# OVERVIEW





COUR EUROPÉENNE DES DROITS DE L'HOMME



# Overview 1959-2016

**ECHR** 

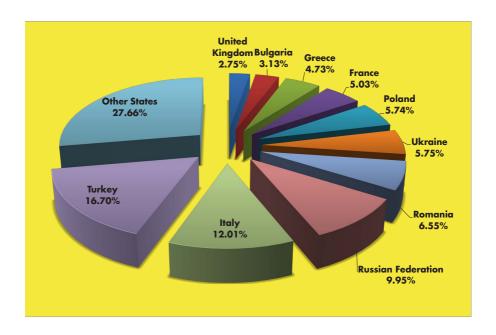
This document has been prepared by the Public Relations Unit of the Court, and does not bind the Court. It is intended to provide basic general information about the way the Court works. For more detailed information, please refer to documents issued by the Registry, available on the Court's website: www.echr.coe.int. © European Court of Human Rights, March 2017 European Court of Human Rights Public Relations Unit Council of Europe F-67075 Strasbourg cedex

## **Statistics 1959 to 2016**

#### **Judgments by State**

Since it was established in 1959 the Court has delivered about 19,500 judgments. More than a quarter of these concerned 2 member States of the Council of Europe: Turkey (3,270) and Italy (2,351).

In 84% of the judgments it has delivered since 1959, the Court has found at least one violation of the Convention by the respondent State.



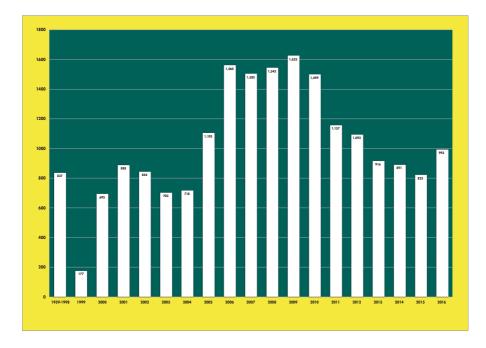
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### **Judgments delivered by the Court**

In recent years the Court has concentrated on examining complex cases, and has decided to join certain applications which raise similar legal questions so that it can consider them jointly.

Although the number of judgments delivered each year by the Court has decreased, more applications have been examined by it.

Since it was set up, the Court has decided on the examination of around 712,600 applications.



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# Throughput of applications 1959\* - 2016

