



JUSTICE DELAYED AND JUSTICE DENIED

Non-implementation of European Courts
Judgments and the Rule of Law

PREVIEW BRIEF

2025 Edition



re:constitution

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INTRODUCTION

Respecting and implementing court judgments is a basic test of any state's commitment to the rule of law. In Europe, this applies with particular force to the judgments of the European Court of Human Rights (ECtHR) and the Court of Justice of the European Union (CJEU), which safeguard fundamental rights and the integrity of the European legal order.

This fourth edition of *Justice Delayed and Justice Denied* examines how EU Member States implement the judgments of Europe's two apex courts. Building on previous reports, it updates the data to 1 January 2025, expands the country coverage, and refines both the

quantitative and qualitative assessments.

The focus remains on judgments with the greatest systemic impact. For the ECtHR, the analysis is based on "leading" ECtHR judgments, designated by the Council of Europe's Committee of Ministers to identify human rights issues for the first time in a country, often revealing structural or systemic problems and therefore requiring broader reforms. For the CJEU, the report concentrates on rulings related to the rule of law, including justice systems, anti-corruption, media freedom and pluralism, and institutional checks and balances.

OVERALL FINDINGS

Across much of the EU, the **gap between legal victories before European courts and real-world change is widening**. Non-implementation, partial implementation, and protracted delays are not isolated anomalies but entrenched patterns in several member states, and frequent feature in others. This non-compliance is also increasingly accompanied by open or implicit contestation of European courts' authority by political actors and, at times, by top

national courts. The practical consequence is that serious violations of human rights and the rule of law continue for years, sometimes decades, after they have been formally recognised in Strasbourg or Luxembourg.

A small group of countries – notably **Bulgaria, Hungary, Poland and Romania** – **systematically struggle** with compliance across both courts. Despite growing attention to the importance

of implementation in national and international debates – including due to sustained efforts by civil society – the overall patterns in the worst-performing states have hardly changed.

The fragmented implementation steps observed in these countries do not amount to coherent national strategies to address systemic problems. At best, they are isolated measures;



Non-implementation, partial implementation, and protracted delays are entrenched patterns in several EU member states and frequent feature in others

at worst, they are merely incidental and do not reflect a genuine commitment to uphold the international values, standards and obligations these states have undertaken.

Across both courts, the implementation gaps relate largely to the same **sensitive areas**: judicial independence and access to justice, asylum and migration, detention conditions, equality (including LGBTIQ+ rights), and data/surveillance. In these domains, rulings require politically costly structural reforms, so states often resort to partial or delayed compliance rather than genuine change.


At the same time, the findings also showcase

positive cross-cutting developments in certain states. Countries like **Luxembourg** show strong performance across both courts, **Finland**, **Ireland** and **Czechia** demonstrate some examples of good practice, and several countries would be deemed high performers across both jurisdictions, were it not for their statistically insignificant number of rulings received, which in itself is a credit to those Member States (e.g. **Sweden**, which is already identified as an excellent complier in the ECtHR context). These examples demonstrate that compliance and improvement are possible where there are a clear political will and a genuine commitment to abide by the rulings of the international courts to uphold the rule of law.

EUROPEAN COURT OF HUMAN RIGHTS

On the ECtHR side, the picture is one of growing backlog and slowing progress. As of 1 January 2025, there were **650** leading ECtHR judgments awaiting full implementation across EU member states, up from 624 in January 2024, and 616 in the year prior. Further, **45.7 per cent** of leading judgments delivered in respect of EU states over the past ten years were still pending implementation, compared to 44 per cent at the end of 2023 and 40 per cent at the end of 2022. By end 2024, the average implementation time for leading ECtHR judgments concerning EU states has reached **5 years and 4 months**, compared to 5 years and 2 months in 2023, and 5 years and 1 month in 2022.

Overall, since the first edition of the report in 2021, **the number of pending leading judgments has increased by 8 per cent** (from 602 to 650), the share of **the open cases from the past 10 years by 24 per cent** (from 37.5 per cent to 45.7 per cent), and **the average implementation time by 23 per cent** (up by a full year, from 4 years and 4 months). This is despite intensified Council of Europe–state cooperation to strengthen domestic implementation mechanisms, and the improvements achieved in cases where resistance to implementation is not rooted in a lack of political will.



Since 2021, the number of pending leading judgments has increased by 8 per cent; and the average implementation time by 23 per cent.

