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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.

Right to liberty and security

In 2018, the Criminal Procedure Code was amended to introduce a judicial review of orders revoking releases on parole and to set up the Appeal Court's Chamber on the application of sanctions to decide on appeals against the General Prosecutor's decisions regarding the enforcement of sentences.

Etute (18223/16)
Final Resolution CM/ResDH(2020)323

Functioning of justice

- Fairness of proceedings and access to a court

The Conseil d'État was reorganised in 1995 to improve its impartiality by changing past practice according to which certain members successively performed advisory as well as judicial functions in certain cases.

Procola (14570/89)
Final Resolution CM/ResDH(96)19

A 2010 law aimed to resolve the problem of the Court of Cassation's excessive formalism with regard to the admissibility of appeals by allowing it to rule on the entire application and not only on the alleged legal grounds.

Kemp and Others (17140/05)
Final Resolution CM/ResDH(2012)93

The Penal Code and the Code of Criminal Investigation were amended in 2017 to grant additional rights to the suspects. Furthermore, clear regulations concerning the right of access to a lawyer as from the first interrogation, also in the context of a European arrest warrant were introduced.

A.T. (30460/13)
Final Resolution CM/ResDH(2017)234

- Eliminating and remedying excessive length of proceedings

Between 2001 and 2008, the Judicial Police Service was reinforced and reorganised, the coordination between police and judicial authorities was improved and the prosecutors' and investigating judges' staff increased with a view to accelerating criminal proceedings. Compensation for the administration's dysfunction may be requested on the basis of the Civil Code or a special Act of 1988.

Schumacher (63286/00+)
Final Resolution CM/ResDH(2014)216

Protection of property rights

- Hunting areas

The mandatory inclusion of all landowners, including those opposed to hunting, in hunting associations created under the law, with the consequent duty to give up their lands for hunting, was repealed in 2011 so as to allow those opposed to hunting to refuse to join these associations.

Schneider (2113/04)
Final Resolution CM/ResDH(2013)34

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.

Access to justice

Inadmissibility of appeal in civil matters due to **excessive formalism** and/or lack of reasoning by the Court of Cassation.

Foyer Assurances S.A. Group
(35245/18)
Judgment final on 12/01/2022
Standard supervision
Status of execution

Freedom of expression

Criminal conviction of the applicant, a **whistleblower**, for stealing from his private employer and then giving confidential documents protected by professional secrecy relating to the **tax returns of multinational companies** to a journalist in 2012.

Halet (21884/18)
Judgment final on 14/02/2023
Standard supervision
Status of execution

Right to property

Lack of remedy allowing a Costa Rican company **to** effectively **contest the seizure of assets from its** Luxembourg **bank account** for six years, decided by a Luxembourg investigating judge **in execution of an international mutual assistance request** in a money laundering case.

Amerisoc Center SRL
(50527/20)
Judgment final on 17/01/2025
Standard 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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