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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 thea verification of the compatibility of draft laws, existing laws and administrative practice with standards laid down in the European Convention on Human Rights.

Protection of rights in detention

The 1998 statutory "Instruction" and the 1999 "Temporary Provisions" on conditions of detention of persons sentenced to capital punishment extended the scope of the inmates' rights, including the right to receive correspondence and visits from relatives. Following the abolition of the death penalty in 2000, this special regime of "death row" detainees ceased to exist.

Aliev (41220/98+)
Final Resolution CM/ResDH(2017)198

The 2018 amendments of the Prison Rules laid down strict regulations for the conduct of strip searches: the presence of persons of other sex in these areas is prohibited; searches of several persons in one room at the same time is also prohibited; any examination of body cavities must be carried out by medical staff.

Malenko (18660/03)
Final Resolution CM/ResDH(2019)322

The adopted legislative framework, along with the subsequent implementing measures, put in place a Convention-compliant mechanism of review of life sentences. The new mechanism provides a possibility for a person serving a life sentence to apply, after having served at least 15 years of the original life sentence, for its commutation into fixed-term imprisonment from 15 to 20 years. The prisoners, whose life sentences are commuted, may apply for conditional release after they have served at least three-quarters of the replaced fixed-term sentences. The efficiency of the system in theory and practice was also confirmed by the Court in its findings in the 2025 judgment in the *Medvid* case.

***Petukhov No.2* group** (41216/13)
Final Resolution CM/ResDH(2025)267

Right to liberty and security

Lawfulness of detention

Amendments to the Law on the placement of children in juvenile holding facilities from 2010 provide for an exhaustive list of well-defined grounds for the placement of children in such facilities and the relevant procedural details.

Ichin and Others (28189/04+)
Final Resolution CM/ResDH(2017)357

The amendments to the Code of Criminal Procedure in 2022 filled the legislative gap and established the procedure for reviewing detention between the end of the investigation and the start of the trial.

Chanyev (46193/13)
Final Resolution CM/ResDH(2024)129

Detention for compulsory medical treatment

According to the new legislative framework (most recently amended in 2018), a court's decision concerning compulsory measures of a medical nature may be appealed independently by the person concerned or through their representative. It also provides a regular (every six month) judicial review of the lawfulness of that type of detention with a mandatory participation of the person concerned.

Gorshkov (67531/01)
Final Resolution CM/ResDH(2020)195

Functioning of justice

Organisation of the judiciary

The constitutional amendments of 2016 and the enactments of the laws on the Judiciary and Status of Judges and on the High Council of Justice in 2016-2017 put in place a robust institutional framework for judicial governance. This included changes to the composition of the High Council of Justice, creation of the Service of Disciplinary Inspectors within the High Council of Justice, improved rules on the selection of disciplinary inspectors and HCJ members and on the promotion and

Oleksandr Volkov (21722/11)
Final Resolution CM/ResDH(2025)399

career development of judges. In addition, "breach of oath" as a ground for dismissal of a judge and Article 375 of the Criminal Code criminalising delivery of "knowingly unfair judicial decision" were repealed.

- *Fairness of proceedings*

According to the 2005 Code of Civil Procedure, the first instance courts no longer have the competence to filtering appeals against their decisions.

Volovik (15123/03)
Final Resolution CM/ResDH(2010)219

The Code also provided for a single procedure for the delivery of summonses, subpoenas or judicial notifications.
Furthermore, it included more detailed rules as to the evaluation and examination of evidence by domestic courts. Failure by courts to comply with these obligations gives rise to an appeal including an appeal on points of law.

Strizhak (72269/01)
Final Resolution CM/ResDH(2008)65

Benderskiy (22750/02+)
Final Resolution CM/ResDH(2018)269

The Code on Administrative Offences was amended in 2008 to provide for the right to appeal against court decisions.

Gurepka (61406/00)
Final Resolution CM/ResDH(2010)85

The 2012 Code of Criminal Procedure provided for new rules on the rights of suspects, accused or defendants, in particular regarding their access to legal counsel. Rules on the inadmissibility of evidence obtained through human rights violations were also introduced. A new free legal aid system was established by the Law on Free Legal Aid of 2011.

Borotyuk (33579/04+)
Final Resolution CM/ResDH(2017)295

This Code also enhanced guarantees of effective legal assistance by requiring that only duly licensed advocates included in the Unified Register of Advocates may participate in proceedings.

Zagorodniy (27004/06)
Final Resolution CM/ResDH(2016)92

The Code of Commercial Procedure, amended in 2017, aimed at preventing arbitrariness and excessive formalism in the administration of justice. The Code introduced a 20-day time-limit for cassation appeals and established a formal procedure for reviewing applications for extension of time-limits, previously based on judicial practice only.