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|                        | 1959-2016                | 1959-2016  | 1959-2016  | 1959-2016        |
| Albania                | 1,159                    | 564  | 119  | 683              |
| Andorra                | 76                       | 67   | 8  | 75               |
| Armenia                | 3,060                    | 1,409  | 78   | 1,487            |
| Austria                | 9,135                    | 8,454  | 396  | 8,850            |
| Azerbaijan             | 4,645                    | 2,775  | 216  | 2,99             |
| Belgium                | 5,078                    | 4,429  | 260  | 4,689            |
| Bosnia and Herzegovina | 8,012                    | 6,615  | 128  | 6,740            |
| Bulgaria               | 15,178                   | 13,788   | 716  | 14,504           |
| Croatia                | 14,075                   | 13,115   | 383  | 13,498           |
| Cyprus                 | 1,113                    | 973  | 95   | 1,068            |
| Czech Republic         | 12,277                   | 11,899   | 258  | 12,157           |
| Denmark                | 1,769                    | 1,689  | 50   | 1,739            |
| Estonia                | 3,157                    | 3,037  | 59   | 3,096            |
| Finland                | 5,193                    | 4,959  | 187  | 5,146            |
| France                 | 31,533                   | 29,639   | 1,087  | 30,720           |
| Georgia                | 5,920                    | 3,779  | 68   | 3,847            |
| Germany                | 29,187                   | 28,642   | 338  | 28,980           |
| Greece                 | 8,138                    | 6,254  | 1,196  | 7,450            |
| Hungary                | 19,426                   | 9,930  | 566  | 10,496           |
| Iceland                | 242                      | 195  | 16   | 211              |
| Ireland                | 973                      | 927  | 31   | 958              |
| Italy                  | 43,850                   | 32,559   | 3,217  | 35,776           |
| Latvia                 | 4,053                    | 3,764  | 125  | 3,889            |
| Liechtenstein          | 145                      | 136  | 9  | 148              |
| Lithuania              | 5,563                    | 5,133  | 154  | 5,287            |
| Luxembourg             | 630                      | 563  | 44   | 607              |
| Malta                  | 346                      | 223  | 82   | 305              |
| Republic of Moldova    | 12,621                   | 10,954   | 420  | 11,374           |
| Monaco                 | 89                       | 80   | 4  | 84               |
| Montenegro             | 2,112                    | 1,961  | 41   | 2,002            |
| Netherlands            | 9,955                    | 9,452  | 181  | 9,633            |
| Norway                 | 1,664                    | 1,551  | 50   | 1,60             |
| Poland                 | 65,255                   | 62,368   | 1,139  | 63,507           |
| Portugal               | 3,632                    | 2,819  | 498  | 3,317            |
| Romania                | 69,494                   | 60,281   | 1,918  | 62,199           |
| Russian Federation     | 140,731                  | 129,694  | 3,393  | 133,087          |
| San Marino             | 87                       | 57   | 16   | 73               |
| Serbia                 | 25,937                   | 24,177   | 611  | 24,788           |
| Slovak Republic        | 7,712                    | 7,182  | 362  | 7,544            |
| Slovenia               | 8,871                    | 6,945  | 353  | 7,298            |
| Spain                  | 11,204                   | 10,869   | 218  | 11,087           |
| Sweden                 | 9,841                    | 9,612  | 150  | 9,762            |
| Switzerland            | 6,826                    | 6,470  | 175  | 6,64             |
| The former Yugoslav    | 4,938                    | 4,557  | 139  | 4,696            |
| Republic of Macedonia' |                          |  |  |                  |
| Turkey                 | 70,439                   | 53,744   | 4,281  | 58,02            |
| <u>Ukraine</u>         | 85,228                   | 62,170   | 4,931  | 67,101           |
| United Kingdom         | 23,781                   | 21,599   | 1,834  | 23,433           |
| TOTAL                  | 794,350                  | 682,059  | 30,600   | 712,659          |

<sup>\*</sup> This table includes cases dealt with by the European Commission of Human Rights prior to 1959.

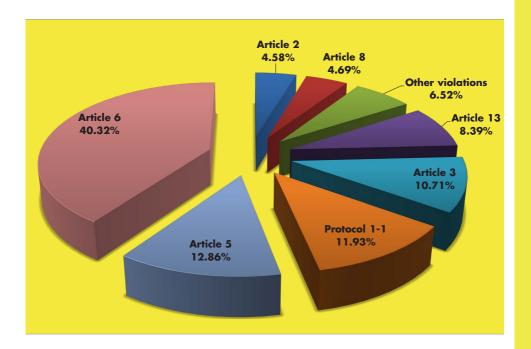
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# **Subject-matter of the Court's violation judgments** (1959-2016)

More than 40% of the violations found by the Court have concerned Article 6 of the Convention, whether on account of the fairness (17.35%) or the length (21.34%) of the proceedings.

The second most frequently found violation has concerned the right to liberty and security (Article 5).

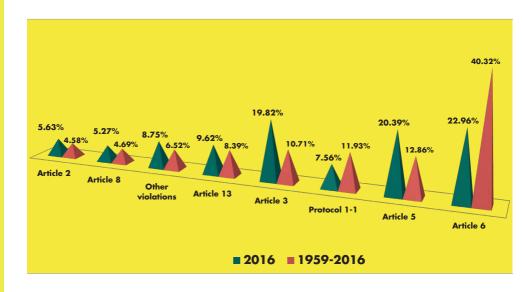
Lastly, in more than 15% of cases, the Court has found a serious violation of the Convention, concerning the right to life or the prohibition of torture and inhuman or degrading treatment (Articles 2 and 3).



