EXCESSIVE LENGTH OF PROCEEDINGS

Department for the Execution of Judgments of the European Court of Human Rights

DGI

Thematic factsheet

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of the European Court of Human Rights

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INTRODUCTION

The right to a fair trial, enshrined in Article 6 of the European Convention on Human Rights, includes the right to a trial within a reasonable time. The European Court of Human Rights and the Committee of Ministers have consistently interpreted this right as a fundamental principle that is essential to ensuring access to justice and upholding the rule of law.[1] Excessive delays in court proceedings, however, can erode trust in the justice system, causing undue hardship and frustration for individuals and undermining the effective exercise of other Convention rights.[2]

To address the issue of lengthy court proceedings, the Council of Europe has taken steps to support member states in reducing delays and improving the administration of justice. The European Commission for the Efficiency of Justice (CEPEJ) plays a key role in this endeavour, providing expertise on best practices in court and judicial time management. The Committee of Ministers has also issued recommendations, such as Recommendation CM/Rec(2010)3 on effective remedies for excessive length of proceedings, to guide member states in improving the efficiency and effectiveness of their justice systems.

The European Court's case-law has highlighted the need for states to take concrete measures to reduce delays in court proceedings and provide effective remedies for individuals affected by lengthy proceedings. In response, member states have implemented various measures to address these issues. Many have introduced legislative reforms to streamline court procedures, while others have made administrative improvements to enhance court management. The development of alternative dispute resolution mechanisms has also been a common approach, as has the improvement of statistical data collection and analysis. Furthermore, increased staffing and financing of the judiciary plays an important role. In most cases, member states implemented a combination of the aforementioned measures. Moreover, notably in cases where the Court also found a breach of Article 13 of the Convention, effective remedies for parties affected by lengthy proceedings were put in place, often covering not only future cases but also cases still pending before the domestic courts and/or already submitted to the European Court.

It is worth noting that almost all member states have faced challenges related to the length of domestic court proceedings and have taken measures to address these issues. The examples from more than 30 member states provided in this factsheet are a selection of the most interesting and effective measures reported by states, and are not exhaustive.

[1] See e.g. CM/Del/Dec(2024)1501/H46-6 - 1501st meeting (11-13 June 2024) (DH) - H46-6 Bell group v. Belgium (Application No. 44826/05)

[2] See e.g. CM/Del/Dec(2023)1468/H46-37 - 1468th meeting (DH), June 2023 - H46-37 Merit group (Application No. 66561/01) and Svetlana Naumenko group (Application No. 41984/98) v. Ukraine

1. ADDRESSING EXCESSIVE LENGTH OF PROCEEDINGS AT DOMESTIC LEVEL

1.1. LEGISLATIVE MEASURES

Guaranteeing the reasonable time requirement in the Constitution and strengthening safeguards against delays in criminal proceedings

In response to the violation established by the Court on account of the excessive length of criminal proceedings not meeting the reasonable time requirement under Article 6 of the Convention, the principle of a fair trial, including the "reasonable time" requirement, was enshrined in the Constitution in 2015. The Judicial Code, adopted in 2018, further reinforced this principle by establishing clear criteria for assessing the reasonable length of proceedings. Moreover, the prompt delivery of judicial acts is now a key factor in evaluating the effectiveness of the work of judges, providing an added incentive for efficient case management. The Code of Criminal Procedure, adopted in 2021, introduced additional measures to prevent excessive delays, including the possibility for the court president to appoint a reserve judge in exceptional cases, a comprehensive list of grounds for postponing hearings, and enhanced judicial sanctions in cases of obstruction or abuse of rights. Furthermore, efforts have been made to improve the quality and efficiency of prosecution, ensuring that criminal proceedings are conducted in a timely and effective manner.

ARM / *Aganikyan*
(21791/12)
Judgment final on 05/04/2018

Final Resolution CM/ResDH(2019)290

Introducing time-limits and judicial oversight to prevent excessive delays in criminal investigations

To remedy the excessive length of criminal proceedings and the lack of effective remedies, as identified by the Court, Section 108a was introduced in the Code of Criminal Procedure, which entered into force on 1 January 2015. This provision establishes a time limit of three years for the duration of the investigation procedure, calculated from the first investigation against a person charged with a crime. If the investigation cannot be completed within this timeframe, the Public Prosecutor is obliged to report to the competent court on the reasons for the delay. The court may then prolong the period for a further two years and assess whether the Public Prosecutor is responsible for the delay. If the investigation is still not completed within the extended period, the Public Prosecutor must inform the court, which will take further action. Additional efforts have been made to increase the level of staff, including judges, prosecutors, and judicial officers.

AUT / *Donner* group
(32407/04)
Judgment final on 22/05/2007

Final Resolution CM/ResDH(2016)212

Reforming the *Conseil d'État* and eliminating its administrative case backlog

Following the Court's findings related to the excessive length of proceedings before the *Conseil d'État*, the authorities adopted a reform of its competences, organisation and functioning through the Law of 15 September 2006. This reform also created the *Conseil du Contentieux des Étrangers*, with a view to reducing and controlling the backlog of the *Conseil d'État* in this field. Among the notable measures were the extension of the categories of cases that could be decided by a single judge, the introduction of a filtering procedure in administrative cassation proceedings, and the conferral on the *Auditorat* of a role in selecting applications for annulment and suspension. The law also provided for a backlog reduction plan, which resulted in the complete elimination of the historic backlog of the *Conseil d'État* in 2013. In addition, remedies based on Articles 1382 and 1383 of the Civil Code made it possible to obtain compensation for excessively lengthy proceedings before the *Conseil d'État*.

BEL / *Entreprises Robert Delbrassine S.A.* group
(49204/99)
Judgment final on 01/10/2004

Final Resolution CM/ResDH(2015)132

Providing transparency on processing times in administrative proceedings

In response to the violations established by the Court, related to the excessive length of administrative proceedings, including before the administrative appeals board, and the lack of an effective remedy in this respect, the Administrative Judicial Procedure Act was amended in 2013. In particular, a provision was added stipulating that an administrative authority processing an appeal shall give a party an estimate on the processing time at the request of the said party.

FIN / *Vilho Eskelinen and Others* group (63235/00)
Judgment final on 19/04/2007

Final Resolution CM/ResDH(2018)325

Modernising administrative justice and reducing case backlog

In response to the long-standing problem of excessive length of proceedings before administrative courts since the 1990s, the authorities adopted a wide range of measures following the entry into force of the new Code of Administrative Procedure in 2010. The measures aimed to provide an effective response to this complex problem by reorganising the public administration system, modernising and streamlining administrative justice, as well as speeding up the absorption of backlogs. The authorities' efforts were reinforced by the increased recruitment of judges and supporting staff, including in 2023 and 2024, and the completion of the full digitisation of administrative court proceedings. The National Recovery and Resilience Plan provided additional financial resources and set ambitious objectives, including the elimination of 70% of the backlog within five years, which has given further impetus to the authorities' efforts to address this issue.

ITA / *Abenavoli* group (25587/94)
Judgment final on 02/09/1997

Final Resolution CM/ResDH(2024)203

Introducing time-limits for bankruptcy proceedings through insolvency reform

To remedy the excessive length of bankruptcy proceedings and the resulting restrictions on applicants' individual rights, as identified by the Court, a legislative reform was undertaken. Legislative Decree No. 83 of 2022, which entered into force on 15 July 2022, amended the Business Crisis and Insolvency Code to increase the effectiveness of restructuring, insolvency, and exoneration proceedings. The reform implemented the EU Directive 2019/23 on preventive restructuring frameworks, exoneration, and disqualifications. Notably, Article 213 of the amended Code sets a time-limit for the duration of bankruptcy proceedings as a whole, aiming to accelerate the process and provide a more efficient framework for insolvency proceedings.

ITA / *Collarile* group (10652/02)
Judgment final on 18/12/2012

Status of execution: pending

Reforming appeals and cassation procedures to accelerate criminal proceedings

In response to the long-standing problem of excessive length of criminal proceedings, a comprehensive reform of the criminal justice system was undertaken. The criminal justice reform bill, Law No. 103 of 23 June 2017, amended the Criminal Code and Criminal Procedure Code, notably targeting special procedures aimed at speeding up the criminal process, such as the summary procedure and plea bargaining. It also limited the possibility for prosecutors to challenge before the Court of Cassation verdicts of acquittal upheld by the courts of appeal. A simplified procedure to dispose of *prima facie* inadmissible appeals before the Court of Cassation was further put in place. On 6 February 2018, the Government adopted Legislative Decree No. 11, which introduced additional measures concerning appeal and cassation proceedings, restricting the possibility for the prosecutor to appeal a conviction and for the accused to appeal a verdict of acquittal. The admissibility of cassation appeals against decisions of justices of the peace (*"Giudice di pace"*, domestic courts with original jurisdiction for less significant civil matters) was limited to violations of law. In addition, Legislative Decree no. 150 of 10 October 2022 implemented a

ITA / *Ledonne* group (35742/97)
Judgment final on 12/08/1999

Final Resolution CM/ResDH(2025)256

series of structural measures, including the establishment of strict procedural time limits, the introduction of inadmissibility grounds based on the excessive length of proceedings, incentives to promote alternative dispute resolution mechanisms, and the general adoption of written proceedings before the Court of Cassation.

Streamlining civil proceedings through procedural reform and digitalisation

To remedy the long-standing problem of the excessive length of civil proceedings, a comprehensive reform of the civil justice system was undertaken. Legislative Decree no. 149 of 10 October 2022 introduced targeted measures aimed at reducing undue recourse to judicial proceedings, addressing insufficient human resources, streamlining time-consuming and fragmented procedures, and enhancing the digitalisation of the process. Legislative Decree no. 164 of 31 October 2024 further streamlined procedural timeframes and facilitated access to simplified procedures.

