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STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)

Securing the long-term effectiveness of the supervisory mechanism of the European Convention on Human Rights: the Court's action in 2018-2019

Note: The present report has been provided by the Registry of the European Court of Human Rights to the CDDH in order to provide it with information on the measures taken by the Court in 2018/2019 in order to secure the long-term effectiveness of the supervisory mechanism of the European Convention on Human Rights. This information shall assist the CDDH in the on-going preparation of its report "Contribution to the evaluation foreseen by the Interlaken Declaration", expected by the end of 2019.

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Securing the long-term effectiveness of the supervisory mechanism of the European Convention on Human Rights: the Court's action in 2018-2019

14 June 2019

Introduction

1. This report has been prepared by the Court's Registry for the Steering Committee on Human Rights ("CDDH") and in particular the 91st plenary CDDH meeting, which will take place from 18-21 June 2019. The Court's aim is to assist the CDDH in its on-going preparation of its report "Contribution to the evaluation foreseen by the Interlaken Declaration", expected by the end of 2019. The present report is based on a document prepared for the Committee of Ministers in view of their preparation of the 129th Session of the Committee of Ministers which was held in Helsinki, Finland, on 16-17 May 2019. The report outlines the measures taken by the Court in 2018 and from January to June 2019 in the context of the follow-up to the Copenhagen Declaration. A similar report was prepared by the Court to outline the measures taken in 2017[1] as a follow-up to the 2016 CDDH report on the longer-term future of the system of the European Convention on Human Rights[2].

2. Accordingly, the present report is structured along the lines of the sub-chapters of the Copenhagen Declaration, providing updated information on the following themes: Shared Responsibility, Effective national implementation, Execution of judgments, European Supervision, Interaction between the national and European level, the Case-load challenge, the Selection and Election of judges, and finally the Convention and the European and International legal order (although this theme is not directly touched upon in the Copenhagen Declaration). The Court's Annual Report for 2018 may also be referred to as a useful point of reference for statistics and important jurisprudence during the period[3].

I. Shared responsibility

A. The simplified communication procedure (IMSI)

3. The IMSI procedure was introduced in 2016 in order to speed up the communication stage of Chamber applications. Under the procedure, Governments are now required to present the facts according to certain communicated guidelines. One of the aims of the IMSI communication is to help prevent the build-up of "Brighton" backlog, in other words to ensure that cases are communicated within one year and completed within a further two years. An internal evaluation of the procedure was conducted in 2018 by the Court's Internal Control Unit and a summary of the findings was sent out to the Government Agents for their feedback in advance of their annual meeting with the Registry in November 2018. The evaluation and the feedback were discussed during that meeting.

[1] DD (2018)60
[2] https://rm.coe.int/the-longer-term-future-of-the-system-of-the-european-convention-on-hum/1680695ad4
[3] https://www.echr.coe.int/Documents/Annual_report_2018_ENG.pdf

4. By mid-June 2019 there were 42 countries using the IMSI procedure in more than 42% of their cases. The IMSI procedure is having a positive impact on the volume of communicated cases. The number of cases communicated using IMSI now exceeds the number of standard communications. Although IMSI was originally designed for Chamber cases, "broader WECL" applications (where cases previously allocated to a Chamber, and which do not raise any new issues as regards the interpretation and application of the Convention, are dealt with by a Committee) now account for a significant share of IMSI cases. It is also interesting to note that the applications communicated under the IMSI procedure cover 172 different subjects. This high figure shows that the new procedure is not confined to certain pre-defined subjects.

5. The cases communicated under the IMSI procedure and leading to a judgment or decision were completed more quickly, taking 16 months on average (over the period from 2016 to June 2019) compared to 28 months under the standard communication procedure. Following the positive evaluation, it is planned to continue to extend the procedure to further States in 2019.

6. The IMSI procedure will be further discussed with the Government Agents at their meeting with the Court on 17 June 2019.

B. Pilot judgment procedure

7. The Court's report for 2017 referred to the *Burmych*[4] judgment in which the Court formally noted the failure to execute the *Ivanov*[5] pilot judgment. The judgment found that the grievances raised in these applications had to be resolved in the context of the general measures to be introduced by the authorities at national level, including the provision of appropriate and sufficient redress for the Convention violations, measures which were subject to the supervision of the Committee of Ministers. The Court envisaged that it might be appropriate to reassess the situation within two years of the delivery of the *Burmych* judgment, i.e. by 12 October 2019.