# Subject-matter of the Court's violation judgments (Comparative Graph 1959-2016 & 2016)

The violation most frequently found by the Court concerns Article 6 (right to a fair hearing), particularly with regard to the excessive length of the proceedings. In 2016 nearly a quarter of all violations found by the Court related to this provision.

For a number of years, however, other violations of the Convention have been found increasingly frequently. In 2016 this was particularly the case with regard to the prohibition of torture and inhuman or degrading treatment (Article 3) and the right to liberty and security (Article 5).



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|                           | Total       | Total                | Total             | Total                 | Total                         | 2             | 2                     | 3                       | 3                             | 3                    | 3                  | 4                     | 5                  | 6         | 6               | 6                          | 7                  | 8                   | 9                | 10                            | 11                       | 12                 | 13              | 14           | P1-1               | P1-2              | P1-3                 | P7-4              |     |
| Albania                   | 70          | 57                   | 4                 | 2                     | 7                             |               |                       | 1                       | 2                             | 1                    |                    |                       | 3                  | 28        | 7               | 24                         | 1                  | 1                   |                  |                               |                          |                    | 27              |              | 29                 |                   |                      |                   | 2   |
| Andorra                   | 8           | 4                    | 2                 | - 1                   | 1                             |               |                       |                         |                               |                      |                    |                       |                    | 2         |                 |                            | -1                 |                     |                  |                               |                          |                    | - 1             | -1           |                    |                   |                      |                   |     |
| Armenia                   | 75          | 68                   | 5                 |                       | 2                             | 1             | 1                     | 1                       | 9                             | 3                    |                    |                       | 27                 | 32        |                 | 1                          |                    | 2                   | 3                | 1                             | 8                        |                    | 3               | 1            | 16                 |                   | 1                    |                   | 9   |
| Austria                   | 362         | 256                  | 67                | 24                    | 15                            |               |                       | -                       | 4                             |                      | -1                 |                       | -11                | 92        | 100             |                            |                    | 17                  | -1               | 35                            | -1                       |                    | 15              | 26           | 4                  |                   | -1                   | 4                 |     |
| Azerbaijan                | 122         | 118                  |                   | 2                     | 2                             |               | 3                     | 1                       | 15                            | 14                   |                    |                       | 34                 | 44        | 7               | 15                         |                    | 2                   |                  | 4                             | 14                       |                    | 7               |              | 30                 |                   | 21                   |                   | 13  |
| Belgium                   | 229         | 164                  | 31                | 18                    | 16                            | 2             |                       | -                       | 19                            | 2                    | 3                  |                       | 49                 | 60        | 57              |                            |                    | -11                 |                  | 4                             |                          |                    | 14              | 9            | 1                  |                   |                      |                   | 2   |
| Bosnia Herzegovina        | 45          | 39                   | 6                 |                       |                               |               |                       | 1                       | 1                             |                      |                    |                       | 7                  | 10        | 1               | 15                         | 1                  | 1                   |                  |                               |                          |                    | 1               | 4            | 27                 |                   |                      |                   | 7   |
| Bulgaria                  | 614         | 557                  | 35                | 5                     | 17                            | 15            | 29                    | 4                       | 71                            | 39                   | -1                 |                       | 265                | 86        | 179             | 10                         |                    | 67                  | 7                | 15                            | 11                       |                    | 170             | 8            | 95                 | -1                | 5                    | 1                 | 22  |
| Croatia                   | 349         | 282                  | 37                | 26                    | 4                             | 2             | 8                     |                         | 14                            | 10                   |                    |                       | 24                 | 92        | 96              | 3                          | 1                  | 36                  |                  | 2                             | 1                        | 1                  | 33              | 6            | 31                 |                   |                      | 2                 |     |
| Cyprus                    | 72          | 59                   | 6                 | 3                     | 4                             |               | 1                     |                         | 4                             | 2                    |                    | -1                    | 14                 | 9         | 35              |                            | 1                  | 7                   |                  | 1                             |                          |                    | 12              | 3            | 4                  |                   | -1                   |                   | -1  |
| Czech Republic            | 223         | 185                  | 19                | 13                    | 6                             | 1             | 1                     |                         | 2                             | 2                    |                    |                       | 32                 | 67        | 79              |                            |                    | 19                  |                  | 1                             | 1                        |                    | 16              | 2            | 12                 |                   |                      |                   |     |