The increase across all three indicators is not a simple linear trend but reflects **several underlying dynamics**. Each year, the Committee of Ministers has closed fewer leading cases than it has received for supervision in respect of EU states, and it has generally been easier to close newly delivered cases than older leading judgments

that identify complex or structural problems. In many of the pending cases, reforms were undoubtedly under way or partially completed by 2024; however, the persistent failure to fully resolve long-standing structural issues – often clustered around the same sensitive themes – continues to jeopardize the rule of law in the

states concerned and to generate new repetitive applications, undermining rule of law and the effectiveness of the ECHR system as a whole.

On a grimmer side, **Bulgaria, Hungary, Italy, Poland and Romania continued to be the most struggling implementers in 2024.** Romania continued to have the highest number of leading judgments pending implementation (111), whereas Hungary remained the state recording the highest rate of leading ECtHR rulings rendered in the last ten years still awaiting implementation – **74 per cent.** For **eight countries** - Bulgaria, Hungary, Italy, Malta, Poland, Portugal, Romania and Slovakia - **over 50 per cent** of the leading judgments rendered against them in the **last ten years** were yet to be fully implemented at the end of 2024. **Ten EU member States** (Belgium, Bulgaria, Czechia, Greece, Hungary, Italy, Lithuania, Malta, Poland and Romania) had, in 2024, cases that had been pending implementation **for more than 15 and up to 24 years.** In **two member States**, Portugal and Slovakia, the overall implementation record **worsened**, shifting from moderate to moderately poor, and from poor to problematic, respectively.

There were, however, notable positive developments. **Sweden, Austria, Denmark, Estonia, Finland, Luxembourg and Slovenia** all presented an **excellent or very good** overall implementation record at the end of 2024. **Austria, Cyprus, Finland and Germany** improved their overall implementation scores, with Finland coming close to eliminating its long-standing backlog of leading judgments within two years (from nine cases to one). **Czechia** stands out as a particularly important example: the creation


of a robust execution coordination authority a few years ago and, most importantly, the consistent capacity of the latter to move beyond a defensive or “litigious” approach once a new judgment enters its implementation phase has enabled the country to weather a strong influx of new violation judgments last year while maintaining rapid implementation and a solid overall record. Finally, **Lithuania** provided in 2024 a near-ideal example of full and effective implementation of a demanding ECtHR case. In the *Macaté* judgement, concerning the censorship of a children’s book depicting same-sex relationships, all necessary measures – including legislative change brought about following the Constitutional Court’s intervention – were adopted within less than two years, illustrating what timely and comprehensive execution can look like.

Thematically, the implementation problems before the ECtHR concentrate in a few sensitive areas. The most persistent gaps concern **judicial independence and fair trial rights**, where politicised councils, flawed appointments and abusive disciplinary proceedings against judges remain unresolved. Long-standing structural violations also persist in **detention and prison conditions**, with overcrowding, poor hygiene and weak remedies affecting large groups rather than isolated individuals. Judgments **protecting vulnerable groups** – including asylum seekers, LGBTIQ+ persons, Roma children and psychiatric patients – and cases linking environmental harm to Convention rights often encounter strong political or social resistance, leading to fragmented, delayed or purely cosmetic reforms.

COURT OF JUSTICE OF THE EU

The CJEU picture is mixed but reveals similar underlying dynamics. The 2025 review assessed 382 rule of law related rulings issued between 2019 and 2025 across 25 EU Member States. Of these, 223 (about 58 per cent) were **fully complied** with, 98 (about 25 per cent) only **partially complied** with, 35 (9 per cent) not complied with at all, and 26 (6 per cent) could not be conclusively assessed.

In total, over **one third** of CJEU rulings have not been fully complied with. Of the **133** rulings in this category, **83** (62.4 per cent) have been pending for more than **two years**, amounting to **over a fifth of all rulings** rendered (21.7 per cent).



Over one third of CJEU rulings have not been fully implemented, and nearly two thirds of these have been pending for more than 2 years.

Hungary and Bulgaria continue to continue to have greatest problems, with very low full-compliance rates (**25** and **18** percent, respectively), high levels of partial compliance (around **50 per cent**), and significant delays: **84.6 per cent** of Hungary's and **52.9 per cent** of Bulgaria's not-yet-complied-with rulings have been pending for over two years. **Poland and Romania** also remain in the "problematic complier" category due to delayed justice-sector reforms.

Belgium and Slovakia qualify as **poor compliers**, displaying high levels of partial or non-compliance and/or prolonged delays. A middle

group of **moderate compliers** includes **Austria, Portugal and Estonia**, with roughly **60–70 per cent** of rulings fully implemented, and the remainder only partially complied with, many of them pending for more than two years. **Germany, Italy and Spain** meet several benchmarks for good compliance but are downgraded by **recurring delays**.

