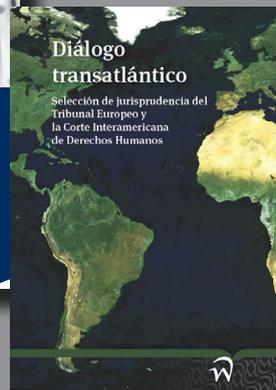
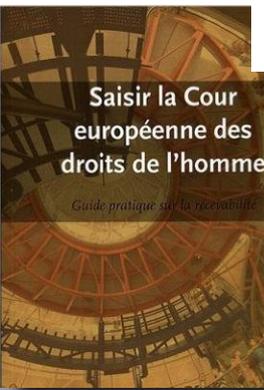


EUROPEAN COURT OF HUMAN RIGHTS

Finding and understanding the case-law



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

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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1. Introduction

The case-law of the European Court of Human Rights covers a wide range of subjects arising out of the application of the provisions of the European Convention on Human Rights and its Protocols.

The Registry of the Court publishes a number of materials to assist in understanding the Court's case-law and the official texts.

This guide provides information about the Court's case-law database HUDOC and the various publications available on the Court's website.

It ends with suggestions on how to make the best use of the available research materials.

You can find the most recent PDF version of this document at:

www.echr.coe.int/Documents/CLIP_Finding_understanding_case_law_ENG.pdf.

It contains hyperlinks to the different materials available on the Court's website.

ECHRPublication Twitter account



The [ECHRPublication](#) Twitter account¹ updates you on the legal summaries of the Case-Law Information Note the day of the pronouncement/publication of the judgment/decision to which they refer, as well as the latest publications in various languages, translations added to the HUDOC case-law database and other developments in the area of case-law information and publications. The majority of tweets from ECHRPublication will contain links to translations into languages other than English and French.

¹ twitter.com/ECHRPublication

2. HUDOC database

<http://hudoc.echr.coe.int/eng>



The HUDOC database provides access to:

- Grand Chamber, Chamber and Committee judgments, decisions, communicated cases, advisory opinions, legal summaries and press releases of the European Court of Human Rights,
- Decisions and reports of the former European Commission of Human Rights,
- Resolutions of the Committee of Ministers

Characteristics:

- Interface in English, French, Turkish, Russian and Spanish (Georgian interface coming soon)
- Search filters
- Advanced Search option
- Keywords enable the user to find a group of documents with similar legal content
- Conclusions linked to Articles and keywords²
- Unlimited results, possibility to save and print them
- Results link up to the legal summary of the case if it was selected for the Case-Law Information Note
- Translations of judgments and decisions into non-official languages of the Council of Europe

List of keywords, user manual and tutorials in www.echr.coe.int under Case-Law → Judgments and Decisions → HUDOC → More information → HUDOC Help

HUDOC judgments and decisions RSS feeds are available in the RSS icon at the bottom of page of the site www.echr.coe.int

² Example of conclusion in a case involving two findings under Article 6 § 1 of the Convention:
Violation of Article 6 - Right to a fair trial (Article 6 - Enforcement proceedings, Article 6-1 - Access to court)

3. Official selection of key cases (judgments, decisions and advisory opinions)

Available at www.echr.coe.int under Case-Law → Judgments and Decisions → [Selection of key cases](#)

- Official selection of the most important judgments, decisions and advisory opinions made by the Bureau³ following a proposal by the Jurisconsult⁴ (approximately 30 cases per year) Judgments, decisions and advisory opinions which make a significant contribution to the development, clarification or modification of the case-law
- Until 2015, cases published in ‘Reports of judgments and decisions’ in full text or extracts, classified by Article, keyword and key notions and preceded by a headnote and a summary, Annual index



- Bilingual publication in English and French
- e-Reports can be downloaded in PDF version
- Print version published by [Wolf Legal Publishers](#)
- Since 2016, cases published in the annual list of key cases, classified by articles, alphabetically by applicant and by respondent State, links to legal summaries



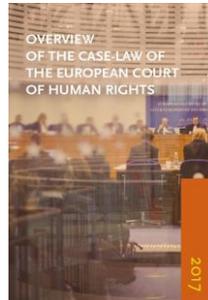
- In HUDOC, key cases represented by **Key Case** and cases published in Reports represented by **Published in Case Reports** are listed in the importance level ‘Key cases’.

