

COMMITTEE OF MINISTERS OF THE COUNCIL OF EUROPE

Department for the Execution of Judgments of the European Court of Human Rights

Policy Proposal for Consideration by the Committee of Ministers of the Council of Europe
Pursuant to Article 46 of the European Convention on Human Rights

I respectfully submit the attached policy proposal entitled:

"Strengthening the Effective Implementation of Final Judgments of the European Court of Human Rights."

This document represents my personal contribution to the ongoing discussion regarding the effectiveness of the European Convention on Human Rights system and the importance of ensuring that final judgments of the European Court of Human Rights are implemented effectively.

The purpose of this proposal is to encourage consideration of additional lawful, proportionate, and transparent approaches that may strengthen compliance with international human rights obligations.

I fully recognize the importance of respecting international law, institutional responsibilities, and the rights of all individuals affected by any policy decisions. My intention is not to propose punishment, but to offer an idea for discussion regarding ways to improve the effectiveness and credibility of the Convention system.

I would be grateful if this proposal could be forwarded to the appropriate department or reviewed as part of the continuing discussion on the execution of judgments of the European Court of Human Rights.

Thank you for your time and for your continued work in protecting human rights, democracy, and the rule of law.

Respectfully,

Melih Ozdil

United States of America

Dear Sir or Madam,

I believe that the system of sanctions imposed by the European Court of Human Rights requires serious reconsideration.

The Court frequently issues judgments against governments led by authoritarian or dictatorial regimes—governments that demonstrate little or no respect for human rights, the rule of law, or the Court's authority. However, in practice, many of these sanctions fail to punish those responsible. Instead, they often have the unintended effect of protecting them.

When the Court orders a government to pay compensation to a victim, who actually bears the financial burden? In reality, the payment is rarely made by the officials responsible for the human rights violations. Instead, it is funded by public resources—that is, by the taxpayers and ordinary citizens, many of whom are themselves victims of the same oppressive regime. As a result, those who committed the violations suffer no personal consequences. Rather than holding them accountable, the system effectively shifts the cost of their misconduct onto innocent citizens. This cannot reasonably be regarded as an effective sanction against those responsible.

Similarly, when the Court threatens measures such as sanctions or other forms of international pressure unless a political prisoner or unjustly detained individual is released, it is worth asking: who ultimately pays the price? Authoritarian leaders who disregard democratic values and human rights often remain unaffected, while the resulting economic or political consequences are borne primarily by the people living under those regimes. In this way, such measures may unintentionally strengthen authoritarian governments by allowing them to transfer the costs of their actions to the very citizens they oppress.

For this reason, I respectfully submit that the Court should consider developing mechanisms that impose meaningful and personal accountability on those directly responsible for human rights violations, rather than measures whose practical consequences fall mainly upon the general population.

Millions of people living under authoritarian and oppressive governments look to the European Court of Human Rights as a symbol of justice and hope. They expect not only declarations of principle but also remedies that effectively deter violations and hold perpetrators genuinely accountable. It is in this spirit that I respectfully submit the attached proposals for your consideration. My intention is not merely to criticize the existing system, but to contribute constructively to a discussion on how it might better achieve its fundamental mission: protecting human rights and ensuring that those responsible for violating them face meaningful consequences.

Thank you for your time and consideration. Respectfully,

Melih Ozdil

POLICY PROPOSAL

Strengthening the Effective Implementation of Final Judgments of the European Court of Human Rights Through Stronger Compliance Mechanisms

Submitted for Consideration by European Institutions

Submitted by:

Melih Ozdil

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Date: July 25 2026

Executive Summary

The effectiveness of the European Convention on Human Rights depends not only on the decisions of the European Court of Human Rights (ECtHR), but also on the full and timely implementation of its final judgments by member states.

When final judgments remain unimplemented for extended periods, the authority of the Convention system may be weakened and public confidence in international human rights protection may be affected.

This proposal suggests that European institutions consider additional lawful, transparent, and proportionate mechanisms to encourage compliance with ECtHR judgments.

One possible mechanism for consideration is that the participation status of states that demonstrate persistent and serious non-compliance with final ECtHR judgments in major European sporting competitions should be subject to review by the competent international sporting organizations, where legally possible.

Such a measure should not be viewed as punishment, but as a potential incentive mechanism designed to strengthen respect for international legal obligations.

1. Introduction

The European Convention on Human Rights represents one of the most important achievements in the protection of human rights, democracy, and the rule of law.

The European Court of Human Rights provides individuals with an essential legal mechanism to seek justice when fundamental rights have been violated.

However, the credibility and effectiveness of the Convention system depend on one fundamental principle: final judgments of the Court must be respected and implemented.

The execution of judgments is therefore not only a legal obligation but also a cornerstone of trust in the European human rights framework.

2. The Challenge of Non-Implementation

Although member states have accepted the obligation to comply with final ECtHR judgments, situations may arise where implementation is delayed or incomplete.