| Denmark                   | 46          | 15                   | 19                | 11                    | 1                             |               |                       |                         |                               |                      |                    |                       | - 1                | 1         | 8               |                            |                    | 2                   |                  | 1                             | 1                        |                    | 2               | 1            | 1                  |                   |                      |                   |     |
| Estonia                   | 52          | 40                   | 11                | 1                     |                               |               |                       |                         | 6                             | 2                    |                    |                       | 10                 | 14        | 7               |                            | 4                  | 2                   |                  | 1                             |                          |                    | 7               |              | 1                  |                   |                      |                   |     |
| Finland                   | 186         | 139                  | 34                | 9                     | 4                             |               |                       |                         | 1                             |                      |                    |                       | 2                  | 37        | 61              |                            |                    | 24                  |                  | 20                            |                          |                    | 10              |              | 2                  |                   |                      | 6                 |     |
| France                    | 985         | 722                  | 162               | 64                    | 37                            | 7             | 3                     | 2                       | 32                            |                      | 13                 | 2                     | 70                 | 272       | 282             | 2                          | 3                  | 44                  | 4                | 36                            | 6                        |                    | 35              | 9            | 30                 |                   |                      |                   | 4   |
| Georgia                   | 68          | 52                   | 12                | 1                     | 3                             | 1             | 3                     |                         | 17                            | 9                    |                    |                       | 20                 | 12        | 5               | 1                          |                    | 5                   | 2                | 1                             | 1                        |                    | 4               | 6            | 6                  |                   | 1                    |                   | 5   |
| Germany                   | 305         | 186                  | 94                | 12                    | 13                            |               |                       |                         | 4                             |                      |                    |                       | 29                 | 24        | 102             | 1                          | 9                  | 22                  |                  | 9                             | 2                        |                    | 24              | 12           | 3                  |                   |                      |                   |     |
| Greece                    | 926         | 828                  | 33                | 20                    | 45                            | 4             | 3                     | 1                       | 96                            | 7                    | 1                  | 2                     | 72                 | 131       | 511             | 12                         |                    | 11                  | 13               | 11                            | 7                        |                    | 235             | 14           | 73                 | -1                | 3                    | 2                 | 1   |
| Hungary                   | 448         | 428                  | 10                | 6                     | 4                             | 2             | 1                     |                         | 25                            | 4                    | L                  |                       | 37                 | 18        | 290             |                            | 1                  | 16                  |                  | 24                            | 7                        |                    | 28              | 5            | 26                 | L                 | 3                    |                   | 4   |
| Iceland                   | 16          | 13                   |                   | 3                     |                               |               |                       |                         |                               |                      |                    |                       | - 1                | 4         |                 |                            |                    |                     |                  | 5                             | 2                        |                    |                 |              | 1                  |                   |                      |                   |     |
| Ireland                   | 32          | 21                   | 6                 | 1                     | 4                             |               |                       |                         | 1                             |                      |                    |                       | 2                  | 5         | 11              |                            |                    | 5                   |                  | 1                             |                          |                    | 7               | 1            |                    |                   |                      |                   |     |
| Italy                     | 2,351       | 1,791                | 66                | 355                   | 139                           | 2             | 6                     | 5                       | 29                            | 7                    |                    |                       | 42                 | 276       | 1,190           | 14                         | 4                  | 156                 |                  | 8                             | 3                        |                    | 93              | 6            | 359                | 1                 | 17                   | 1                 | 29  |
| Latvia                    | 123         | 98                   | 20                | 3                     | 2                             | 1             | 2                     |                         | 17                            | 12                   |                    |                       | 59                 | 17        | 12              |                            | 1                  | 27                  | 3                | 4                             | 1                        |                    | 4               | 1            | 1                  | <u> </u>          | 3                    |                   | 9   |
| Liechtenstein             | 9           | 8                    | 1                 |                       |                               |               |                       |                         |                               |                      |                    |                       | 1                  | 3         | 4               |                            |                    |                     |                  | 1                             |                          |                    | 2               |              |                    |                   |                      |                   |     |

