



# REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue#127

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## CONTENTS

(click on a title to reach it)

**Introduction (p.2)**

**Index by country (p.3)**

### **PART I - GENERAL INFORMATION (p.4)**

#### **§1 - European Court of Human Rights (p.5)**

A. Judgments (p.5)

1. *Judgments deemed of particular importance to the NHRs* (p.5)

2. *Other judgments* (p.10)

B. Decisions on admissibility (p.16)

C. Communicated cases (p.18)

#### **§2 - European Committee of Social Rights (p.22)**

A. Resolutions & Decisions (p.22)

B. Other information (p.23)

#### **§3 - Recommendations & Resolutions (p.23)**

A. Recommendations (p.23)

B. Resolutions (p.23)

#### **§4 - Other information of general importance (p.24)**

A. Information from the Committee of Ministers (p.24)

B. Information from the Parliamentary Assembly (p.24)

C. Information from the Commissioner of Human Rights (p.24)

D. Information from the Council of Europe monitoring mechanisms (p.25)

### **PART II - INFORMATION BY COUNTRY (p.26)**

*Information **selected** by the « Versailles St-Quentin Institutions Publiques » research centre (Versailles St-Quentin-en-Yvelines University, France), under the responsibility of the Directorate of Human Rights (DG I) of the Council of Europe  
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## Introduction

**This Issue is part of the "Regular Selective Information Flow" (RSIF). Its purpose is to keep the National Human Rights Structures permanently updated of Council of Europe norms and activities by way of regular transfer of information, which the Directorate of Human Rights carefully selects and tries to present in a user-friendly manner. The information is sent to the Contact Persons in the NHRs who are kindly asked to dispatch it within their offices.**

**Each Issue covers one month and is sent by the Directorate of Human Rights (DG I) to the Contact Persons a fortnight after the end of each observation period. This means that all information contained in any given issue is between four to eight weeks old.**

**The selection of the information included in the Issues is made by the "Versailles-St-Quentin Institutions Publiques" research centre (VIP – University of Versailles-St-Quentin-en-Yvelines, France) under the responsibility of the Directorate of Human Rights. It is based on what is deemed relevant to the work of the NHRs (including Ombudsman Institutions, National Human Rights Commissions and Institutes, Anti-discrimination Bodies). A particular effort is made to render the selection as targeted and short as possible. Readers are expressly encouraged to give any feedback that may allow for the improvement of the format and the contents of this tool.**

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## Index by Country

Countries followed by a number in bold are concerned by information specific to them.  
Click on their name to reach this information

<a href="#">AZERBAIJAN</a> , 18, <b>27</b>	<a href="#">LUXEMBOURG</a> , 25, <b>43</b>
<a href="#">BELGIUM</a> , 10, <b>28</b> , 37, 38	<a href="#">MALTA</a> , 20, <b>44</b>
<a href="#">BOSNIA AND HERZEGOVINA</a> , 17, <b>29</b>	<a href="#">MONACO</a> , <b>46</b>
<a href="#">BULGARIA</a> , 10, 11, 19, <b>30</b> , 31	<a href="#">NETHERLANDS</a> , 20, <b>47</b>
<a href="#">CROATIA</a> , 7, 11, 19, <b>32</b>	<a href="#">NORWAY</a> , <b>48</b>
<a href="#">ESTONIA</a> , <b>33</b>	<a href="#">REPUBLIC OF MOLDOVA</a> , <b>45</b> , 54
<a href="#">FRANCE</a> , 1, 2, 19, <b>34</b>	<a href="#">ROMANIA</a> , 7, 12, 14, 21, <b>52</b>
<a href="#">GEORGIA</a> , <b>35</b>	<a href="#">RUSSIAN FEDERATION</a> , <b>54</b>
<a href="#">GERMANY</a> , 8, <b>36</b>	<a href="#">SERBIA</a> , <b>56</b> , 59
<a href="#">GREECE</a> , 19, 28, <b>37</b> , 38	<a href="#">SLOVAK REPUBLIC</a> , <b>58</b>
<a href="#">HUNGARY</a> , 12, <b>38</b>	<a href="#">SLOVENIA</a> , 15, 18, 21, 56, <b>59</b>
<a href="#">IRELAND</a> , <b>39</b>	<a href="#">TURKEY</a> , 15, 21, 25, <b>60</b>
<a href="#">ITALY</a> , 19, 25, <b>40</b>	<a href="#">UKRAINE</a> , 6, 16, 21, <b>63</b> , 64
<a href="#">LITHUANIA</a> , <b>42</b>	<a href="#">UNITED KINGDOM</a> , 5, 9, 17, 21, <b>65</b>