8. At its December 2018, meeting the Committee of Ministers noted that the action plan submitted by the Ukrainian authorities demonstrated that they had not yet made major progress towards reaching a common vision of the root of the problems at the domestic level in order to allow rapid progress. There was, therefore, a pressing need for concrete results and for substantial progress in this group of cases. Overall, a political commitment at the highest level was urgently required to give priority to the resolution of this long-standing issue.

9. The 2017 report also referred to the *Varga* pilot judgment[6] concerning conditions of detention in Hungary that were found to be in breach of Article 3 of the Convention. In the *Domján* case[7] the Court reached a positive assessment of the new remedies, leading it to declare the Article 3 complaint inadmissible on the ground on non-exhaustion. Shortly afterwards, six thousand identical applications were rejected at single-judge level on this basis in 2017. In 2018 a group of 650 communicated cases were rejected by a Committee of three Judges on the same grounds.

II. Execution of judgments

[4] *Burmych and Others v. Ukraine* (striking out) [GC], nos. 46852/13 et al, 12 October 2017 (extracts)
[5] *Yuriy Nikolayevich Ivanov v. Ukraine*, no. 40450/04, 15 October 2009
[6] *Varga and Others v. Hungary*, nos. 14097/12 and 5 others, 10 March 2015
[7] *Domján v. Hungary* (dec.), no. 5433/17, 14 November 2017

10. The High Level conference in Copenhagen in April 2018 encouraged the Committee of Ministers to continue to use all the tools at its disposal when performing the important task of supervising the execution of judgments, including the procedures under Article 46 § 3 of the Convention. The Committee of Ministers decided on 5 December 2017 to launch infringement proceedings against Azerbaijan owing to the authorities' persistent refusal to ensure Mr Ilgar Mammadov's unconditional release following the Court's 2014 finding of multiple violations of his rights. The Court received the formal request from the Committee of Ministers on 11 December 2017. In August 2018 the Shaki Court had decided to release Ilgar Mammadov from prison one year, five months and 21 days before his sentence was due to expire and that the release was conditional. A two-year probation period was imposed under Article 70 of the Criminal Code, which would expire on 13 August 2020. The conditions attached to his release were not to change his place of residence without informing the Probation Department, to appear before the Probation Department when summoned, not to leave the country and "to prove his rehabilitation by his behaviour".[8] On 29 May 2019 the Grand Chamber, delivering its first judgment[9] in infringement proceedings under Article 46 § 4 of the European Convention, found that Azerbaijan had failed to fulfil its obligation to comply with the Court's 2014 ruling. It found unanimously, that there had been a violation of Article 46 § 1 of the European Convention on Human Rights by Azerbaijan.

III. European supervision – the role of the Court

11. Paragraph 27 of the Copenhagen Declaration refers to the quality and in particular the clarity and consistency of the Court's judgments for the authority and effectiveness of the Convention system. The Court's Committee on Working Methods prepared a major report on the drafting of judgments and decisions which was adopted by the Plenary Court on 16 April 2018. The report is currently being implemented by the Registry, with a new Drafting Manual having being prepared, and changes to the way in which judgments are drafted will include a summary at the beginning of each judgment, a new structure, and more focused reasoning.

12. It is recalled here that as of June 2017 the Court changed the way in which it delivered single-judge decisions in light of the invitation of the Contracting States in the Brussels Declaration of March 2015. Instead of a decision-letter, applicants receive a decision of the Court sitting in single judge formation in one of the Court's official languages and signed by a single judge, accompanied by a letter in the relevant national language. The decision includes, in many cases, reference to specific grounds of inadmissibility. However, the Court may still issue global rejections in some cases, for example, where applications contain numerous ill-founded, misconceived or vexatious complaints.