Persistent non-compliance creates several concerns:

- * Individuals may continue to suffer from unresolved violations;
- * The authority of international judicial decisions may be weakened;
- * Confidence in the European human rights system may decline;
- * The principle of equality before international law may be questioned.

For international legal obligations to remain effective, there must be meaningful incentives encouraging compliance.

Legal Basis and Institutional Framework

Obligation Under Article 46 of the European Convention on Human Rights.

Under Article 46 of the European Convention on Human Rights, High Contracting Parties undertake to abide by the final judgments of the European Court of Human Rights in any case to which they are parties.

This obligation requires not only the implementation of measures necessary to provide appropriate redress to the individual applicant, but also, where necessary, the adoption of general and structural measures to prevent similar violations from occurring in the future.

Therefore, the implementation of final judgments of the European Court of Human Rights is not a matter of political preference or voluntary choice; it is an international legal obligation arising from the Convention.

Role of the Committee of Ministers

Under Article 46 of the European Convention on Human Rights, the Committee of Ministers of the Council of Europe is responsible for supervising the execution of final judgments of the European Court of Human Rights.

In carrying out this responsibility, the Committee of Ministers:

- * Reviews the measures taken by states to implement judgments;
- * Requests additional information and actions where necessary;
- * Monitors progress in the execution process;
- * Addresses situations where implementation is delayed or insufficient.

However, in cases of persistent and serious non-compliance, it may be necessary to consider whether existing supervision mechanisms should be strengthened through additional effective incentive measures.

Legal Approach of the Proposed Mechanism

This policy proposal seeks to support the more effective implementation of the binding obligations established under Article 46 of the European Convention on Human Rights.

The proposed approach does not seek to replace the existing legal system, but rather to encourage consideration of additional and complementary mechanisms that may strengthen compliance with international obligations.

Within this framework, the review of the participation status of states that demonstrate persistent and serious non-compliance with final judgments of the European Court of Human Rights in major European sporting competitions, by the competent international sporting organizations, may be considered as a potential deterrent element to promote greater respect for international law.

Any such assessment should be guided by the following principles:

- * Respect for the rule of law;
- * Proportionality;
- * Transparency;
- * Protection of the rights of individuals and athletes.

Why European Sporting Participation?

My proposal is not to restrict the public's sporting activities or their interest in sports. However, rulers who govern through authoritarian oppression use sports to lull the populace into a state of complacency. Because international competitions, in particular, stir up such intense public excitement, these rulers prioritize sports above all else, using them to mask activities that are unlawful and incompatible with human rights.

Since restricting participation in major international sporting events would likely trigger significant domestic and international pressure, such a measure may create a stronger incentive for governments to implement ECtHR judgments more promptly. In this way, it could contribute to improving compliance with international human rights obligations while remaining consistent with the principles of proportionality and the rule of law.

In conclusion

Sport has repeatedly been recognized as an important instrument of public diplomacy and international prestige. Consequently, participation in major European sporting events may constitute an effective non-military and non-economic incentive for encouraging compliance with international obligations.

3. Proposed Strengthened Compliance Mechanism

I respectfully propose that European institutions consider additional lawful and proportionate measures to encourage the implementation of final ECtHR judgments.

In particular, the participation of states that demonstrate persistent and serious non-compliance with final judgments of the European Court of Human Rights in major European sporting competitions should be subject to renewed consideration by the competent international sporting organizations, where legally appropriate.

Sport represents an important element of European cooperation, identity, and international representation. Participation in major European sporting events carries significant social, cultural, and symbolic importance.

For this reason, the relationship between respect for international legal obligations and participation in European sporting frameworks could be examined as a possible incentive mechanism.

4. Principles for Any Such Mechanism

Any consideration of such measures should:

- * Respect international law;
- * Follow clear and transparent criteria;
- * Be proportionate to the seriousness and duration of non-compliance;
- * Respect the independence and authority of international sporting organizations;
- * Avoid unnecessary harm to individual athletes and citizens.

The purpose of such a mechanism should not be to punish individuals or the public, but to encourage governments to fulfill their international obligations and protect the rights recognized under the European Convention on Human Rights.

5. Expected Benefits

A stronger compliance framework could:

- * Increase respect for ECtHR judgments;
- * Provide greater protection for individuals whose rights have been violated;
- * Strengthen confidence in European legal institutions;
- * Reinforce the principle that international judicial decisions must have practical consequences.

Effective enforcement mechanisms would demonstrate that commitments undertaken under the European Convention on Human Rights are meaningful and binding.

Conclusion

The European human rights system can only maintain its credibility when final judgments of the European Court of Human Rights are implemented effectively and without unnecessary delay.

While dialogue, supervision, and diplomatic engagement remain essential tools, persistent and serious non-compliance requires consideration of additional lawful and proportionate incentives.

Therefore, the participation of states that fail to implement final judgments of the European Court of Human Rights should be reconsidered within major European sporting competitions, through the competent international sporting organizations and according to established legal principles, as a meaningful deterrent mechanism to encourage compliance with human rights obligations and respect for the rule of law.

Respectfully submitted,

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