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Reinforcement of the independence of the European Court of Human Rights

Reply¹ to Recommendation 2051 (2014)
Committee of Ministers

1. The Committee of Ministers has carefully considered Parliamentary Assembly [Recommendation 2051 \(2014\)](#) on “Reinforcement of the independence of the European Court of Human Rights”, which it has transmitted to the Steering Committee for Human rights (CDDH) for information and comments. The Committee recalls that the declarations adopted successively at the Interlaken, Izmir and Brighton Conferences, underlined this important issue, which has been reflected in the activities undertaken to follow up these conferences.
2. The Committee of Ministers notes that the Sixth Additional Protocol to the General Agreement on Privileges and Immunities of the Council of Europe (ETS No. 162), has been ratified by all but two member States. It encourages those two member States to ratify the Protocol.
3. With regard to issues pertaining to social security and retirement pensions of judges, the Parliamentary Assembly will be informed about consideration of these issues by the Committee of Ministers.
4. On the question of the post-retirement status of judges, the Committee of Ministers recalls its discussions following the presentation by the President of the Court of a “Comparative survey on the recognition of service as a Judge of the European Court of Human Rights” and the decisions which it adopted in March 2014, in which it, inter alia, stressed the importance of maintaining the independence of the judges and of preserving the impartiality and quality of the Court. It called upon States Parties to the European Convention on Human Rights to address appropriately the situation of judges of the Court, once their term of office has expired, by seeking to ensure, to the extent possible within the applicable national legislation, that former judges have the opportunity to maintain their career prospects at a level consistent with the office that they have exercised. The Committee also invited member States to provide any relevant information on the follow-up given to this decision and decided to resume consideration of this matter before 31 December 2015, in the light of the Court’s comparative survey and any other information that member States may have provided on the issue.
5. Finally, as regards the question of the Court’s budget, the Committee of Ministers notes that the CDDH envisages evoking this issue in its final report on the longer-term future of the Convention system and the Court, to be submitted to the Committee of Ministers by the end of 2015.

1. Adopted at the 1217th meeting of the Ministers’ Deputies (21 January 2015).

