

Resolution CM/ResDH(2024)333 Execution of the judgments of the European Court of Human Rights Two cases against Hungary

(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
51323/14	EDINA TOTH	30/01/2018	30/04/2018
32662/20	VASSALLO	26/10/2023	26/10/2023

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 the authorities' failure to effectively address the issues arising from the wrongful removal of the applicants' children;

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 judgments including the information provided regarding the payment of the just satisfaction awarded by the Court (see document DH-DD(2024)1104);

Considering that the question of individual measures was resolved, given either that the applicants were either reunited with their children or the children in question reached the age of majority;

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 *Shaw v. Hungary* group 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 in relation to effectively addressing the issues arising from the wrongful removal of children;

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;

DECIDES to close the examination of these cases.