ITA / *Trapani* group
(45104/98)
Judgment final on 12/01/2001

Status of execution:
pending

Establishing reasonable-time guarantees and priority treatment in civil proceedings

To avoid future violations related to the excessive length of civil proceedings caused by a lack of the diligence required from the domestic courts in certain categories of cases according to the Court's case law, by the re-opening of cases and numerous re-hearings after the quashing of final judgments, and by the lack of an effective remedy in this respect, the authorities undertook a number of legal reforms.

They introduced legislative changes to the Code of Civil Procedure, particularly in the part concerning the postponement, recusal, and transfer of a case. The revised Code of Civil Procedure now provides for the right to have civil cases decided within reasonable time, with clear criteria for determining the reasonable length of proceedings, including the complexity of the case, the conduct of the parties, and the conduct of the court.
Furthermore, certain categories of cases, such as for example those related to the payment of pensions, the defence of minors' rights, and work litigation, are to be examined urgently and on a priority basis. The courts are also empowered to impose court fines on the parties to avoid unnecessary prolongation of proceedings, ensuring that all participants do their best to expedite the process.

MDA / *Cravcenco* group
(13012/02)
Judgment final on 15/04/2008

Final Resolution
CM/ResDH (2022)400

Streamlining judicial proceedings through procedural reforms and modern case management

To address excessive length of proceedings, the authorities adopted a range of legislative and institutional reforms. The Civil Procedure Code was amended in September 2010 to tighten procedural deadlines and discipline in civil proceedings, and to introduce mediation to alleviate the workload of civil courts. The new Criminal Procedure Code, adopted in November 2010, allows for the continuation of hearings in case of a trial judge change within a single set of proceedings, and eliminates repetitive remittals within one set of criminal proceedings. The Enforcement Law 2005 and its amendments of July 2010 introduced private bailiffs, who assumed responsibility for enforcement as from 2012. Additionally, the number of civil and judicial servants, as well as judges, was increased, and the Academy for Judges and Public Prosecutors carried out training courses with a special focus on the right to a hearing within a reasonable time. The introduction of automated case management in all courts in 2010 and the monitoring of performance of individual judges have also contributed to reducing court backlogs.

MKD / *Atanasovic and Others* group (13886/02)
Judgment final on 12/04/2006

Final Resolution
CM/ResDH(2016)35

Streamlining judicial proceedings through improved case management and digitalisation

POL / *Bak* group (7870/04)
Judgment final on 16/04/2007

Status of execution:
pending

In response to the Court's findings concerning the excessive length of criminal and civil proceedings and the ineffectiveness of the relevant remedy, the authorities adopted a series of legislative reforms and measures aimed at addressing the root causes of these problems. The judgments in the *Rutkowski and Others* and *Bieliński* cases highlighted the need to address the systemic shortcomings, including delays and inefficiency in obtaining expert reports, inadequate case-management and organisation of trials, repetitive remittals on appeal, and the accumulation of certain categories of cases before the Warsaw Regional Court.
Amendments to the Code of Civil Procedure, effective from July 2023, introduced measures aimed at streamlining proceedings, including increasing the value of claims that could be examined by regional courts, transferring certain land and mortgage register reconciliation cases from district to regional courts, simplifying documents submitted by attorneys, and allowing, in exceptional cases, hearings to be concluded and judgments to be delivered in closed sessions. Additional amendments to the Code of Civil Procedure of 2019 and the 2018 Act on courts' bailiffs transferred certain competencies from judges to court staff in the appeal proceedings and enforcement proceedings, and as regards registers.
Further measures included the introduction of the Random Case Assignment System in 2018, to improve workload distribution, by eliminating the possibility for transferring old cases to newly appointed judges. Additional measures included the progressive digitalisation of judicial proceedings through electronic filing and communication tools, electronic registers in commercial and insolvency matters, and the gradual introduction of electronic deliveries.

Simplifying proceedings before administrative authorities and courts

POL / *Beller* group
(51837/99)
Judgment final on 06/06/2005

Status of execution:
pending

In response to the Court's findings as to the unreasonable length of proceedings before administrative courts and bodies and the ineffectiveness of the domestic remedies, the authorities adopted a series of legislative and administrative reforms aimed at addressing the underlying causes of these problems.
Comprehensive amendments to the Code of Administrative Procedure introduced in 2017 limited remittals for re-examination, simplified appeal procedures against such remittals, made requests for re-consideration optional before lodging appeals, and introduced simplified procedures for straightforward cases, including a "silent procedure" whereby a request is deemed granted if the competent administrative body does not reject it within the prescribed time-limit. Moreover, the Code of Administrative Procedure was amended again in 2018 to reduce excessive formalism in proceedings before administrative authorities and to introduce a principle enabling citizens to assess the functioning of public administration. A survey was conducted by all ministries to identify administrative proceedings in which there was no need for examination by administrative bodies of two instances, with a view to limiting administrative proceedings to a single instance where possible.
In addition, the Law on proceedings before administrative courts was amended in 2015 to broaden the scope of cases to be dealt with *in camera* and of cases which can be decided on their merits without further remittals, resulting in a decrease in the backlog of cases.

Modernising civil and administrative justice to reduce delays

PRT / *Vicente Cardoso* group (30130/10)
Judgment final on 12/03/2013

Status of execution:
pending

Following the Court's finding that the length of proceedings in civil and administrative courts was unreasonable, a series of legislative and administrative measures were undertaken to address the root causes of these problems. A new Code of Civil Procedure introduced in 2013 and further amended in 2018 and in 2019 sought to reduce the length of proceedings before civil courts of first

instance and civil enforcement proceedings through expanded electronic processing of cases, digital tools to monitor case-flow. Additionally, measures were adopted to give parties online access to case files, the creation of an interface between the court IT systems and the bailiffs service. Amendments to the Code of Civil Procedure were also adopted in 2019, implementing additional digital processing solutions, streamlining, and simplifying procedures. To reduce the length of proceedings in administrative courts, a reform of the administrative procedure was carried out in 2015. New regulations were adopted to increase the number of posts for judges and prosecutors in the administrative and tax courts, and to provide the High Council of Administrative and Tax Courts with an IT tool to monitor the evolution of the volume of cases registered with these courts. Rapid reaction teams of judges were also created in 2018 to deal with the backlog of cases in tax and administrative courts. Furthermore, amendments to the Statute of Administrative and Tax Courts, the Code of Procedure in Administrative Courts, and the Code of Tax Procedure created specialised courts, which started operating in September 2020. To support these measures, several competitions were organised between 2019-2021 to increase the number of judges in the administrative and tax courts, recruit more public prosecutors and auxiliary judicial staff, and improve the training of judicial staff.

Reducing delays through civil procedure reform and backlog reduction measures

SRB / *Jevremović* group
(3150/05)
Judgment final on 17/10/2007

Final Resolution CM/ResDH(2025)224

In response to the excessive length of civil, family-related and commercial proceedings, the authorities adopted a series of measures aimed at expediting judicial proceedings, reducing backlog cases and improving the efficiency of the justice system. In particular, sustained reforms were undertaken from 2011 onwards, including the entry into force of the new Code of Civil Procedure and its subsequent amendments in 2014. These measures contributed to a reduction in the average length of proceedings and to positive clearance rates in the different types of proceedings concerned, although challenges persisted before higher courts in civil matters. While the *Jevremović* group was closed, the outstanding questions relating to the excessive length of civil proceedings and the elimination of backlog continued to be examined by the Committee of Ministers in the *Kajganić* case.

Protecting taxpayers against delays in tax proceedings

SWE / *Janosevic* group
(34619/97)
Judgment final on 21/05/2003

Final Resolution CM/ResDH(2007)59

To address the violation of Article 6 §1 related to the length of proceedings, the Tax Agency issued guidelines concerning time-limits for the reconsideration of taxation decisions, requiring that such reconsiderations be completed within one or, if further investigations are necessary, within three months.
Furthermore, the Tax Payment Act of 2003 introduced several novelties to address the issue of lengthy proceedings. Specifically, tax authorities and courts are now empowered to remit or reduce a tax surcharge in case of undue delays, providing a remedy for individuals who have not had their case determined within a reasonable time.
Additionally, the taxpayer now has an unconditional right to be granted a stay of execution with respect to tax surcharges until the tax authority has reconsidered its decision or, if an appeal is lodged, until the competent county administrative court has examined the appeal. This right is granted without the requirement to provide security, ensuring that individuals are not unfairly burdened while awaiting a determination of their case.

Implementing the *Lukenda* Project to reduce delays and strengthen remedies

SVN / *Lukenda* group
(23032/02)
Judgment final on 06/01/2006

Final Resolution CM/ResDH(2016)354

To remedy the excessive length of proceedings across multiple areas, including civil, criminal, enforcement, and administrative cases, as well as the lack of effective remedies, as identified by the Court, the authorities undertook a broad range of legislative, organisational and capacity-building measures. Between 2005 and 2012, the *Lukenda* Project was implemented with the goal of eliminating backlogs in domestic courts and introducing structural and organisational reforms of the judiciary.

In civil proceedings, the Act on Alternative Dispute Resolution in Judicial Matters 2010 was enacted, and amendments to the Civil Procedure Act 2008 reduced the possibility of multiple remittals. Delays and inactivity of civil courts were addressed through upgraded IT systems and improved case management. In addition, the 2010 Rules on Court Experts and Certified Appraisers (amended in 2015) obliged experts to carry out their work diligently and regularly within a maximum period of 60 days. The Labour and Social Courts Act 2005 also strengthened procedural discipline in labour proceedings. Insolvency proceedings were governed by the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act 2008, while compulsory mediation and consented mediation were introduced in 2013.

In criminal proceedings, amendments to the Criminal Procedure Code in 2011 introduced plea bargaining and pre-trial hearings, while human resources were increased. Enforcement proceedings were accelerated through amendments to the enforcement legislation in 2010 and 2014, facilitating the enforcement of real estate claims and creating a specialised court department to deal exclusively with invoices, cheques, and other debt-related papers subject to fast-track enforcement procedures.

In administrative proceedings, a new General Administrative Procedure Act 2000, amended in 2004, 2007, and 2013, and a new Administrative Dispute Act 2007 were introduced. The increased use of modern technology, together with the reinforcement of judicial staffing, also contributed to reducing the length of proceedings.

