

## EIN data related to the implementation of judgments of the European Court of Human Rights in EU Member States

Statistics as of 1 January 2024

### For the whole EU:

As of 1 January 2024, there were 624 leading ECtHR judgments pending implementation across the European Union. This is 8 more cases than at the start of 2023. This figure excludes nine judgments which were final as of 31/12/2023, but have only been classified as leading cases after 31/12/2023; these judgments will be included in next year's report.

44% of leading judgments concerning European Union states from the last ten years are yet to be implemented, against 40,4% at the start of 2023.

The average length of time that leading ECtHR judgments concerning European Union states have not been implemented is **5 years and 2 months, a slight increase** from 5 years and 1 month in January 2023.

### Austria

On 1 January 2024, Austria had 6 leading judgments of the European Court of Human Rights pending implementation. This is an increase of 3 from the previous year, as there were 3 leading judgments pending at the start of 2023. As of 1 January 2024, Austria's rate of pending leading judgments from the past 10 years was 32%, an increase in the figure from the start of 2022, which was of 22%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 1 year and 5 months. This is a small increase from the equivalent figure for 1 January 2023: at that time, leading cases had been pending for an average of 1 year and 3 months.

*Note: The delivery of three new leading judgments by the Court in 2023, which doubled the absolute number of pending leading cases since the previous year, also resulted in the increase by 10% of the rate of leading judgments from the last ten years pending implementation.*

### Belgium

On 1 January 2024, Belgium had 21 leading judgments of the European Court of Human Rights pending implementation. This is a decrease of 1 from the previous year, as there were 22 leading judgments pending at the start of 2023. As of 1 January 2024, Belgium's rate of leading judgments from the past 10 years that remained pending was at 39%, a decrease from the figure from the start of 2023, which was of 48%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 3 years and 11 months, a slight increase from last year's 3 years and 5 months. The oldest leading judgment, pending implementation for almost 15 years, concerns the excessive length of civil proceedings at first instance level (*Bell v. Belgium* [44826/05]).

## Bulgaria

On 1 January 2024, Bulgaria had 89 leading judgments of the European Court of Human Rights. This is a decrease of 4 from the previous year, as there were 93 leading judgments pending at the start of 2023. As of 1 January 2024, Bulgaria's rate of leading judgments from the past 10 years that remained pending was at 53% against 55% at the start of 2023. The average time that leading judgments had been pending implementation for was 6 years and 9 months, against 6 years and 10 months in January 2023. The oldest leading judgment in respect of Bulgaria has been pending implementation for 19 years. It concerns the poor conditions of detention in remand facilities and prisons, and lack of an effective remedy (*Kehayov v. Bulgaria* [41035/98]).

*Notes: Previously, the oldest pending leading judgment in respect of Bulgaria was the Velikova case [41488/98], which concerned excessive use of force by law enforcement agents and had been pending implementation since 2000. On 7 December 2023, the supervision of Velikova was closed; however, outstanding questions concerning general measures continue to be examined in the Dimitrov and Others group of cases [77938/11] (pending since 2014). Therefore, while the original leading case has been closed, similar problems persist and continue to be examined under the heading of a more recent group of cases.*

## Croatia

On 1 January 2024, Croatia had 27 leading judgments of the European Court of Human Rights pending implementation. This is an increase of 1 from the previous year, as there were 26 leading judgments pending at the start of 2023. As of 1 January 2024, Croatia's rate of leading judgments from the past 10 years that remained pending was at 28%, against 29% in 2023. The average time that leading judgments had been pending implementation for was 3 years and 4 months. This is an increase from the equivalent figure for 1 January 2023: at that time, leading cases had been pending for an average of 2 years and 8 months.

## Cyprus

On 1 January 2024, Cyprus had 10 leading judgments of the European Court of Human Rights pending implementation. This is an increase of 1 from the previous year, as there were 9 leading judgments pending at the start of 2023. As of 1 January 2024, Cyprus' rate of leading judgments from the past 10 years that remained pending was at 53%, against 59% in 2023. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 3 years and 4 months, against 3 years and 3 months in January 2023.