## PartOne

# GENERAL INFORMATION

This part presents a selection of information of general importance for the National Human Rights Structures.

This information was issued during the period under observation (1-28 February 2015) by the European Court of Human Rights, the European Committee of Social Rights, the Committee of Ministers, the Parliamentary Assembly and other Council of Europe monitoring mechanisms.

### A. Judgments

#### 1. Judgments deemed of particular interest to the NHRs

The judgments presented under this heading are the ones for which a separate press release is issued by the Registry of the Court as well as other judgments considered relevant for the work of the NHRs. They correspond also to the themes addressed in the Peer-to-Peer Workshops. The judgments are thematically grouped. The information, except for the comments drafted by the Directorate of Human Rights, is based on the [press releases of the Registry of the Court](#).

Some judgments are only available in French.

Please note that the Chamber judgments referred to hereunder become final in the circumstances set out in Article 44 § 2 of the Convention: “a) when the parties declare that they will not request that the case be referred to the Grand Chamber; or b) three months after the date of the judgment, if reference of the case to the Grand Chamber has not been requested; or c) when the panel of the Grand Chamber rejects the request to refer under Article 43”.

#### **Note on the Importance Level:**

According to the explanation available on the Court’s website, the following importance levels are given by the Court:

**1 = High importance**, Judgments, which the Court considers, make a significant contribution to the development, clarification or modification of its case law, either generally or in relation to a particular state.

**2 = Medium importance**, Judgments, which do not make a significant contribution to the case law but nevertheless do not merely apply existing case law.

**3 = Low importance**, Judgments with little legal interest - those applying existing case-law, friendly settlements and striking out judgments (unless these have any particular point of interest).

Each judgment presented in section 1 and 2 is accompanied by the indication of the importance level.

- **III-treatment / Conditions of detention / Deportation (Art. 3)**

#### **HUTCHINSON V. THE UNITED KINGDOM (No. 57592/08) - Importance 2 - 3 February 2015 - No violation of Article 3 - Sufficient judicial review of the applicant’s whole life sentence**

The case concerned the applicant’s conviction to a whole life sentence for aggravated burglary, rape and murder, as well as the refusal by domestic jurisdictions to review his minimum term of imprisonment.

The Court first observed that a margin of appreciation must be accorded to Contracting States in the matters of criminal justice and sentencing. Referring to previous cases, the Court held that a life sentence could remain compatible with Article 3 of the Convention only if there was both a prospect of release and a possibility of review. In this case, the Court noticed that domestic law planned that release could be decided on “exceptional grounds” and that the Justice Secretary had to consider them, in a manner compatible with Article 3 of the Convention. Therefore, the Court found that domestic law concerning the Justice Secretary’s power to release a person subject to a whole life

order was sufficient to make the whole life sentence legally and effectively reducible.

In conclusion, there was no violation of Article 3 in the present case.

**RAZZAKOV V. RUSSIA (No. 57519/09) - Importance 2 - 5 February 2015 - Violation of Article 3 - Domestic authorities' failure to conduct an effective investigation into the applicant's ill-treatment in police custody**

The case concerned the applicant's complaint about having been ill-treated in police custody, in order to make him confess a murder. He had especially been undressed, hung in painful positions, and subjected to electric shocks. Moreover, domestic authorities first refused to institute criminal proceedings into the applicant's alleged ill-treatment. They finally allowed it five months later, but the investigation was subsequently suspended and reopened and did not lead to the identification of those responsible for the applicant's ill-treatment.