³ The Court shall have a Bureau, composed of the President of the Court, the Vice-Presidents of the Court and the Section Presidents (Rule 9A of the Rules of Court).

⁴ For the purposes of ensuring the quality and consistency of its case-law, the Court shall be assisted by a Jurisconsult. He or she shall be a member of the Registry. The Jurisconsult shall provide opinions and information, in particular to the judicial formations and the members of the Court (Rule 18B of the Rules of Court)

4. Overview of the Court's recent case-law

Available at www.echr.coe.int under Case-Law → [Case-Law Analysis](#) → [Overview of the Court's recent case-law](#)



- The Jurisconsult's chapter in the Court's Annual Report; highlights judgments and decisions which raise new issues or important matters of general interest, establish new principles or develop or clarify the Court's case-law.
- Print version in English and French published by [Wolf Legal Publishers](#)
- Full Annual Report available at www.echr.coe.int under The Court → [Annual Reports](#)

5. Case-Law Information Note

Available in **PDF, EPUB and MOBI versions** via www.echr.coe.int, the Internet homepage (Quick Links) and under Case-Law → [Case-Law Analysis](#) → [Case-Law Information Note](#)



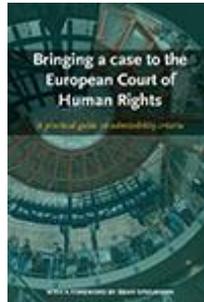
- Summaries of cases considered to be of particular interest: judgments, admissibility decisions, communicated cases and cases pending before the Grand Chamber; concise presentation of fact and law with emphasis on the legal reasoning of the Court
- Includes information on recent Court developments and publications as well as summaries of select decisions from other international jurisdictions
- Cases classified by Article and keywords
- Descriptive headnotes
- Monthly publication
- Annual index updated monthly
- Content in English and French

- Users wishing to search **individual summaries** from the **Information Notes** from 1998 until now may do so by selecting the '**Legal summaries**' box in the Document collections in the [HUDOC database](#) and using all the available search criteria and filters, or by clicking on the link '**Legal Summaries**' in the results list.
- **Legal summaries in non-official languages** are available in HUDOC in the tab '**NOL Legal summaries**' under the 'Document collections'

You can subscribe to the [Case-Law Information Note RSS feed](#)  to know when the next Note is published. A [tutorial](#) helps you to subscribe to the feeds.

6. Admissibility guide

Available at www.echr.coe.int under Case-Law → [Case-Law Analysis](#) → [Admissibility guide](#)



- Describes the conditions of admissibility which an application must meet such as:
 - ✓ Individual application (Article 34)
 - ✓ Six-month time-limit (Article 35 § 1)
 - ✓ Exhaustion of domestic remedies (Article 35 § 1), ...
- Published in English and French and translated into over twenty-five non-official languages of the Council of Europe.
- Print version in English and French published by [Wolf Legal Publishers](#)

7. Case-law guides

Available at www.echr.coe.int under Case-Law → [Case-Law Analysis](#) → [Case-law guides](#)



- By Article:
 - ✓ Guide on Article 1 – Obligation to respect human rights
 - ✓ Guide on Article 2 – Right to life
 - ✓ Guide on Article 4 – Prohibition of slavery and forced labour
 - ✓ Guide on Article 5 – Right to liberty and security
 - ✓ Guides on Article 6 – Right to a fair trial (civil limb) and (criminal limb)
 - ✓ Guide on Article 7 – No punishment without law
 - ✓ Guide on Article 8 – Right to respect for private and family life
 - ✓ Guide on Article 9 – Freedom of thought, conscience and religion
 - ✓ Guide on Article 15 – Derogation in time of emergency
 - ✓ Guide on Article 18 – Limitation on use of restrictions on rights
 - ✓ Guide on Article 2 of Protocol No. 1 – Right to education
 - ✓ Guide on Article 3 of Protocol No. 1 – Right to free elections
 - ✓ Guide on Article 4 of Protocol No. 4 – Prohibition of collective expulsions of aliens
 - ✓ Guide on Article 4 of Protocol No. 7 – Right not to be tried or punished twice

- Available in English, and/or French and various non-official languages of the Council of Europe.

