



The Pilot-Judgment Procedure of the European Court of Human Rights

Dominik Haider

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Structural human rights deficiencies in the member states of the European Convention of Human Rights have caused numerous individual applications to the European Court of Human Rights and are a considerable factor in the Court's persistent overload crisis. The Pilot-Judgment Procedure was devised to tackle these structural deficiencies and has become an important instrument of the Court. Dominik Haider examines to which extent the Pilot-Judgment Procedure is reconcilable with the European Convention on Human Rights. After an analysis of the member states' obligations to resolve structural deficiencies, the author asks if the European Court of Human Rights is empowered to take the procedural steps which are characteristic of the Pilot-Judgment Procedure. In particular, the Court's express orders are critically scrutinised.



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