At the top of the spectrum, **Ireland** stands out as an **excellent complier**, having fully implemented all assessed rulings. **France, Lithuania and Luxembourg** maintain high full-compliance rates (above **80 per cent**), with only mini-

mal partial or delayed implementation. Smaller states with very few rulings – **Cyprus, Sweden, Malta, Slovenia and Denmark** – cannot be reliably categorised, as their small caseloads are statistically insignificant.

Overall, compared to last year’s report, the data show **modest but not substantial improvement**. The share of fully complied-with rulings rose from around 55 per cent (110 of 201 rulings) in the 2024 report to 58 per cent (223 of 382 rulings) in the 2025 report. The proportion of partially complied-with rulings remained broadly stable (24–26 per cent), while the share of rulings not complied with at all decreased slightly (from around 11 to 9 per cent).

This limited **progress is largely driven by isolated improvements** in a few states, most notably Poland, Bulgaria and Portugal. Overall compliance patterns, however, remain largely unchanged. Partial compliance continues to be the most alarming feature, especially where referring courts ensure case-level compliance but structural obstacles – such as legislative inertia, executive reluctance or open resistance from

top courts – prevent full implementation. These barriers cause significant delays and account for a large share of outstanding rulings. The proportion of significantly delayed rulings has increased to 62.4 per cent of all pending rulings in this edition, compared to around 60 per cent in the previous report.

Thematically, non- or partial compliance is most pronounced in rulings touching **judicial independence, access to justice and procedural safeguards**, where reforms to disciplinary regimes, court governance and criminal procedure lag behind the Court’s requirements. **Asylum and migration** judgments are frequently implemented only at case level while restrictive legislation and practice remain largely unchanged. In **data protection and surveillance**, many states have yet to overhaul broad data-retention and access regimes that conflict with EU law. Cases on **equality and non-discrimination** likewise tend to trigger incremental, piecemeal adjustments rather than comprehensive reform, reflecting persistent legislative inertia and, in some instances, open resistance by political and judicial actors.

METHODOLOGICAL SUMMARY

For the ECtHR, the study is based on the same binary framework relied upon by the Committee of Ministers of the Council of Europe, categorising judgments as implemented (closed cases) or not (cases still pending implementation, regardless of the level of implementation

progress potentially achieved). In this context, it examines pending “leading” judgments – cases flagged by the Council of Europe’s Committee of Ministers as identifying, for the first time in a country, human rights issues that require the adoption of general measures, and

often revealing structural or systemic problems – and uses data from the Council of Europe’s 2024 Annual Report and the HUDOC Exec database (as of 1 January 2025). It applies three indicators (number of pending leading cases, ten-year non-implementation rate, and average time pending), interprets them through a uniform classification grid, and then refines country ratings with qualitative, country-specific analysis.

For the CJEU, the study looks at rule-of-law-related rulings delivered between 1 January 2019

and 1 January 2025, identified using the 2020 Conditionality Regulation’s rule-of-law definition and the four pillars of the European Commission’s Rule of Law Report. Drawing on CJEU case law and expert tracking of national follow-up, it classifies rulings as fully, partially or not complied with and groups states into six categories of compliance, with percentage-based thresholds adjusted in light of small caseloads, delays and other contextual factors.

For a more detailed account of methodology, see the accompanying [Methodology Annex](#).

RECOMMENDATIONS

To the European Commission / EU institutions

- Make implementation of CJEU judgments, in the same way as the ECtHR judgments, a **core metric** in the Rule of Law Report, with systematic use of implementation data and clear country comparisons.
- Systematically issue **tailored country-specific recommendations** based on ECtHR/CJEU implementation records, with particular focus on chronic underperformers (especially Bulgaria, Hungary, Poland and Romania)
- Develop a **public scoreboard** or equivalent tool tracking national follow-up to ECtHR and CJEU case law (including preliminary rulings).
- Use **enforcement tools more decisively** in cases of persistent non-implementation (infringements, follow-up under Article 260 TFEU, and, where relevant, budgetary conditionality).
- Treat serious non-implementation as a **priority topic in political dialogue** with governments and parliaments, supporting pro-reform “compliance communities”.
- Create or adapt **EU funding lines** (e.g. under CERV and other programmes) specifically to support implementation-oriented work by civil society, legal professionals and oversight bodies.

To the Council of Europe

Committee of Ministers

- Use the **full political toolbox** available to the Committee of Ministers (including enhanced

supervision, debates and infringement proceedings) much more robustly and consistently in response to chronic non-implementation, to avoid its trivialisation.