Other judgments: just satisfaction, revision, preliminary objections and lack of jurisdiction.
Figures in this column may include conditional violations.
Figures in this column are available only from 2013.

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|  | Total              | Total               | Total                | Total            | Total                   | 2                        | 2                  | 3                      | 3                        | 3               | 3                | 4                     | 5                    | 6                  | 6               | 6                   | 7              | 8                    | 9                   | 10                            | 11      | 12                | 13               | 14             | P1-1        | P1-2              | P1-3                  | P7-4          |       |
| Lithuania  | 140                | 103                 | 24                   | 11               | 2                       | 3                        | 4                  |                        | 9                        | 4               |                  |                       | 20                   | 25                 | 27              | 2                   | 1              | 16                   |                     |                               | 1       |                   | 3                | 5              | 18          |                   | 1                     |               |       |
| Luxembourg   | 44                 | 33                  | 8                    | 3                |                         |                          | 1                  |                        |                          |                 |                  |                       |                      | 14                 | 17              |                     |                | 4                    |                     | 3                             | -1      |                   | 3                | -1             | 1           |                   |                       |               |       |
| Malta  | 74                 | 53                  | 11                   |                  | 10                      | 1                        |                    |                        | 3                        |                 |                  |                       | 25                   | -11                | 9               | 1                   | 1              | 4                    |                     | 3                             |         |                   | 1                | 3              | 16          |                   |                       |               |       |
| Republic of Moldova  | 339                | 307                 | 6                    | 3                | 23                      | 2                        | 9                  | 9                      | 80                       | 43              |                  |                       | 74                   | 124                | - 11            | 21                  |                | 23                   | 4                   | 17                            | 14      |                   | 49               | 4              | 106         |                   | 2                     |               | 9     |
| Monaco   | 2                  | 2                   |                      |                  |                         |                          |                    |                        |                          |                 |                  |                       | 1                    | 2                  |                 |                     |                |                      |                     |                               |         |                   |                  |                |             |                   |                       |               |       |
| Montenegro   | 24                 | 22                  | 1                    |                  | 1                       |                          |                    |                        | 3                        | 2               |                  |                       | 2                    | 5                  | 5               | 4                   |                | 1                    |                     | 2                             |         |                   | 2                |                | 4           |                   |                       |               |       |
| Netherlands  | 157                | 88                  | 41                   | 16               | 12                      |                          | 4                  | 1                      | 9                        |                 |                  |                       | 30                   | 26                 | 8               |                     |                | 17                   |                     | 7                             |         |                   | 2                | 3              | 1           |                   |                       |               |       |
| Norway   | 42                 | 28                  | 14                   |                  |                         |                          |                    |                        |                          |                 |                  |                       | - 1                  | 12                 | 2               |                     |                | 7                    |                     | 5                             |         |                   |                  |                | 1           | -1                |                       |               |       |
| Poland   | 1,125              | 944                 | 123                  | 42               | 16                      | 6                        | 6                  | 2                      | 45                       | 9               |                  |                       | 300                  | 106                | 435             | 4                   |                | 110                  | 1                   | 28                            | 1       | 2                 | 25               | 4              | 53          |                   |                       |               | 7     |
| Portugal   | 328                | 249                 | 15                   | 56               | 8                       | -1                       | 1                  |                        |                          |                 |                  |                       | 3                    | 35                 | 139             | 5                   |                | 14                   |                     | 23                            |         |                   | 40               | -1             | 47          |                   |                       |               |       |
| Romania  | 1,283              | 1,147               | 45                   | 29               | 62                      | 10                       | 38                 | 2                      | 206                      | 75              |                  |                       | 114                  | 426                | 129             | 46                  | 3              | 82                   | 1                   | 25                            | 6       |                   | 22               | 32             | 466         |                   | 5                     | 1             | 15    |
| Russian Federation   | 1,948              | 1,834               | 85                   | 13               | 16                      | 270                      | 298                | 50                     | 612                      | 165             | 24               | - 1                   | 816                  | 715                | 193             | 85                  | -1             | 149                  | 9                   | 31                            | 20      |                   | 440              | -11            | 548         | 2                 | 4                     | 3             | 118   |
