



Right of individual application to the European Court of Human Rights (Article 34)

This is a **procedural** provision guaranteeing the right of any person, non-governmental organisation or group of individuals claiming to be the victim of a violation of their rights under the Convention or its Protocols to introduce an application before the Court. It contains a substantive obligation on States “**not to hinder in any way the effective exercise of this right**”. This is particularly important in the case of individuals deprived of their liberty. No obstacle may be put in the way of them making an application to the Court.

The Court may also indicate to a defendant State **interim measures** which it should take to preserve the current position, including the applicant’s ability effectively to exercise the right of individual application, pending the Court’s determination of the case. It will only do this where it considers that there is a real risk of serious, irreparable harm if the measure is not applied. Interim measures are thus similar to injunctions issued by national courts. States normally have an obligation to comply with them.



The complete toolkit: <http://echr-toolkit.coe.int>

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