- Decisively tap into the potential created by the introduction of the [complementary joint procedure](#) between the Committee of Ministers, the Parliamentary Assembly and the Secretary General to respond to flagrant instances of resistance to implementation of ECtHR judgments.
- Avoid **premature closure** of complex groups of cases before underlying structural problems are demonstrably resolved in law and practice.
- Apply **political and diplomatic pressure** in a consistent way across all thematic areas (judicial independence, detention, discrimination, SLAPPs, etc.).
- In line with the Reykjavík Summit pledges, deepen **structured engagement with Ombuds institutions, NHRIs, equality bodies and NGOs**, going beyond written Rule 9 submissions.
- Increase **resources for execution work** – especially for the Department for the Execution of Judgments and related CoE cooperation projects – to ensure that budget increases for reducing the ECtHR judicial backlog do not undermine the implementation mechanism's capacity to reduce its own backlog.

Secretary General

- Make proactive use of **Article 52 ECHR inquiries** in states with entrenched non-implementation of key ECtHR judgments, to raise the political costs of inaction and press for concrete reform plans.

Commissioner for Human Rights

- Consider prioritising, among various important means of action available, **targeted Rule 9 communications** when addressing implementation matters within the broader context of the mandate of the institution, as well as maximising the budgetary allocations concretely earmarked for the preparation and submission of such communications.

To national authorities in EU member states

- Adopt **coherent national implementation strategies** with clear timelines, responsibilities and parliamentary oversight, instead of ad hoc, fragmented measures.
- Robustly undertake **politically sensitive structural reforms** flagged as required by ECtHR/CJEU judgments (e.g. in areas such as judicial independence, detention conditions, surveillance, discrimination) instead of settling for technical or cosmetic fixes.
- Safeguard **judicial independence** and ensure that national courts are not hindered in consistently applying ECtHR and CJEU case law, including disapplying conflicting national norms where required.
- Create and strengthen **effective domestic remedies** (preventive and compensatory) to address recurrent violations and reduce the flow of repetitive cases to Strasbourg and Luxembourg.

MAPS AND TABLES

The state of non-implementation of ECtHR judgments in EU member States (leading judgments until 1 January 2025)



