

Monaco

EXECUTION OF THE EUROPEAN COURT OF HUMAN RIGHTS' JUDGMENTS

MAIN ACHIEVEMENTS IN MEMBER STATES

The present survey presents short summaries¹ 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 or government regulations or the adoption of new policies or general guidelines from superior courts. As a rule, the survey does not cover information on measures aiming at providing individual redress to applicants.

The presentation is organised country-by-country and reforms are, in principle, presented in the order corresponding to the thematic domains used in the Council of Europe's specialised database HUDOC EXEC and the Committee of Ministers' Annual Reports on the Supervision of the Execution of the European Court of Human Rights' judgments.

Many reforms address issues which appear to be on-going challenges in the member State. The effects of reforms adopted at one point in time may thus need to be monitored and possibly re-evaluated as conditions change.²

¹ The summaries are the sole responsibility of the Department for the execution of the judgments of the European Court of Human Rights.

² 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*

▢ Lawfulness of detention

The Code of Criminal Procedure was amended in 2007, limiting the duration of pre-trial detention. Statistics show a gradual but clear drop in the number of persons held in pre-trial detention and in the average duration of such detention.

Prencipe (43376/06)

[Final Resolution
CM/ResDH\(2011\)135](#)

➤ *Functioning of justice*

▢ Fairness of proceedings

The right of the accused to remain silent and be assisted by a lawyer while in police custody was enshrined in the Code of Criminal Procedure in 2013, thereby bringing the police custody regime in line with the Convention.

*Navone and Others
(62880/11+)*

[Final Resolution
CM/ResDH\(2014\)266](#)