

Press Release

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17-18 October : Committee of Ministers' to supervise the execution of the European Court of Human Rights' judgments

Strasbourg, 17.10.2006 - On 17 and 18 October 2006, the Committee of Ministers holds the fifth of the six special meetings foreseen in 2006 for the supervision of the execution of judgments of the European Court of Human Rights (Article 46 of the ECHR). The Committee will supervise the payment by respondent states of just satisfaction to applicants (612 cases), the adoption of other individual measures granting the applicants the appropriate redress (129 cases or groups of cases) and of general measures preventing new similar violations (159 cases or groups of cases). The Committee will also examine for the first time 370 new judgments of the Court and draft Final Resolutions (concerning 45 cases) concluding that the respondent States have complied with their obligations under the judgments.

At this meeting, the Committee will supervise *inter alia*:

► **The granting by respondent States of redress to the applicants for the violations found, notably:**

- **Responses to the 4th Interim Resolution in the case of *Ilașcu et al. v. Russia & Moldova*** where the Court found the applicants' detention in the "Moldavian Republic of Transdniestria" to be arbitrary and unlawful and ordered the immediate release of the applicants still in detention (ResDH(2006)26 of 10 May 2006);
- **Responses of Turkey and Italy to the CM's repeated calls to reopen domestic criminal proceedings** or otherwise redress the situation of the applicants convicted in violation of their right to a fair trial and still serving heavy prison sentences (case of *Hulki Güneş*, ResDH(2005)113 and *Dorigo*, ResDH(2005)85); also **Belgium's and Bulgaria's responses to similar problems** will be examined respectively in *Goktepe* and *Stoichkov and Kounov* cases;
- **Possibility of reopening civil proceedings found to be unfair or other remedial measures** to be taken by certain countries, including **Russia** and **Poland** (paternity proceedings in cases of *Shofman* and *Róžański*, respectively);
- **Re-establishing parents' access to or regular relationship with their children**, to remedy violations of their right to family life, by **Germany** (case of *Görgülü*), **Italy** (case of *Bove*), **Poland** (case of *Zawadka*) and **Portugal** (case of *Reigado Ramos*);
- **Quashing the applicant' criminal convictions imposed in Turkey** for a refusal to perform compulsory military service on the ground of his conscientious objection (case of *Ülke*);
- **Remedying to the persistent infringement of the freedom of association of the applicant association and its members, already found in several judgments since 2001** (cases of *United Macedonian Organisation Ilinden - Pirin and others* and *United Macedonian Organisation Ilinden and others*);
- **Remedying the shortcomings identified by the Court in domestic investigations** into abuses by members of security forces of the United Kingdom and of the Russian Federation allegedly committed respectively in Northern Ireland and the Chechen Republic;

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► **General measures** (constitutional, legislative or other reforms, including the setting up of effective domestic remedies), **taken or under way, to prevent new violations** similar to those found in the judgments, **and notably:**

- **Turkey's response to the Court's judgment in the case of *Xenides-Arestis*** concerning the property rights of displaced Greek Cypriots in Cyprus; **Further developments** on this and other issues (notably missing persons) raised **in the context of the execution of the *Cyprus v. Turkey* judgment;**
- **Structural problem of non-execution of domestic judicial decisions in Russia, Ukraine Georgia** revealed by numerous judgments and complaints. A similar problem also recently raised in **Albania** (case of *Qufaj Co. Sh. P. K.*);
- Progress achieved by **recent bankruptcy reform** (case of *Luordo and many others*) and the recent developments with a view to resolve the **problem of unlawful expropriation in Italy** (*Belvedere* & other cases);
- **The problem of excessive length of judicial proceedings, and/or setting up an effective domestic remedy in this respect, in 20 countries** (cases against Belgium, Bulgaria, Cyprus, Croatia, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxemburg, the Former Yugoslav Republic of Macedonia, Poland, Romania, Russia, Slovakia, Slovenia, Ukraine);
- **Delay in adoption by Bulgaria of legal reform** allowing for judicial review of expulsion decisions taken on national security grounds (case of *Al-Nashif*);
- **Assessment of the new Polish compensation mechanism** for the abandoned "Bug-River" property introduced in response to *Broniowski* judgment;
- **The systemic problem recently highlighted by the Court** regarding restrictions on landlords' rights in **Poland** (case *Hutten-Czapska*)
- **Measures needed to avoid inhuman and degrading treatment** by forcefully obtaining evidence in **Germany** (case of *Jalloh*);

The information submitted to the Committee and its decisions are public. Interim Resolutions adopted on important and urgent issues take effect and become public on the day of the meeting. The other decisions adopted and the annotated agenda containing information on the progress in the execution of judgments are made public few days after the meeting. These documents together with **more comprehensive information on the execution of judgments by the member states** are available on http://www.coe.int/t/cm/home_en.asp or http://www.coe.int/Human_rights/execution/.