1.2. ORGANISATIONAL AND ADMINISTRATIVE MEASURES

Ensuring timely expert examination in civil proceedings

ARM / *FIL LLC* (18526/13)
Judgment final on 30/04/2019

Final Resolution CM/ResDH(2020)213

In response to the violation established by the Court, that the length of civil proceedings concerning the applicant's compensation claim against a private company was excessive due to the lack of domestic mechanisms to ensure the implementation of expert examination, measures have been taken to address the issue.

To improve the efficiency of forensic expertise work, the 2019-2023 Strategy for Judicial and Legal Reforms foresees the merger of the two State-run forensic institutions into a single entity with adequate expert staff resources. Additionally, a draft law on forensic activities is being prepared to regulate the forensic examination procedure, including time-limits, instruments to be used, and qualification and training of experts. The new Code of Civil Procedure of 2018 provides detailed regulations on the procedure for conducting forensic examinations and offers relevant safeguards. Furthermore, in case of non-execution, a court decision to undertake a forensic examination may be enforced in accordance with the Law on Compulsory Enforcement of Judicial Acts.

Streamlining administrative proceedings through legislative and structural reforms

AUT / *G.S.* (26297/95)
Judgment final on 21/12/1999

Final Resolution CM/ResDH(2004)77

To remedy the problem of excessively lengthy administrative proceedings, several reform steps have been taken. The Administrative Reform Act 2001, which entered into force on 20 April 2002, aimed to alleviate the caseload of the administrative courts and accelerate administrative proceedings. This Act introduced significant changes, including the establishment of independent Administrative Tribunals in the Länder to decide appeals against first-instance decisions in certain matters of indirect federal administration. The Act also introduced the possibility of joint hearings and decisions on various applications for licences, approvals, and declarations required for a project.
To prevent the Administrative Court from being overburdened by repetitive cases, a new law was adopted in 2002, introducing a special accelerated procedure for examining such cases. Furthermore, the ongoing digitalisation of administrative practices has contributed to reducing delays in the management and processing of cases by the administration and judicial authorities.

Introducing legislative and structural reforms to improve the efficiency and effectiveness of civil proceedings

AUT / *Schreder* group
(38536/97)
Judgment final on 13/03/2002

Final Resolution CM/ResDH(2009)118

In response to the issue of excessive length of judicial civil proceedings, several legislative reforms have been implemented. The Code of Civil Procedure was amended in 2002 to introduce measures aimed at streamlining and accelerating proceedings, including preventing abuse of procedures, setting time-limits for expert opinions, and simplifying the summons procedure. The Non-Contentious Proceedings Act of 2005, introduced provisions to guarantee efficient and speedy conduct of proceedings, including stricter time-limits and limits on submitting new evidence. The Act also obliges courts to minimise the length of proceedings and parties to contribute to their speedy conduct. The Rent Act was also amended in 2005 to introduce new legal remedies aimed at accelerating proceedings. Additionally, a supervisory disciplinary mechanism was set up to address the issue of repeated changes of judges.

Measures adopted and planned to tackle the excessive length of civil and criminal proceedings

BEL / *Bell* group
(44826/05)
Judgment final on 06/04/2009

Status of execution: pending

To remedy the excessive length of civil and criminal proceedings, the authorities adopted a broad range of measures, including a significant increase in the judicial budget and staffing levels, an assessment of the workload of the courts and tribunals, the introduction of mandatory friendly settlement chambers in certain courts and tribunals, and improvements in the collection of judicial statistics, in particular as regards the average length of proceedings. Further initiatives are underway, including the finalisation of a project mapping backlogs and delays, the continued reinforcement of statistical capacity, a draft law aimed at reducing the length of civil proceedings, and an action plan to reduce the backlog and significant delays before the Brussels Court of Appeal.
In addition, a law of February 2024, in force since January 2025, is expected to strengthen the effectiveness of the compensatory remedy based on Article 1382 of the Civil Code in respect of excessive length of administrative, civil and criminal proceedings, by codifying a right which had previously been developed mainly through case-law and by clarifying the concepts of fault, damage and causal link, as well as the criteria for establishing fault. Furthermore, a law of April 2024 provides for the possibility of declaring time-barred criminal proceedings at the trial stage only in cases of serious failure to comply with the reasonable time requirement, subject to specific reasoning.

Measures to reduce the length of criminal proceedings before the most overburdened courts

BGR / *STOINE HRISTOV(II)* (36244/02)
Judgment final on 16/01/2009

Final Resolution CM/ResDH(2024)358

In response to the problem of excessively lengthy criminal proceedings before the most overburdened courts, the authorities adopted a range of targeted measures. Between 2018 and 2023, the number of judges at the Sofia District Court, the Sofia City Court and the Sofia Court of Appeal was increased. Steps taken in the context of the judicial map reform also aimed at improving the length of proceedings before the most burdened courts, while short-term measures, such as the transfer of judicial posts, continued to be applied.
The data available for the period 2019-2023 indicated that disposition time in criminal cases was below the Council of Europe median, suggesting that such cases were generally resolved within a reasonable time, while the clearance rate of the overburdened courts in criminal matters remained balanced. In addition, the progressive introduction of voice-to-text software in 2022 aimed at accelerating the drafting of judicial acts, and email summoning was introduced in criminal proceedings in 2021. Renovation works also created additional workspace and courtrooms.
Questions relating to the handling of complex criminal cases remain closely linked to the effectiveness of the trial stage in criminal matters, which is examined in the *S.Z.* case.

Reducing length of proceedings before the Constitutional Court

CRO / *Sikic* (9143/08)
Judgment final on 15/10/2010

Final Resolution CM/ResDH(2020)308

To remedy the violation established by the Court, related to the lengthy proceedings before the Constitutional Court, significant steps were taken by the authorities to address this issue. In 2010, the Rules of Procedure of the Constitutional Court entered into force, establishing three new committees, each composed of three judges, to efficiently tackle the backlog of cases. The committees became fully operational in 2012, and in 2018, the Constitutional Court conducted an extensive survey to identify and accelerate the completion of cases pending for more than three years. These cases, predominantly relating to complex issues, were flagged as high-importance cases and prioritised with fixed deadlines for completion. Furthermore, the Constitutional Court strengthened its work capacity by hiring 41 additional advisors between 2015 and 2018.

Result-based direction approach to address excessive length of proceedings

FIN / *Kangasluoma* group (48339/99)
Judgment final on 14/06/2004

Final Resolution CM/ResDH(2012)75

In reply to the violations established by the Court, related to the length of civil and criminal proceedings, the authorities have taken various measures. The Ministry of Justice has incorporated the case-law of the European Court of Human Rights into the result-based direction of the courts, with the aim of reducing processing times. The Ministry negotiates result targets with each court, taking into account the overall processing times, and provides training for judges on the case-law of the Court, including the issue of excessive length of proceedings.
The authorities have also focused on securing resources for the judiciary, increasing court training, and improving the quality of work in the courts. Additionally, measures such as interaction among police, prosecutors, and courts, restructuring the district courts system, introducing an appraisal system in the civil service, and reallocation of resources within the district courts system have been undertaken or are underway to reduce the length of proceedings.

Reducing excessive length of administrative, civil and criminal proceedings through legislative reforms

FRA / *C.R.* group (42407/98)
Judgment final on 23/12/2003

Final Resolution CM/ResDH(2008)39

In response to the violation established by the Court, the principle of a fair trial, including the reasonable time requirement, was reinforced through the adoption of the orientation and planning for justice law (*loi quinquennale d'orientation et de programmation pour la justice,* LOPJ) in September 2002. The Act aimed to provide

swifter justice by reducing the time required for judgments to one year at every level of jurisdiction. To achieve this objective, a large increase in court staff was implemented, with over 2400 new posts created between 1998 and 2002, and a further 4450 supplementary posts programmed between 2002 and 2007. Additionally, "objective-setting contracts" were signed with pilot sites, which undertook to reduce considerably the time taken to deliver judgments in exchange for additional staff and financial means. New quarterly statistics were also compiled to identify any anomalies as quickly as possible, providing precise figures on the number of new cases, closed cases, backlog of cases, and average time taken by closed cases.

FRA / *SAPL* group
(37565/97)
Judgment final on 18/03/2002

Final Resolution CM/ResDH(2005)63

Reforming the processing and hearing of appeals to reduce excessive length of civil proceedings before the *Cour de cassation*

Following the Court's finding of a violation, the authorities have implemented several changes to the processing and hearing of appeals. Applications are now filtered to identify clearly unfounded appeals, which can be heard by a reduced bench of three judges. The reduced bench can disallow appeals that are inadmissible or unfounded on a serious ground of law, or decide the case if the solution is self-evident. Otherwise, the case is sent for hearing by the committee.
The procedure which allows the trial and appeal courts to seek the Court of Cassation's opinion on a question of law that raises a serious difficulty and arises in a large number of cases has been extended to criminal cases. The Court of Cassation's opinion is given within three months of the referral. To deal with the heavy caseload in certain divisions of the Court of Cassation the staffing levels were increased. Six posts of auxiliary judge were established in 2001, and eleven supernumerary posts. Additionally, the number of specially recruited magistrates who may be appointed to the Cour de cassation has been doubled. The period between the date of the hearing and delivery of the judgment has been reduced to four weeks.
Furthermore, measures are being considered to rationalise case handling, such as grouping appeals by series, linking appeals raising the same point of law, and reducing the time allowed for preparing certain categories of cases for hearing.