| San Marino   | 14                 | 10                  | 1                    | 2                | 1                       |                          |                    |                        |                          |                 |                  |                       | 1                    | 7                  | 2               |                     |                | 1                    | 1                   |                               |         |                   |                  |                | 1           |                   |                       |               |       |
| Serbia   | 153                | 136                 | 11                   |                  | 6                       |                          | 3                  |                        | 3                        | 4               |                  |                       | 7                    | 28                 | 28              | 50                  |                | 13                   |                     | 6                             |         |                   | 18               | 2              | 59          |                   | 1                     | 1             |       |
| Slovak Republic  | 346                | 309                 | 10                   | 22               | 5                       | 2                        | 2                  | 1                      | 4                        | 3               |                  |                       | 52                   | 38                 | 202             | 2                   |                | 19                   |                     | 9                             |         |                   | 35               | 2              | 13          |                   |                       |               | 1     |
| Slovenia   | 341                | 319                 | 17                   | 4                | 1                       |                          | 2                  |                        | 21                       | 6               |                  |                       | 6                    | 17                 | 262             | 3                   |                | 10                   |                     | 1                             |         |                   | 265              | -1             | 2           |                   |                       |               |       |
| Spain  | 151                | 98                  | 46                   | 3                | 4                       |                          |                    |                        | 2                        | 9               |                  |                       | 5                    | 46                 | 16              | 1                   | 4              | 10                   |                     | 6                             |         |                   | 1                | 4              | 2           |                   |                       |               | 2     |
| Sweden   | 149                | 60                  | 56                   | 28               | 5                       | 1                        |                    | 1                      | 4                        |                 | 4                |                       | 2                    | 28                 | 12              | 1                   |                | 9                    |                     | 2                             | 1       |                   | 3                | 1              | 6           |                   |                       | 1             |       |
| Switzerland  | 172                | 102                 | 62                   | 5                | 3                       |                          | 1                  |                        | 1                        | 1               | 2                |                       | 17                   | 32                 | 7               |                     |                | 24                   | 1                   | 16                            | 1       | 1                 | 2                | 5              |             |                   |                       |               |       |
| 'The former Yugoslav Republic<br>of Macedonia'   | 133                | 118                 | 10                   | 3                | 2                       | 2                        | 2                  | 3                      | 5                        | 10              |                  |                       | 14                   | 38                 | 62              | 5                   |                | 4                    |                     |                               | 1       |                   | 10               |                | 8           |                   |                       |               |       |
| Turkey   | 3,270              | 2,889               | 73                   | 204              | 104                     | 133                      | 204                | 31                     | 314                      | 208             |                  |                       | 707                  | 832                | 586             | 61                  | 4              | 100                  | 11                  | 265                           | 75      |                   | 268              | 15             | 653         | 5                 | 10                    |               | 32    |
| Ukraine  | 1,126              | 1,106               | 14                   | 2                | 4                       | -11                      | 52                 | 15                     | 157                      | 80              |                  |                       | 262                  | 509                | 316             | 32                  | -1             | 58                   | 3                   | 11                            | 5       | 1                 | 207              | 2              | 338         |                   | 2                     | - 1           | 34    |
| United Kingdom   | 540                | 312                 | 138                  | 68               | 22                      | 2                        | 20                 | 2                      | 17                       |                 | 1                | 1                     | 68                   | 93                 | 29              |                     | 1              | 68                   | 1                   | 11                            | 4       | 4                 | 34               | 44             | 3           | 2                 | 7                     |               | 2     |
| Sub-total  |                    | 16,399              | 1,491                | 1,094            | 633                     | 482                      |                    | 135                    | 1,864                    | 733             | 50               | 7                     | 3,339                | 4,505              | 5,541           | 421                 | 43             | 1,220                | 65                  | 656                           | 196     | 9                 | 2,180            | 255            | 3,098       | 13                | 88                    | 23            | 328   |
| Total  |                    |                     | 19,5                 |                  |                         |                          |                    |                        |                          |                 |                  |                       |                      |                    |                 |                     |                |                      |                     |                               |         |                   |                  |                |             |                   |                       |               |       |