Considering the acts endured by the applicant, the Court first decided that there had been violation of Article 3, on account of ill-treatment in police custody.

Furthermore, the Court found that domestic authorities failed in their obligation to conduct effective criminal proceedings, considering the delay in opening an investigation, as well as the manner in which the investigation had been conducted. Indeed, the Court recognized that domestic authorities did not take all reasonable steps to secure the evidence and had not made a serious attempt to find out what happened, nor to prosecute and punish those responsible.

Therefore, there was a violation of Article 3.

**Article 41 (Just satisfaction)**

The Court held that the relevant State was to pay the applicant EUR 20,000 in respect of non-pecuniary damage and EUR 3,300 in respect of costs and expenses.

- **Right to a fair trial (Art. 6)**

**BOCHAN V. UKRAINE (No. 2) (No. 22251/08) - Importance 1 - 5 February 2015 - Violation of Article 6 § 1 - Domestic authorities' failure to guarantee the fairness of the proceedings relating to the applicant's exceptional appeal**

The case concerned the applicant's property claim to part of a house, which was partly constructed at her expense. Those proceedings were considered on numerous occasions, by different domestic courts and never got successful. The applicant lodged a first application with the European Court of Human Rights. The Court found in 2007 that there had been a violation of Article 6 § 1, having regard to the circumstances in which the applicant's case had been reassigned and to the lack of sufficient reasoning in the domestic decisions. Relying on that judgment, the applicant asked the Supreme Court to quash the decisions in her case and to adopt a new judgment. Her appeal was dismissed in 2008, the Supreme Court holding that the domestic decisions had been correct and well-founded. The applicant lodged an "appeal in the light of exceptional circumstances" relying on the European Court of Human Rights' judgment. The Supreme Court dismissed her appeal.

The Court first examined whether Article 46 prevented the Court from examining the applicant's complaints, which could be understood as complaints about an alleged lack of proper execution of the Court's previous judgment on that case. Accordingly, the Court declared inadmissible the applicant's complaints concerning the failure to remedy the original violation of Article 6 § 1. However, a new complaint was raised in her second application, concerning the conduct and fairness of the proceedings, which were chronologically distinct from the domestic proceedings impugned in the Court's 2007 judgment. The Court was therefore competent to examine this new issue.

Then, the Court had to determine whether the applicant's new complaint is compatible *ratione materiae* with Article 6 § 1 of the Convention. The Court reiterated that there must be a dispute over a "right" which can be said, at least on arguable grounds, to be recognised under domestic law, irrespective of whether that right is protected under the Convention. In this case, the Court noted that domestic law guaranteed to the applicant a remedy enabling a judicial review. Consequently, Article 6 § 1 was applicable to those proceedings.

Lastly, the Court examined the fairness of the proceedings relating to the applicant's exceptional

appeal. The Court reiterated that it was not its role to deal with alleged errors of law or fact committed by domestic courts, unless their findings had been arbitrary or manifestly unreasonable. In the present case, the Court noted that the Supreme Court reasoning could not be considered as a different reading of a legal text but rather as being “grossly arbitrary” or as entailing a “denial of justice”, because it prevented the applicant from having her property claim examined in the framework of the cassation-type procedure provided for under domestic law in the light of the Court’s judgment in her previous case. As a consequence, there had been a violation of Article 6 § 1.

#### Article 41 (Just satisfaction)

The Court held that the relevant State were to pay the applicant EUR 10,000 in respect of non-pecuniary damage.

#### **SANADER V. CROATIA (No. 66408/12) - Importance 2 - 12 February 2015 - Violation of Article 6 § 1 - Domestic authorities’ failure to guarantee the applicant with sufficient certainty the opportunity of a retrial**

The case concerned the applicant’s inability to obtain a rehearing after his conviction in absentia. Indeed, he was charged with war crimes against prisoners of war and he was convicted as charged in his absence, on the basis of several witnesses’ statements.

