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The systemic problem of conflicts of interests between NGOs and judges of the European Court of Human Rights

Written question No. 749 to the Committee of Ministers
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A recent report reveals that, in the past 10 years, at least 19 judges of he European Court of Human Rights have adjudicated 88 cases in gross violation of judicial ethics, because they were former collaborators of seven NGOs acting as a party or as a third party in those cases. It also reveals the frequent lack of transparency of some NGOs while acting before the Court. These problems are serious and must be answered for the sake of the Court.

The report identifies the following causes, inter alia, of these violations of judicial ethics:

– the majority of the judges have no previous experiences as magistrates,

– there is no effective procedure of withdrawal and recusal;

– the judges have no obligation to inform the President of the Court in case of doubt as to their objective independence or impartiality in a case;

– the Court does not inform the parties in advance of the composition of the chamber;

– the judges do not publish a declaration of interests.

Mr Zsigmond

To ask the Committee of Ministers:

What measures will the Committee of Ministers adopt, in the process of the reform of the Court, to end these systemic deficiencies and restore the credibility of the Court?