

## European Court clarifies third-party intervention: amendments to Rules of Court and new guidelines

The European Court of Human Rights has today published on its website a new version of the Rules of Court, which incorporates amendments in respect of [Rule 44 §§ 2 and 3 \(b\)](#) on third-party intervention. These amendments were adopted by the Plenary of the Court on 3 March 2023 and entered into force on the same date.

These amendments concern third-party intervention of the Council of Europe's Commissioner for Human Rights (Rule 44 § 2) and set out the conditions and deadlines for requests to intervene as a third party both in written procedure and in a hearing before a Chamber (Rule 44 § 3 (b)).

In parallel, new guidelines (a [Practice Direction](#)) have been issued by the President of the Court (Rule 32 of the Rules of Court) with a view to clarifying the manner in which third parties can intervene, in particular as concerns time-limits for making written submissions, the content and scope of such submissions, and the way in which the Court uses them when examining cases.

The practice direction only concerns [Article 36 § 2 of the European Convention on Human Rights](#), namely leave to intervene of any State which is not a party to the proceedings or any person concerned who is not the applicant. It also concerns [Protocol No. 16](#), which enables member States' highest national courts and tribunals to ask the Court to give advisory opinions, and specifically the second sentence of Article 3 of the Protocol regarding the participation of any other High Contracting Party or person in the advisory-opinion proceedings.

The practice direction aims to provide comprehensive guidance on the following matters:

- the role of third-party intervention in the Court's procedure;
- who is allowed to intervene as a third party under Article 36 § 2 of the Convention or under Article 3, second sentence, of Protocol No. 16;
- when is a third party invited or permitted to intervene;
- the representation of third parties;
- what third-party intervention involves;
- the stages in the proceedings before the Court when a third-party intervention is possible, and the time-limits for seeking leave to intervene in each possible scenario;
- the language, content and manner of requesting leave to intervene;
- the requirements which the interveners' written comments and oral submissions must meet.

These clarifications are the culmination of a process initiated after the 2018 high-level conference in Copenhagen on reform of the Convention system, which encouraged the Court, among other things, to support third-party intervention.

---

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on [www.echr.coe.int](http://www.echr.coe.int). To receive

the Court's press releases, please subscribe here: [www.echr.coe.int/RSS/en](http://www.echr.coe.int/RSS/en) or follow us on Twitter [@ECHR\\_CEDH](https://twitter.com/ECHR_CEDH).

**Press contacts**

[echrpress@echr.coe.int](mailto:echrpress@echr.coe.int) | tel: +33 3 90 21 42 08

We would encourage journalists to send their enquiries via email.

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

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

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

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.