IV. Interaction between the national and the European level – the need for dialogue

13. Protocol No. 16, known as "the dialogue Protocol", enables the highest national courts and tribunals, as designated by the Member States concerned, to request an advisory opinion from the Court on questions of principle relating to the interpretation or application of the rights and freedoms defined in the Convention or its Protocols. Advisory opinions, which are delivered by the Grand Chamber, contain reasons and are not binding. Requests for advisory opinions are made in the context of cases pending before the national court or tribunal concerned. The Court is at liberty to choose whether to accept a request or not. On 1 August 2018 Protocol No. 16 came into force after France became the 10th Member State to ratify the instrument. 11 Member States have so far ratified it: Albania, Armenia, Estonia, Finland, France, Georgia, Lithuania, the Netherlands, San Marino, Slovenia and Ukraine. Upon the entry into force of Protocol No. 16 "Chapter X - Advisory opinions under Protocol No. 16 to the Convention (adopted in 2016)" was incorporated into the Rules of Court.

[8] http://hudoc.exec.coe.int/eng?i=004-1866

[9] *Ilgar Mammadov v. Azerbaijan* [GC], no. 15172/13, 29 May 2019

14. On 16 October 2018 the Court received its first request for an advisory opinion from the French Court of Cassation regarding a case concerning the status of an intended mother in relation to children born through surrogacy arrangements carried out in a jurisdiction where such arrangements were legal. The proceedings before the Court of Cassation are adjourned pending the Court's advisory opinion. On 3 December 2018, the Grand Chamber Panel accepted the request and on 10 April 2019 the Court delivered its first opinion.

15. It is possible that the entry into force of Protocol No. 16 may increase the Court's workload in the short term. In the longer term it is to be hoped that the Protocol will eventually lead to more cases being dealt with at national level without the need to engage the Convention machinery and therefore providing a more rapid response to applicants.

16. The Copenhagen Declaration supported the Court's creation of the Superior Courts Network ("SCN") as a way of ensuring the exchange of information on Convention case-law, and encouraged its further development. The SCN has grown significantly and now numbers seventy-seven superior courts from thirty-six States. The digital platform, available to member courts, ensures the exchange of useful case-law related information between the Strasbourg and national courts, and it facilitates some exchanges between the national courts themselves. The SCN platform was developed in-house at minimal cost and, indeed, the superior courts now contribute to the Court's comparative work: this is another example of how the Court has been creative with the resources available. National courts derive a direct and practical benefit from this service which will be further enhanced in the future. It has been recognized that the exchanges on the Court's case-law within the Network were a useful complement to those in the advisory opinion process provided for in Protocol No. 16. The SCN Focal Points Forum took place on 8 June 2018 in Strasbourg. This was the second gathering of the SCN Focal Points, both from the national member courts and from the Court's Registry. It provided its members with the opportunity to exchange and thereby further enhance the ongoing dialogue and consolidate cooperation. The third Focal Points Forum in 2019 took place over one and a half days from 6-7 June 2019 with approximately 100 participants.

17. This SCN activity operates in parallel to the usual programme of meetings between the Court and supreme/constitutional courts. In the past year, the Court held exchanges with the Spanish Constitutional and Supreme Courts, the San Marino Constitutional Court, the Greek Court of Cassation, the *Conseil d'Etat* and Court of Cassation in France, the Icelandic Supreme Court, the Irish Supreme Court, and several superior courts in the United Kingdom, including the Supreme Court. The Court also received visits from major European leaders in 2018, including the Presidents of Armenia and Austria, the Prime Ministers of Denmark and Croatia and the Heads of Government of Andorra and Spain. The President also met with His Majesty King Felipe VI of Spain. In addition to high-level judicial dialogue, the Court continues to receive many groups of judges and lawyers in the context of professional training programmes, and numerous groups of law students and trainee lawyers.

18. The Court has recently developed an internal Knowledge Sharing platform which is a one-stop gateway to knowledge on the Court's case-law. Created and maintained under the supervision of the Jurisconsult, its mission is to provide up-to-date and complete analysis of the Convention case-law, to be used in addition to information tools such as HUDOC. Access to such knowledge by Registry staff and Judges should render the process of writing judgments and decisions more efficient. The platform also aims, of course, at strengthening the coherence of the Court's jurisprudence. Subsequently, the platform was launched to the superior courts who are members of the SCN (see paragraph 15 above), and ultimately the goal is for the platform to become available publicly. This approach is completely in line with the reinforcement of subsidiarity and shared responsibility: more effective access to the Court's case-law should mean better domestic implementation of the Convention.