The Court first observed that the applicant’s conviction in absentia was not in itself incompatible with Article 6 of the Convention. However, the Court found that there was no evidence that the applicant was ever notified of these proceedings. Consequently, the Court had to determine whether the domestic legislation afforded the applicant with sufficient certainty the opportunity of appearing at a new trial or not. For that matter, it noted that domestic authorities referred to two avenues under domestic law in order for the applicant to obtain a retrial: first, a remedy specifically applicable to trials held in the absence of the defendant; and second, a general remedy for seeking the reopening of the proceedings if there were new evidence or facts capable of leading to acquittal or a more lenient sentence. As regards the first remedy, the Court considered that the only possibility for him had been to offer up his liberty as a guarantee. Therefore, domestic authorities had created a disproportionate obstacle to his use of the remedy.

As for the second remedy, the Court found it was applicable only to a restricted category of cases and that the applicant, having been tried in his absence, had had no opportunity to challenge the factual findings of the judgment by which he had been convicted. Therefore, there was a violation of Article 6 of the Convention.

#### Article 41 (Just satisfaction)

The Court held that the relevant State was to pay the applicant EUR 4,000 in respect of non-pecuniary damage and EUR 2,500 in respect of costs and expenses.

- **Right to respect for private and family life (Art. 8)**

#### **APOSTU V. ROMANIA (No. 22765/12) - Importance 2 - 3 February 2015 - Violation of Article 3 - Domestic authorities’ failure to ensure respectful conditions of detention - Violation of Article 8 - Domestic authorities’ failure to provide safe custody of the information in its possession in order to secure the applicant’s right to respect for his private life**

The case concerned a leak of information to the press from the applicant’s prosecution file, as well as his conditions of pre-trial detention. The applicant, who is a former mayor, was accused of corruption and placed in detention on the premises of the Cluj police station and in two different prisons. Some pieces of evidence along with facts of his personal life were published in several newspapers before the beginning of the adversarial phase of the proceedings.

#### Article 3

The Court first reiterated that domestic authorities must ensure that a person is detained in conditions which are compatible with respect for his human dignity. In this case, the Court held that the applicant’s was not subjected to overcrowding and that his personal space was appropriate. However,

the Court found that the applicant was deprived of the ability to maintain adequate level of personal hygiene in prison. Moreover, the Court was not convinced that his cell was adequately heated.

Therefore, there had been a violation of Article 3, considering that the physical conditions of his detention had caused him harm that exceeded the unavoidable level of suffering inherent in detention and had reached the minimum level of severity necessary to constitute degrading treatment.

#### Article 8

The Court first examined whether the leak of information from the criminal file to the press was an interference with the applicant's right to respect for his private life and caused him harm.

For this purpose, the Court noted that part of the information published had little or no connection with the case, and that the said leak did not serve to advance the criminal prosecution. Moreover, those details harmed the applicant's reputation before the case examination.

Then, the Court examined whether domestic authorities took the necessary steps to ensure effective protection of the applicant's right to respect for his private life. To this end, the Court stated that the public's access to information from a criminal case file is not unlimited or discretionary and must be subject to judicial control. In the Court's opinion, domestic authorities did not organize their services in order to avoid the circumvention of the proceedings. Moreover, the Court held that the applicant had no legal solution to complain about the leak, as the merits of the case were not under examination by a court and as there was no clearly identified source of the leak. As a consequence, the applicant could not challenge the accuracy or interpretation of the information published and could not complain against domestic authorities. Therefore, there was a violation of Article 8.

#### Article 41 (Just satisfaction)

The Court dismissed the applicant's claim for just satisfaction as he had submitted his claim outside the time limit set by the Court.

