



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

Introduction to the Superior Courts Network (“SCN”)

Source and Impetus

The European Court has always placed considerable value on close dialogue with the superior national courts. Successive Presidents have, over the years, fostered this through visits with numerous superior courts of the Contracting States.

In his [address](#) at the Solemn Hearing during the opening of the Court’s Judicial Year in January 2015, President Spielmann underlined the importance he attached to Protocol No. 16, the protocol of dialogue with the highest courts of the Contracting States. Even before its entry into force, reinforcing this dialogue was one of his priorities which explained why the President wished to set up “an information exchange network” which would “enable superior courts to have a point of contact within the Court” through which case-law information could be provided to them, under the supervision of the Jurisconsult. This would be a mutual exchange of respective research resources between courts.

Over the years, the Member States have also expressed their belief that the application of the Convention would be assisted by a more structured and effective dialogue between this Court and the superior courts. This can be seen, notably, in the Declarations following the intergovernmental conferences on Court reform.

Following the Brighton conference in 2012, the [Declaration](#) welcomed and encouraged “*open dialogue between the Court and States Parties as a means of developing an enhanced understanding of their respective roles in carrying out their shared responsibility for applying the Convention, including particularly dialogues between the Court and the highest courts of the States Parties*”.

The [Declaration](#) of March 2015, following the Brussels Conference, welcomed “*the Court’s dialogue with the highest national courts and the setting-up of a network facilitating information exchange on its judgments and decisions with national courts*” and invited the Court to deepen this dialogue further.

The launch of the SCN

The SCN was officially [launched on 5 October 2015](#) in Strasbourg. While the overall aim of the SCN is to enrich dialogue and the implementation of the Convention, the operational objective is to create a practical and useful means of exchanging relevant information on Convention case-law and related matters.

It was considered prudent to proceed initially on a test basis, so as to better identify expectations, needs and challenges. It was also considered wise to complete the test phase with a limited number of courts and, notably, the Host State superior courts.

Accordingly, a memorandum of understanding was signed on 5 October with the *Cour de Cassation* and the *Conseil d'État*. The SCN was thereby launched.

During the subsequent test period we explored the information that could be usefully exchanged, how to manage those exchanges and how to develop the SCN in accordance with respective rules on confidentiality, principles of independence etc.

The test experience was an extremely positive one.

Prior to the opening of the Judicial Year on 29 January 2016, the representatives of the European and the French courts met in Strasbourg to take stock and draw conclusions from the test phase. The broad lines of the SCN took shape.

Online exchanges: the SCN Intranet is developed and launched (June 2016)

The IT team of the European Court began therefore to develop a tool that could facilitate exchanges within the network and, notably, a dedicated website with access restricted to the Strasbourg and superior court members (“the SCN Intranet”).

Once the SCN Intranet was ready, in June 2016 the President of the European Court, President Raimondi, invited those courts who had already expressed an interest in joining the SCN to take the first steps in that regard.

Later developments can be found in the News section of the [SCN Internet page](#).