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How to remedy potential conflicts of interest of judges at the European Court of Human Rights?

Written question No. 747 to the Committee of Ministers
by Ms Isabel MEIRELLES, Portugal, Group of the European People's Party

The report of the European Centre for Law and Justice (ECLJ) "NGOs and the Judges of the ECHR" reveals that at least 22 of the 100 permanent judges of the European Court of Human Rights between 2009 and 2019 are former officials or collaborators of seven NGOs active before that Court. The Open Society is distinguished by the number of judges linked to it (12) and by the fact that it funds the other six organisations.

Since 2009, these NGOs have visibly participated in 185 cases at the Court. In 88 of these cases, 19 judges sat in a conflict of interest situation because the NGO they worked with was directly involved in the case.

The report reveals also the absence of formal procedures of withdrawal within the Court, the parties not being informed in advance of the composition of the Court and the judges having no obligation to inform its President when their objective impartiality may be questioned.

This situation calls into question the independence of the Court and the impartiality of the judges.

Mrs Meirelles

To ask the Committee of Ministers:

What does the Committee of Ministers intend to do in order to remedy this situation?