8. Case-law research reports

Available at www.echr.coe.int under Case-Law → [Case-Law Analysis](#) → [Case-law research reports](#)



- Concern certain transversal themes, particular Convention provisions and the use of other international instruments in the Court's case-law.
 - ✓ Bioethics and the case-law of the Court
 - ✓ Case-law of the Court on young people
 - ✓ Child abuse
 - ✓ Cultural rights
 - ✓ Extra-territorial jurisdiction
 - ✓ Freedom of religion
 - ✓ Health related issues in the case-law of the ECHR
 - ✓ Internet
 - ✓ National security and European case-law
 - ✓ New admissibility criterion
 - ✓ NGOs in the case-law of the Court
 - ✓ Positive obligations under Article 10
 - ✓ References to the Inter-American Court of Human Rights in the case-law of the European Court
 - ✓ Role of public prosecutor
 - ✓ The conduct of public assemblies in the Court's case-law
 - ✓ Use of Council of Europe treaties in the case-law of the Court

- Available in English and/or French and various non-official languages of the Council of Europe

9. European law handbooks

Available at www.echr.coe.int under Case-Law → Other publications → [Joint publications by the ECHR and FRA](#) → [Handbooks on European law](#)

- Published jointly by the Court, the European Union Agency for Fundamental Rights (FRA) and the Council of Europe
- Available in many languages



Handbook on European non-discrimination law develops the related European case-law and covers the context and background to discrimination categories and defences, the scope of the law (including who is protected) and the grounds protected, such as sex, disability, age, race and nationality.



Handbook on European law relating to asylum, borders and immigration focuses on law covering the situation of third-country nationals in Europe and covers a broad range of topics, including access to asylum procedures, forced returns, detention and restrictions to freedom of movement.



Handbook on European data protection law was designed to familiarise legal practitioners who are not specialised in the field of data protection with this area of law.



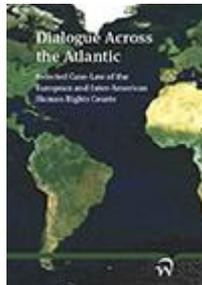
Handbook on European law relating to the rights of the child is a point of reference on both Council of Europe and European Union law related to the protection and promotion of children's rights in Europe.



Handbook on access to justice in Europe highlights and summarises the key legal and jurisprudential principles in particular those developed under Article 47 of the Charter of Fundamental Rights of the European Union and Articles 6 and 13 of the European Convention on Human Rights. The handbook covers the area of access to justice in its widest sense, including judicial as well as non-judicial aspects and encompassing substantive, procedural and institutional issues.

10. Dialogue Across the Atlantic : selected case-law of the European and Inter-American Human Rights Courts

Available at www.echr.coe.int under Case-Law → Other publications → [Joint publications by the ECHR and Inter-American Court of Human Rights](#)



- This book presents a selection of the leading decisions delivered by each court in 2014.
- Print version in English and Spanish published by [Wolf Legal Publishers](#)

11. COURTalks-disCOURS

Available at www.echr.coe.int under Case-Law → [Case-Law Analysis](#) → [COURTalks-disCOURS](#)



The COURTalks-disCOURS videos provide judges, lawyers and other legal professionals, as well as civil society representatives, with an overview of various topics as admissibility criteria, asylum and terrorism.

The different language versions of the videos are being made available progressively on the Court's [YouTube channel](#)⁵, its [website](#) and the [HELP platform](#)⁶, together with the transcription of the videos and a list of relevant case-law precedents.