Other judgments: just satisfaction, revision, preliminary objections and lack of jurisdiction.
Figures in this column may include conditional violations.
Figures in this column are available only from 2013.
Some judgments are against several States.

### **History of the Court's reforms**

Since the Court was set up in 1959, the member States of the Council of Europe have adopted a number of protocols to the European Convention on Human Rights with the aim of improving and strengthening its supervisory mechanism. In 1998 Protocol No. 11 thus replaced the original two-tier structure, comprising the Commission and the Court on Human Rights, sitting a few days per month, by a single full-time Court. This change put an end to the Commission's filtering function, enabling applicants to bring their cases directly before the Court.

A second major reform to address the considerable increase in the number of applications and the Court's backlog was brought about by the entry into force of Protocol No. 14 in 2010. This Protocol introduced new judicial formations for the simplest cases and established a new admissibility criterion (existence of a "significant disadvantage" for the applicant); it also extended the judges' term of office to 9 years (not renewable).

Since 2010, three high-level conferences on the future of the Court have been convened to identify methods of guaranteeing the long-term effectiveness of the Convention system. These conferences have, in particular, led to the adoption of Protocols Nos. 15 and 16 to the Convention, which were not yet in force in 2015.

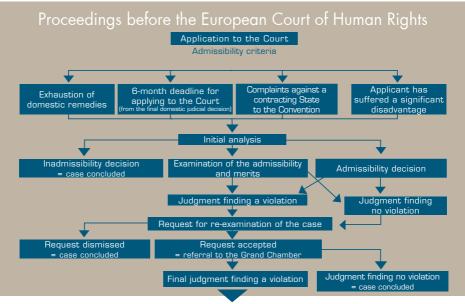
**Protocol No. 15**, adopted in 2013, will insert references to the principle of subsidiarity and the doctrine of the margin of appreciation into the Convention's preamble; it will also reduce from 6 to 4 months the time within which an application must be lodged with the Court after a final national decision.

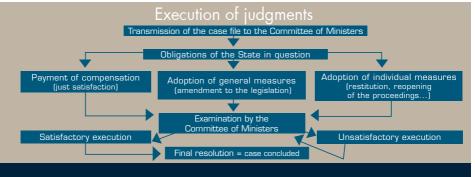
2013 also saw the adoption of **Protocol No. 16**, which will allow the highest domestic courts and tribunals to request the Court to give advisory opinions on questions of principle relating to the interpretation or application of the rights and freedoms defined in the Convention or the protocols thereto. Protocol No. 16 is optional.

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# The life of an application







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#### Simplified flow chart of case-processing by the Court

