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Restoring the integrity of the European Court of Human Rights

Written question No. 748 to the Committee of Ministers
by Mr Milan KNEŽEVIĆ, Montenegro, Members not belonging to a Political Group

The report of the European Centre for Law and Justice (ECLJ) "NGOs and the Judges of the ECtHR" revealed serious issues of conflicts of interests in 88 cases between 18 judges of the European Court of Human Rights and seven NGOs active before this Court.

The report reveals also the lack of transparency of some NGOs, as they often do not publicize their involvement in a case, or both act as legal representative of the party, and as third party in the same case before the Court.

The case of *Big Brother Watch v. The United Kingdom* is an illustration of those issues. Among the 16 applicants, 10 are funded by the Open Society Foundation, as well as six third parties, including the Open Society Justice Initiative. Six judges, out of the 17 judges who sat in the case, are former collaborators of those applicants and third parties, and should therefore have withdrawn from the case, according to the Court's own case-law on the right to an impartial tribunal.

Two months after its publication, the ECLJ report remains uncontested, including by the Court itself who therefore tacitly acknowledges its veracity.

Mr Knežević

To ask the Committee of Ministers:

What measures does the Committee of Ministers intend to take to restore the integrity of the Court?