### **BOHLEN V. GERMANY ([IN FRENCH ONLY](#)) (No. 53495/09) AND ERNST AUGUST VON HANNOVER V. GERMANY ([IN FRENCH ONLY](#)) (No. 53649/09) - Importance 2 - 19 February 2015 - No violation of Article 8 - Fair balance struck by domestic authorities between the applicant's right to respect for his private life and the right to freedom of expression**

The cases concerned the complaint of two public figures who claimed that domestic authorities did not protect them against the use of their first names in satirical cigarette advertisements, without their consent. A company used the publication of the first applicant's book and the altercations in which the second one had been involved, and refused to pay notional licence fee in compensation for the use of their first names.

The Court noted that the non-consensual use of a person's first name may interfere with her privacy. In this case, the Court had to determine if a fair balance had been struck between the applicants' right to respect for their private life and the company's right to freedom of expression, by taking into account some relevant criteria laid down in its case-law: the contribution to a debate of general interest, the extent to which the person in question was in the public eye, the subject of the report, the prior conduct of the person concerned and the content, form and impact of the publication.

Firstly, regarding the issue of general interest, the Court held that the advertisements dealt in a satirical way with well-known events concerning the applicants, and that they had been the subject of public debate. Secondly, as to the extent to which the applicants had been in the public eye, the Court considered that the applicants were famous enough not to claim the same degree of protection of their private lives as persons who were unknown to the public at large. Thirdly, in the Court's view, the subject of the advertisements had been confined to specific events already known to the public, which had already been covered in the media. Lastly, with regard to the content, form and impact of the advertisements, the Court noted that the advertisement did not contain offensive or degrading elements with regard to the applicant and that it was not demeaning merely because it was promoting a brand of cigarettes.

Therefore, domestic authorities struck a fair balance between freedom of expression and the right to respect for private life. There was no violation of Article 8.



- **Freedom of expression (Art. 10)**

**HALDIMANN AND OTHERS V. SWITZERLAND ([IN FRENCH ONLY](#)) (No. 21830/09) - Importance 2 - 24 February 2015 - Violation of Article 10 - Domestic authorities' failure to strike a fair balance between the restrictions imposed on the journalists' right to freedom of expression and the legitimate aim pursued by them**

The case concerned the conviction of four journalists for having used a hidden camera to record and broadcast an interview with a private insurance broker. The aim of this interview was to denounce the low-quality advices offered by insurance brokers, as part of a television program on consumers' protection.

The Court first recognised that the applicants' conviction was an interference in their right to freedom of expression. Then, it examined if this interference was prescribed by domestic law, if it served a legitimate aim within the terms of Article 10 and whether it was "necessary in a democratic society" or not. In this case, the Court found that the applicants' conviction was prescribed by domestic law and that it had the legitimate aim to protect the private life of others, namely the protection of the broker's own image, own words and reputation. Regarding the third condition, the Court weighted freedom of expression against the right to private life. It found that the broker was not a well-known public figure, and that the interview had not been produced to criticize him personally but to denounce specific commercial practices. Moreover, the Court considered that the interview could stimulate the public debate and the public interest in information on malpractice in the field of insurance brokerage.

According to the Court, the interference in the private life of the broker had not been serious enough to override the public interest on the issue. Therefore, the applicants' conviction was not necessary in a democratic society. There was a breach of Article 10.

As the applicants had not submitted any claim under [Article 41 of the Convention](#) (Just satisfaction), the Court did not make an award under that head.

- **Article 3 of Protocol No. 1**

**[McHUGH AND OTHERS V. THE UNITED KINGDOM](#) (No. 51987/08 AND 1,014 OTHERS) - Importance 3 - 10 February 2015 - Violation of Article 3 of Protocol No. 1 - Domestic authorities' failure to amend legislation to guarantee voting right to prisoners**

The case concerned the impossibility to vote for 1 015 prisoners, due to their detention during the elections.

Based on previous cases concerning prisoners' right to vote, the Court reiterated that some legislative amendment would be required to make the electoral law compatible with the Convention. Given that the impugned legislation remains unamended in the present case, the Court concluded that there was a breach of Article 3 of Protocol No. 1.