19. Improving cooperation with Governments is a priority for the Registry. One project idea launched in 2018 was the setting up of a working party of Government Agents and the Registry in order to translate the concept of shared responsibility for the Convention into effective procedural solutions in particular involving the use of the non-contentious procedure and large groups of cases. The working party on cooperation between the Governments and the Court in procedural matters would focus on effective ways of ensuring cooperation with the Court, facilitate a constructive dialogue, mutual understanding and identify the best practices to be found in the Court's existing procedures with a view to increasing the Court's efficiency in handling its caseload. This proposal will be discussed at the June meeting with the Government Agents.

20. Concerning referrals of cases to the Grand Chamber Panel, a new practice has started as of January 2018. In accordance with the role of the Jurisconsult under Rule 188 of the Rules of Court and having regard to the decision of the Court's Bureau in 2017, the Jurisconsult studies the referrals requests listed for examination at each meeting and formulates possible observations on cases which might be suitable for clarifying existing case-law principles.

21. The President and the Registrar of the Court both participated in the High-Level Expert Conference "Implementing the Copenhagen Declaration – An Informal Meeting on the Convention System" which took place in Kokkedal, Denmark from 31 October-2 November 2018. The Registrar gave a keynote speech on the theme of Third Party Interventions, a theme also touched upon in the Copenhagen Declaration. Third party interventions help the Court to form a broader understanding of the context of a case and the human rights issues at stake.

V. The case-load challenge – the need for further action

22. The Court has been engaged in almost constant reform of its work processes since 2010 and the entry into force of Protocol No. 14. Transformation/change management has been a key principle of Court governance over that period. The introduction of a highly automated workflow system for inadmissible cases decided by a Single Judge reduced the stock of pending inadmissible cases from 100,000 in 2011 to approximately 7,000 today. This was accompanied by "one-in-one-out" processing, the principle that an opened file is not closed until the next procedural step has been reached, and the setting-up of the filtering section with dedicated filtering teams. The combination of these methods has meant that the longstanding problem of huge volumes of inadmissible cases clogging up the system has ceased to exist.

23. On 1 June 2019 there were 58,500 pending applications before the Court. Of these, 21,300 were pending before a Chamber or the Grand Chamber. The approximately 4,400 Chamber priority cases pose a real challenge for the Court. 10 States count for 84% of the Court's case-load, namely Russia, Romania, Ukraine, Turkey, Italy, Azerbaijan, Georgia, Serbia, Armenia and Poland.

24. On 31 May 2018 the Ministers Deputies invited the CDDH to include in its report "Contribution to the evaluation foreseen by the Interlaken Declaration", four elements of particular relevance to the Court: a comprehensive analysis of the Court's backlog; proposals on how to facilitate the prompt and effective handling of cases, particularly repetitive cases; proposals on ways to handle more effectively cases related to inter-State disputes, and the questions relating to the situation of the judges of the European Court of Human Rights after the end of their mandate. In relation to the first element, the comprehensive analysis of the Court's backlog, the Registry has provided the CDDH with a statistical analysis on the

development of the Court's case-load over ten years from 2009 to 2019[10]. Concerning the second element, namely the prompt and effective handling of cases, a report entitled "Encouraging resolution of the Court's proceedings through a dedicated non-contentious phase of the proceedings" (which is being tested by the Court for one year from 1 January 2019) was also communicated to the CDDH secretariat[11] (see paragraph 25 below). As to the third element, the Court's Committee on Working Methods has drafted a report on proposals for the more efficient processing of Inter-State cases which was adopted by the Plenary Court on 18 June 2018. These proposals are currently being implemented. A redacted version of this report was shared with the CDDH in May 2019. Finally, in relation to the fourth element, the situation of judges post-mandate, the Registry shared a comparative law report prepared by its Research Division entitled "Recognition of service in international courts in national legislation" (see paragraph 26 below].