## Czech Republic

On 1 January 2024, Czechia had 5 leading judgments of the European Court of Human Rights pending implementation. This is an increase of 1 from the previous year, as there were 4 leading judgments pending at the start of 2023. As of 1 January 2024, Czechia's rate of leading judgments from the past 10 years that remained pending was at 24%, an increase from the figure from the start of 2023, which was of 18%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 4 years and 3 months, against 4 years and 7 months in January 2023.

*Notes: The increase in the rate of leading judgments from the last ten years results from the*

delivery of two new leading judgments in 2023, whereas the decrease in the “time pending” indicator results from the closure, in May 2023, of *Tempel v. the Czech Republic* [44151/12], a case that had been pending since November 2020. The oldest leading judgment in respect of Czechia, pending implementation for more than 16 years, concerns discrimination in the enjoyment of the applicants’ right to education due to their assignment to special schools on account of their Roma origin (*D.H. and Others* [57325/00]).

## Denmark

On 1 January 2024, Denmark had 3 leading judgments of the European Court of Human Rights pending implementation. This figure remained unchanged in comparison with the previous year, as there were 3 leading judgments pending at the start of 2023 as well. Denmark’s rate of leading judgments from the past 10 years that have been pending implementation decreased to 50% compared to January 2023 (when it was of 60%). Regarding the average time that leading judgments had been pending implementation, it was 2 years in January 2024. This an increase compared to the start of 2023, at which time leading judgments had been pending for an average time of 1 year and 6 months.

## Estonia

On 1 January 2024, Estonia had 3 leading judgments of the European Court of Human Rights pending implementation. This figure remained unchanged in comparison with the previous year, as there were 3 leading judgments pending at the start of 2023 as well. As of 1 January 2024, Estonia’s rate of leading judgments from the past 10 years that remained pending was at 15%, a slight increase from the figure from the start of 2023 which was of 14%. As of 1 January 2024, the average time that leading judgments had been pending implementation was 1 year and 5 months: this figure was only 11 months in January 2023.

## Finland

On 1 January 2024, Finland had 2 leading judgments of the European Court of Human Rights pending implementation. This is a significant decrease of 7 from the previous year, as there were 9 leading judgments pending at the start of 2023. As of 1 January 2024, Finland’s rate of leading judgments from the past 10 years that remained pending had dropped to 25%, a significant decrease from the start of 2023, when the 10-year rate of implementation was of 50%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 10 years and 2 months. This is a decrease from the previous year, as at the beginning of 2023 the average time that leading judgments had been pending implementation for was 12 years and 11 months.

*Notes: The 7 leading cases whose supervision ended in 2023 (Ruotsalainen v. Finland [13079/03]; Petri Sallinen and Others v. Finland [50882/9]); Eerikainen and Others v. Finland [3514/02]; V. v. Finland [40412/98]; C. v. Finland [18249/02]); Lindstrom and Masseli v. Finland [24630/10]; and Pietilainen v. Finland [13566/06]) had been pending implementation between 9 and 18 years. This positive development in terms of absolute numbers of remaining pending cases has also had a positive impact on both the “10-year rate of implementation and “time pending” indicators: it resulted in a significant decrease of the 10-year implementation rate; and in a decrease by 2 years and 9 months of the average time that judgments have been pending implementation, bringing this number down to 10 years and 2 months as of 1 January 2024. The leading cases that were remaining unimplemented as of 1 January 2024, X. v. Finland (34806/04) and Nykanen v.*

*Finland (11828/11), had respectively been pending implementation for approximately 11 and 9 years. For the sake of providing a complete picture, it can also be noted that the X. v. Finland judgment has in the meantime been closed, in March 2024. This development and its impact will be reflected in the data of next year's report.*

## France

On 1 January 2024, France had 20 leading judgments of the European Court of Human Rights pending implementation. This is a decrease of 9 from the previous year, as there were 29 leading judgments pending at the start of 2023. As of 1 January 2024, France's rate of leading judgments from the past 10 years that remained pending was at 29%, a decrease from the figure from the start of 2023, which was of 36%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 3 years and 10 months. This is an increase from the previous year, as at the beginning of 2023 the average time that leading judgments had been pending implementation for was 2 years and 11 months. The oldest leading judgment, pending implementation for 14 years, concerns the inaction of the authorities in the execution of judiciary measures of expulsion regarding illegally occupied lands (*Barret and Sirjean v. France* [13829/03]).

