Institution of proceedings[1]

(Individual applications under Article 34 of the Convention)

I. General

1. An application under Article 34 of the Convention must be submitted in writing. No application may be made by telephone. Except as provided otherwise by Rule 47 of the Rules of Court, only a completed application form will interrupt the running of the four-month time-limit set out in Article 35 § 1 of the Convention. An application form is available online from the Court's website[2]. Applicants are strongly encouraged to download and print the application form instead of contacting the Court for a paper copy to be sent by post. By doing this, applicants will save time and will be in a better position to ensure that their completed application form is submitted within the four-month time-limit. Help with the completion of the various fields is available online.

2. An application must be sent to the following address:

The Registrar
European Court of Human Rights
Council of Europe
67075 Strasbourg Cedex
FRANCE

3. Applications sent by fax will not interrupt the running of the four-month time-limit set out in Article 35 § 1 of the Convention. Applicants must also dispatch the signed original by post within the same four-month time-limit.

4. An applicant should be diligent in corresponding with the Court's Registry. A delay in replying or failure to reply may be regarded as a sign that the applicant is no longer interested in pursuing his or her application.

II. Form and contents

5. The submissions in the application form concerning the facts, complaints and compliance with the requirements of exhaustion of domestic remedies and the time-limit set out in Article 35 § 1 of the Convention must respect the conditions set out in Rule 47 of the Rules of Court. Any additional submissions, presented as a separate document, must not exceed 20 pages (see Rule 47 § 2 (b)) and should:

a) be in an A4 page format with a margin of not less than 3.5 cm wide;

b) be wholly legible and, if typed, the text should be at least 12 pt in the body of the document and 10 pt in the footnotes, with one and a half line spacing;

c) have all numbers expressed as figures;

d) have pages numbered consecutively;

e) be divided into numbered paragraphs;

1. Practice direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 1 November 2003 and amended on 22 September 2008, 24 June 2009, 6 November 2013, 5 October 2015, 27 November 2019, 25 January 2021 and 1 February 2022. This practice direction supplements Rules 45 and 47.
2. www.echr.coe.int.

f) be divided into headings corresponding to "Facts", "Complaints or statements of violations" and "Information about the exhaustion of domestic remedies and compliance with the time-limit set out in Article 35 § 1".

6. All applicable fields in the application form must be filled in by use of words. Avoid using symbols, signs or abbreviations. Explain in words, even if the answer is negative or the question does not appear relevant.

7. The applicant must set out the facts of the case, his or her complaints and the explanations as to compliance with the admissibility criteria in the space provided in the application form. The information should be enough to enable the Court to determine the nature and scope of the application and, as such, the completed application form alone should suffice. It is not acceptable merely to annex a statement of facts, complaints and compliance to the application form, with or without the mention “see attached”. Filling in this information on the application form is to assist the Court in speedily assessing and allocating incoming cases. Additional explanations may be appended, if necessary, in a separate document up to a maximum of 20 pages: these only develop and cannot replace the statement of facts, complaints and compliance with the admissibility criteria that must be on the application form itself. An application form will not be regarded as compliant with Rule 47 if this information is not found on the form itself.

8. A legal person (which includes a company, non-governmental organisation or association) that applies to the Court must do so through a representative of that legal person who is identified in the relevant section of the application form and who provides contact details and explains his or her capacity or relationship with the legal person. Proof must be supplied with the application form that the representative has authority to act on behalf of the legal person, for example an extract from the Chamber of Commerce register or minutes of the governing body. The representative of the legal person is distinct from the lawyer authorised to act before the Court as legal representative. It may be that a legal person’s representative is also a lawyer or legal officer and has the capacity to act additionally as legal representative. Both parts of the application form concerning representation must still be filled in, and requisite documentary proof provided of authority to represent the legal person must be attached.

9. An applicant does not have to have legal representation at the introductory stage of proceedings. If he or she does instruct a lawyer, the authority section on the application form must be filled in. Both the applicant and the representative must sign the authority section. A separate power of attorney is not acceptable at this stage as the Court requires all essential information to be contained in its application form. If it is claimed that it is not possible to obtain the applicant’s signature on the authority section in the application form due to insurmountable practical difficulties, this should be explained to the Court with any substantiating elements. The requirement of completing the application form speedily within the four-month time-limit will not be accepted as an adequate explanation.

10. An application form must be accompanied by the relevant documents

(a) relating to the decisions or measures complained of;

(b) showing that the applicant has complied with the exhaustion of available domestic remedies and the time-limit contained in Article 35 § 1 of the Convention;

(c) showing, where applicable, information regarding other international proceedings.

If the applicant is unable to provide a copy of any of these documents, he or she must provide an adequate explanation: merely stating that he or she encountered difficulties (in obtaining the documents) will not suffice if it can be reasonably expected for the explanation to be supported by documentary evidence, such as proof of indigence, a refusal of an authority to furnish a decision or

otherwise demonstrating the applicant's inability to access the document. If the explanation is not forthcoming or adequate, the application will not be allocated to a judicial formation.

Where documents are provided by electronic means, they must be in the format required by this practice direction; they must also be arranged and numbered in accordance with the list of documents on the application form.

11. An applicant who has already had a previous application or applications decided by the Court or who has an application or applications pending before the Court must inform the Registry accordingly, stating the application number or numbers.

12. (a) Where an applicant does not wish to have his or her identity disclosed, he or she should state the reasons for his or her request in writing, pursuant to Rule 47 § 4.

(b) The applicant should also state whether, in the event of anonymity being authorised by the President of the Chamber, he or she wishes to be designated by his or her initials or by a single letter (e.g. "X", "Y" or "Z").

13. The applicant or the designated representative must sign the application form. If represented, both the applicant and the representative must sign the authority section of the application form. Neither the application form nor the authority section can be signed *per procurationem* (p.p.).

III. Grouped applications and multiple applicants

14. Where an applicant or representative lodges complaints on behalf of two or more applicants whose applications are based on different facts, a separate application form should be filled in for each individual giving all the information required. The documents relevant to each applicant should also be annexed to that individual's application form.

15. Where there are more than ten applicants, the representative should provide – in addition to the application forms and documents – a table setting out for each applicant the required personal information; this table may be downloaded from the Court's website[1]. Where the representative is a lawyer, the table should also be provided in electronic form.

16. In cases of large groups of applicants or applications, applicants or their representatives may be directed by the Court to provide the text of their submissions or documents by electronic or other means. Other directions may be given by the Court as to steps required to facilitate the effective and speedy processing of applications.

IV. Failure to comply with requests for information or directions

17. Failure, within the specified time-limit, to provide further information or documents at the Court's request or to comply with the Court's directions as to the form or manner of the lodging of an application – including grouped applications or applications by multiple applicants – may result, depending on the stage reached in the proceedings, in the complaint(s) not being examined by the Court or the application(s) being declared inadmissible or struck out of the Court's list of cases.

1. www.echr.coe.int.