

# Practice Directions

## Requests under Article 43 of the Convention<sup>1</sup>

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1. This practice direction concerns requests for the referral of a case to the Grand Chamber in accordance with Article 43 of the Convention and Rule 73 of the Rules of Court.

2. The directions on the filing of pleadings set out in paragraphs 2, 3, 4, 7, 8 and 9 of the Practice Direction on Written Pleadings apply to Article 43 requests.

### ***Time-limits***

3. The parties' attention is drawn to the fact that in order to respect the time-limit laid down in Article 43 § 1, a request must reach the Court before the end of the last day of the three-month period. This time-limit cannot be extended. Once it has elapsed, the Chamber judgment automatically becomes final (Article 44 § 2 (b) of the Convention).

### ***Contents***

4. Requests under Article 43 should be reasoned in light of the specific terms of that provision. They should indicate in what respect the case concerned can be regarded as exceptional and identify the serious question(s) affecting the interpretation or application of the Convention or the Protocols thereto, and/or the serious issue(s) of general importance raised by the case. The panel of five judges of the Grand Chamber takes its decision solely on the basis of the existing case-file, i.e. the judgment of the Chamber and the arguments made by the party (or parties) in favour of referral (Rule 73 § 2).

### ***Language***

5. An applicant who has been granted leave under Rule 34 to use the official language of a Contracting State may use that language in their request under Article 43 (see Rule 34 § 3 (d)). With respect to translation into one of the official languages of the Court, Rule 34 § 3 (b)-(c) shall apply.

### ***Form and maximum length***

6. Requests should normally:

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

(b) be typed and wholly legible, the text appearing in at least 12 pt in the body 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;

(f) if sent by post, have its text printed on one side of the page only and pages and attachments placed together in such a way as to enable them to be easily separated (they must not be glued or stapled).

7. Requests under Article 43 should not in principle exceed 10 pages.

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1. Practice Direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 3 February 2023.