*Notes: The supervision of 10 leading judgments ended in 2023, and a new leading judgment (Compaore v. France [37726/21]) was rendered in the same year. This decrease by 9 in the absolute number of pending cases also explains the decrease in the rate of pending leading cases rendered in the last ten years. On the contrary, the increase in the "time pending indicator" resulted from the fact that the majority of the 10 leading cases closed in 2023 were newer judgments, the majority of which had been pending implementation for up to 3 years. The oldest case closed in 2023, Duval v. France [19868/08], had been pending for almost 12 years.*

## Germany

On 1 January 2024, Germany had 10 leading judgments of the European Court of Human Rights pending implementation. This is a decrease of 2 from the previous year, as there were 12 leading judgments pending at the start of 2023. As of 1 January 2024, Germany's rate of leading judgments from the past 10 years that remained pending was at 33%, a decrease from the figure from the start of 2023, which was of 43%. As of 1 January 2023, the average time that leading judgments had been pending implementation for was 4 years. This has slightly improved in comparison with the start of 2023, when leading judgments had been pending for an average of 4 years and 2 months. The oldest leading judgment (*Werra Naturstein GMBH & KO KG v Germany* [32377/12]) has been pending implementation since 2017; it concerns the lack of compensation for the adverse effects of partial expropriation of a property.

## Greece

On 1 January 2024, Greece had 28 leading judgments of the European Court of Human Rights pending implementation. This is a slight increase from the previous year, as there were 27 leading judgments pending at the start of 2023. As of 1 January 2024, Greece's rate of leading judgments from the past 10 years that remained pending was at 30%, a decrease compared to early 2023 (when the figure was 34%). As of 1 January 2024, the average time that leading judgments had been pending implementation for was 6 years and 7 months, similarly as in 2023. The oldest leading judgment, pending implementation for 20 years, concerns a violation of the right to property on account of blocking of the use of the land without proceeding to expropriating it (*Satka and Others v. Greece* [55828/00]).

## Hungary

On 1 January 2024, Hungary had 45 leading judgments of the European Court of Human Rights pending implementation. This is an increase of two from the previous year, as there were 43 leading judgments pending at the start of 2023. As of 1 January 2024, Hungary's rate of leading judgments from the past 10 years that remain pending was at 76%, similarly as in January 2023, and still the highest among EU States. As of 1 January 2024, the average time that leading judgments have been pending implementation for was 6 years and 2 months, against 6 years and 8 months as of January 2023. The oldest leading judgment, pending implementation for almost 15 years, concerns the violation of the right to freedom of assembly (*Patyi and Others v. Hungary* [5529/05]).

## Ireland

On 1 January 2024, Ireland had two leading judgments of the European Court of Human Rights pending implementation. These are the same two leading judgments that were pending on 1 January 2023 (*McFarlane v. Ireland* [31333/06]; and *O'Keeffe v. Ireland* [35810/09]). As of January 2024, Ireland's rate of leading judgments from the past 10 years that remain pending was at 50%, similarly as in January 2023. As of January 2024, the average time that leading judgments had been pending implementation for was 11 years and 7 months, i.e., 1 more year than at the start of 2023 (10 years and seven months at the time).

