**Public Law Project: Advanced Judicial Review**

**Applications to the European Court of Human Rights**

**The UK and the European Convention on Human Rights**

1. **Useful resources**

* [Rights brought home: The Human Rights Bill](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/263526/rights.pdf)
* [The Human Rights Act 1998](https://www.legislation.gov.uk/ukpga/1998/42/contents) (HRA)
* [House of Commons Library paper on the Reform of the H](https://researchbriefings.files.parliament.uk/documents/CBP-9406/CBP-9406.pdf)RA
* [Joint Committee on Human Rights Report on HRA reform](https://committees.parliament.uk/publications/9597/documents/162420/default/)
* [Statistics of the European Court of Human Rights](https://www.echr.coe.int/statistical-reports)

1. **Statistics on applications to the ECtHR**

* Overall, the number of applications made by the United Kingdom (UK) to the European Court of Human Rights (ECtHR) per head of population are the lowest in the Council of Europe and have been since 2017. They are lower than the other G7 countries: Italy, France, and Germany, and significantly lower than repeat violators like the Russian Federation (no longer a member of the Council of Europe), Türkiye, Ukraine, and Romania. Detailed statistics are set out below.

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| **2022** | **Applications allocated to a judicial formation[[1]](#footnote-1)** | **Allocated applications per 10,000 people** | **Judgments finding at least one violation** |
| UK | 240 | 0.04 | 2 |
| Italy | 1,931 | 0.35 | 25 |
| France | 831 | 0.12 | 19 |
| Germany | 535 | 0.06 | 1 |
| Russian Federation | 6,077 | 0.42 | 374 |
| Türkiye | 12,551 | 1.48 | 73 |
| Ukraine | 1,914 | 0.42 | 141 |
| Romania | 3,302 | 1.73 | 72 |
| TOTAL for all states | 45,528 | N/A | 1,059 |

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| **2021** | **Applications allocated to a judicial formation[[2]](#footnote-2)** | **Allocated applications per 10,000 people** | **Judgments finding at least one violation** |
| UK | 210 | 0.03 | 5 |
| Italy | 1610 | 0.27 | 33 |
| France | 764 | 0.11 | 7 |
| Germany | 574 | 0.07 | 2 |
| Russian Federation | 9,432 | 0.66 | 219 |
| Türkiye | 9,548 | 1.14 | 76 |
| Ukraine | 3,721 | 0.82 | 194 |
| Romania | 2,971 | 1.55 | 76 |
| TOTAL for all states | 44,257 |  | 986 |

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| **2020** | **Applications allocated to a judicial formation** | **Allocated applications per 10,000 people** | **Judgments finding at least one violation** |
| UK | 301 | 0.04 | 2 |
| Italy | 1,497 | 0.25 | 14 |
| France | 638 | 0.09 | 10 |
| Germany | 569 | 0.07 | 4 |
| Russian Federation | 8,923 | 0.62 | 173 |
| Türkiye | 9,104 | 1.09 | 85 |
| Ukraine | 4,271 | 0.94 | 82 |
| Romania | 2,994 | 1.55 | 64 |
| TOTAL for all states | 41,681 | N/A | 762 |

1. **Previous proposals to modify/repeal the HRA**

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|  | **Details** | **Link** |
| **Introduce a British Bill of Rights to replace the HRA** | Governance of Britain Green Paper 2007 | <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/228834/7170.pdf> |
| Protecting Human Rights in the UK Paper 2014 | <https://www.amnesty.org.uk/files/protectinghumanrightsinuk_conservativeparty.pdf?vhzrAQkxzwCH8hbjeYhhcu5B5lyPp_9K=> |
| Queen’s Speech 2015 | <https://www.gov.uk/government/speeches/queens-speech-2015> |
| **Reform or repeal the HRA** | The Judicial Power Project submitted evidence to the JCHR’s 20 Years of the Human Rights Act Inquiry in 2018. They felt that the HRA had compromised important constitutional principles, and the UK’s pre-HRA framework was sufficient. | <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/human-rights-committee/20-years-of-the-human-rights-act/written/90593.html> |
| **IHRAR reviewed operation of HRA** | IHRAR constituted to consider how the HRA is working in practice and whether any change is needed. The two key themes to consider were relationship between domestic Courts and ECtHR and domestic “constitutional balance” | [The Independent Human Rights Act Review – Executive Summary (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1040526/ihrar-executive-summary.pdf)  [Joint Committee on Human Rights Report of Inquiry into IHRAR](https://committees.parliament.uk/publications/6592/documents/71259/default/) |
| **Bill of Rights Bill** | Bill setting out legislation to repeal and replace the HRA – in particular to weaken the link between Strasbourg case law and domestic case law and removing the interpretive obligation. | [Latest draft of the Bill of Rights Bill](https://publications.parliament.uk/pa/bills/cbill/58-03/0117/220117.pdf)  [Public law for Everyone blog on the Bill of Rights Bill](https://publiclawforeveryone.com/2022/06/22/the-uks-new-bill-of-rights/)  [Legislative scrutiny by JCHR](https://committees.parliament.uk/publications/33649/documents/183913/default/)  [Government response to the Joint Committee on Human Rights: ‘Legislative Scrutiny’ on the Bill of Rights Bill](https://www.gov.uk/government/publications/response-to-the-jchrs-bill-of-rights-bill-report/government-response-to-the-joint-committee-on-human-rights-legislative-scrutiny-bill-of-rights-bill) |

1. These refer to applications for which the Court has received a correctly completed form and copies of relevant documents. [↑](#footnote-ref-1)
2. These refer to applications for which the Court has received a correctly completed form and copies of relevant documents. [↑](#footnote-ref-2)