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I. Main achievements

This chapter presents short summaries of a selection of the main reforms and achievements reported in final resolutions since the Convention system was amended in 1998 by Protocol No. 11, with a clear focus on recent reforms, referring however also to important earlier developments.

In view of the wealth of cases closed, the selection concentrates on those which have led to changes of legislation, government regulations, the adoption of new policies or general guidance from superior courts. As a rule, the overview does not cover information on measures providing individual redress to applicants.

The reforms are in principle presented in the order corresponding to the thematic domains used in the specialised database HUDOC-EXEC of the Department for the Execution of Judgments of the European Court of Human Rights.

Many reforms address issues which appear to be on-going challenges in member states. The effects of reforms adopted at one point in time may thus need to be monitored and possibly revisited as conditions change.[1]

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

[1] The presentation is limited to the information provided at the time of the adoption of the final resolution. It is recalled in this context that the Committee of Ministers has issued Recommendation (2004)5 on the verification of the compatibility of draft laws, existing laws and administrative practice with standards laid down in the European Convention on Human Rights.

Prohibition of torture

- Ineffective criminal investigations into the racially motivated assault suffered by the migrant applicant in 2009

The Committee of Ministers ended its supervision of execution of the European Court's judgment in *Sakir* concerning mainly ineffective criminal investigations into the racially motivated assault suffered by the migrant applicant in 2009.
Following the Court's judgment, the authorities implemented a wide range of general measures to prevent similar violations, including: amendment of the definition of and strengthened penalties for hate crime; setting up of specialised police departments and prosecutors tasked with the investigation of hate crime; further training for prosecutors and judges on the application of the legislation on hate crime; establishment of the National Council against Racism and Intolerance (an advisory inter-ministerial body tasked with developing policies against racism and promoting initiatives aimed at protecting individuals and groups against hate crime).

Sakir (48475/09)
Final Resolution CM/ResDH(2022)108

- Degrading treatment due to the poor living or detention conditions of unaccompanied minors

In response to this judgment, in 2020, Law 4760/2020 was adopted to abolish the practice of "protective custody" of unaccompanied minors (UM), while a Special Secretariat was established to ensure the application of a new comprehensive system for the protection of UM. In April 2021, the Special Secretariat launched the National Emergency Response Mechanism for UM which includes an emergency telephone line, with the aim of tracing, providing immediate support/accommodation to UM in precarious living conditions. Data confirmed that in practice UM are detained only as a matter of last resort and only for very short periods before their swift transfer to suitable accommodation.

Rahimi (8687/08)
Final Resolution CM/ResDH(2023)259

Prohibition of slavery and forced labour

- Human trafficking and subjection to agricultural labour exploitation

The Criminal Code of 2019 consolidated previous provisions criminalizing the offences of trafficking in human beings and sex trafficking, extended the scope of criminal liability and enhanced victim protection: The definition of the term 'exploitation' was broadened and the related sentences were increased. The definition of the THB offence was disconnected from the subjective element of the victim's "consent to the intended exploitation". As regards the protection of THB victims, the new Criminal Code provided that alleged perpetrators of the offences of "illegal entry to the country", "possession and use of false travel documents, identity cards, residence cards or other false documents", "delivery of authentic documents to another person", "illegal work" and "prostitution" would not be prosecuted, if they were victims of trafficking.

Chowdury and Others (21884/15)
Final Resolution CM/ResDH(2020)179

In 2013, the Office of National Rapporteur for the combating of the crime of trafficking in human beings for exploitative purposes was established in the Ministry of Foreign Affairs, supervising and coordinating the establishment and operation of the National System of Recognition and Reference of Victims of Trafficking. The number of anti-trafficking police brigades was increased. In 2019, the National Orientation Mechanism became operative, providing training for all professionals (judges, prosecutors, law enforcement, social services, civil society, etc.) called upon to deal with trafficking victims. Statistics on the number of interventions, police

L.E. (71545/12)
Final Resolution CM/ResDH(2020)314

investigations and judicial proceedings in the context of human trafficking were submitted.

Right to liberty and security

➢ Compensation for unlawful detention

Following an amendment of the Code of Criminal Procedure in 2001, compensation in cases of detention on remand after acquittal could not be excluded any longer for "gross negligence" of the detainee.

Karakasis (38194/97)
Final Resolution CM/ResDH(2003)6

Functioning of justice

➢ Fairness of proceedings and access to a court

A 1995 amendment to the Code of Criminal Procedure provided that the defendant must be informed of the deliberation of the indictments chamber and summoned to be heard in person. In 1999, the legal aid system was extended to also cover less serious categories of crime and to provide compulsory appointment of a lawyer until the end of proceedings, including appeals on points of law before the Court of Cassation. A less formalistic approach with regard to the admissibility criteria for cassation appeals was adopted by the Supreme Court in 2011.

