

Recommendation 2306 (2026)¹

Procedure for the election of judges to the European Court of Human Rights

Parliamentary Assembly

1. The Parliamentary Assembly draws the Committee of Ministers' attention to [Resolution 2648 \(2026\)](#) "Procedure for the election of judges to the European Court of Human Rights", which reiterates the importance of electing highly qualified judges to the European Court of Human Rights, through fair, efficient and transparent national selection procedures and a rigorous and thorough election process in the Assembly.
2. The Assembly takes note of the Committee of Ministers' decision of 7 February 2024, the report by the Steering Committee for Human Rights (CDDH) on issues relating to judges of the European Court of Human Rights, adopted at its meeting held from 28 November to 1 December 2023, and the CDDH report on the first effects of Protocol No. 15 (CETS No. 213) to the European Convention on Human Rights (ETS No. 5, "the Convention") adopted on 26 June 2025.
3. The Assembly recommends that the Committee of Ministers:
 - 3.1. draw up an amending protocol to the European Convention on Human Rights to exclude the automatic and indefinite extension of the mandate of sitting judges beyond their term of office by virtue of Article 23.2 of the Convention. Judges should only be able to remain in office for up to one additional year after the expiry of their nine-year term, in the event that a new judge has not yet been elected;
 - 3.2. consider revising its Guidelines on the selection of candidates for the post of judge at the European Court of Human Rights (CM(2012)40), adopted in 2012, with a view to further refining the requirements for national selection procedures, based on good practice recently identified by the Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights ("Advisory Panel") and the Assembly, as well as the criteria for the establishment of lists of candidates;
 - 3.3. revise its Resolution CM/Res(2010)26 on the establishment of an Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights, adopted on 10 November 2010, with a view to providing the panel with an explicit mandate to advise the States Parties to the Convention on whether their national selection procedures comply with the Committee of Ministers' guidelines and good practice;
 - 3.4. draw up a recommendation on the issue of post-mandate recognition of service to complement and further develop its Declaration on the protection of judges of the European Court of Human Rights from threats and reprisals and on the recognition of their service, adopted on 15 January 2025. Such a recommendation should provide clearer guidelines, based on good practice, to ensure that, after their mandate, judges can return to posts comparable to those previously occupied, or accede to posts commensurate with the office they have held, for instance a judicial post in the highest domestic courts and tribunals;
 - 3.5. provide the Advisory Panel with the necessary resources to enable it to exercise its functions effectively.

1. *Assembly debate* on 21 April 2026 (13th sitting) (see [Doc. 16361](#), report of the Committee on the Election of Judges to the European Court of Human Rights, rapporteur: Ms Petra Bayr). *Text adopted by the Assembly* on 21 April 2026 (13th sitting).