Excellent ● ● ● ● ● Very serious problem

TABLE 1

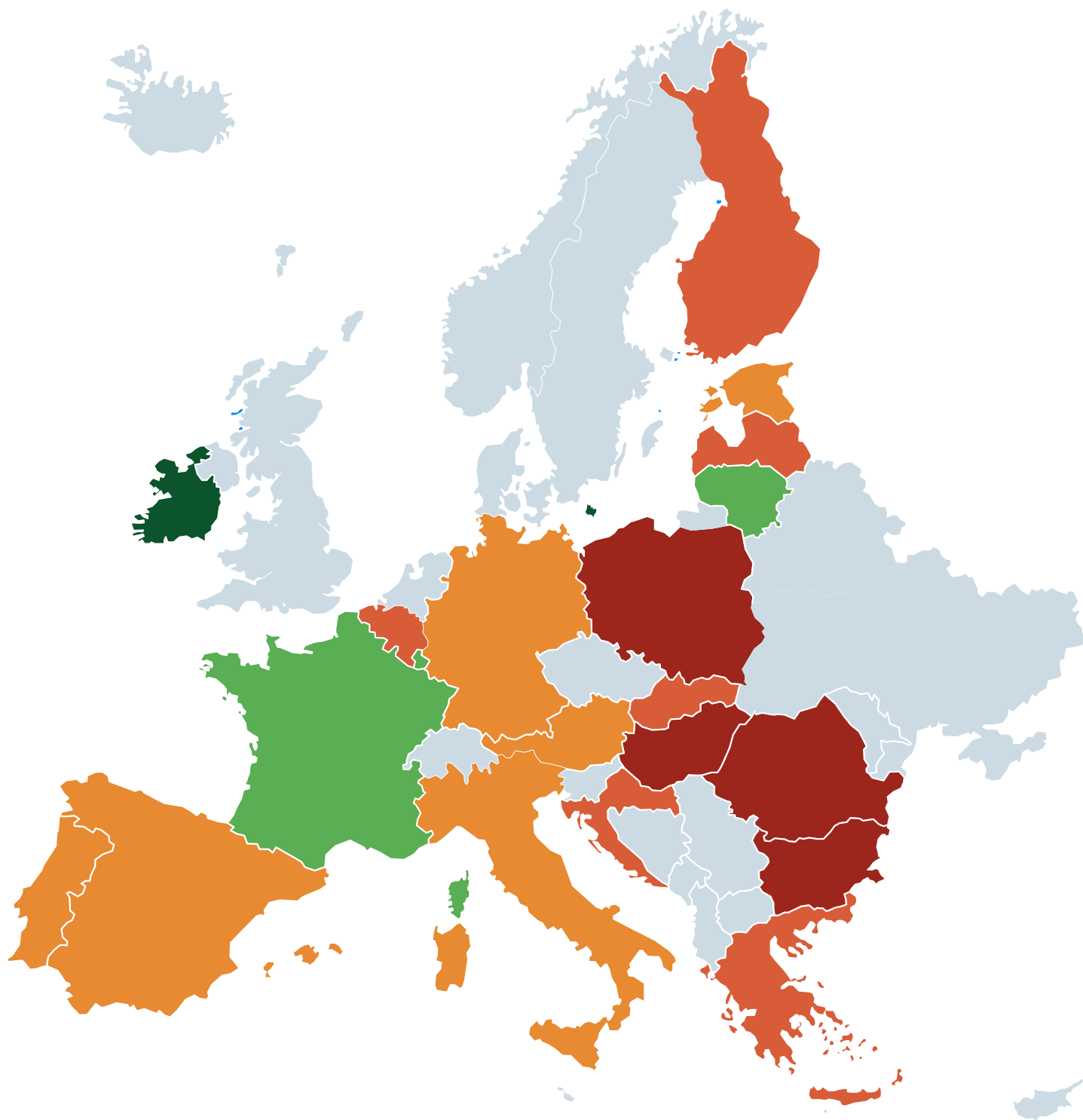
Country	Overall assessment of implementation record	Indicators		
		Number of leading judgments pending implementation as of 1 January 2025	Percentage of leading judgments pending implementation from the last ten years	Average time leading pending cases have been pending implementation
Sweden	Excellent	1 (very low) =	14% (low) ↗	3 years and 7 months (moderate) ↗
Austria	Very good	5 (very low) ↘	28% (moderate) ↘	1 years and 11 months (low) ↗
Denmark	Very good	3 (very low) =	43% (significant) ↘	2 years and 3 months (moderately low) ↗
Estonia	Very good	5 (very low) ↗	26% (moderate) ↗	1 years and 10 months (low) ↗
Finland	Very good	1 (very low) ↘	0%* (very low) ↘	10 years and 4 months (very high) ↗
Luxembourg	Very Good	4 (very low) ↗	67% (very high) ↗	1 years and 6 months (low) ↗
Slovenia	Very good	4 (very low) ↘	12% (low) ↘	1 years and 7 months (low) ↗
Czechia	Good	9 (low) ↗	44% (significant) ↗	2 years and 8 months (moderately low) ↘
Germany	Good	9 (low) ↘	29% (moderate) ↘	3 years and 8 months (moderate) ↘
Ireland	Good	2 (very low) =	0%* (very low) ↘	12 years and 7 months (very high) ↗
Latvia	Good	9 (low) ↗	21% (moderately low) ↗	1 years and 3 months (low) ↘
The Netherlands	Good	7 (low) ↗	41% (significant) ↗	3 years and 2 months (moderate) ↘
Croatia	Moderate	30 (moderate) ↗	32% (significant) ↗	2 years and 3 months (moderately low) ↘
Cyprus	Moderate	8 (low) ↘	42% (significant) ↘	3 years and 6 months (moderate) ↗
France	Moderate	26 (moderate) ↗	34% (significant) ↗	3 years (moderately low) ↘
Lithuania	Moderate	20 (moderately low) ↘	32% (significant) ↘	4 years and 7 months (significant) ↗
Portugal	Moderately poor	19 (moderately low) ↗	52% (high) ↗	5 years and 6 months (significant) ↘

TABLE 1

Country	Overall assessment of implementation record	Indicators		
		Number of leading judgments pending implementation as of 1 January 2025	Percentage of leading judgments pending implementation from the last ten years	Average time judgments pending implementation from the last ten years
Belgium	Moderately poor	17 (moderately low) ↘	30% (moderately) ↘	4 years and 9 months (significant) ↗
Malta	Moderately poor	14 (moderately low) ↘	57% (high) =	6 years and 6 months (high) ↗
Spain	Moderately poor	23 (moderate) =	48% (high) ↘	3 years and 3 months (moderate) ↗
Greece	Problematic	30 (moderate) ↗	34% (significant) ↗	6 years and 1 months (high) ↘
Slovakia	Problematic	31 (significant) ↗	59% (high) ↗	3 years and 9 months (moderate) ↗
Bulgaria	Very serious problem	89 (very high) =	54% (high) ↗	7 years and 3 months (high) ↗
Hungary	Very serious problem	47 (high) ↗	74% (very high) ↘	6 years and 6 months (high) ↗
Italy	Very serious problem	74 (very high) ↗	73% (very high) ↗	6 years and 4 months (high) ↘
Poland	Very serious problem	52 (very high) ↗	51% (high) =	5 years and 5 months (significant) =
Romania	Very serious problem	111 (very high) ↘	60% (high) ↗	6 years and 3 months (high) ↗