Kampanis (17977/91)
Final Resolution CM/ResDH(96)367

Twalib (24294/94)
Final Resolution CM/ResDH(2002)102

Alvanos and Others (38731/05+)
Final Resolution CM/ResDH(2016)178

➢ Access to justice and parliamentary immunity

In 2019, the Constitution was amended to provide that the lifting of parliamentary immunity is mandatorily granted if the prosecutor's request concerns a crime which is not connected to the exercise of the MP's duties or political activity. Parliament, under the responsibility of its President, must mandatorily decide on the request within three months.

Tsalkitzis (11801/04)
Final Resolution CM/ResDH(2020)161

➢ Presumption of innocence

In 2010, the Code of Criminal Procedure was amended and provided for the absolute nullity of all criminal proceedings in case of infringement of the defendants' rights, including the presumption of innocence. Under a 2019 law, defendants whose rights were breached are entitled to compensation.

Kampanellis (9029/05)
Final Resolution CM/ResDH(2019)176

Kabili (28606/05)
Final Resolution CM/ResDH(2019)175

➢ Enforcement of final judicial decisions

In 2001, the Constitution was amended in order to reinforce the administration's obligation to comply with judicial decisions. In addition, a new constitutional provision enabled compulsory execution of judgments against the State, local authorities and legal entities of public law. Following these constitutional amendments, statutory and regulatory provisions were adopted in 2002 to implement the Constitution. These new rules also provided for compulsory enforcement of judgments against the State, local authorities and legal entities of public law and strengthened civil liability of the State for damages through acts or omissions by State organs. The disciplinary and civil liability of public servants was

Hornsby (18357/91)
Final Resolution CM/ResDH(2004)81

Anagnostou-Dedouli (24779/08+)
Final Resolution CM/ResDH(2017)288

also reinforced. "Compliance committees" were created in each administrative court in charge of examining non-execution complaints.

➢ Remedies against excessive length of proceedings

The constitutional reform adopted in April 2001 was intended to eliminate excessive procedural formalism and to speed up the proceedings before administrative courts, especially the Council of State, in particular, through a redistribution of competences between the latter and lower courts. With regard to civil and criminal proceedings, a number of legislative reforms, as from 2001, introduced various measures, including time-limits and limits to trial adjournments. Acceleratory and compensatory remedies were established in 2012 and considered effective and accessible by the European Court. These procedural measures were supplemented in 2014 by organisational measures to simplify and accelerate proceedings.

Pafitis and Others (20323/92)
Final Resolution CM/ResDH(2005)65

Academy Trading Ltd and Others (30342/96+)
Final Resolution CM/ResDH(2005)64

Tarighi Wageh Dashti (24453/94+)
Final Resolution CM/ResDH(2005)66

Vassilios Athanasiou and Others (50973/08+)
Final Resolution CM/ResDH(2015)230

Michelioudakis and Glykantzi (54447/10+, 40150/09+)
Final Resolution CM/ResDH(2015)231

Freedom of religion

➢ Places of worship

The Ministry of Education and Religious Affairs changed its administrative practice and granted, in the exercise of its discretion, permission for the construction and operation of places of worship in all similar cases. Subsequently in 2001, the Court of Cassation unanimously held that the "absolute discretion" granted to the administration by a Royal Decree of 1939 constituted "an unacceptable limitation of the freedom of religious worship contravening both Constitution and ECHR"

Manoussakis and Others (18748/91)
Final Resolution CM/ResDH(2005)87

➢ Freedom of conscience

A 2012 amendment of the Code of Criminal Procedure ensured that, in the context of criminal proceedings, one is not obliged to disclose one's religious beliefs, but has a choice between taking a religious oath or a solemn declaration, following the oath-taking procedure before civil courts. The requirement to divulge one's faith when taking the oath of office as a lawyer was abolished following the 2013 amendments to the Lawyer's Code.

Dimitras and Others (42837/06+)
Final Resolution CM/ResDH(2012)184

Alexandridis (19516/06)
Final Resolution CM/ResDH(2016)312

➢ Conscientious objection

In 2001, the right to an alternative service for conscientious objectors was enshrined in the Constitution, and the right to the removal from criminal records of sentences imposed on grounds of conscientious objection to military service was legally recognised.

Thlimmenos (34369/97)
Final Resolution CM/ResDH(2005)89

Freedom of expression

The offence of insult of the army was abolished. The new Military Criminal Code of 1995 provides that only a public expression of contempt for the armed forces may constitute an offence.

