

The Court amends Rule 39 and the Practice Direction on interim measures

The European Court of Human Rights has published a new version of the [Rules of Court](#) which includes amendments to Rule 39 on interim measures. The amendments were adopted by the Plenary Court on 23 February 2024 following consultations with the Contracting Parties and other relevant stakeholders. Their purpose is to clarify and codify existing practice relating to interim measures.

The Court has also revised the [Practice Direction](#) accompanying the newly amended Rule 39; it now contains detailed guidance as to the substantive and procedural aspects of the Court's interim-measure procedure with a view to bringing greater clarity and transparency to the conduct of proceedings.

Both texts are available on the Court's website and took effect on **28 March 2024**.

Rule 39 (interim measures)

On 23 February 2024 the Plenary Court formally amended Rule 39 of the Rules of Court with a view to clarifying the circumstances in which interim measures may be indicated by the Court and the threshold to be reached for such measures to be requested and granted.

These amendments, which had been announced in a previous press release published in November 2023 when the consultation process began ([link](#)), also sought to align the text of the Rule with the Court's well-established case-law and practice in relation to interim measures.

Among other amendments, the newly codified version of Rule 39 makes explicit reference to the fact that interim measures are applicable in cases where there is "an imminent risk of irreparable harm to a Convention right". The new version also explains which decision-making bodies can be seized of interim-measure requests.

The amendments followed several decisions adopted by the Plenary Court in the context of wider procedural reforms, and consultations with the relevant stakeholders, in particular the Contracting Parties, organisations with experience in representing applicants before the Court and relevant Bar associations (see Rule 116).

The full text of Rule 39 of the Rules of Court is available [here](#).

Practice Direction

The Court has also published a revised Practice Direction to accompany the newly amended Rule 39. Issued by the President of the Court, the Practice Direction is designed to provide detailed guidance as to the substantive and procedural aspects of the Court's interim-measure procedure with a view to bringing greater clarity and transparency to the conduct of such proceedings, the exceptional circumstances in which interim measures may be granted and when they may be reconsidered by the Court. It is addressed to (potential) applicants, their representatives, Contracting Parties and interested stakeholders generally.

The full text of the Practice Direction is available [here](#).

Useful links

- Rule 39 of the Rules of Court ([link](#))
- Practice Direction on requests for interim measures ([link](#))
- [Press release](#) of 13 November 2023 announcing the above-mentioned and other amendments to the interim-measure procedure
- [Factsheet on interim measures](#)

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Press contacts

echrpres@echr.coe.int | tel: +33 3 90 21 42 08

We are happy to receive journalists' enquiries via either email or telephone.

Inci Ertekin (tel: + 33 3 90 21 55 30)

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)

Denis Lambert (tel: + 33 3 90 21 41 09)

Neil Connolly (tel: + 33 3 90 21 48 05)

Jane Swift (tel: + 33 3 88 41 29 04)

The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.