

## THE EXPEDIENCY OF CREATING THE INTERNATIONAL MAGISTRATES' COURT

The article deals with studying the suggestion to create a new institution of international justice – the International Magistrates' Court (the IMC), as a body, meant to solve minor cases in the simplified procedure using means of conciliation, and to hear appeals on the national Magistrates' court institutions decisions.

The grounds for such establishment, as explained in the present article, are as follows:

Firstly, the majority of states, having desire to avoid violent methods of dispute resolution, are looking for alternative (peaceful) means of settlement. The significance of the principle of peaceful dispute resolution (including international ones) in developing international and internal intercourse between the subjects of respective legal relations, is only increasing with time, and has a huge importance for the development of both international and domestic law systems. Secondly, having in mind the immense number of Magistrates' courts and Justices of the Peace in the vast majority of states, the principal internal activities of which are reconciliation, mediation and good offices, with the defense of social peace and serenity being the original ground for their establishments, the necessity of existence of international judicial institution resolving and settling minor international disputes in the simplified procedure and to hear appeals on the national Magistrates' court institutions decisions, with further peaceful settlement of a dispute is unquestionably important. Thirdly, the official recognition of the term

“significant disadvantage” as a new criterion for claims within the jurisdiction of the European Court of Human Rights (the Court), may be regarded as a legal ground for the establishment of the IMC. Basically, the Court has the right to treat any individual claim as unacceptable, in case when it considers that the applicant has not suffered a significant disadvantage. The purpose of the new admissibility criterion is to enable more rapid disposal of unmeritorious cases and thus to allow the Court to concentrate on its central mission of providing legal protection of human rights at the European level.

However, clarification of all required characteristics in a case for the purpose of declaring it significant both subjectively and objectively is not an easy task, and requires the Court's time and attention anyway. Moreover, claiming the generally versatile and conventional value of a claim, as a criterion for application of the “significant disadvantage” term, is not reasonable, because of different socio-economic living standards of citizens. Besides, a material criterion alone can not be considered as adequate for rejection and acceptance of claims, since the applicant's subjective perception of a situation, and objective circumstances of the case should be taken into consideration. Consequently, establishing the IMC with its jurisdiction over “minor” cases, may facilitate the relief in functioning of the European Court of Human Rights, and provide a possibility for every claim, that may firstly seem to be minor, to be heard in a timely way.