Grigoriades (24348/94)
Final Resolution CM/ResDH(2004)79

Freedom of association

In 2016, the Law on Agricultural Cooperatives ended the winemakers' obligation to adhere to Winemaking Cooperatives, allowing them to freely dispose and sell their wine production.

Mytilinaios and Kostakis (29389/11)
Final Resolution CM/ResDH(2017)155

Asylum procedures/lack of an effective remedy against expulsion

Sustained efforts to enhance the national asylum system, and improvements in the length and accessibility of asylum proceedings, as well as the increase in recognition rates, legal assistance and interpretation. A dedicated staffed Asylum Authority tasked with registering and considering asylum applications at first instance. Appointments for registration are booked through an online platform. Appeals, vested with suspensive effect, are considered by a panel comprised of judges and free legal assistance is available for that purpose. The second instance decision can be further judicially reviewed by the courts, and free legal aid is also available at that stage.

M.S.S. (30696/09)
Final Resolution CM/ResDH(2025)132

Protection against discrimination

- in the award of allowances

Domestic legislation was amended in 2009, repealing the conditionality of the children's nationality as a prerequisite for their mothers acquiring the advantages attached to the status of "mother of a large family".

Zeibek (46368/06)
Final Resolution CM/ResDH(2012)34

- on the ground of sexual orientation

The 2015 Law on "Civil Union exercise of rights, penal and other provisions" made possible civil unions of same sex couples.

Vallianatos and Others (29381/09)
Final Resolution CM/ResDH(2016)275

Protection of property rights

- Compensation for expropriation

The 2001 Code of Expropriation provided for adequate compensation and strict deadlines in proceedings for recognition of land ownership. The legal framework governing dormant deposit accounts was reformed in 2013 by a law establishing an automated notification procedure prior to the expiry of the 20-year period following the last transaction, after which the account will be statute-barred for the benefit of the State. Supervisory tasks were assigned to the National Bank.

Azas (50824/99+)
Final Resolution CM/ResDH(2011)217

Zolotas No. 2 (66610/09)
Final Resolution CM/ResDH(2014)58

- Land registry issues and compensation of bona fide owners

By laws adopted between 1997 and 2013, the national registry was established and started operating. Land property surveys were first implemented. In case of an

Nastou and Others (51356/99+)

inaccurate initial registration, the law provided for the possibility to dispute and correct it, partially or entirely, within specific time periods. The 2001 Code of Expropriation, amended in 2002, provided strict deadlines for expropriation proceedings and the possibility of allocating additional compensation in cases of delay. The Court of Cassation's case-law on land expropriation changed after 2004, in accordance with the European Court's case-law requirement of a "global evaluation" in such proceedings. As regards administrative decisions of compulsory reforestation of land taken on the basis of a ministerial decision of 1934, the Council of State in 2011-2012 changed its case-law and reaffirmed the authorities' obligation for fresh assessment before taking a reforestation decision in cases where a long time has elapsed from the initial assessment	**Final Resolution CM/ResDH(2019)179** ***Papstavrou and Others*** (46372/99) **Final Resolution CM/ResDH(2019)178**
Right to education of Roma children Specific measures were adopted in order to facilitate the enrolment of Roma children in the national education system, including by simplified enrolment procedures, special instructions to teachers, monitoring of attendance, by giving Roma pupils the right to be enrolled in a school or transferred to another school without providing proof of residence and by establishing a new Special Secretariat for the social integration of Roma.	***Sampanis and Others*** (32526/05) **Final Resolution CM/ResDH(2011)119**
Electoral rights Following the European Court's judgment finding a violation of the Convention due to the post-election change of the Constitution and forfeiture by the applicant of the parliamentary seat he had won, the Constitution was amended, in 2008, to abrogate the prohibition of the exercise of professional activities by Members of Parliament.	***Lykourezos*** (33554/03) **Final Resolution CM/ResDH(2010)171**

II. Main issues pending before the Committee of Ministers

This chapter presents the main issues pending in cases/groups of cases currently under the Committee of Ministers' supervision. The relevant supervision procedure is indicated for each case/group of cases.

Detailed information on the status of execution of these cases as well as on the Committee of Ministers' supervision process is available on the specialised database HUDOC-EXEC of the website of the Department for the Execution of Judgments of the European Court of Human Rights.

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

Actions of security forces - ineffective investigations

Ill-treatment by law enforcement agents; lack of effective investigations. Failure to demonstrate that the use of force by coastguard had been "absolutely necessary".