FRA / *Hermant* (31603/96)
Judgment final on 14/01/2000

Final Resolution CM/ResDH(2003)88

Organisational measures to reduce the length of proceedings

In response to the Court's findings of unreasonable delays in various cases, organisational measures have been taken to improve the efficiency of proceedings. To address staff shortages that were identified as a contributing factor to delays in proceedings before investigation authorities and regional courts in Cologne, a special division composed of highly qualified experts was created in the public prosecutor's office in 2003 to deal with organised economic crimes and large-scale criminal cases. Modern technological facilities were installed, and additional prosecutors were recruited and allocated to divisions dealing with economic crimes.
Furthermore, regional courts were reinforced with additional personnel, including additional judges. Members of the civil section have also been assisting the criminal section for several years. These measures have helped accelerate criminal proceedings. Additionally, to alleviate the extraordinary workload of the Federal Constitutional Court, relief measures were taken to improve the situation. An additional registry was set up, and more legal staff members were employed in the scientific service of the Federal Constitutional Court. The number of scientific staff members was increased, helping to reduce the backlog of cases and improve the efficiency of proceedings before the Federal Constitutional Court.

GER / *Rumpf* group
(46344/06)
Judgment final on 02/12/2010

Final Resolution CM/ResDH(2013)244

Accelerating administrative proceedings through structural and procedural reforms

GRC / *Vassilios Athanasiou and Others* group (50973/08)
Judgment final on 21/03/2011

Final Resolution CM/ResDH (2015)230

In response to the need to accelerate administrative proceedings, a series of measures were introduced through Laws Nos. 3659/2008, 3772/2009, 3900/2010, and 4055/2012. These measures aimed to streamline the procedure, reduce the caseload of the Council of State, and enhance the efficiency of administrative courts. To reinforce human resources, the number of posts for administrative judges at all levels of jurisdiction was increased.
The Council of State's caseload was reduced by transferring remedies to competent courts, restricting grounds of appeal in cassation, and transferring certain cases to other administrative courts. The procedure in administrative courts was streamlined through the introduction of the "model trial" procedure, which allows for priority hearing of cases raising important legal issues. Other measures included grouping of cases, limiting adjournments, and introducing a simplified speedy procedure for deciding on admissibility.
A single-judge system was also introduced in courts of appeal, and cases were redistributed between single-judge and multi-judge formations at first instance. Specific measures were introduced to streamline procedures related to tax disputes, including the direct decision of tax and customs disputes exceeding 150,000 EUR by administrative courts of appeals. Special sections were set up in administrative courts to handle tax-related cases.
The use of information technology was also promoted, with the introduction of electronic lodging and registration of remedies, submission of files, and delivery of certificates and other documents.

Measures aimed at reducing the length of civil and criminal proceedings

GRC / *Michelioudakis* group (54447/10)
Judgment final on 03/07/2012

GRC / *Glykantzi* group (40150/09)
Judgment final on 30/01/2013

Final Resolution CM/ResDH (2015)231

In response to the violations established by the Court, that the length of civil and criminal proceedings was excessive and that there was no effective remedy in this respect, a series of measures were taken to reduce the length of proceedings and improve the efficiency of courts. The introduction of a single-judge formation in criminal courts, the inadmissibility of anonymous complaints, and the reclassification of certain misdemeanours as petty offences have contributed to a decrease in the workload of criminal courts and the simplification of criminal proceedings.
Additionally, the authorities implemented measures to streamline civil proceedings, including the establishment of a single-judge Court of Appeals, the introduction of computerised court management, and the evaluation of judges' performance have helped to shorten civil proceedings. Additional measures, such as joining injunction proceedings to main proceedings, non-remittance of cases by the Court of Cassation to lower courts, and the introduction of penalties for unmeritorious cases, have also been implemented to prevent delays and improve the efficiency of the judicial system.
In a follow-up case, *Vervele v. Greece* (2025), the Court found that civil proceedings were excessive and that the compensatory remedy under Law no. 4239/2014 was not effective, in particular because it required separate claims at each level of jurisdiction and therefore did not allow the domestic courts to assess the overall length of the proceedings. The execution of this judgment is currently under the supervision of the Committee of Ministers.

Reducing excessive length of criminal and civil proceedings through procedural reforms

LVA / *Kornakovs* group (61005/00)
Judgment final on 15/09/2006

Final Resolution CM/ResDH(2017)122

In 2009, the Latvian authorities implemented several substantive measures to address the issue of excessive length of criminal proceedings and ensure their timely completion. These measures included the introduction of written proceedings before the appellate courts, the use of video conference systems

during the adjudication of criminal cases, and the obligation of the appellate courts to examine written evidence only at the request of the defence, prosecution, and victim, which had already been examined by the first instance court. The Criminal Procedure Law 2012 explicitly provides for the right to have one's criminal proceedings completed in reasonable time and states that the failure to observe the reasonable time requirement may serve as a basis for the termination of criminal proceedings or mitigation of the sentence. In the period 2017-2018, further measures helped to reduce the length of civil proceedings, *inter alia* the introduction of an online monitoring system, the possibility to transfer cases to balance the courts' caseload, a territorial reform of courts and an increase in the number of judges. Mediation as an alternative out-of-court dispute resolution was promoted.

LVA / *Veiss* group
(15152/12)
Judgment final on 28/04/2014

Final Resolution CM/ResDH(2021)155

Reducing the length of civil proceedings

In reply to the violation of Article 6 § 1 as regards the length of civil proceedings, the authorities undertook a series of measures to address this issue. A major reform aimed at simplifying and accelerating civil proceedings was implemented, including the creation of a new judge position at the Regional court in 2018, which increased the number of judges from 14 to 15 and reduced the workload per judge. Additionally, as of January 2019, the existing rotation principle for substitute judges in the Constitutional Court and the Administrative Court was abolished, as it was found to be slowing down proceedings.

LIE / *Bekerman* group
(34459/10)
Judgment final on 01/02/2016

Final Resolution CM/ResDH(2022)265

Reducing excessive length of criminal proceedings through the introduction of stricter time-limits

In response to the violation established by the Court, that the length of criminal proceedings failed to meet the "reasonable time" requirement, a new Code of Criminal Procedure was introduced in 2003. This Code provides stricter time-limits for the completion of criminal cases and contains effective domestic remedies in cases where such proceedings are delayed. Specifically, the new Code imposes a six month time-limit for pre-trial investigation, followed by a 20-day time-limit for referral of a case to a court for a first hearing. Furthermore, the Code empowers the investigating judge to compel the prosecutor to complete or discontinue the investigation upon complaint by a suspect alleging an excessively long pre-trial investigation.

LIT / *Girdauskas* group
(70661/01)
Judgment final on 11/12/2003

Final Resolution CM/ResDH(2007)127

Accelerating proceedings: measures to address excessive length of criminal and civil cases

To reduce the length of criminal proceedings and of civil proceedings postponed until the end of the relevant criminal proceedings, the authorities have taken steps to address these issues. Between 2001 and 2008, the Judicial Police Service was reinforced and reorganised, and the coordination between police and judicial authorities was improved, with a view to accelerating criminal proceedings. Furthermore, the prosecutors' and investigating judges' staff was increased, providing additional resources to streamline the process.

LUX / *Schumacher* group
(63286/00)
Judgment final on 25/02/2004

Final Resolution CM/ResDH(2014)216

Reducing excessive length of civil and labour proceedings

In response to the violation established by the Court related to excessively lengthy civil and labour proceedings, amendments were introduced to the Civil Procedure Law in 2015. The amendments abolished multiple remittal possibilities, introduced tight procedural deadlines, and provided alternative dispute resolution options.
In labour proceedings, particularly those concerning the termination of an employment contract, domestic courts are now required to schedule a hearing within 30 days of the preliminary hearing, and first-instance proceedings must be completed within six months of the complaint's filing date. The Labour Law of 2008

MNE / *Stakic* group
(49320/07)
Judgment final on 02/01/2013

Final Resolution CM/ResDH(2017)38

established the Agency for Peaceful Settlement of Labour Disputes, which offers out-of-court settlements.
To reduce the number of backlog cases, the Judicial Council defined measures aimed in particular at: referring judges from efficient courts to the courts with a significant case inflow; delegating cases from overburdened to less burdened courts; introducing overtime; rewarding judges with higher number of cases that the required quota; monitoring the work of all courts and individual work of judges. The Strategy for the Reform of the Judiciary 2014-2018, adopted in March 2014, further enhanced the efficiency of the judiciary.

Preventive measures to address an isolated issue

In response to the excessive length of certain civil proceedings, the authorities have adopted preventive measures to accelerate proceedings. In reply to the need to address the length of criminal proceedings, the Criminal Procedure Act was amended in 2002 to introduce measures aimed at accelerating proceedings. These measures include time-limits for trial hearings, the appointment by the court of another counsel if the defendant's chosen counsel is responsible for significant delay, and the shortening of the time spent in investigating and adjudicating. These amendments have contributed to reducing the length of criminal proceedings and ensuring that individuals are tried within a reasonable time. In civil proceedings, the adoption of the Civil Procedure Act in 2005 introduced preventive measures aimed at reducing the length of proceedings. These measures include judges' explicit responsibility for dealing with cases in an expeditious manner, the overall responsibility of the head of the court to control the length of proceedings, and the introduction of imperative time limits. Additionally, new rules of evidence have been introduced to streamline proceedings.

NOR / *A. and E. Riis* (9042/04)
Judgment final on 31/08/2007

Final Resolution CM/ResDH(2009)10

Reducing excessive length of proceedings before the Norwegian industrial property office

In response to the excessive length of proceedings before the Norwegian Industrial Property Office (NIPO) and its Board of Appeal, which lasted until two years before the expiry of the 20 years' patent protection, rendering access to the domestic courts to review the patent matter meaningless, the authorities have taken steps to address this issue. A new Act on the Norwegian Patent Office and Appeal Body for Industrial Property Matters entered into force on 1 April 2013. This Act established an independent Appeal Body, separate from the Patent Office and the Government, to ensure the efficient and effective processing of appeals. Furthermore, Norway's accession to the European Patent Convention and membership in the European Patent Organisation as of 1 January 2008 has also contributed to improving the efficiency of the patent application process.
To streamline the processing of applications for industrial property rights, a new electronic system was introduced in 2004. Additionally, a concrete plan was adopted to systematically reduce the pending caseload and speed up the processing of applications. The process of handling applications has been ISO-9001-certified, ensuring that it meets international standards for quality management.

