

Recommendation 1477 (2000)¹

Execution of judgments of the European Court of Human Rights

Parliamentary Assembly

The Assembly, referring to its [Resolution 1226 \(2000\)](#) on the execution of judgments of the European Court of Human Rights, recommends that the Committee of Ministers:

1. amend the Convention so as to give the Committee of Ministers the power to ask the Court for a clarifying interpretation of its judgments in cases where the execution gives rise to reasonable doubts and serious problems regarding the correct mode of implementation;
2. amend the Convention to introduce a system of “astreintes” (daily fines for a delay in the performance of a legal obligation) to be imposed on states that persistently fail to execute a Court judgment;
3. ask the governments of High Contracting Parties to make more use of their right to intervene in cases before the Court, so as to promote the erga omnes significance of the decisions of the Court;
4. when exercising its function under Article 46 paragraph 2 of the European Convention on Human Rights,
 - a. be more strict towards member states which fail in their obligation to execute judgments of the Court;
 - b. ensure that measures taken constitute effective means to prevent further violations being committed;
 - c. keep the Assembly informed of progress in the execution of judgments, in particular by the more systematic use of interim resolutions setting a timetable for carrying out the reforms planned;
 - d. instruct the Secretary General to reinforce and improve its technical assistance programmes;
 - e. ask member states to assist persons or organisations who contribute to the diffusion of information and to the training of judges and lawyers.

1. Assembly debate on 28 September 2000 (30th Sitting) (see [Doc. 8808](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Jurgens). Text adopted by the Assembly on 28 September 2000 (30th Sitting).

