

Execution of judgments of the European Court of Human Rights

Council of Europe - Case



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Public opinion was also used as an argument in the case of Stran Greek Refineries v. ResDH 2006 , 8 Feb. While it is rare for the competent authorities simply to refuse to take the measures a judgment requires, the measures adopted are frequently taken too slowly or only partially redress the violation and prevent further violations.

Execution of the Judgments of the European Court of Human Rights in Prisoners' Right to Vote Cases

However, several arguments can be made in support of a different standpoint. The courts of general jurisdiction should have applied relevant provisions of the Commercial Procedure Code by analogy when deciding on the issue of re-opening proceedings. As Pierre-Henri Teitgen, one of the moving spirits behind the Convention, put it, there is collective national responsibility for giving effect to the safeguards laid down in the Convention.

The European Court of Human Rights supervising the execution of its judgments

Thus, any general measure required from a State is most likely to entail the need to amend its domestic legislation or adopt a complex of other measures of a general character in order to eliminate a particular problem.

Supervision of the execution of judgments of the European Court of Human Rights 2018

The wording of the amendment is based on the similar wording used in the Commercial Procedure Code. Moreover, a proper analysis of the factors influencing the underlying problem, and an assessment of how best to eliminate the negative ones, is a lengthy and costly process. The Convention does not provide for a sanction in case a State does not, not fully or not timely execute a judgment of the Court.

The execution of Judgments of the European Court of Human Rights in the Domestic Greek Legal Order

Effective execution reinforces the overall authority of Court decisions. To amend the Convention with a view to allowing the Committee of

Ministers to seek interpretational guidance from the Court on what measures may be called for to comply with a given judgment would not only require a departure from this practice, it would also conflict with the two fundamental characteristics of the system identified.

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Communication from a group of the NGOs in the Mikheyev group of cases against the Russian Federation , DH-DD 2010 385E, 1 Sept.

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