NOR / *Kristiansen and Tyvik AS* (25498/08)
Judgment final on 02/08/2013

Final Resolution CM/ResDH(2015)82

Introducing reforms to accelerate civil proceedings and reduce delays

To tackle the excessive length of civil proceedings, a legislative reform was introduced in 2005, bringing about procedural and organisational changes to the judicial system. The reform aimed to shorten proceedings by introducing a statutory time limit for courts to deal with cases, which is declared by the judge ex officio. This change prevents parties from prolonging proceedings through inactivity. Additionally, the reform alleviated the workload of law commissioners by doubling the sum for which judge-mediators may intervene and introducing the

SMR / *Tierce* (69700/01)
Judgment final on 03/12/2003

Final Resolution CM/ResDH(2011)261

possibility of direct appeals against judge-mediators' decisions. This eliminated the need for re-examination of cases concerned by law commissioners, reducing the duration of civil proceedings. The redistribution of work to other magistrates further reduced the commissioners' case-load, contributing to a more efficient and timely resolution of civil cases.

Implementing measures to address excessive length of civil proceedings

SVK / *Jakub* group
(2015/02)
Judgment final on 28/05/2006

Final Resolution CM/ResDH(2012)59

SVK / *Maxian and Maxianova* group
(44482/09)
Judgment final on 24/07/2012

Status of execution: pending

To reduce the length of civil proceedings, particularly in cases requiring special diligence, a series of legislative reforms were undertaken. Amendments to the Code of Civil Procedure and the Law on Court Costs adopted in 2007 introduced measures aimed at improving the allocation of responsibilities, transmission of documents and case-file management in courts of appeal, as well as at simplifying and reducing court costs.
Further amendments adopted in 2008, known as the "big" amendment, introduced several substantive changes to the judicial procedure, including the harmonisation of the procedure for challenging judges, the possibility for courts to appoint joint counsel for multiple parties, and the simplification of inheritance procedures. Additionally, the 2008 amendments introduced measures to expedite proceedings, such as the possibility for parties to serve and be served documents electronically, and the extension of the possibility for courts to determine cases without a hearing. The amendments also introduced a simplified procedure for the settlement of minor litigation and expanded the scope of court orders.

Between 2013 and 2019, additional practical and technical measures were adopted to accelerate proceedings. Two new codes of civil procedure - the Code of Civil Dispute Procedure and the Code of Civil Non-dispute Procedure- together with a new Code of Administrative Procedure, were adopted in 2015 and entered into force on 1 July 2016. Further legislative reforms concerning enforcement proceedings introduced the centralisation of enforcement cases, strengthened the role of enforcement courts, expanded the use of electronic tools, and reduced the number of pending enforcement cases through termination of unenforceable proceedings.

Additional amendments addressed the organisation and functioning of courts, including changes to judicial assignments and internal distribution of cases, with the aim of improving case management and reducing delays. A range of organisational, managerial and technological measures were adopted to improve the efficiency of judicial proceedings. These include the use of statistical monitoring tools to track the length of proceedings, reorganisation of court agendas, redistribution of cases, increased use of electronic communication, and the introduction of IT systems supporting case management and data collection.
A judicial map reform aimed at improving the efficiency of judicial proceedings, including administrative justice, was implemented in two main stages through the establishment of the Supreme Administrative Court of the Slovak Republic in January 2021 and the creation of a new system of specialised administrative courts, effective from 1 June 2022.

Modernising the judicial system through structural and procedural reforms

ESP / *Unión Alimentaria Sanders S.A.* (11681/85)
Judgment final on 07/07/1989

Final Resolution CM/Res DH(90)40

ESP / *Moreno Carmona* group (26178/04)
Judgment final on 09/09/2009

In response to the need to reduce the length of judicial proceedings, a series of legislative and administrative reforms were undertaken. A first wave of reforms took place between 1982 and 1990, resulting in the creation of 600 new courts, including single-judge courts, social courts, and juvenile courts. This expansion of the judicial system was accompanied by an improvement in its territorial organisation in 1988, leading to the creation of 1,570 new judicial posts. Further legislative measures were introduced to improve the efficiency of various types of proceedings, including civil, labour, criminal, enforcement, administrative, and bankruptcy

proceedings. These measures included the 2011 law on the acceleration of proceedings, the 2012 law on mediation in civil and commercial cases, and progress made in the legal framework for granting free legal aid.
In 2015, amendments to the Constitutional Law on the Judiciary, as well as to the Civil and Criminal Procedure Codes, made judicial organisation more flexible and more accessible. Additionally, the victim's status was strengthened in criminal proceedings, and a common administrative procedure for public administrations was introduced. The use of communications and information technologies in the administration of justice was also regulated by a law in 2011, improving case management and the administration of justice in general.

Final Resolution CM/ResDH(2018)35

Comprehensive reforms to improve the efficiency and effectiveness of judicial proceedings

TUR / *Ormancı* group
(43647/98)
Judgment final on 21/03/2005

Final Resolution CM/ResDH(2014)298

To address the excessive length of proceedings in multiple courts, including administrative, civil, criminal, labour, cadastral, military and commercial and consumers' courts, a series of reforms were undertaken to improve the efficiency of the judicial system.
In administrative proceedings, the reforms aimed at reducing the workload of the Council of State by limiting its jurisdiction to acts with nationwide applicability, streamlining procedures before the tax and administrative courts, increasing the number of chambers in regional administrative and strengthening their specialisation.
In civil proceedings, several simplifications were introduced, including new rules to avoid conflicts of jurisdiction, ensure timely payment of expert fees, simplify enforcement procedures and transfer certain notification acts to public notaries. Labour proceedings were also simplified, the allocation of social security cases among courts was improved, and 26 new labour courts were established. Cadastral proceedings were also reformed through the extension of competences of cadastral judges in city centres to allow them to hear cases from districts.
In criminal proceedings, reforms included the reclassification of certain offences as administrative offences, measures aimed at accelerating investigations and proceedings concerning appeals against decisions not to prosecute. Courts were relieved of the duty to keep certain records, and procedures were simplified by the abolition of the Magistrates' Courts in Criminal Matters and the transfer of their competences to the Criminal Courts of General Jurisdiction. The organisation of the Court of Cassation was also reformed to allow for a more flexible distribution between civil and criminal chambers.
In all proceedings, efforts were made to ensure an improved use of modern information technologies, including electronic signatures. Alternative mechanisms for resolving disputes outside the courts were introduced through several legal and institutional reforms. These included the adoption of the Law on Mediation in Civil Disputes and the Law on the Compensation of Damages Arising from Terrorism and Counterterrorism Measures, the introduction of reconciliation procedures into the criminal justice system, and the establishment of the Ombudsman Institution.

2. EFFECTIVE REMEDIES

2.1 COMPENSATORY REMEDIES

Establishing compensation for non-pecuniary damage resulting from violations of Convention rights

In response to the need to provide adequate compensation for non-pecuniary damage suffered by individuals as a result of violations of their rights and freedoms guaranteed by the Convention, including the right to a fair trial within a reasonable time, amendments to the Civil Code were introduced in 2014 and 2016. They established a mechanism for compensation of non-pecuniary damages for violation of fundamental rights and freedoms guaranteed by the Convention.

ARM / *Poghosyan and Baghdasaryan* (22999/06)
Judgment final on 12/09/2012

ARM / *Khachatryan and Others* (23978/06)
Judgment final on 27/02/2013

Final Resolution CM/ResDH(2016)184

Reducing excessive length of compensatory proceedings

In 2006, the Act on Liability for Damage caused in the Exercise of Public Authority introduced the possibility for individuals to obtain compensation in cases of excessively lengthy judicial proceedings. In response to the violation established by the Court, that the length of compensatory proceedings was excessive and that the number of manifestly ill-founded or abusive claims was too high, the Supreme Court has taken specific measures to address these issues. In 2017, the Supreme Court changed its case-law to apply the principle of concentration of proceedings, ensuring that parties disclose material facts and evidence at an early stage. The Supreme Court has also clarified the rules for adjudicating claims for compensation for excessive length of proceedings, allowing for an increase in the base amount of compensation if the claimant so requests. This possibility is applicable if the compensation proceedings themselves are excessively long. As a result, claimants are no longer hindered from seeking higher compensation for non-pecuniary damage due to protracted compensation proceedings. Additionally, the introduction of obligatory prior payment of court fees and certain procedural simplifications in 2017 has led to a decrease in the number of manifestly ill-founded or abusive claims for compensation under the Act on Liability.

CZE / *Borankova* group (41486/98)
Judgment final on 21/05/2003

Final Resolution CM/ResDH(2013)89

CZE / *Zirovnicky* (10092/13)
Judgment final on 08/02/2018

Final Resolution CM/ResDH(2020)252

Effective remedy against excessive length of civil and criminal proceedings

In response to the violation established by the Court, related to the excessive length of civil and criminal proceedings and failure to provide an effective remedy, a new law (No. 4239/2014) was adopted by the Greek Parliament in 2014, introducing a compensatory remedy. This remedy allows individuals to seek compensation for excessive length of proceedings in civil and criminal cases, as well as proceedings before the Court of Audit. The European Court of Human Rights found this remedy to be effective in principle, noting that its modalities were almost identical to a previous compensatory remedy introduced in 2012 for administrative proceedings, which had been found effective. The Court examined[3] the remedy in light of procedural safeguards, including fairness, speed, and court costs, and the calculation and payment of compensation and concluded that the remedy constituted a sufficient response to the obligation to ensure effective remedies were available for allegations of a violation of the length of civil and criminal proceedings.

In a follow-up case, *Vervele v. Greece* (2025), the Court found that the compensatory remedy introduced by Law no. 4239/2014 did not afford appropriate redress and was not effective, both because of its legal framework and

GRC / *Michelioudakis* group (54447/10)
Judgment final on 03/07/2012

GRC / *Glykantzi* group (40150/09)
Judgment final on 30/01/2013

Final Resolution CM/ResDH (2015)231

[3] *Xynos c. Grèce ,no 30226/09, 9 octobre 2014*

the manner in which it had been applied by the domestic courts. In particular, the requirement to lodge separate claims at each level of jurisdiction prevented the domestic courts from assessing the overall length of the proceedings, contrary to the Court's case-law. The Court further found that, in a significant number of cases, the domestic courts' interpretation of the relevant criteria for assessing the length of proceedings did not correspond to the Convention standards. It also noted the lack of clarity as to whether claimants would be reimbursed their costs where their complaint was found justified and allowed in part. The execution of this judgment is currently under the supervision of the Committee of Ministers.

