

Resolution CM/ResDH(2024)301

Execution of the judgments of the European Court of Human Rights

Six cases against Georgia

(Adopted by the Committee of Ministers on 5 December 2024
at the 1514th meeting of the Ministers' Deputies)

Application No.	Case	Judgment of	Final on
30364/09	MEGRELISHVILI	07/05/2020	07/05/2020
21074/09	BAKRADZE	10/12/2020	10/12/2020
41674/10	TLASHADZE AND KAKASHVILI	25/03/2021	25/03/2021
57255/10	KALANDIA	22/04/2021	22/04/2021
43854/12	SHUBITIDZE	17/06/2021	17/06/2021
42371/08	TORTLADZE	18/03/2021	18/06/2021

The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms, which provides that the Committee supervises the execution of final judgments of the European Court of Human Rights (hereinafter “the Convention” and “the Court”),

Having regard to the final judgments transmitted by the Court to the Committee in these cases and to the violations established on account of unfair criminal proceedings (violations of Article 6, paragraph 1), as well as due to the absence of appropriate and sufficient safeguards during the search of the consular premises (violation of Article 8);

Recalling the respondent State's obligation, under Article 46, paragraph 1, of the Convention, to abide by all final judgments in cases to which it has been a party and that this obligation entails, over and above the payment of any sums awarded by the Court, the adoption by the authorities of the respondent State, where required:

- of individual measures to put an end to violations established and erase their consequences so as to achieve as far as possible *restitutio in integrum*; and
- of general measures preventing similar violations;

Having invited the government of the respondent State to inform the Committee of the measures taken to comply with the above-mentioned obligation;

Having examined the action reports provided by the government indicating the individual measures adopted to execute the judgments including the information provided regarding the payment of the just satisfaction awarded by the Court (see documents DH-DD(2024)1143 and DH-DD(2024)1262);

Considering that the question of individual measures was resolved, given that three applicants in the cases of *Megrelishvili*, *Kalandia* and *Tortladze* have not applied for the reopening of the proceedings within the deadline set by the domestic legislation, and the other four applicants *Bakradze*, *Tlashadze* and *Kakashvili*, and *Shubitidze* were acquitted by the domestic court.

Recalling that the question of general measures required in response to the shortcomings found by the Court in these judgments continues to be examined within the framework of the *Rostomashvili* and *Kartvelishvili* groups of cases, also in the light of the Court's findings in these cases, and that the closure of these cases therefore in no way prejudices the Committee's evaluation of the general measures required;

DECLARES that it has exercised its functions under Article 46, paragraph 2, of the Convention in these cases;

CONCLUDES that the necessary individual measures have been adopted;

DECIDES to continue to supervise the adoption of the necessary general measures concerning unfair criminal proceedings in the *Rostomashvili* group of cases and concerning examination of defence witnesses in the *Kartvelishvili* group of cases;

DECIDES to close the examination of these cases.