

# ECtHR: Right of Access to a Court in Respect of Administrative Decisions



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European Law Forum: Prevention • Investigation • Prosecution

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**News**

On 20 July 2021, the ECtHR held in a chamber judgment in *Loquifer v. Belgium* that the right of access to a court (Art. 6 § 1 ECHR) in respect of administrative decisions implies the possibility of remedy by a judicial body. The case involved a Belgian national/former judge who had been appointed to the High Judicial Council (“the CSJ”), an administrative body, but was suspended from all duties in view of criminal proceedings against her. Following her acquittal, the CSJ found that the criteria for her reinstatement were satisfied. The ECtHR, however, found that the right of access to a court had been violated, as the suspension decisions in question had not been taken by a “tribunal” or other body exercising judicial powers and the applicant had had no remedy to have the decision reviewed *ex post* by such a body and to have it set aside or to obtain a stay of execution.

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