Establishing a compensatory remedy for excessively lengthy contentious civil proceedings

HUN / *Gazso* group (48322/12)
Judgment final on 16/10/2015

Status of execution: **pending**

In response to the violations established by the Court concerning the excessive length of judicial proceedings in civil, criminal and administrative matters and the lack of an effective remedy, a new legislation was adopted in 2021 introducing a compensatory remedy for excessively lengthy contentious civil proceedings.
Act XCIV of 2021 on the Enforcement of Pecuniary Satisfaction Relating to Protraction of Civil Contentious Proceedings, which entered into force on 1 January 2022, introduces a compensatory remedy for civil cases, allowing individuals to claim compensation for excessively lengthy contentious civil proceedings. The new legislation provides that the duration of court proceedings is considered reasonable if they do not exceed 60 months, taking into account the length of different procedural stages, and grants domestic courts a broader margin of appreciation when deciding compensation claims.
Compensation is calculated on the basis of a daily tariff, defined by a government decree and available in respect of both pending and terminated proceedings. Compensation claims may be brought in non-contentious written court proceedings based solely on documentary evidence. In 2023, the Court considered this remedy effective.[4]

Improving the effectiveness of the "Pinto" remedy for excessively lengthy proceedings

ITA / *Olivieri and Others* group (17708/12)
Judgment final on 04/07/2016

Final Resolution CM/ResDH(2022)351

The "Pinto" remedy, introduced in 2001, is a compensatory remedy available to victims of excessively lengthy proceedings, allowing them to claim compensation for undue delays.
In response to the insufficient amounts and delays in the payment of compensation awarded under the "Pinto" remedy, as well as its ineffectiveness in administrative proceedings where no request for an expedited hearing had been lodged, a significant development took place in 2019. Following an intervention by the Constitutional Court, a request for an urgent hearing is no longer a precondition for complaining about the excessive length of administrative proceedings under the "Pinto" remedy. As a result, domestic courts adapted their case-law accordingly, ensuring a Convention-compliant interpretation of the 2012 amendments to the Pinto Act.

Establishing a remedy for unreasonable delays in civil and criminal proceedings

IRL / *McFarlane* group (31333/06)
Judgment final on 10/09/2010

Status of execution: **pending**

In response to the violations found by the Court, the Court Proceedings (Delays) Act 2024 was enacted in May 2024, providing a remedy for individuals who have experienced unreasonable delays in civil and criminal proceedings. The Act establishes a new statutory right and creates a scheme where applicants can seek a declaration and compensation. It provides for the appointment of assessors to examine claims and determine whether a breach has occurred. Claims may be

[4] *Szaxon v. Hungary , no. 54421/21, 21 March 2023*

lodged either before the conclusion of the relevant proceedings or within six months thereafter. Assessors must examine claims within six months and determine the amount of compensation, which must be paid within two months. Compensation awards must be determined by reference to the principles applied by the European Court in similar cases. If an applicant does not accept the assessment, their case may be brought before the Circuit Court. Factors similar to those established in the Court's case-law must be taken into account by the assessor or the Circuit Court in determining whether applicant's rights have been breached. Applicants may appeal to the Circuit Court and further to the High Court on a point of law, with reasonable legal costs awarded to successful applicants.

Effective domestic compensatory remedy for excessive length of proceedings

In response to the need for an effective domestic remedy for excessive length of proceedings, the Lithuanian Supreme Court's decision of 6 February 2007 marked a significant turning point in the case-law of the Lithuanian courts, establishing a clear precedent for the application of Article 6.272 of the Civil Code of the Republic of Lithuania. It is now possible to hold the State liable for lengthy civil, criminal, and administrative proceedings. The European Court recognised[5] the effectiveness of this remedy in its decision.

LIT / *Sulcas* group
(35624/04)
Judgment final on 17/12/2014

Final Resolution CM/ResDH(2014)291

Effective remedy against excessive length of criminal and civil proceedings

To reduce the length of criminal proceedings and of civil proceedings postponed until the end of the relevant criminal proceedings, and lack of effective remedies in this respect, the authorities have taken steps to address these issues. Individuals may now seek compensation for the malfunctioning of the administration either on the basis of the Civil Code or under a special Act of 1988, which provides a remedy for persons affected by excessive delays.

LUX / *Schumacher* group
(63286/00)
Judgment final on 25/02/2004

Final Resolution CM/ResDH(2014)216

Compensatory measures for excessive length of proceedings

In reply to the need for an effective remedy against excessive length of proceedings, the authorities have introduced compensatory measures. In the case of excessive length of criminal proceedings, the sentence may be shortened or pecuniary damages may be awarded. In exceptional cases, non-pecuniary damages may also be awarded. In addition, the 2005 Civil Procedure Act provides compensation for pecuniary damages suffered in case of excessive length in proceedings if the court is substantially to blame for the delay.

NOR / *A. and E. Riis*
(9042/04)
Judgment final on 31/08/2007

Final Resolution CM/ResDH(2009)10

Improving a compensatory remedy

In response to the Court's findings that the compensatory remedy available to victims of excessively lengthy proceedings was ineffective, the authorities took steps to improve the remedy. The case-law of administrative tribunals evolved in line with the requirements resulting from the judgment in the case of *Martins Castro* and subsequent cases of this group. The Court recognised[6] that Article 12 of Law nº 67/2007 constitutes an effective remedy in established domestic case-law, with particular reference to the judgment of the Administrative Supreme Court of 27 November 2013. This judgment established criteria for the length of the proceedings, the award of compensation for non-pecuniary damage and the payment thereof. Training activities were organised for judges and magistrates to ensure awareness of the requirements and criteria established by the judgment.

PRT / *Martins Castro and Alves Correia De Castro* group (33729/06)
Judgment final on 10/09/2008

Final Resolution CM/ResDH(2016)99

[5] *Savickas and others v. Lithuania, no. 66365/09, 15 October 2013*
[6] *Valada Matos das Neves v. Portugal, no. 73798/13, 29 October 2015*

Establishing an effective domestic remedy for excessive length of proceedings

The 2013 Law on the Settlement of some Applications Lodged with the European Court of Human Rights by means of Compensation introduced an effective domestic remedy by providing that applications relating to excessive length of proceedings could be settled by payment of compensation. Under this law, a State Commission may award compensation within nine months following an assessment of the complaint in the light of the European Court's case-law. The Commission's decision may be appealed before the Ankara Regional Administrative Court, whose decision must be rendered within three months. Compensation awarded must be paid by the Ministry of Finance within three months as from the date when the Regional Administrative Court's decision becomes final.

TUR / *Ormancı* group (43647/98)
Judgment final on 21/03/2005

Final Resolution CM/ResDH(2014)298

2.2 ACCELERATORY REMEDIES

Effective remedy against excessive length of proceedings concerning a judge's dismissal

In response to the violation established by the Court, that the proceedings concerning a judge's dismissal were excessively lengthy and that the applicant did not have an effective remedy at his disposal, a major reform of the judiciary was undertaken in 2016, aimed at strengthening the rights and duties of judiciary officials and streamlining the functioning of the system. The Law on the governance of the justice system of 2016 was adopted, establishing the High Judicial Council as the main institution for the administration and management of the judicial system. The new Law on the status of judges and prosecutors of 2016 created the function of a High Justice Inspector, responsible for the oversight of careers and performance of the members of the judiciary, ensuring that disciplinary proceedings against judges are conducted with particular diligence and impartiality. The High Justice Inspector initiates disciplinary proceedings by submitting an investigation report and file to the High Judicial Council, with explicit time limits for actions of relevant institutions. In case of excessive lengths in disciplinary proceedings, the judge under review may appeal to the High Judicial Council.

ALB / *Mishgjoni* (18381/05)
Judgment final on 07/03/2011

Final Resolution CM/ResDH(2018)73

New acceleratory remedies in administrative proceedings

In response to the problem of excessively lengthy administrative proceedings, an extensive overall restructuring of the administrative court system was implemented in January 2014, with the aim of speeding up proceedings. New acceleratory remedies were introduced, including the possibility for applicants to lodge an application against the administration's failure to decide (*Säumnisbeschwerde*) and to request acceleration of the proceedings pending before the Administrative Courts of first instance (*Fristsetzungsantrag*). The scope of existing remedies was also broadened by the jurisprudence of the Supreme Court.

AUT / *Rambauske* group (45369/07)
Judgment final on 28/04/2010

Final Resolution CM/ResDH(2015)222

Enhancing efficiency in criminal proceedings through acceleratory remedies

In response to the issue of lengthy criminal proceedings, several measures have been taken to address the problem. The Act on the Organisation of the Courts of 1990 introduced an acceleratory remedy, allowing parties to request the higher court to prescribe a time-limit for the taking of procedural steps, such as drawing up a judgment, when a court delays in doing so.

AUT / *B.* (11968/86)
Judgment final on 28/03/1990

Final Resolution CM/ResDH(90)41

AUT / *Schweighofer and Others* group (35673/97+)

Further reforms were implemented in 2008 to promote celerity of proceedings. A new remedy was introduced, enabling parties to request termination of lengthy proceedings or mitigation of sentence as compensation.
In 2015, amendments to the Code of Criminal Procedure further improved acceleratory remedies and introduced the opportunity to obtain the discontinuation of proceedings in less important criminal cases. Additionally, the duration of the investigation phase was limited to three years, and the Public Prosecutor is obliged to report to the competent court on the reasons for any delay if the investigation is not completed within this period.