*In respect of the countries concerned, all outstanding leading judgments were falling, on 1 January 2025, out of the methodological scope of the present research as regards the “10-year rate of implementation” indicator, having been pending implementation for more than 10 years.

The state of non-implementation of CJEU judgments across the EU (rule of law-related judgments until 1 January 2025)



Excellent complier ● ● ● ● Problematic complier

TABLE 2

Country	Final category (incl. adjustments)	No of rulings	Fully complied	Partly complied	Not complied	Imposs. to assess	Compliance pending for 2+ years	Note
Ireland	Excellent complier	22	22 (100%)	0 (0 %)	0 (0%)	0 (0%)	0 (0%)	
Luxembourg	Good complier	5	4 (80%)	0 (0%)	1 (20%)	0 (0%)	0 (0%)	Non-compliance % too high for a good complier, exception made due to a small sample size and recency of the case.
France	Good complier	27	21 (80.76%)	1 (3.84%)	2 (7.69%)	3 (11.53%)	1 (33.33%)	To watch the evolution in the patterns of judicial resistance.
Lithuania	Good complier	10	8 (80%)	2 (20%)	0 (0%)	0 (0%)	2 (100%)	
Italy	Moderate complier	40	33 (82.5%)	6 (15%)	1 (2.5%)	0 (0%)	4 (57.14%)	Downgrade due to delays in compliance in multiple cases.
Germany	Moderate complier	20	16 (76.19%)	3 (14.28%)	1 (4.76%)	0 (0%)	3 (75%)	Downgrade due to delays in compliance in multiple cases.
Spain	Moderate complier	20	14 (70%)	6 (30%)	0 (0%)	0 (0%)	4 (66.66%)	Barely meets full compliance threshold for good compliers; partial compliance too high, delays in multiple cases.
Austria	Moderate complier	42	29 (69%)	11 (26.19%)	2 (4.76%)	0 (0%)	6 (46.15%)	Remains in this category despite delays in multiple cases, as the delay share is lower than in downgraded states and the overall pattern shows low outright non-compliance and substantial partial compliance.

TABLE 2

Country	Final category (incl. adjustments)	No of rulings	Fully complied	Partly complied	Not complied	Imposs. to assess	Compliance pending for 2+ years	Note
Portugal	Moderate complier	12	8 (66.66%)	4 (33.33%)	0 (0%)	0 (0%)	3 (75%)	Remains in this category because low non-compliance and substantial partial compliance mitigate the impact of the delays.
Estonia	Moderate complier	5	3 (60%)	2 (40%)	0 (0%)	0 (0%)	2 (100%)	
Belgium	Poor complier	28	16 (57.14%)	10 (35.71%)	2 (7.14%)	0 (0%)	11 (91.66%)	Downgrade due to significant delays in multiple cases.
Latvia	Poor complier	7	4 (57.14%)	1 (14.28%)	2 (28.57%)	0 (0%)	1 (33.33%)	Full compliance aligns with moderate compliers, but non-compliance exceeds acceptable range.
Slovakia	Poor complier	9	5 (55.55%)	1 (10%)	3 (30%)	0 (0%)	1 (25 %)	Full compliance aligns with moderate compliers, but non-compliance exceeds acceptable range.
Greece	Poor complier	4	2 (50%)	1 (25%)	1 (25%)	0 (0%)	1 (50%)	
Finland	Poor complier	4	2 (50%)	2 (50%)	0 (0%)	0 (0%)	2 (100%)	Downgrade due to partial compliance pattern.
Croatia	Poor complier	3	1 (33.33%)	1 (33.33%)	1 (33.33%)	0 (0%)	0 (0%)	
Romania	Problematic complier	21	10 (47.6%)	4 (19,04%)	5 (23.80%)	2 (9.52%)	7 (77.77%)	Downgrade due to significant delay in multiple cases.
Poland	Problematic complier	20	6 (30%)	6 (30%)	2 (10%)	6 (30%)	5 (62.5%)	Downgrade due to significant delay in multiple cases.

