



# El potencial desarrollo del nuevo procedimiento consultivo ante el Tribunal Europeo de Derechos Humanos: fortalezas, debilidades, oportunidades y amenazas [

2019

text (article)

Analítica

Protocol No. 16 to the European Convention on Human Rights, which came into force on 1 August 2018 for the States that have ratified it, allows the highest courts and tribunals of a State Party to request the ECtHR to give advisory opinions on questions of principle relating to the interpretation or application of the rights and freedoms defined in the Convention or the protocols. Due to recent developments, we have assessed the particular potential of this new advisory procedure to guarantee the long-term effectiveness of the Convention system. For that purpose, we have examined its context, which covers the reform process of the ECHR system, and its most significant elements as an advisory procedure promoting judicial dialogue. As a result of this analysis, we have identified some strengths and opportunities that may ensure the achievement of its objectives, as well as weaknesses and threats which may adversely affect the long-term effectiveness of the system. The latter may require to take, if necessary, appropriate corrective measures

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**Editorial:** 2019

**Tipo Audiovisual:** access to justice Advisory Opinion ECtHR reform process European Convention on Human Rights European Court of Human Rights jurisdictional dialogue preliminary reference principle of subsidiarity Protocol No 16 Convenio Europeo de Derechos Humanos cuestión prejudicial derecho a un recurso individual diálogo judicial Opinión consultiva principio de subsidiariedad proceso de reforma del TEDH Protocolo núm 16 Tribunal Europeo de Derechos Humanos

**Documento fuente:** Revista española de derecho internacional, ISSN 0034-9380, Vol. 71, Nº 2, 2019, pags. 171-194

**Nota general:** application/pdf

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**Lengua:** Spanish

**Enlace a fuente de información:** Revista española de derecho internacional, ISSN 0034-9380, Vol. 71, Nº 2, 2019, pags. 171-194

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