

Execution of judgments of the European Court of Human Rights

Council of Europe - Enforcement of the Judgments of the European Court of Human Rights in Russia



Description: -

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Amado, Gilberto, -- 1887-1969.
Insects -- Genetics -- Congresses.
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Europe, Eastern -- Antiquities.
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Case

In my opinion, this point deserves more emphasis and more elaboration, since for the moment this monitoring role may well be more effective than that of the Parliamentary Assembly itself, given the fact that national parliaments have more instruments and powers to promote or even initiate the enactment of required new legislation or the amendment of existing legislation, and to bring pressure to bear on the competent authorities to change practices which are not in conformity with the Convention as interpreted by the Court.

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

European Convention on the Protection of Human Rights and Fundamental Freedoms.

European Court of Human Rights: Remedies and Execution of Judgments

Turkey, in which the Turkish government is refusing to execute the judgment, and in particular to pay the just-satisfaction award to the applicant, for political reasons. In the former supervisory system, prior to the entry into force of Protocol No.

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

For example, in the case of Barberà, Messegué and Jabardo v. This concern is supported by court practice.

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

Execution of a judgment of that kind is very likely to become problematical. A final argument for determining the content of general measures through political, rather than judicial, means is that the political process may be instrumental in creating through dialogue and cooperation with the Committee of Ministers a sense of ownership of the measures needed to comply with the judgment at the domestic level. In contrast, see Article

63, paragraph 1, of the American Convention on Human Rights.

Execution of Judgments Under the European Convention on Human Rights

My comments, therefore, can be brief and are mainly of a supplementary character. The Parliamentary Assembly, at various occasions, has addressed the Committee of Ministers expressing its concern about the unsatisfactory situation of the execution of certain judgments, and members of the Parliamentary Assembly have asked for specific information. Russia has been, and remains a party to the Vienna Convention on the Law of Treaties.

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

Reasons to do with public opinion 16 f. The judgment itself is of a declaratory character only and cannot contain an order for the State concerned, except an obligation to pay fair compensation. The procedure in courts of general jurisdiction is governed by the Civil Procedure Code and the Criminal Procedure Code, whereas the procedure in commercial courts is governed by the Commercial Procedure Code.

Case

This need may eventually lead to the application of domestic law rather than international law RUSSIA, 2011d.

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