

ECtHR: New Case Processing Strategy

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News

On 17 March 2021, the European Court of Human Rights (ECtHR) introduced a new case management strategy that establishes a new category of “impact” cases. The Registry published a [summary document](#) on the Court’s website describing the main aspects of this new strategy.

As a result of the Interlaken reform process (2010-2020), the Court has reduced its backlog from 160,000 pending cases in 2011 to 65,000 at present. During this period, a prioritization policy based on seven categories, ranging from urgent to obviously inadmissible applications, allowed for acceleration of processing times. Nevertheless, there are currently 17,800 potentially well-founded category IV cases, which do not involve core rights and take the court an average of 5-6 years to process. Among these category IV cases, a small percentage may raise very important issues of concern for the State in question and/or the Convention system as a whole, justifying more expeditious case processing. These cases are identified and labelled as “impact” cases under the new category IV-High. To date, approximately 650 such cases have been identified so far, based on a list of examples and the following criteria:

- The conclusion of the case might lead to a change in 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 ECtHR may take into account whether the case has had significant media coverage domestically and/or is politically sensitive.

On the one hand, the new strategy aims to ensure that priority cases in categories I-III and in the newly categorized “impact” cases (category IV-High) are identified, processed, and decided even more quickly by the Court. This will be achieved through increased use of the Court’s resources and rigorous internal monitoring. On the other hand, the strategy will ensure a balanced and productive output through increased standardisation and streamlining of the processing of non-impact category IV cases by using existing working methods and IT tools. In the future, the handling of non-priority and non-impact cases will be handled by committees of three judges instead of chambers of seven judges. The ECtHR will strive to produce shorter and more focused draft judgments in these cases.

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