

**Question for written answer E-001551/2023
to the Commission**

Rule 138

Jean-Paul Garraud (ID)

Subject: The variable impartiality of the European Court of Human Rights (ECHR)

The European Centre for Law and Justice (ECLJ) has published a new report entitled 'The Impartiality of the European Court of Human Rights'¹. The centre identified a series of structural problems affecting the ECHR's impartiality.

In response to the first ECLJ report, the Committee of Ministers of the Council of Europe set up an expert mission on the independence of the ECHR, which is working on the Court's reform process². The new ECLJ report continues this work by also highlighting cases of nepotism or the lack of transparency of the Registry, thereby demonstrating that the ECHR is not up to the CJEU's standards.

The ECLJ also found that the ECHR judges' legal competences vary in quality, since 'some Council of Europe countries do not have genuinely independent judicial institutions. It is therefore sometimes difficult to find people [...] with the necessary moral and professional qualities to be judges fit for [...] Europe's highest court'³.

We therefore ask the Commission:

1. Does it still consider accession to the European Convention on Human Rights to be one of the EU's priorities?
2. Will it demand that negotiations be suspended until the ECHR's impartiality is improved?

Submitted: 13.5.2023

¹ <https://eclj.org/echr-impartiality-concerns-and-recommendations?lng=en>

² <https://www.coe.int/en/web/human-rights-intergovernmental-cooperation/judges-of-the-european-court-of-human-rights-dh-sysc-jv>

³ <https://www.lefigaro.fr/actualite-france/un-rapport-pointe-a-nouveau-le-manque-d-independance-de-la-cedh-20230420>