Frida, LLC (24003/07)
Final Resolution CM/ResDH(2018)190

- *Access to a court*

Following amendments to the Code of Civil Procedure in 2017, legally incapacitated persons obtained direct access to courts to request the restoration of their legal capacity, including the right to challenge earlier court rulings. Moreover, the term of validity of a judicial decision declaring a person incapacitated cannot now exceed two years.

Nataliya Mikhaylenko (49069/11)
Final Resolution CM/ResDH(2019)324

- *Enforcement of judicial decisions*

The supervisory review procedure was abolished in June 2001 following a legislative reform which set up a three-level court system.

Agrotehservis (62608/00+)
Final Resolution CM/ResDH(2011)313

Protection of private and family life

- *Right to change one's name*

In 2020, amendments to the Civil Code and to the Family Code were adopted by Parliament to secure the right to choose and change one's patronymic name and to

Garnaga (20390/07)
Final Resolution CM/ResDH(2020)355

provide a fair balance between the competing interests of the individual and of the society as a whole.

➢ *Environmental protection*

In addition to the ratification of the Protocol to the strategic ecological assessment to the Convention on Environmental Impact Assessment in a Transboundary Context in 2015, the Law on Environmental Impact Assessment entered into force in 2017. The obligation to carry out new European environmental impact assessments is assigned to the Department of Environmental and Natural Resources of the Regional State Administrations. The public concerned is involved at an early stage. The Ministry of Ecology and Natural Resources operates a hotline on the practical functioning of the environmental impact assessment.

Grimkovskaya (38182/03)
Final Resolution CM/ResDH(2020)88

➢ *Search and seizures*

In 2017 and 2018, the Code of Criminal Procedure was amended to enhance the rights of participants in criminal proceedings and of other persons during pre-trial investigations, in particular with regard to the procedure and practical conduct of searches. In 2018, an Interdepartmental Commission was created, responsible for the implementation of those legislative changes.

Panteleyenko (11901/02)
Final Resolution CM/ResDH(2021)137

Freedom of expression

The Law on defamation was amended in 2003 exempting value judgments from a person's liability. State bodies and bodies of local self-government were prohibited to claim non-pecuniary damages for the publication of false information, although they may claim a right of reply. Officials acting in their personal capacity may still seek to protect their right to their honour and dignity through the courts. The law provided for a defence of "conscientious publication" if a journalist acted in good faith and verified the information published.

Ukrainian Media Group (72713/01)
Final Resolution CM/ResDH(2007)13

Freedom of association

The 2013 Law on Civil Associations abrogated the excessively rigid and prohibitive requirements for the creation of non-profit organisations and provided increased opportunities for the creation, registration and work of civil associations. Registration can now only be refused on very limited formal grounds. Disputes with the authorities are henceforth amenable to judicial review.

Koretskyy and Others (40269/02)
Final Resolution CM/ResDH(2017)377

In 2022, the 1994 Transport Act was amended with a view to harmonising its provisions on the regulation of strikes with the provision of the 1998 Resolution of Labour Disputes Act, specifying that strikes at transport enterprises may take place except where passenger transportation or maintenance of a continuous production cycle are concerned or where human life or health would be put at risk.

Veniamin Tymoshenko and Others (48408/12)
Final Resolution CM/ResDH(2023)42

Protection of property

➢ *Taxation/pension rights*

The system of taxation was simplified and clear provisions on VAT exemptions were introduced in 2011, preventing earlier contradictory practices, together with a special mechanism for the collection of taxes and fees.

Serkov (39766/05)
Final Resolution CM/ResDH(2017)21

In 2009, the Constitutional Court declared the practice of depriving non-residents of their pension entitlement unconstitutional and invited Parliament to adopt legislation in conformity with this decision.

Pichkur (10441/06)
Final Resolution CM/ResDH(2016)36

In 2010, a new Tax Code was adopted and, in 2014, a new VAT reimbursement procedure, as well as an electronic system of VAT administration, was introduced to simplify VAT refunds. A 2017 amendment further simplified the VAT refunding procedure and introduced a Unified Public Register of all applications for VAT refunds enhancing the transparency and reactivity of the system. The Supreme Court developed in parallel a coherent approach as regards compensation for delays in VAT refunds.
A new procedure for the payment of compensation for, or the reimbursement of, misguided or erroneous custom levies was established by the Ministry of Finance in 2017. Taxpayers shall be rapidly informed of mistakes and repayments are to be made from the state budget with priority.