25. Point 54 of the Copenhagen Declaration referred to "*exploring how to facilitate the prompt and effective handling of cases, particularly repetitive cases that the parties are open to settle through a friendly settlement or a unilateral declaration*." A total of 3,050 applications were disposed of in 2018 either by friendly settlement (2,184) or by unilateral declaration (866). On 1 January 2019 the Court launched a dedicated non-contentious phase of proceedings for a test period of one year. The purpose of the new procedure is to facilitate the conclusion of friendly settlements, to ease the workload of both the Court and the Government Agents' offices and to free up time for important, meritorious cases. Accordingly, there will be two distinct phases in the procedure for all cases (with a limited number of exceptions): a friendly settlement/unilateral declaration phase which will last 12 weeks (non-contentious) and an observations phase which will also last 12 weeks (contentious). When communicating cases, the Registry will make friendly settlement proposals, involving monetary payment and/or other undertakings. The communication letters will explain the procedure and the distinction between the two phases. If neither settlement nor unilateral declaration is submitted to the Court, the contentious phase starts as normal.

26. The Court is continually streamlining working methods and fine-tuning judicial policy and case management. In June 2009 the Court adopted a priority policy with a view to speeding up the processing and adjudication of the most important, serious and urgent cases. It established seven categories ranging from urgent cases concerning vulnerable applicants (Category I) to clearly inadmissible cases dealt with by a Single Judge (Category VII). In May 2017 the Court conducted a review of that policy and made some amendments to the priority categories.

27. The following developments, in addition to the IMSI procedure referred to above, can be noted for 2018 and January to June 2019:

A. The WECL fast-track procedure

28. An internal evaluation of the WECL fast-track procedure was carried out during 2018 by the Court's Internal Control Unit which found the procedure to be efficient and recommended it to be used more widely. The WECL fast-track procedure was introduced in 2015 with the aim of speeding up the processing of groups of applications based on well-established case law by using increased automation of the drafting process, through the use of IT "modules" created for specific types of cases such as conditions of detention and length of proceedings, combined with tight internal deadlines. The evaluation report noted the time and efficiency gains of the procedure. In general, a WECL fast-track application took 40 months until completion, compared to 60 months for the classic WECL procedure. Another advantage of using the procedure had been the halving of category 5 "Brighton backlog" cases. Currently,

[10] Document CDDH(2019)08
[11] Document CDDH(2019)09

the WECL fast-track procedure is being used for 23 different types of cases against 26 countries and the Court works on extending the use of the procedure to even more countries and types of case, including all sorts of strike-out decisions such as friendly settlements and unilateral declarations.

29. In 2018 10,000 cases were examined through the WECL fast-track procedure. 4,000 cases were communicated (out of 7,400 cases in total by the Court); there were 4,300 decisions (out of 6,600 in total by the Court); and 1,200 judgments (out of 2,000 cases in total by the Court).

30. The WECL fast-track is not part of the test for the non-contentious phase of proceedings. The WECL fast-track communicates without asking for observations but generally with a Friendly Settlement proposal and the parties can accept or reject the Friendly Settlement proposal (and Government can propose a Unilateral Declaration) and submit observations, if they so wish, within a 16 week time-period.

B. WECL communicated for observations

31. Since the entry into force of Protocol No. 14 in 2010 the Court has treated the term "well-established case-law" as referring primarily to repetitive/clone cases. Until 2017, non-repetitive cases were, as a rule, allocated to Chamber level. There are, at the beginning of 2019, about 22,000 such cases pending.

32. The Plenary Court took a policy decision in June 2017, aimed at increasing the Court's capacity by raising the ratio of cases decided at the Committee level. This approach rests on a broader interpretation of the term "well-established case-law" within the meaning of Article 28 § 1(b) of the Convention. In 2019, 12% of the Committee results concerned applications communicated for observations and more than 8, 700 such applications are pending and have been provisionally assigned to Committees. The Court intends to increase the use of this kind of WECL.

C. IT

33. The Court relies heavily on its IT system which has regularly been acclaimed by outside experts and auditors, starting with Lord Woolf's report in 2005 ("a world-class system") and the performance audit by the French Cour des comptes in 2012[12]. Innovating has been achieved on a relatively small budget (1.7 million euros annually, including the cost of renewal of hardware, licenses and development). The principle is relatively simple, that of a seamless interconnection between a data base (CMIS) containing all the data relating to an application, a document management system (DMS) in which documents can be automatically created by the transfer of data from the data base and an information management system (HUDOC) in which the Court's case-law is easily accessible to the outside world.