***Sidiropoulos and Papakostas* group**
(33349/10+)
Judgment final on 25/04/2018

Alkhatib and Others group (34704/08+)
Judgment final on 16/04/2024

Enhanced supervision
Status of execution

Failure to protect lives during **search and rescue operation at sea.** Lack of effective investigation in this regard. Degrading treatment on account of body searches by coastguard**.**

Safi and Others
(5418/15)
Judgment final on 07/10/2022

Standard supervision
Status of execution

Pushback – ill-treatment – right to liberty – effective remedy

Ill-treatment and lack of an effective remedy to complain thereof resulting from **"pushback"**.
Violation of the applicant foreign nationals' right to liberty on account of the applicant's detention prior to "pushback".
Lack of an effective remedy in respect of alleged violations of Articles 2 and 3 of the Convention committed during the impugned "pushback"

A.R.E. (15783/21)
Judgment final on 30/06/2025

Enhanced supervision
Status of execution

Conditions of detention

Inhuman and/or degrading treatment on account of poor detention conditions in overcrowded prisons (excessive number of detainees per cells, no ventilation, no personal space, lack of medical care for sick detainees, etc.). Lack of effective remedy to complain thereof.

***Nisiotis* group**
(34704/08+)
Judgment final on 20/06/2011

Enhanced supervision
Status of execution

Foreigners - lawfulness of detention and reception conditions

Degrading treatment of asylum seekers or irregular migrants on account of their conditions of detention in various detention facilities.

***Muhammad* group**
(14606/20)
Judgment final on 21/01/2011

Enhanced supervision
Status of execution

Poor living conditions in the Reception and Identification Centres of asylum seekers, including vulnerable individuals, as well as delayed medical assistance.

A.R. and Others group
(59841/19)
Judgment final on 18/04/2024

Enhanced supervision
Status of execution

Lack of effective remedy to complain about the living conditions and delayed medical treatment.

***H.A. and Others* group**
(4892/18)
Judgment final on 13/06/2023

Enhanced supervision
Status of execution

Right to liberty

Violations of the applicant foreign nationals' right to liberty on account of:
- unlawfulness of detention of an applicant subject to expulsion.
- inadequate information concerning legal and factual grounds of detention.
- lack of an effective and accessible remedy to challenge the lawfulness of detention.

***M.D.* group** (60622/11+)
Judgment final on 13/11/2014

Standard supervision
Status of execution

Enforcement of final domestic judicial decisions

Non or delayed compliance of the Administration with domestic court judgments ordering the lifting of land expropriation orders interfering with the owners' right to peaceful use of their property.
Lack of effective remedy to ensure the enforcement of these judgments.

***Kanellopoulos* group** (11325/06)
Judgment final on 21/05/2008

Standard supervision
Status of execution

Non-enforcement of domestic judgments: recurring problems in the legal system (before the entry into force of Law 4759/2020) in relation to the removal of burdens and the amendment of urban plans.

Micha and Others (13991/20)
Judgment final on 08/01/2025

Enhanced supervision
Status of execution

Delayed compliance of the Administration with other types of domestic court judgments.
Lack of effective remedy to ensure the enforcement of these judgments.

Mastrogiannis (34151/13)
Judgment final on 02/06/2022

Standard supervision
Status of execution

Length of judicial proceedings

Excessive length of the proceedings before civil courts and ineffectiveness of the compensatory remedy, that was introduced in February 2014. The remedy did not afford appropriate redress and was deemed not effective, as a result of the relevant legal framework and its application by domestic courts.

Vervele (34012/20)
Judgment final on 26/11/2025

Enhanced supervision
Status of execution

Freedom of expression

Unjustified civil convictions inflicted for having offended, mostly in articles published in the press, the plaintiffs **through defamation or insult.**

***Vasilakis* group** (25145/05+)
Judgment final on 17/04/2008

Standard supervision
Status of execution

Disproportionate criminal convictions for insult, defamation or malicious defamation.

***Katrami* group** (19331/05+)
Judgment final on 06/03/2008

Standard supervision
Status of execution

Freedom of association

Authorities' refusal to register associations or dissolution of associations from the Muslim minority in Thrace on the ground they were representing a danger for public order; disproportionate actions of the authorities as the associations did not advocate the use of violence or anti-democratic or anti-constitutional means.

***Bekir-Ousta* group** (35151/05+)
Judgment final on 11/01/2008

Enhanced supervision
Status of execution

Refusal to register the association "House of Macedonian Civilization" on the grounds that the use of the word "Macedonian" and the purpose proclaimed in the association's statutes contravened public order and jeopardized the harmonious coexistence of the population of the Florina region.

House of Macedonian Civilization and Others
(1295/10)
Judgment final on 09/10/2015

Enhanced supervision
Status of execution

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. The Committee of Ministers is the Council of Europe's decision-making body, composed by the foreign ministers of all 46 member states. It is a forum where national approaches to European problems and challenges are discussed, in order to find collective responses. The Committee of Ministers participates in the implementation of the European Convention on Human Rights through the supervision of the execution of judgments of the European Court of Human Rights.

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