TABLE 2

Country	Final category (incl. adjustments)	No of rulings	Fully complied	Partly complied	Not complied	Imposs. to assess	Compliance pending for 2+ years	Note
Hungary	Problematic complier	20	5 (25%)	10 (50%)	3 (15%)	2 (10%)	11 (84.61%)	
Bulgaria	Problematic complier	57	10 (17.54%)	25 (43.85%)	9 (15.78%)	13 (22.8%)	18 (52.94%)	Transparency gap (hard to assess compliance in 13 cases) signals potentially even worse record.
Cyprus	Uncategorised	1	0 (0%)	1 (100%)	0 (0%)	0 (0%)	1 (100%)	Sample size too small.
Slovenia	Uncategorised	1	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	As above
Denmark	Uncategorised	2	2 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	As above
Malta	Uncategorised	1	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	As above
Sweden	Uncategorised	1	0 (0%)	1 (100%)	0 (0%)	0 (0%)	0 (0%)	As above
All rulings		382	223	98	35	26	83 (62.4%)	

ANNEX

METHODOLOGICAL NOTE

JUDGMENTS OF THE ECtHR

Case selection

The analysis focuses on leading ECtHR judgments pending implementation, rather than all pending judgments. Leading judgments, as classified by the Committee of Ministers (and as opposed to repetitive ones), identify a human rights problem in a country for the first time and often concern structural or systemic issues.

A case is treated as implemented only when a Final Resolution is adopted by the Committee of Ministers, i.e. once all required general measures have fully addressed the root cause of the violation; otherwise, similar violations recur and new repetitive applications reach the Court.

Data collection and country profiles

Data are accurate as of 1 January 2025. The number of pending leading judgments per country is taken from the Council of Europe's *2024 Annual Report on the supervision of ECtHR judgments*, while all other indicators are based on statistical analysis carried out relying on data de-

rived from the *"Hudoc Exec" database*. Country profiles present these indicators together with a qualitative assessment of each state's implementation record.

Indicators and classification

Three indicators are applied uniformly across member states: (1) the number of pending leading judgments; (2) the share of leading judgments from the last ten years that remain pending; and (3) the average time leading judgments have been pending. Each indicator is interpreted through a common classification grid, with levels from "very low" to "very high" concern, and associated qualifiers such as "very serious problem", "moderate", "low" or "very low".

Assessing state performance

Based on these indicators, each country receives an overall descriptive rating (e.g. "Excellent", "Good"). This rating is not produced by a rigid

formula: it is anchored in the quantitative results but adjusted in light of qualitative information and country-specific context.

Interpreting the indicators

The number of pending leading judgments is the primary indicator, as it reflects the overall backlog of unresolved problems. The ten-year proportion indicator captures the states' global ability to effectively implement ECtHR leading judgments, on the basis of the rule-of-thumb principle that implementation processes unable to be completed within five years in general or within ten years at most as regards complex, structural problems reveal an express or tacit resistance to implementation and/or severe dysfunctions of the national implementation mechanisms. This indicator must be interpreted carefully, as high or zero values may reflect recent inflows or very old backlogs rather than current performance. The average time pending shows how long time a jurisdiction typically needs to fully resolve the entire mix of implementation challenges it is faced with, however small or big these may be; unusually high or falling averages can be explained by the mix of very old, ongoing and newly arrived leading cases, which is taken into account in the qualitative assessment.

Contextual adjustments and methodological limits

The methodology, mirroring that of the Committee of Ministers' when assessing implementation progress, does not distinguish between unjustified delays and the time genuinely needed to implement complex reforms, nor does it quantify the severity of violations or the complexity of required measures. To address this, the quantitative indicators are complemented by a qualitative analysis of states' responses to key themes in ECtHR case law. While imperfect, these indicators and the accompanying classification grid represent, to the authors' knowledge, the best available basis for a comparative assessment of ECtHR judgment implementation across EU member states.

Classification grid

A common grid sets numerical thresholds for each indicator across seven levels of concern (from "very low" to "very high"). The detailed thresholds for the number of pending leading judgments, the ten-year non-implementation rate and the average time pending are set out in the classification table.

Classification Grid							
	Very low	Low	Moderately low	Moderate	Significant	High	Very High
Leading judgments pending implementation	Less than 5	Over 5	Over 10	Over 20	Over 30	Over 40	Over 50
Percentage of unimplemented leading judgments from the last 10 years	Below 10%	10-15%	15-25%	25-30%	30-45%	45-60%	Over 60%
Average time leading judgments have been pending implementation	Less than 1 year	1-2 years	2-3 years	3-4 years	4-6 years	6-7.5 years	More than 7.5 years

JUDGMENTS OF THE CJEU

Case selection

This fourth edition examines compliance with CJEU rulings related to the rule of law delivered between 1 January 2019 and 1 January 2025 with state of implementation as of 1 May 2025. Relevant rulings are identified using the definition of the rule of law in the [2020 Regulation on the General Regime of Conditionality](#) and the four pillars of the European Commission's [Rule of Law Report](#) (justice systems, anti-corruption, media freedom and pluralism, institutional checks and balances). The dataset covers both infringement actions and preliminary references.