34. During 2018 there were continued improvements to the Court's case management system (CMIS) including a new event notification system to allow users to monitor, plan and prioritise tasks more effectively. In addition, the Court's templates linked to CMIS helped to automate the production of over 221,000 letters and documents in 2018. 2018 also saw the

[12] « 122. L'équipe d'audit a constaté les avancées importantes réalisées ces dernières années dans la gestion des technologies de l'information à la CEDH, à travers notamment le développement d'un système informatique, régulièrement remis à niveau, qui structure profondément sa manière de travailler et contribue à améliorer l'efficacité technique du traitement des requêtes. C'est pourquoi, le recours aux technologies de l'information se révèle aujourd'hui fondamental pour l'activité de la Cour et nécessite la poursuite des innovations jusqu'ici mises en oeuvre, dans un environnement propice, en matière de fourniture de services et de technologies aux différentes unités de la CEDH. »

launch of the eComms platform which allows the Court and applicant representatives to exchange documents on communicated cases and is part of the Court's continuing digital transformation strategy. To date 21,961 documents have been sent to applicant representatives from 37 countries and 12,122 documents have been received. Finally, the Court's internal Workflow system was migrated to a new platform to allow for more efficient processing of large numbers of applications.

35. Another project begun in 2018 is working towards a case-processing gateway. The idea is to create an integrated system for the registration, processing and monitoring of all cases regardless of their outcome, building on the existing Court tools. The system will be designed to facilitate the drafting process by retrieving information from the case-law data basis and other sources such as the Knowledge Sharing platform (paragraph 17 above).

36. As to future perspectives, the Court will continue to develop Business Process Management capabilities (workflow) automating more working methods for the Court. The overall long-term strategy is to progress towards full electronic processing so as to harness all the advantages of having full case files in electronic format. CMIS will also continue to evolve to meet the needs of the Court and its working methods. The Court's IT Department will further explore the use of Cloud services. The Department will continue to consider the feasibility of using AI (artificial intelligence) in respect of for example concept extraction (HUDOC), discovery (extracting key information from documents) and designing an application form capable of capturing information which can help to process cases more rapidly.

D. Training

37. As a result of increasing automation and evolving working methods, functions in the Registry have changed and that is why in 2018 the Court has engaged in an extensive training programme aimed at its administrative assistants with a view to their assuming paralegal tasks and thereby releasing lawyers from some of their simpler duties thus allowing them to concentrate on more complex matters.

38. A new introductory training programme has been developed for Judges who arrive at the Court.

VI. The selection and election of Judges – the importance of cooperation

39. The situation of former Judges after the end of their mandate touches on crucial questions linked to ensuring the highest calibre candidates to the post of judge at the Court, as well as the independent exercise of the judicial function. The 9-year non-renewable term, introduced by Protocol No. 14 to the European Convention on Human Rights may not have completely eliminated the leverage some governments might have on Judges upon the expiry of their term of office. The independence and the quality of the Strasbourg judges must be a key priority not only for the Court, but for the whole of the Council of Europe.

40. The Court's own Committee on the Status of Judges is currently examining the situation of former Judges after the end of their mandate. An internal report has been prepared and will be discussed in the Court's Plenary in due course, with the intention of communicating its recommendations to the CDDH. The Court's Research Division has updated its comprehensive comparative law report on the recognition of service as judge of this Court, which was shared with the CDDH at the beginning of 2019. Examples of best practices in this field may be of use. The Court fully supports the work of the CDDH in this area.

VII. The Convention and the European and International legal order

41. 2018 saw a strengthening of bonds with the Inter-American Court of Human Rights. In July a delegation from the Court travelled to San José to attend the 40th anniversary of that institution. On that occasion the so-called San José Declaration was signed, unprecedentedly, by all three Presidents of the three regional human rights courts: the Inter-American Court of Human Rights, the African Court of Human and Peoples' Rights and the European Court of Human Rights. This Declaration, which sets up a standing forum for dialogue between the three regional courts, is a tool designed to reinforce dialogue, cooperation and institutional links between the world's three human rights courts. A seminar was held at the Court in November 2018, organised in cooperation with the Inter-American Court, on the approach adopted by the human rights courts to mass human rights violations.

