



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

What are interim measures?

The Court may, under Rule 39 of its Rules of Court, indicate **interim measures** to any [State party to the Convention](#). Interim measures are urgent measures which, in accordance with the established practice of the Court, apply only where there is an imminent risk of irreparable damage (see [Mamatkulov and Askarov v. Turkey](#) [GC], nos. 46827/99 and 46951/99, § 104, 4 February 2005 and [Paladi v. Moldova](#) [GC], no. 39806/05, §§ 86-90, 10 March 2009)

Interim measures are applied only in **limited situations**: the most typical cases are ones in which there are fears of

- a threat to life (situation falling under Article 2 of the Convention) or
- ill-treatment prohibited by Article 3 of the Convention (prohibition of torture and inhuman or degrading treatment).

In highly exceptional cases they can also be applied in respect of certain requests relating to the right to respect for private and family life (Article 8 of the Convention).

The vast majority of interim measures indicated concern deportation and extradition cases. In these cases, the Court can request the State concerned to suspend a deportation order against the applicant.

In accordance with the Court's practice, requests that clearly fall outside the scope of Rule 39 are not submitted to the President of the Chamber for a decision and are immediately rejected.

Manner and time-period in which requests are dealt with:

Every request is examined individually. The procedure is a written one.

Every request for interim measures is dealt with as a **matter of priority**, unless the request is manifestly intended as a delaying tactic.

Applicants are informed of the decisions of the Court regarding requests for interim measures by letter (sent by fax and by post).

Absence of appeal:

No appeal lies against decisions refusing application of Rule 39.

Duration and lifting of orders under Rule 39:

Interim measures may be indicated for the duration of the proceedings before the Court or for a more limited period of time.

An order under Rule 39 may be lifted at any time by a decision of the Court.

In particular, as an order under Rule 39 is linked to the proceedings before the Court the measure may be lifted if the application is not maintained.

Deportation of a person to a member State:

Where a person whose request for an interim measure has been refused is deported to another member State, he or she can, if necessary, introduce a fresh request against that State under Rule 39 of the Rules of Court or an application under Article 34 of the Convention.