

Resolution CM/ResDH(2024)311 Execution of the judgment of the European Court of Human Rights Marques Ângelo against Portugal

(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
31516/22	MARQUES ÂNGELO	22/02/2024	22/02/2024

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 judgment transmitted by the Court to the Committee in this case and to the violations of Article 3 and 13 of the Convention established on account of overcrowding, poor material conditions of detention and lack of an effective remedy in this regard;

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 information provided by the government indicating the individual measures adopted to execute the judgment including the information provided regarding the payment of the just satisfaction awarded by the Court (see documents DH-DD(2024)362 and DH-DD(2024)792);

Considering that the question of individual measures was resolved, given that the applicant has ceased serving his prison sentence, and that the just satisfaction awarded by the Court was paid;

Recalling that the question of general measures required in response to the shortcomings found by the Court in this judgment continues to be examined within the framework of the *Petrescu v. Portugal* group of cases, also in the light of the Court's findings in this case, and that the closure of this case therefore in no way prejudices the Committee's evaluation of general measures required;

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

CONCLUDES that the necessary individual measures have been adopted;

DECIDES to continue to supervise the adoption of the necessary general measures concerning overcrowding, poor material conditions of detention and lack of effective remedies in this regard in the framework of the *Petrescu* group of cases;

DECIDES to close the examination of this case.