

EIN data related to the implementation of judgments of the European Court of Human Rights in Enlargement Countries

Statistics as of 1 January 2024

Albania

On 1 January 2024, Albania had 24 leading judgments of the European Court of Human Rights pending implementation. As of 1 January 2024, Albania's rate of pending leading judgments from the past 10 years was 96%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 3 years and 11 months. The oldest leading judgment, pending implementation for 10 years, concerns the failure to implement domestic decisions by the public administration, in particular reinstatement in public service, the lack of an effective remedy in this respect, as well as the violation of the property rights on account of the non-enforcement of the final court decisions. (*Memishaj v. Albania* [40430/08]).

Notes: Albania's impressively high rate of pending leading judgments from the past 10 years results from the combination of two factors: 1) all leading cases pending implementation as of 1 January 2024 were delivered within the last decade, thus falling in their entirety within the scope of the period under examination; b) out of the total number of leading Albanian cases that have ever been closed, only one had been delivered in the last 10 years (all other closed cases fall outside of the scope of the period under examination, having been delivered more than 10 years ago).

The fact that 11 new leading judgments, i.e. almost half of the leading cases in respect of Albania pending implementation were rendered in the course of 2023 contributes to a not excessively high average implementation time of 3 years and 11 months, notwithstanding the very high "10-year implementation" rate.

Montenegro

On 1 January 2024, Montenegro had 3 leading judgments of the European Court of Human Rights pending implementation. As of 1 January 2024, Montenegro's rate of leading judgments from the past 10 years that remained pending was at 14%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 4 years and 10 months. The oldest leading judgment, pending implementation for 9 years, concerns the applicant's ill-treatment in police detention and the lack of an effective investigation into his complaints (*Sinistaj and Others v. Montenegro* [1451/10]).

Notes: Montenegro has currently one of the best implementation records among the Western Balkan countries. Although the smaller number of judgments delivered in respect of Montenegro contributes to this result, the country does also demonstrate, at least at the moment, stronger implementation reflexes than other neighboring countries. The moderately high average implementation time of Montenegrin cases results from the fact that the country's three leading judgments had been pending implementation, on 1 January 2024, for 2, 5 and 8 years respectively.

North Macedonia

On 1 January 2024, North Macedonia had 13 leading judgments of the European Court of Human Rights pending implementation. As of 1 January 2024, North Macedonia's rate of leading judgments from the past 10 years that remained pending was at 29%. The average time that leading judgments had been pending implementation for was 3 years and 9 months. The oldest leading judgment in respect of North Macedonia, concerning violations of the applicant's right to liberty on account of the lack of concrete and sufficient grounds for his detention, has been pending implementation for more than 14 years. (*Vasilkoski and Others v. the former Yugoslav Republic of Macedonia* group of cases [28169/08]).

Serbia

On 1 January 2024, Serbia had 14 leading judgments of the European Court of Human Rights pending implementation. As of 1 January 2024, Serbia's rate of leading judgments from the past 10 years that remained pending was at 27%. The average time that leading judgments had been pending implementation for was almost 7 years. The oldest leading judgment in respect of Serbia has been pending for more than 16 years (*Jevremovic v. Serbia* [3150/05]). The relevant group of cases concerns instances where the applicants' rights to a fair trial were violated due to excessive length of different types of judicial proceedings – civil, family-related and commercial. Additionally, some cases highlight the absence of an effective remedy within the domestic law to address complaints about procedural delays.