Judgment final on 09/01/2002

Final Resolution CM/ResDH(2007)113

AUT / *Donner* group
(32407/04)
Judgment final on 22/05/2007

Final Resolution CM/ResDH(2016)212

Accelerating remedies in civil proceedings

In reply to the violation as regards the length of civil proceedings and lack of an effective remedy, the authorities undertook a partial reform of the Civil Procedure Act and other related acts entered into force in September 2019, introducing measures to simplify and accelerate proceedings in general. The reform included amendments to the rules on supervisory complaints in the Court Organisation Act and the introduction of a new acceleratory remedy, allowing for the setting of deadlines for delayed court actions, such as the holding of a hearing, the submission of an expert opinion, or the delivery of a ruling.

LIE / *Bekerman* group
(34459/10)
Judgment final on 01/02/2016

Final Resolution CM/ResDH(2022)265

Reducing criminal proceedings through the introduction of acceleration remedies

In response to the violation established by the Court, that the length of criminal proceedings failed to meet the reasonable time requirement, a new Code of Criminal Procedure was introduced in 2003. It empowers the investigating judge to compel the prosecutor to complete or discontinue the investigation upon complaint by a suspect alleging an excessively long pre-trial investigation.

LIT / *Girdauskas* group
(70661/01)
Judgment final on 11/12/2003

Final Resolution CM/ResDH(2007)127

2.3 COMBINED REMEDIES

Establishing and implementing the acceleratory and compensatory remedy for excessive length of judicial proceedings

In response to the violations found by the Court in *the Luli and Others* case, under Article 46, which highlighted the need for general measures at national level to address the serious problem of excessive length of proceedings, in particular through the introduction of a domestic remedy, a new acceleratory and compensatory remedy was introduced in November 2017. This remedy allows individuals to file requests for acceleration or claims for compensation before the ordinary courts or the Constitutional Court, depending on the jurisdiction concerned. Claims for compensation may be lodged after the finding of a breach of the reasonable time requirement at one level of jurisdiction.
The authorities have also reported a gradual increase in the use of this remedy, with a growing number of claims for compensation and requests for a finding of a breach being filed with the Supreme Court. Furthermore, following a legislative amendment in 2021, the Supreme Court now examines such requests with priority and may examine such cases in a three-judge panel instead of a five-judge panel. In addition, training activities have been organised for judges, prosecutors, and State advocates on the application of provisions concerning excessive length of proceedings and related remedies, in cooperation with international partners.

ALB / *Luli and Others* group
(64480/09)
Judgment final on 01/07/2014

Status of execution:
pending

In 2021, the European Court found[7] that the remedy was effective in principle. In the recent judgment *ARB SHPK and Others v. Albania* (2025),[8] the European Court indicated, under Article 46 of the Convention, that the authorities should continue their efforts to comply with the reasonable time requirement, notably by reducing backlogs, filling judicial vacancies and ensuring adequate support for the judiciary, as well as by re-examining the practical effectiveness of the compensatory remedy.

Introducing a combination of remedies against excessive length of proceedings

In response to the problem of excessive length of proceedings highlighted in numerous judgments of the Court, including two pilot judgments, several measures have been taken to address the issue. The Civil Procedure Code of 2007 introduced the possibility of seeking acceleration of pending proceedings in civil and administrative cases.

Furthermore, in 2012, the possibility of obtaining compensation for excessive length of civil and criminal proceedings was introduced in an administrative procedure. In addition, a judicial compensatory remedy was introduced, allowing parties to pending judicial proceedings, as well as parties to finalised cases not satisfied with the results of the administrative procedure, to seek compensation for excessive length of proceedings.

To address the duration of preliminary investigations, the Judiciary Act was amended in 2016 to limit the duration of preliminary inquiries (a stage before the formal opening of investigation) to two months, with the possibility of a one-month extension. Further amendments to the Code of Criminal Procedure introduced, in July 2017, a new procedure for the acceleration of criminal proceedings. This procedure may be used by both the accused and the victim of the offence at the pre-trial and trial phases. The amendments also abolished the obligation to automatically terminate criminal proceedings after a certain period of time.

BGR / *Kitov* group (37104/97)
Judgment final on 03/07/2003

BGR / Djangozov (45950/99)
Judgment final on 08/10/2004

Final Resolution CM/ResDH(2017)420

BGR / *Dimitrov and Hamanov* (48059/06)
Judgment final on 10/08/2011

BGR / *Finger* (37346/05)
Judgment final on 10/08/2011

Final Resolution CM/ResDH(2015)154

Improving domestic remedies in civil proceedings

In response to the shortcomings in the functioning of domestic remedies in civil proceedings, the Parliament adopted amendments to the Law on Courts in March 2024. These amendments provide for a combined compensatory and acceleratory remedy aimed at protecting the right to a trial within a reasonable time.

CRO / *Kirincic and Others* group (31386/17)
Judgment final on 30/10/2020

Status of execution: pending

New remedies against excessive length of proceedings in civil and bankruptcy cases

In response to the violations established by the Court, namely that the civil proceedings concerning medical malpractice and the applicant's responsibility for stripping the assets of his former company were excessively lengthy, that the applicant did not have an effective remedy to complain about the length of the proceedings, and that there had been an unjustified interference with his property rights resulting from the deprivation of the possibility to administer his assets for almost the entire duration of the proceedings, new specific remedies aimed at accelerating proceedings were introduced in January 2007 and July 2007.

The new acceleratory remedies, introduced through Section 152a of the Administration of Justice Act and Section 127a of the Bankruptcy Act, which entered into force in January 2007 and July 2007 respectively, enable individuals to request the acceleration of proceedings. Under Section 152a of the Administration of Justice Act, parties may request the court to schedule a main

DNK / *Christensen* group (247/07)
Judgment final on 22/04/2009

Final Resolution CM/ResDH(2012)73

[7] *Bara and Kola v. Albania, nos. 43391/18 and 17766/19, 12 October 2021*
[8] *ARB SHPK and Others v. Albania, no. 39860/19, 27 May 2025*

hearing within a reasonable time. Similarly, Section 127a of the Bankruptcy Act allows parties to request specific times for events such as meeting of heirs. Furthermore, the Administration of Justice Act provides possibilities of compensation for individuals affected by excessive length of proceedings.

Addressing the absence of effective remedies: legislative reforms

In response to the violations established by the Court, related to the absence of effective remedies against the length of civil and criminal proceedings, legislative reforms have been introduced to provide effective compensatory and preventive remedies. The Act on Compensation for Excessive Duration of Judicial Proceedings, which entered into force in 2010, entitles applicants to obtain reasonable compensation from the state budget in case of excessive length of proceedings attributable to the authorities. The Code of Judicial Procedure has also been amended to provide a possibility for district courts to order a matter to be considered urgent at the request of a party, if there is a compelling reason.

FIN / *Kangasluoma* group (48339/99)
Judgment final on 14/06/2004

Final Resolution CM/ResDH(2012)75

Effective remedies against excessive length of administrative proceedings

In response to the violations established by the Court, that the length of administrative proceedings was excessive and that applicants did not have an effective remedy at their disposal, various measures have been taken to provide effective remedies. The Act on Compensation for Excessive Duration of Judicial Proceedings, amended in 2013, now applies to administrative courts, courts of special jurisdiction, and administrative appeals boards, enabling applicants to seek reasonable compensation from the State. Additionally, complaints about the duration of proceedings can be submitted to a higher authority, the Parliamentary Ombudsman, or the Chancellor of Justice. Excessive length of proceedings may also be taken into account when ordering an administrative sanction. Furthermore, compensation for excessive length of proceedings can be requested under the Tort Liability Act of 1974.

FIN / *Vilho Eskelinen and Others* group (63235/00)
Judgment final on 19/04/2007

Final Resolution CM/ResDH(2018)325

Introduction of effective remedies against excessive length of proceedings before various courts and in criminal investigations

In view of the violations established by the Court, related to the lack of an effective remedy against the excessive length of judicial proceedings before civil courts, labour courts, administrative courts, social courts, and criminal courts, as well as of criminal investigation proceedings, a comprehensive legal reform was undertaken. In response to the pilot judgment of December 2010, which highlighted the need for a domestic remedy to address the systemic issue of excessive length of proceedings, the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings was enacted in 2012. This new legislation provides a two-step remedy against excessively lengthy proceedings: first, a "delay objection" allows judges to remedy the situation, and second, if the proceedings continue to be delayed, a claim for compensation may be lodged. The claim for compensation provides for the possibility to obtain non-pecuniary and pecuniary damages, including compensation for losses incurred due to unreasonably long proceedings, such as a company's insolvency. Notably, the new compensation rules do not require proof of fault, and claims for official liability may still be lodged in cases of culpable violations of official duties, allowing for comprehensive compensation for damages, including lost profits.

GER / *Rumpf* group (46344/06)
Judgment final on 02/12/2010

Final Resolution CM/ResDH (2013)244

Establishing effective remedies in administrative proceedings

In response to the violations established by the Court of excessive length of proceedings before administrative courts and the Council of State, as well as the lack of an effective remedy, the authorities enacted Law No. 4055/2012, which came into force on 2 April 2012. The new law introduced two remedies to address excessive length of administrative proceedings: an acceleratory remedy and a compensatory remedy. The acceleratory remedy allows any litigant to request the speeding up of administrative proceedings after 24 months have elapsed since the originating application was lodged. The competent judicial body grants acceleration after considering factors such as delays in the proceedings at different levels of jurisdiction, earlier stages, and the caseload of the court. The compensatory remedy provides compensation for excessive length of administrative proceedings. The European Court has held that this remedy is in line with its case law, and the criteria applied in the first judgments given by the Council of State and the administrative court of appeals of Athens on the new compensatory remedy were found to be in accordance with the Court's standards.

