

Codes for European Court of Human Rights Judgements 1959-2022

Table 1. Codes for categorization of judgment segments.

Code	Description	Number for judgements in category
Procedure	The procedure of the court case is presented	112
Admissibility	The Court's assessment of the admissibility of the complaint(s)	110
The circumstances of the case	Within this code, there are the circumstances of the case and relevant law and practice	112
Relevant law and practice	Relevant domestic and international law and practice	107
Alleged violations of Article 8 of the ECHR	The alleged violations of Article 8 as claimed by the applicants	112
Alleged violations of other articles of the ECHR	Alleged violations of Articles other than Article 8 (collated under one code)	63
The Court's assessment	The Court's assessment under 'merits'	112
The parties' submissions	The parties' submissions under 'merits'	112
<ul style="list-style-type: none"> • Private submissions 	Submissions made by the Applicant(s)	106
<ul style="list-style-type: none"> • Public submissions 	Submissions made by the Government	112
Decision	The Court's conclusion on claims of violations (and admissibility)	112
Award and reimbursement	The award regarding 'just satisfaction' under Article 41	76
Concurring opinions	Opinion where it is explained why they voted with the majority of judges	19
Dissenting opinions	Opinion where it is explained why they did not agree with the majority of judges	30
Other separate opinions	If separate opinions are not marked as concurring or dissenting.	6
Other	All sections that do not fall under any of the headings covered in the other codes	7

Table 2. Codes for the child's opinion Court's assessment and Parties' submissions.

Main code	Subcodes for the Court's assessment	2. subcodes for the Court's assessment	Example
The child's opinion is mentioned The Court/the parties mention or refer to the child's opinion, views, expressions, or statements in their assessment/submissions	Heard The child is heard when the Court mentions the child's opinion in their assessment. Includes reference to children's opinions as they occur in the domestic procedures. Includes references to decision-making bodies hearing the child's opinion, taking children's opinion into account, that they		<i>"Here the Court would like to point out that the children's own opinion about how often they wanted to see their mother was obtained upon request by the Administrative Court of Appeal in the proceedings where contact was increased to four times per year. They expressly stated that they did not want to see their mother more than twice a year and they did not want to see her alone or stay with her."</i>

	act in accordance with/against the child's wishes etc.		
	<p>Not heard When the Court mentions that domestic institutions have not heard a child or have failed to sufficiently facilitate a child to express their opinion and participate in the decision-making proceedings.</p>	<p>Not properly heard The child's opinion is considered 'not heard' if it was not acquired or acquired insufficiently or incorrectly, e.g., the failure to hear them directly, asking incorrect questions, or not re-hearing children after significant time has passed.</p>	<p><i>"In fact, the first-instance court confined itself to referring briefly to the opinion of the applicant's two elder daughters, who had stated that they did not want to see their mother... The Court further observes that none of the applicant's other four children – T., born in 2000; EL, born in 2002; Ir., born in 2003, and R., born in 2006 – were heard by the domestic courts in the proceedings under examination. It notes the applicant's argument that the first-instance court's failure to hear T. and EL, aged thirteen and eleven years at the material time, was in breach of the relevant requirements of domestic law (...)"</i></p>
		<p>Reasonably not heard Where the Court mentions that the failure of domestic authorities to hear the child is grounded in reasonable circumstances/reasons, such as the child's age, vulnerability status, maturity, or emotional state. Thus, the state was rightfully unable/unwilling to acquire their opinion. Still, the Court could believe the child's perspective should have been obtained.</p>	<p><i>"As regards the second complaint, it is observed that W and Z were not heard by the domestic court because the child psychiatrist, who was appointed by the court, considered that they were at that time not capable of forming their view on the matter (...). Considering this matter as pertaining to the overall assessment of evidence and having regard to the expert's opinion and the children's circumstances, the Court finds no reason to call into question the domestic court's decision not to hear the children directly."</i></p>
<p>The child's opinion is not mentioned There is no mention or reference to the child's opinion, views, expressions, or statements in their assessment/submissions of the Court/parties</p>			