



General presentation of interim measures

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 other rights enshrined in the Convention.

The majority of interim measures indicated relate to expulsion or extradition proceedings or to applicants' state of health in places of detention.

In accordance with the Court's practice, requests that clearly fall outside the scope of Rule 39, premature requests and incomplete/unsubstantiated requests are not normally submitted to a judge for a decision and are rejected.

Manner and time-period in which requests for interim measures are dealt with

Requests for interim measures are examined on an individual basis in a written procedure. They are 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 via the ECHR Rule 39 Site, by fax or by post. No appeal lies against decisions refusing application of Rule 39.

Duration and lifting of interim measures indicated under Rule 39

Interim measures may be indicated for the duration of the proceedings before the Court or for a 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.

Removal of a person to a member State

Where a person whose request for an interim measure has been refused is removed 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.