



## EIN statement on the implementation of judgments of the European Court of Human Rights

**1 December 2018**

2019 will be an important year for the European human rights system as the Interlaken process comes to an end. In accordance with the Brussels Declaration, the stock-taking and review of the process will include an analysis of reforms relating to the implementation of judgments of the European Court of Human Rights (“the Court”).

The review of the reforms related to implementation requires particular attention. The European Convention on Human Rights system depends upon prompt and effective implementation of the Court’s judgments. Of the leading judgments handed down by the Court in the last 10 years, 45% are still pending full implementation. For the cases that are implemented, full execution is taking longer and longer. The average time taken to implement a leading case has risen from 3.5 years in 2013 to 5.3 years in 2017.

These figures raise concerns about the effectiveness of the reforms aimed at improving the implementation of judgments. We urge the relevant bodies to examine this issue closely. There should be careful consideration of the need for further changes at both national and international levels. 2019 will be the fourteenth year that NGOs have contributed to the procedure for the monitoring of the implementation of the Court’s judgments. We welcome improvements that have been made in recent years that have facilitated civil society’s involvement.

However, NGOs still only make submissions in about 5% of leading cases pending before the Committee of Ministers (CM). That this figure is so low stems in part from shortcomings with inclusion, transparency and guidance for civil society. A possible consequence is that the CM is kept unaware of crucial information in cases where it is needed; and that the implementation of the Court’s judgments is weaker as a result.

The level of NGO involvement must therefore increase considerably. Measures to achieve this should include: the CM to hold biennial meetings with civil society representatives; the Department for the Execution of Judgments to develop a web page devoted to supporting NGO participation; the Parliamentary Assembly to expand its role in implementation, with increased participation by civil society; and the Council of Europe to support training for civil society. A full list of proposed reforms on this issue can be found at [EIN’s website](#).