Intersplav (803/02)
Final Resolution CM/ResDH(2019)321

- *Right to compensation*

The 2012 "Law on Transfer, Expropriation or Seizure under Martial Law or State of Emergency" as well as the 2009 "Law on the Expropriation of Private Land Plots and other Immovable Property for Social Needs" provided for sufficient legal safeguards to ensure complete compensation for expropriations. Moreover, compensation for unlawful actions of state officers and courts is also granted by the 2012 "Law on Compensation of Damage Caused by Unlawful Actions of Law-Enforcement Officers/Bodies, Prosecutor's Offices and Courts", covering also unlawful confiscation of property. The correct application of compensation rules under these laws is ensured by courts.

Ukraine-Tyumen (22603/02)
Final resolution CM/ResDH(2021)183

Electoral rights

The election law underwent multiple changes: The Parliamentary Elections Act, as amended in 2016, included a clear and exhaustive list of grounds which may give rise to a decision by a precinct election commission to invalidate the voting in a particular precinct.

Kovach (39424/02)
Final Resolution CM/ResDH(2017)359



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 and effectiveness of investigations

Torture and/or ill-treatment by the police, mostly in order to obtain confessions, and lack of effective investigations into complaints, as well as lack of effective remedy in this regard.	***Kaverzin* group** (23893/03) Judgment final on 15/08/2012 Enhanced supervision **Status of execution**
Lack of effective investigations into crimes reported; failure of the supervising authorities to ensure effective control of the conduct of investigations.	***Khaylo*** group (39964/02+) Judgment final on 13/02/2009 Enhanced supervision **Status of execution**
Failure to protect a journalist threatened to life and eventually killed; ineffective investigations into his killing.	***Gongadze*** (34056/02) Judgment final on 08/02/2006 Enhanced supervision **Status of execution**
Lack of effective investigations into violent acts against the applicants, including into the possible discriminatory motives behind the attacks, such as:	
- possible motives of racial or religious hatred;	***Fedorchenko and Lozenko* group** (387/03+) Judgment final on 20/12/2012 Enhanced supervision **Status of execution**
- possible homophobic motive.	***Karter*** (18179/17) Judgment final on 11/07/2024 Enhanced supervision **Status of execution**
Large-scale violence against prisoners with the involvement of special forces, rapid reaction units and prison staff, either as punishment or during training exercises, evacuation or transportation of prisoners; **lack of effective investigations** into these events.	***Karabet and Others* group** (38906/07) Judgment final on 17/04/2013 Enhanced supervision **Status of execution**
Multiple violations of Articles 2, 3, 5, 8, and 11, within the **deliberate strategy of the authorities to stop Maidan protests in 2013-2014** and **lack of effective investigations into these facts.**	***Shmorgunov and Others* group** (15367/14) Judgment final on 21/04/2021 Enhanced supervision **Status of execution**

Right to life

- Death during military service

Violations of the right to life **(deaths during military service)** and **failure to conduct effective investigation**.

Sergey Shevchenko group (32478/02)
Judgment final on 04/07/2006

Enhanced supervision
Status of execution

Protection of rights in detention

Structural problems of overcrowding, inhuman and/or degrading conditions of detention, nutrition and transportation, and continued absence of domestic remedies in this respect.

Nevmerzhitsky group (54825/00+)
Judgment final on 12/10/2005

Enhanced supervision
Status of execution

Sukachov (14057/17)
Pilot judgment final on 30/05/2020

Enhanced supervision
Status of execution

Melnik group
(72286/01+)
Judgment final on 28/06/2006

Enhanced supervision
Status of execution

***Yakovenko* group**
(15825/06+)
Judgment final on 25/01/2008

Enhanced supervision
Status of execution

Ivan Karpenko
(45397/13)
Judgment final on 16/03/2022

Enhanced supervision
Status of execution

Structural problems of **lack of adequate and timely medical care in detention** and continued absence of domestic remedies in this respect.

