-High. To date, approximately 650 cases have been so identified.

“Impact” cases are identified on the basis of flexible guiding criteria as well as a list of examples. The criteria have been defined as follows: the conclusion of the case might lead to a change or clarification of international or domestic legislation or practice; the case touches upon moral or social issues; the case deals with an emerging or otherwise significant human rights issue. If any of these criteria are met, the Court may take into account whether the case has had significant media coverage domestically and/or is politically sensitive.

The new strategy has two principle and interrelated aims.

Firstly, the strategy aims to ensure that priority cases under categories I-III and newly categorised “impact” cases under category IV-High are identified, processed and adjudicated by the Court even more expeditiously. This will be achieved through an enhanced deployment of Court resources and strict internal monitoring.

Secondly, the strategy will ensure a balanced and productive output through increased standardisation and streamlining of the processing of non-impact category IV cases, through exploiting existing working methods and IT tools. Accordingly, and to the extent possible, these cases will be dealt with by the Court as efficiently as possible in Committees of three Judges, continuing with the effective application of the broader-WECL policy and developing further the WECL Fast-Track

¹ https://echr.coe.int/Documents/priority_policy_ENG.pdf

procedure. The Court will strive to produce briefer and more focussed draft judgments in these cases. The Court will continue its efficient filtering of cases which fall in categories V-VII.

The goal of the new strategy is to ensure that the Court's success will be measured not only in numerical terms, namely the number of clearly inadmissible cases processed in a given period, but more importantly by reference to its adjudication of those cases which address core legal issues of relevance for the State in question and for the Convention system in general. In this way the strategy will contribute in a significant way to ensuring that the Court remains a Court which matters ("une Cour qui compte").