



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

131st session of the Committee of Ministers

Speech by Robert Spano President of the European Court of Human Rights

Hamburg, 21 May 2021

Mesdames et Messieurs les Ministres,
Madame la Secrétaire Générale,
Monsieur le Président de l'Assemblée parlementaire,
Monsieur le Président du Congrès,
Madame la Commissaire aux droits de l'homme,
Excellences,

Permettez-moi tout d'abord, Monsieur le Président Heiko Maas, de vous féliciter pour votre présidence qui s'achève aujourd'hui. On ne peut qu'être impressionné par la qualité des événements que vous avez organisés. La Cour se réjouit d'y avoir été étroitement associée.

Pour ne citer que deux exemples, je mentionnerai la Conférence sur les requêtes interétatiques qui s'est tenue le 12 avril. Je me félicite d'ailleurs des travaux intergouvernementaux en cours sur le traitement et la résolution efficaces d'affaires concernant des conflits interétatiques.

Je mentionnerai également la Conférence organisée, le 15 avril, sur l'État de droit, un événement très important et éclairant sur cette question cruciale pour l'Europe.

Je souhaite également vous remercier, Monsieur le Président, pour le soutien que vous avez bien voulu nous apporter pour l'organisation du second Forum international des droits de l'homme, qui a rassemblé les trois cours régionales des droits de l'homme. Nous sommes très attachés à ce dialogue avec nos collègues américains et africains. Grâce à vous, cette rencontre a pu avoir lieu.

Ministers, ladies and gentlemen,

One of the themes chosen for this Ministerial session concerns the challenges posed by digital development and artificial intelligence for the protection of human rights, the rule of law and

democracy. I am fully convinced of the relevance of the Council of Europe's standard-setting action in this field, as I am certain of the growing importance of these issues in the Court's case-law.

I also welcome the fact that your Committee has emphasised the fundamental importance of the execution of our judgments. It is a key element of the effectiveness and sustained legitimacy of the system.

I would add that the proper implementation of decisions taken under Rule 39 of our Rules of Court is also crucial.

We are at a key moment in the history of the Convention system. The Interlaken reform process is now behind us. It focused mainly on the number of cases dealt with by the Court, which has been considerably reduced.

If we want the Court to continue to be a Court that matters, a paradigm shift is necessary. This is what we have just done by introducing a new case-processing strategy. The Court will moving forward immediately identify and process expeditiously cases that raise the most important issues, the so-called impact cases, as well as simplifying the processing of other cases. This is a transformative shift in the Court's work which will make the institution more streamlined, more effective and thus increase its capability to resolve important human rights issues as quickly as possible.

From now on, the Court's success will therefore no longer be measured exclusively by the total number of cases dealt with in a given period, but rather by the way in which it handles the most important cases. Cases that are important for the applicants, for the individual Member States and also for the wider European legal area. We had an example of this a few weeks ago with the judgment on compulsory vaccination, which had an impact in Europe and reverberated all across the World.

These are, for example, cases that raise an issue implicating the rule of law or the independence of the judiciary; cases that highlight a new issue related to the pandemic; cases that concern the environment, the rise of hate speech or other principles of democratic governance.

The time for this new strategy is now, why?

Because Europe is going through a period of transformation. Probably the most important since the Second World War;

Because we see a level of polarisation and division in our Member States that may require a response from the Court;

Because the importance of the rule of law has never been greater;

To carry out this new strategy, I know that the Court can count on your support. It is indispensable.

I thank you all.