## Italy

On 1 January 2024, Italy had 66 leading judgments of the European Court of Human Rights pending implementation. This is an increase of 7 from the previous year, as there were 59 leading judgments pending at the start of 2023. As of 1 January 2024, Italy's rate of leading judgments from the past 10 years that remained pending was at 65%, a slight increase from the figure from January 2022 which was of 63%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 6 years and 7 months, against 6 years and 2 months in January 2023. The oldest leading judgment, pending since 1997, i.e. for 26 years, concerns the excessive length of criminal and administrative proceedings (*Abenavoli v. Italy* [25587/94]).

## Latvia

On 1 January 2024, Latvia had 8 leading judgments of the European Court of Human Rights pending implementation, the same number as in the previous year. As of 1 January 2024, Latvia's rate of leading judgments from the past 10 years that remained pending was at 17%, fairly unchanged since January 2023 (16% at the time). As of 1 January 2024, the average time that leading judgments have been pending implementation for was 1 year and 9 months, an increase compared to the "time pending" indicator in January 2023 (1 year and 3 months).

## Lithuania

On 1 January 2024, Lithuania had 22 leading judgments of the European Court of Human Rights pending implementation. This is an increase of 3 from the previous year, as there were 19 leading judgments pending at the start of 2023. As of 1 January 2024, Lithuania's rate of leading judgments from the past 10 years that remain pending was 34%, an increase from the figure from January 2023 which was of 31%. As of 1 January 2024, the average time that leading judgments have been pending

implementation for was almost 3 years and 8 months, which is a slight increase compared to January 2023 (when the figure was 3 years and 4 months). The oldest leading judgment, pending implementation for 16 years, concerns the lack of legislation governing the conditions and procedures relating to gender reassignment (*L. v Lithuania* [27527/03]).

## Luxembourg

On 1 January 2024, Luxembourg had 2 judgments of the European Court of Human Rights pending implementation. This is an increase of 1 from the previous year, as there was 1 leading judgment pending at the start of 2023. As of 1 January 2024, Luxembourg's rate of leading judgments from the past 10 years that remain pending was at 50%, compared to 25% at the start of 2023. The judgments against Luxembourg has been pending implementation for 1 year and 5 months on average as of January 2024, against 12 months as of January 2023.

*Notes: This impressive increase in the rate of leading judgments from the past 10 years that remained pending in comparison to the previous year needs to be critically assessed against the very small number of violation-finding judgments rendered in respect of Luxembourg, and to not be interpreted as a deterioration of the overall implementation record of the country.*

## Malta

On 1 January 2024, Malta had 15 leading judgments of the European Court of Human Rights pending implementation, similarly as at the start of 2023. As of 1 January 2024, Malta's rate of leading judgments from the past 10 years that remained pending was at 57% (against 45% as of 1 January 2023). As of 1 January 2024, the average time that leading judgments had been pending implementation for was 6 years, against 5 years and 4 months in 2023. The oldest leading judgment, pending implementation for 17 years, concerns disproportionate restrictions to property rights (*Ghigo v. Malta* [31122/05]).

## The Netherlands

On 1 January 2024, the Netherlands had five leading judgments of the European Court of Human Rights pending implementation. This is an increase of 1 from the previous year, as there were 4 leading judgments pending at the start of 2023. As of 1 January 2024, the Netherlands' rate of leading judgments from the past 10 years that remained pending was at 33%, an increase in the figure from January 2023 which was of 29%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 3 years and 9 months, fairly unchanged compared to the figure as of 1 January 2023 (3 years and 7 months). The oldest leading case, pending implementation for 7 years, concerns the *de facto* irreducibility of a life sentence imposed on a prisoner suffering from mental illness (*Murray v. the Netherlands* [10511/10]).

## Poland

On 1 January 2024, Poland had 46 leading judgments of the European Court of Human Rights pending implementation, similarly as at the start of 2023. As of 1 January 2024, Poland's rate of leading judgments from the past 10 years that remained pending was at 51%, a decrease from the figure from January 2023 which was at 56%. As of January 2024, the average time that leading judgments had been pending implementation for was 5 years and 5 months, against 5 years and 6 months in 2023. The oldest leading judgment, pending implementation for almost 19 years, concerns excessive length of proceedings before administrative bodies and courts and absence of an effective remedy (*Beller v. Poland* [51837/99]).