GRC / *Vassilios Athanasiou and Others* group
(50973/08)
Judgment final on 21/03/2011

Final Resolution CM/ResDH (2015)230

Ensuring effective remedy against excessive length of criminal and civil proceedings

In response to the need to address the excessive length of criminal proceedings, the authorities have taken steps to ensure that individuals have an effective remedy at their disposal. The current Criminal Procedure Law 2005 explicitly provides for the right to have one's criminal proceedings completed in a reasonable time, and states that the failure to observe this requirement may serve as a basis for the termination of criminal proceedings or mitigation of the sentence. The authorities have reported numerous examples of individuals effectively using the compensatory domestic remedy introduced by this legislation, with the European Court also acknowledging[9] its effectiveness. The European Court also found[10] that the mechanism of mitigation of the sentence as a result of lengthy proceedings provided an adequate redress for the substantial delay in proceedings. In 2013, amendments to the Law on Judicial Power in conjunction with the relevant provisions of the Civil Procedure Law introduced acceleratory remedies and provided for a strict supervision of compliance with procedural time limits by the court presidents and the Judicial Council.

LVA / *Cernikovs* group
(71071/01**)**
Judgment final on 31/05/2011

Final Resolution CM/ResDH(2017)123

LVA / *Veiss* group
(15152/12)
Judgment final on 28/04/2014

Final Resolution CM/ResDH(2021)155

Establishing and implementing a compensatory and acceleratory remedy against excessive length of judicial proceedings

In response to the pilot judgment *Olaru and Others*, the Parliament adopted Law No. 87, which provides a compensatory remedy against excessive and unreasonable length of judicial proceedings. This law entered into force on 1 July 2011. In addition to the compensatory remedy, an acceleratory remedy has been introduced under Article 192 (1) of the Code of Civil Procedure, allowing individuals to expedite domestic proceedings. According to Law No. 87, anyone who considers themselves a victim of a breach of the right to have a case examined or a final judgment enforced within a reasonable time is entitled to apply to a domestic court for the acknowledgement of such a breach and compensation. The law provides that applications lodged under Law No. 87 must be dealt with by national courts within three months. If a breach is found, compensation for pecuniary damage, non-pecuniary damage, and costs and expenses must be awarded to the applicant. The law also simplifies the procedure for enforcing judgments adopted under Law No. 87, eliminating the need for further applications or formalities.

MDA / *Cravcenco* group
(13012/02)
Judgment final on 15/04/2008

Final Resolution CM/ResDH(2022)400

MDA / *Olaru* group
(476/07)
Judgment final on 28/10/2009

Status of execution: pending

[9] *Trūps v. Latvia (dec.), no. 58497/08, 20 November 2012*
[10] *Bērziņš v. Latvia (dec.), no. 30780/13 20 May 2014*

Establishing an effective domestic remedy for excessive length of proceedings

In response to the need to provide an effective domestic remedy for excessive length of proceedings, the Courts Act of 2006 was amended in March 2008. The amended Act grants the Supreme Court exclusive competence to decide upon the remedy, ensuring a centralised and efficient process for addressing length-of-proceedings cases. If it finds a violation, the Supreme Court awards compensation and, where appropriate sets a deadline for the court concerned to decide on the merits of the case. To facilitate the handling of such cases, a special department was established within the Supreme Court. The remedy is accessible to individuals while proceedings are pending, and complaints can be lodged up to six months after the decision becomes final, providing a clear and timely framework for seeking redress.

MKD / *Atanasovic and Others* group (13886/02)
Judgment final on 12/04/2006

Final Resolution CM/ResDH(2016)35

Establishing an effective domestic remedy for excessive length of proceedings

In reply to the need for an effective remedy against excessive length of proceedings, the Right to a Trial within a Reasonable Time Act of 2007 was adopted, providing the possibility to expedite lengthy proceedings through a request for review and to award compensation through an action for fair redress. This Act applies to judicial proceedings initiated after 3 March 2004.

MNE / *Stakic* group (49320/07)
Judgment final on 02/01/2013

Final Resolution CM/ResDH(2017)38

Improving effective remedies against excessive length of proceedings before administrative bodies and courts

In response to the violations established by the Court, different sets of remedies have been established in the Polish legal system against the excessive length of proceedings before administrative bodies and before administrative courts, including the Supreme Administrative Court. The remedies against excessive length of proceedings before administrative bodies include a complaint to a higher-level administrative body of inactivity or excessive length of proceedings, and a similar complaint to administrative courts. Under this latter complaint mechanism, an administrative court may impose on the administrative body an obligation to act within a given time frame, declare flagrant violations of law, and impose fines on responsible bodies.
Moreover, since 2015 administrative courts have the power to order payment of compensation by the responsible administrative body to the applicant. The 2017 amendments to the Code of Administrative Procedure introduced changes to the complaint to a higher administrative body against inactivity or excessive length of proceedings before administrative bodies, replacing the appeal with a request for acceleration of proceedings. The higher-level administrative body competent to examine such requests has seven days to do so, and if the request is allowed it orders the responsible authority to complete the proceedings within a specified deadline and to determine the reasons and persons responsible for inactivity or excessive length of proceedings.

POL / *Beller* group (51837/99)
Judgment final on 06/06/2005

Status of execution: pending

Introducing and improving a domestic remedy against excessive length of proceedings

In response to the *Kudła* judgment, a remedy to complain about excessive length of proceedings was introduced in 2004 and reformed in 2009. In the pilot judgment *Rutkowski and Others*, the European Court found this remedy effective in principle, while identifying shortcomings in its practical functioning, notably as regards fragmentation in the assessment of proceedings and insufficient levels of compensation. Subsequent execution efforts therefore focused on improving the functioning of the remedy and on broader measures to enhance court efficiency, including better distribution of cases, transfer of competences from judges to

POL / *Kudła v. Poland* (30210/96)
Judgment final on 26/10/2000

Final Resolution CM/ResDH(2015)248

court staff, wider use of digitalisation tools and measures addressing difficulties related to court experts.

Establishing an effective remedy for excessive length of proceedings

In response to the need for an effective remedy against excessive length of proceedings, Law no. 60/2025 was adopted. It established reasonable time limits for each instance in civil, criminal, and administrative proceedings and introduced the possibility for the interested party to request the acceleration of proceedings at least six months before the applicable time limit expires. This law also recognised the right to just satisfaction for parties who, despite requesting the expedition of proceedings, have suffered an unreasonable delay in the resolution of their case.

SMR / *Gherardi Martiri*
(35511/20)
Judgment final on 15/03/2023

Final Resolution CM/ResDH(2026)24

Introducing acceleratory and compensatory remedies for excessive length of proceedings

To address the lack of an effective remedy in respect of excessive length of proceedings, the Law on the Protection of the Right to a Trial within a Reasonable Time entered into force in 2015. It introduced a combination of acceleratory and compensatory remedies, which were found effective in principle and were supported by a Convention-compliant development of the domestic courts' case-law as regards the amounts of compensation awarded. While the *Jevremović* group was closed, the outstanding questions relating to the excessive length of civil proceedings and the elimination of backlog continued to be examined by the Committee of Ministers in the *Kajganić* case.

SRB / *Jevremović* group
(3150/05)
Judgment final on 17/10/2007

Final Resolution CM/ResDH(2025)224

Major reforms to introduce acceleratory and compensatory remedies

In response to violations related to the excessive length of civil, criminal, enforcement, and administrative proceedings, and the lack of an effective remedy in this respect, a series of legislative and capacity-building measures were undertaken. Between 2005 and 2012, the *Lukenda* Project was implemented with the goal of eliminating backlogs in domestic courts and providing structural and organisational reform of the judiciary. Effective remedies were introduced to prevent excessive length of proceedings, including: The Act on the Protection of the Right to a Trial without undue Delay (2006 Act), which provided two sets of remedies: acceleratory and compensatory remedies in civil and criminal proceedings. Amendments in 2009 made the compensatory remedy available in proceedings pending before the Supreme Court.

SVN / *Lukenda* group
(23032/02)
Judgment final on 06/01/2006

Final Resolution CM/ResDH(2016)354

Implementing measures to address ineffectiveness of the constitutional complaint

In response to the violations related to the excessive length of civil proceedings, particularly in cases requiring special diligence, and the ineffectiveness of the constitutional complaint under Article 127 of the Constitution, a series of legislative reforms were undertaken. A reform of the Constitution in 2002 introduced a constitutional petition for alleged violations of human rights protected by international treaties, providing an additional remedy for individuals to seek redress for violations of their rights. A system was established in April 2010 to follow up on Constitutional Court decisions finding excessive length of proceedings and ordering that they be expedited. This programme involves joint action by the Constitutional Court, the Ministries of Justice and the Interior, the Supreme Court, the State Counsel General, the bar association, and the Mediator to eliminate delays in civil proceedings. Under this programme, the Constitutional Court maintains a register of cases that disclose excessive length of proceedings and are still pending before the courts. These cases are closely monitored by the Ministry of Justice and the presiding judges of the courts, and disciplinary

SVK / *Jakub* group
(2015/02)
Judgment final on 28/05/2006

Final Resolution CM/ResDH(2012)59

penalties may be imposed on judges and lawyers who fail to expedite the proceedings. The Constitutional Court is informed at regular intervals of the state of the proceedings in question, ensuring that progress is made in resolving these cases in a timely manner.

Implementing measures to provide effective remedies for challenging the length of proceedings

To address the issue of excessive length of proceedings, several remedies are available to individuals. Firstly, criminal and family law cases are prioritized and tried with particular swiftness, given the high stakes for the parties involved. Secondly, parties in civil proceedings can appeal against decisions of district courts that they consider to be the cause of excessive length in the proceedings. The court of appeal can quash the incriminated decision, providing a remedy for individuals who have been affected by delays. Thirdly, the excessive length of criminal proceedings is taken into account when determining the sanction, and may justify the imposition of a more lenient punishment. Fourthly, the Parliamentary Ombudsmen and the Chancellor of Justice exercise control over the conduct of proceedings before the public authorities, including the courts, providing an additional layer of oversight and accountability. Lastly, individuals are entitled to compensation for any loss or damages caused by the excessive length of proceedings, pursuant to the 1972 Tort Liability Act.

SWE / *Klemeco Nord Ab* group (73841/01)
Judgment final on 19/03/2007

Final Resolution CM/ResDH(2009)70

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