



## ECHR freezes all cases against Bulgaria concerning conditions of detention

The European Court of Human Rights has decided to adjourn the examination of all pending applications against Bulgaria in which the applicants complain of poor conditions of detention, as well as all future applications raising the same issue, pending the potential adoption of a pilot judgment in the case of [Neshkov and Others v. Bulgaria](#)<sup>1</sup>.

In this case the applicants complain under Article 3 (prohibition of inhuman or degrading treatment) and Article 13 (right to an effective remedy) of the European Convention on Human Rights about the conditions of detention in various correctional facilities in Bulgaria, notably on account of overcrowding and poor hygiene, and the alleged lack of effective domestic remedies in that respect. The case was communicated to the Bulgarian Government on 20 March 2014 and the parties are currently exchanging their observations. The parties were also invited to express their views on whether the case revealed a systemic problem in Bulgarian detention facilities and would be suitable for the Court's pilot-judgment procedure.

There are approximately 20 applications against Bulgaria concerning detention conditions which are currently awaiting first examination.

### *What is the pilot-judgment procedure?*

The [pilot judgment](#) procedure was developed as a technique of identifying structural problems underlying repetitive cases against many countries and imposing an obligation on member States to address those problems. Where the Court receives several applications that share a root cause, it can select one or more for priority treatment under the pilot procedure. In a pilot judgment, the Court's task is not only to decide whether a violation of the Convention occurred in the specific case but also to identify the systemic problem and to give the Government clear indications of the type of remedial measures needed to resolve it. A key feature of the pilot procedure is the possibility of adjourning, or "freezing," related cases for a period of time on the condition that the Government act promptly to adopt the national measures required to satisfy the judgment. The Court can, however, resume examining adjourned cases whenever the interests of justice so require.

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<sup>1</sup> Application nos. 36925/10, 21487/12, 72893/12, 73196/12, 77718/12 and 9717/13.

**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.