Data collection and country profiles

Data collection involved identifying rule-of-law-related CJEU rulings and tracking national follow-up. For each member state, at least one (usually two or more) experts contributed to an assessment that recorded: the number of relevant rulings, the share fully, partially and not complied with, and the number and percentage of rulings with significantly delayed compliance (pending for two years or more). These inform country profiles combining quantitative and qualitative analysis.

Indicators and classification

Compliance is defined broadly to capture how judicial and political authorities respond to CJEU rulings. The assessment considers whether referring and higher courts apply the Court's guidance, whether other courts follow and disapply conflicting national rules where necessary, and whether political authorities take steps to align national law and practice with EU law. Three levels of compliance are distinguished: full compliance, partial compliance and non-compliance.

Assessing state performance

Member states are grouped into six categories - "excellent", "good", "moderate", "poor", "Problematic" and "highly problematic" compliers - based on the proportions of rulings fully, partially and not complied with. Absolute numbers play a limited role, given varying caseloads. Compared to earlier editions, the move to six categories reflects a larger sample (25 states) and dataset, allowing more nuanced and proportionate classification.

Interpreting the indicators

High levels of full compliance indicate that courts and, where relevant, political authori-

ties generally follow CJEU rulings. Partial compliance can reflect gradual adjustment in the short term, but persistent or widespread partial compliance points to structural implementation gaps. Non-compliance signals ongoing breaches of EU law and resistance to the Court's authority; a high non-compliance share is treated as particularly serious. Significantly delayed compliance (pending for two years or more) is used as an additional indicator of implementation challenges.

Contextual adjustments and methodological limits

While classification is driven by quantitative thresholds, strictly percentage-based categorisation may not fully reflect compliance dynamics. In exceptional cases, qualitative factors

- such as systemic delays (numerous long-pending cases) or very high non-compliance rates - justify adjusting a state's category by one level. For states with very few relevant rulings, inflated percentages are interpreted with caution, and classifications may be marked as indicative with explanatory notes. As with the ECtHR analysis, the methodology cannot fully capture differences in the effort or difficulty behind similar numerical patterns, so expert judgment and contextualised country profiles play an essential role.

Classification grid

A base categorisation grid sets percentage thresholds for full, partial and non-compliance that define the six categories of compliers. The detailed parameters for each category ("excellent" to "problematic") are set out in the classification table.

Category		Parameters		Explanation
	Fully complied	Partly complied	Not complied	
Excellent compliers	>90%	≤5%	≤5%	These states demonstrate sustained commitment and a high level of responsiveness to CJEU rulings. They fully comply with 90 % of these rulings, with minimal instances of partial or non-compliance (5 % or less).
Good compliers	70-90%	≤20%	≤10%	These states show consistent effort, albeit with some room for improvement. 70-90% of rulings are fully implemented. While there may be some partial compliance (up to 20 %), and very limited non-compliance, these are typically recent cases or due to reasonable delays.

Category		Parameters		Explanation
	Fully complied	Partly complied	Not complied	
Moderate compliers	50–69%	≤40%	≤20%	<p>These states show mixed performance, with some progress as well as systemic shortcomings.</p> <p>They fully comply with 50–69% of rulings, and a noticeable share is only partly complied with (up to 40%). Non-compliance remains limited (typically under 20%), but partial measures suggest gaps in capacity or follow-through.</p>
Poor compliers	30–49%	≤50%	≤40%	<p>With these states, full compliance drops to 30–49%. Partial compliance is often substantial and notable share of rulings are not complied with at all, indicating fragmented and inconsistent enforcement practices.</p>
Problematic compliers	10–29%	>50%	≤40%	<p>With these states, we see chronic under-performance, with only 10–29 % of rulings being complied with fully. Partial compliance dominates (over 50 %), often due to mixed judicial practices and piecemeal reforms. Compliance is slow and incomplete.</p>
Highly problematic compliers	<10%	≤50%	>40%	<p>These states fully comply with less than 10 % of rulings. In contrast to “struggling” compliers, they show a high level of outright non-compliance (over 40 %) and lower level of partial compliance.</p>