***Logvinenko* group**
(13448/07+)
Judgment final on 14/01/2011

Enhanced supervision
Status of execution

***Isayev* group**
(28827/02+)
Judgment final on 28/08/2009

Enhanced supervision
Status of execution

***Kats and Others* group**
(29971/04)

	Judgment final on 18/03/2009 Enhanced supervision **Status of execution**
Lawfulness of detention and related issues	
Detention on remand: unlawful and/or lengthy detention on remand, as well as the failure to inform the individual promptly of the reasons for arrest, inefficient/excessively formalistic review of the lawfulness of detention and absence of a right to compensation.	***Ignatov* group** (40583/15) (ex *Kharchenko* group) Judgment final on 15/03/2017 Enhanced supervision **Status of execution**
Issues relating to expulsion or extradition	
- Migration policy – asylum-seeking procedures **Various deficiencies in the procedures related to asylum**, including lack of risk assessment before return to the country of origin, detention, absence of effective remedy with automatic suspensive effect to contest a decision of refusal to allow the entrance of a stowaway asylum seeker on the territory (even where risks of treatment contrary to Article 3 of the Convention exist in the country of origin).	***Kebe and Others* group** (12552/12+) Judgment final on 12/04/2017 Enhanced supervision **Status of execution**
Protection against abuse of power	
Detention on remand used, in the course of **criminal proceedings engaged in a political context, for other reasons than those permissible by the Convention** (to punish the applicant for having publicly claimed his innocence) notably, due **to the insufficient independence of the prosecution service.**	***Lutsenko*** (6492/11) Judgment final on 19/11/2012 Enhanced supervision **Status of execution**
Predominant ulterior purpose behind the prosecution of the applicant, a high-level anti-corruption official.	***Sytnyk*** (**16497/20**) Judgment final on 24/07/2025 Enhanced supervision **Status of execution**
Organisation of the judiciary	
Violations related to the independence and impartiality of the judiciary: deficient system of judicial discipline; non-compliance with the principle of the irremovability of judges.	***Denisov* group** (76639/11) Judgment final on 25/09/2018 Enhanced supervision **Status of execution**
Unlawful dismissal of Constitutional Court judges for "breach of oath" resulting from the lack of clarity of the respective legal framework and insufficient reasoning of dismissal decisions.	***Ovcharenko and Kolos* group** (27276/15) Judgment final on 12/04/2023 Enhanced supervision **Status of execution**
Length of judicial proceedings	
Excessive length of judicial proceedings and absence of effective remedies:	

- In civil proceedings;	***Svetlana Naumenko* group** (41984/98+) Judgment final on 30/03/2005 Enhanced supervision **Status of execution**
- In criminal proceedings.	***Merit* group** (66561/01+) Judgment final on 30/06/2004 Enhanced supervision **Status of execution**
Enforcement of judicial decisions	
Major structural problem of non-enforcement or delayed enforcement of domestic judicial decisions, mostly delivered against the state and against state enterprises, and to the lack of effective remedies in this respect.	***Zhovner* group** (56848/00+) Judgment final on 29/09/2004 and ***Yuriy Nikolayevich Ivanov*** (40450/04) Pilot judgment final on 15/01/2010 Enhanced supervision **Status of execution** ***Burmych and Others*** (46852/13) Judgment final on 12/10/2017 Enhanced supervision **Status of execution**
Private and family life	
State's positive obligation to ensure the applicant's effective **protection from domestic violence** and to ensure that the applicants can enjoy their homes free from harassment and violent disturbance.	***Levchuk* group** (17496/19) Judgment final on 03/12/2020 Enhanced supervision **Status of execution**
Various irregularities in searches and seizure of property by law enforcement authorities and lack of effective remedies to challenge those actions	***Koval and Others* group** (22429/05+) Judgment final on 15/02/2013 Enhanced supervision **Status of execution**
Freedom of expression	
Disproportionate use of administrative arrests for acts of freedom of expression; non-suspensive effects of appeals against administrative offences.	***Shvydka*** (17888/12) Judgment final on 30/01/2015 Enhanced supervision **Status of execution**
Freedom of assembly	
Absence of clear and foreseeable legislation concerning the organisation of peaceful assemblies – participants sanctioned without legal basis.	***Vyerentsov*** (20372/11) Judgment final on 11/07/2013

	Enhanced supervision **Status of execution**
Discrimination – LGBTI persons	
Denial to the applicants as a same-sex couple of any form of legal recognition and protection.	***Maymulakhin and Markiv*** (75135/14) Judgment final on 01/09/2023 Enhanced supervision **Status of execution**
Cooperation with the European Court	
Authorities' refusal to provide detainees with copies of documents from case-files making it impossible to have a proper and effective examination of their application by the Court and hindrance of the right to individual petition due to **psychological pressure** put on the applicant by the prison authorities about his application to the Court.	***Naydyon* group** (16474/03+) Judgment final on 14/01/2011 Enhanced supervision **Status of execution** ***Vasiliy Ivashchenko*** (760/03) Judgment final on 26/10/2012 Enhanced supervision **Status of execution**
Authorities' failure to comply with interim measures indicated under Rule 39 by the Court to provide medical care.	***Salakhov and Islyamova*** (28005/08) Judgment final on 14/06/2013 Enhanced supervision **Status of execution**



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