On 1 January 2024, Portugal had 16 leading judgments of the European Court of Human Rights pending implementation. This is a slight increase from the previous year, as there were 15 leading judgments pending at the start of 2023. As of 1 January 2024, Portugal's rate of leading judgments from the past 10 years that remain pending was at 44%, against 39% in early 2023. As of 1 January 2024, the average time that leading judgments have been pending implementation for was 5 years and 9 months, an increase compared to 5 years and 1 month in 2023. The oldest leading judgment, pending implementation for over 12 years, concerns the fairness of criminal proceedings (*Moreira Ferreira v. Portugal* [19808/08]).

## Romania

On 1 January 2024, Romania had 115 leading judgments of the European Court of Human Rights pending implementation. This is a slight increase from the previous year, as there were 113 leading judgments pending at the start of 2023. As of 1 January 2024, Romania's rate of leading judgments from the past ten years that remained pending was at 59%, fairly unchanged in comparison with the previous year (60% in January 2023). As of 1 January 2024, the average time that leading judgments had been pending implementation for was over 5 years and 5 months, against 4 years and 8 months in 2023. The oldest leading judgment in respect of Romania, pending implementation for 18 years, concerns the right to protection of property due expropriations and nationalisations (*Strain and Others v. Romania* [57001/00]).

## Slovak Republic

On 1 January 2024, Slovakia had 29 leading judgments of the European Court of Human Rights pending implementation. This is an increase from the previous year, as there were 24 leading judgments pending at the start of 2023. As of 1 January 2024, Slovakia's rate of leading judgments from the past 10 years that remained pending was at 53%, an increase from the figure from January 2023 which was at 51%. As of January 2024, the average time that leading judgments have been pending implementation for was 3 years and 3 months, against 2 years and 11 months at the start of 2023. The oldest leading judgment, pending implementation for more than 11 years, concerns the excessive length of civil proceedings (*Maxian and Maxianova v. Slovakia* [44482/09]).

## Slovenia

On 1 January 2024, Slovenia had 5 leading judgments of the European Court of Human Rights pending implementation. This is an increase from the previous year, as there were 4 leading judgments pending at the start of 2023. As of 1 January 2024, Slovenia's rate of leading judgments from the past 10 years that remained pending was at 14%, similar to the figure at the start of 2023 (13%). As of 1 January 2024, the average time that leading judgments had been pending implementation for was 1 year and 2 months, against 1 year and 5 months in 2023.

## Spain

On 1 January 2024, Spain had 23 leading judgments from the European Court of Human Rights pending implementation. This is an increase from the previous year, as there were 21 leading judgments pending at the start of 2023. As of 1 January 2024, Spain's rate of leading judgments from the past 10 years that remained pending was at 51%, a slight decrease from the figure from early 2022 which was at 53%. As of 1 January 2024, the average time that leading judgments had been pending implementation for was 2 years and 10 months, against 2 years and 9 months in 2023. The oldest pending leading judgment, which became final 10 years ago, concerns the lack of an

effective suspensive remedy against decisions to remove asylum seekers despite the risk to their lives/risk of ill-treatment. (*A.C. and Others v. Spain* [6528/11]).

## Sweden

On 1 January 2024, Sweden had one leading judgment of the European Court of Human Rights pending implementation (one less than last year). As of 1 January 2024, Sweden's rate of leading judgments from the past 10 years that remained pending was at 10%, lower than the figure for January 2023, which was of 17%. As of January 2024, the average time that the judgments had been pending implementation for was 2 years and 8 months, considerably less than at the start of 2023, when leading judgments had been pending for an average of 4 years and 1 month. The leading judgment in respect of Sweden, concerning insufficient safeguards in bulk signals-intelligence gathering (*Centrum for Rattvisa v. Sweden* [35252/08]), has been pending implementation since 2021.