42. In relation to the European Union, the Court continues its dialogue with the Court of Justice of the European Union. On 15 October 2018, a delegation of 15 Judges from the Strasbourg Court, accompanied by senior members of the Registry, visited the Court in Luxembourg for one day of exchanges and discussions on themes of general interest. A further meeting between Judges is scheduled for 21 October 2019 in Strasbourg. The Court has continued Secretariat level exchanges with the UN Human Rights Committee, now in place for many years.

43. A representative from the Court's Registry follows the meetings of the Drafting Group on the place of the European Convention on Human Rights in the European and International legal order (DH-SYSC-II). The Registry has also contributed to the work of the Drafting Group by submitting certain relevant reports prepared by its Research Division.

Conclusion

44. In 2018-2019, the Court continues to innovate, to adapt its working methods and to stream-line its approach in order to improve its case-processing. Its aim is to consolidate its position as an institution which is effective in ensuring the protection of human rights. However, ultimately the Court needs stability and sufficient resources to ensure that it is able to exploit fully the new working methods it has developed.

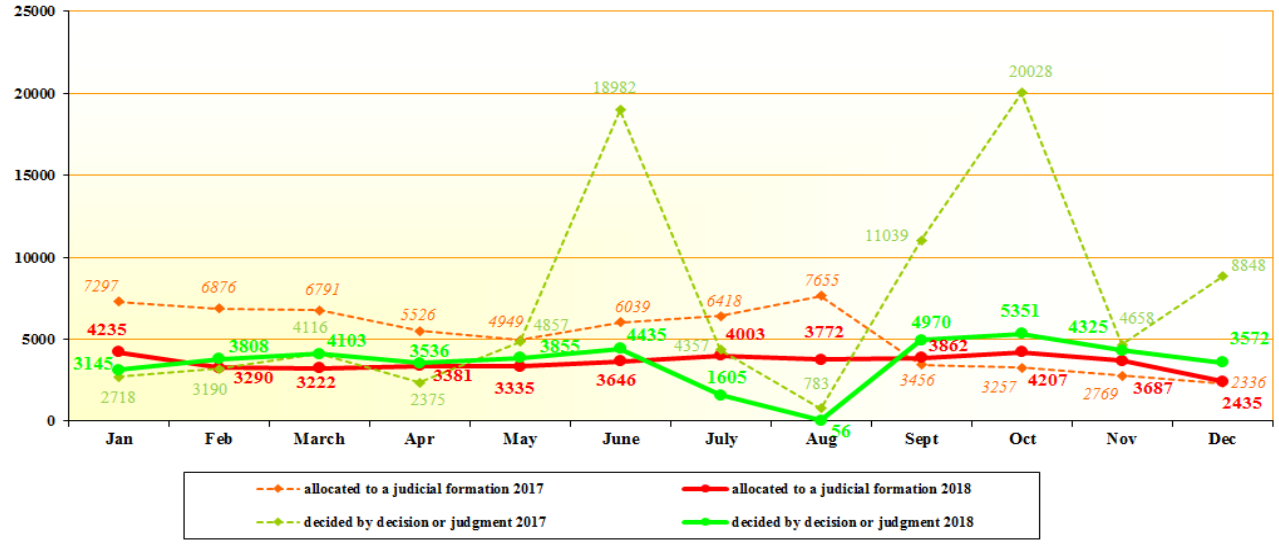
45. The budget cuts which the Court has been required to make have already resulted in some streamlining of management with the Court keeping senior post vacant and this process will continue under the contingency plans. Further cuts would endanger the Court's drive to introduce new methods. One-in-one out is already jeopardised in respect of some of the highest case-count countries because of the need to keep assistant (filtering) lawyers' posts vacant. This runs the risk of generating a new accumulation of incoming cases and the inefficient practice of shelving.

Appendix

PROCESSING APPLICATIONS

Applications allocated to a judicial formation and decided by a decision or judgment

Comparison 2017-2018



Deficit/surplus 2018:	-314 applications	(average of	-26	per month)
Deficit/surplus 2017:	22582 applications	(average of	1882	per month)