⁵ www.youtube.com/user/EuropeanCourt

⁶ <http://helpcoe.org/>

12. Factsheets

Available at www.echr.coe.int under Press → [Factsheets](#)

- May summarise both case-law and pending cases
- Examples of topics:
 - ✓ Children and parents (Accompanied migrant minors in detention, Children's rights, Gestational surrogacy, International child abductions, Parental rights, Protection of minors, Reproductive rights, Unaccompanied migrant minors in detention)
 - ✓ Criminal Field (Domestic violence, Police arrest and assistance of a lawyer, Protection of minors, Right not to be tried or punished twice, Secret detention sites, Terrorism, Trafficking in human beings, Violence against women)
 - ✓ Detention (Accompanied migrant minors in detention, Detention and mental health, Detention conditions and treatment of prisoners, Extradition and life imprisonment, Hunger strikes in detention, Life imprisonment, Migrants in detention, Prisoners' right to vote, Prisoners' health-related rights, Secret detention sites, Reproductive Rights, Unaccompanied migrant minors in detention)
 - ✓ Prohibition of discrimination (Gender equality, Gender Identity, Homosexuality: criminal aspects, Roma and Travellers, Sexual orientation issues)
 - ✓ European Union (Case-law concerning the European Union, "Dublin" cases)
 - ✓ Expulsion / Extradition (Accompanied migrant minors in detention, Collective expulsions of aliens, "Dublin" cases, Interim measures, Unaccompanied migrant minors in detention)
 - ✓ Freedom of assembly and association (Access to Internet, Political parties and associations, Trade union rights)
 - ✓ Freedom of expression (Hate speech, Protection of journalistic sources, Protection of reputation)
 - ✓ Freedom of thought, conscience and religion (Conscientious objection, Freedom of religion, Religious symbols and clothing)
 - ✓ Health (Detention and mental health, Environment, End of life and the ECHR, Health, Hunger strikes in detention, Persons with disabilities and the ECHR, Prisoners' health-related rights, Reproductive Rights)
 - ✓ Private life (Deprivation of citizenship, Legal professional privilege, Mass surveillance, Protection of personal data, Protection of reputation, Right to the protection of one's image, Surveillance at workplace)
 - ✓ Right to free elections (Prisoners' right to vote, Right to vote)
 - ✓ Right to life (Death penalty abolition, End of life and the ECHR, Right to life)
 - ✓ Work and business (Legal professional privilege, Slavery, servitude and forced labour, Surveillance at workplace, Taxation, Trade union rights, Work-related rights)
 - ✓ Other factsheets (Armed conflicts, Austerity measures, Derogation in time of emergency, Elderly people and the ECHR, Extra-territorial jurisdiction, Interim measures, New technologies, Pilot judgments, Sport and the ECHR)
- About sixty factsheets available
- Available in English, French and various non-official languages of the Council of Europe

13. Country profiles

Available at www.echr.coe.int under Press → [Country profiles](#)

- Statistics and noteworthy adjudicated or pending cases in respect of each of the 47 member States

14. Publications of the Council of Europe’s Directorate General of Human Rights and Rule of Law

14.1. Human Rights Handbooks

Available at www.echr.coe.int under Case-Law → Other publications → Publications of the Council of Europe → [Human Rights Handbooks](#)

- Written by experts in the field, each handbook deals with one aspect of the European Convention on Human Rights or its Protocols. They were written with legal practitioners, and particularly judges, in mind, but are accessible also to other interested readers.

15. Suggestions on how to make the best use of the available materials

15.1. Search for a precise case

- ❖ [HUDOC database](#), using Case Title or Application Number

15.2. Search for cases by Article, keyword or theme

- ❖ [HUDOC database](#)
- ❖ [Case-law Information Note](#), its Annual Index and all legal summaries uploaded in the HUDOC database
- ❖ [Case-law guides](#)
- ❖ [Case-law research reports](#)
- ❖ [European law handbooks](#)
- ❖ [Factsheets](#)
- ❖ [Human Rights Handbooks](#)
- ❖ [COURTalks-disCOURs](#)

15.3. Know the most important cases examined each month

- ❖ [Case-law Information Note](#)

15.4. Know the most important cases delivered for each year

- ❖ [Selection of key cases](#)
- ❖ [Overview of the Court's recent case-law](#)
- ❖ [Annual Index of the Case-law Information Notes](#)

15.5. Know the admissibility criteria

- ❖ [Admissibility guide](#)
- ❖ [COURTalks-disCOURs](#)