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# Effective implementation of HELP courses to address the execution of ECtHR judgments

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## Binding force and execution of judgments

- Article 46 of the European Convention.
- Efficient monitoring, prompt and effective execution is a key to success of the European Convention.
- Size of the monitoring tasks of the Committee of Ministers: over 6 300 cases pending execution.
- The primary responsibility for the rapid, full and effective implementation of the rights and freedoms enshrined in ECtHR lies with the contracting states.
- States have a legal obligation to remedy the violations found but enjoy a margin of appreciation as regards the means to be used. The measures to be taken are thus, in principle, identified by the state concerned, under the supervision of the CM.



# Obligations of the states arising from the judgment

## 1. Rectify the applicant's situation

### ↳ Individual measures

Restoring the previous status (which might have existed if the wrongful act had not occurred) as far as possible

(„*restitutio in integrum*“)

Payment of **Just Satisfaction**

## 2. Prevent new violations

### ↳ General measures



## Execution of judgments: shared responsibility

- Committee of Ministers: 46 deputies.
- Synergies accross the Council of Europe (HELP, CPT, ECRI, SOGI, GREVIO, CEPEJ etc).
- Domestic level: all national actors – Executive, Legislature and Judiciary (including judicial/prosecutor's training institutions) + civil society



## Execution of judgments and HELP courses

- HELP courses: wide scope of subjects covered, quality and accessibility
- Identification of training needs in the process of execution of judgments
- States refer to HELP trainings in their Action Plans and Action Reports
- The Committee of Ministers often encourage the states to reinforce training and awareness raising, drawing also on the relevant HELP courses



## Examples of cases

- 1468<sup>th</sup> meeting, June 2023, *Kitanovski group v. North Macedonia*
- 1451<sup>th</sup> meeting, December 2022, *Gubacsci group v. Hungary*
- 1436<sup>th</sup> meeting, June 2022, *Bekir Ousta and Others v. Greece*
- 1411<sup>th</sup> meeting, September 2021, *Bekir Ousta and Others v. Greece*
- 1383<sup>rd</sup> meeting, September 2020, *Identoba and Others group v. Georgia*
- 1383<sup>rd</sup> meeting, September 2020, *Talpis v. Italy*
- 1362<sup>nd</sup> meeting, December 2019, *Cestaro group v. Italy*
- 1362<sup>nd</sup> meeting, December 2019, *Tsintsabadze group v. Georgia*
- 1355<sup>th</sup> meeting, September 2019, *Identoba and Others group v. Georgia*
- 1348<sup>th</sup> meeting, June 2019, *Skendžić and Krznarić group v. Croatia*