Article 41 (Just satisfaction)

The Court stated that the finding of a violation constituted in itself sufficient just satisfaction for any non-pecuniary damage sustained by the applicants, and dismissed their claim for just satisfaction.

## 2. Other judgments issues in the period under observation

You will find in the column “Key Words” of the table below a short description of the topics dealt with in the judgment<sup>1</sup>.

For more detailed information, please refer to the cases.

STATE	DATE	CASE TITLE	IMP.	CONCLUSION	KEY WORDS
BELGIUM	3 February 2015	<b>SMITS AND OTHERS</b> <a href="#">(IN FRENCH ONLY)</a> (Nos. 49484/11, 53703/11, 4710/12, 15969/12, 49863/12 AND 70761/12)  <b>VANDER VELDE AND SOUSSI</b> <a href="#">(IN FRENCH ONLY)</a> (Nos. 49861/12 AND 49870/12)	3	Violation of Art. 5 § 1 (concerning both cases)	Domestic authorities' failure to place the applicants in an appropriate institution suited to their state of mental health
				Violation of Art. 5 § 4 (concerning the second applicant)	Lack of an effective judicial review of the applicant's complaint concerning the inappropriate nature of his detention
	17 February 2015	<b>DEVRIENDT</b> <a href="#">(IN FRENCH ONLY)</a> (No. 32001/07)  <b>KURT</b> <a href="#">(IN FRENCH ONLY)</a> (No. 17663/10)  <b>MAILLARD</b> <a href="#">(IN FRENCH ONLY)</a> (No. 23530/08)	3	Violation of Art. 6 § 1 (concerning all cases)	Lack of reasoning in the jury's verdict and in the judgment of the assize court
24 February 2015	<b>MAGY</b> <a href="#">(IN FRENCH ONLY)</a> (No. 43137/09)	2	Violation of Art. 6 § 1	Lack of reasoning in the jury's verdict and in the judgment of the assize court	
BULGARIA	3 February 2015	<a href="#">ILIEVA AND OTHERS</a> (No. 17705/05)	3	No violation of Art. 6 § 1	Fairness of proceedings given that the re-examination of the same matter in the second set of proceedings had not breached the principle of legal certainty
				Violation of Art. 1 of Prot. No. 1	Excessive length of restitution proceedings (11 years) placed the applicants in a state of prolonged uncertainty which affected their legitimate expectation of restitution or compensation

<sup>1</sup> The “Key Words” in the various tables of the RSIF are elaborated under the sole responsibility of the Directorate of Human Rights

BULGARIA (CONTINUED)	10 February 2015	<a href="#">DIMITROVA</a> (15452/07)	3	Violation of Art. 9	Unlawful search and seizure measures taken against the applicant on account of her activities in a religious organisation	
				Violation of Art. 13 taken together with Art. 9	Lack of an effective remedy in that respect	
		<a href="#">PENCHEVI</a> (No. 77818/12)	2	Violation of Art. 8	Domestic authorities' failure to conduct a proper assessment concerning the child's best interests and the applicant's travel request which was dismissed on formalistic grounds while the domestic court proceedings regarding the child's travel had lasted too long	
	17 February 2015	<a href="#">GUSEVA</a> (No. 6987/07)	2	Violation of Art. 10	Domestic administrative authorities' refusal to provide the applicant the information she sought	
				Violation of Art. 13 taken in conjunction with Art. 10	Lack of an effective remedy	
		<a href="#">POPOV AND CHONIN</a> (No. 36094/08)	3	Violation of Art. 1 of Prot. No. 1	Lengthy delays in providing compensation in lieu of restitution to the applicants which placed them in a situation of prolonged uncertainty	
	24 February 2015	<a href="#">KARAAHMED</a> (No. 30587/13)	2	Violation of Art. 9	Domestic authorities' failure to strike a proper balance in order to ensure the effective and peaceful exercise rights of the demonstrators and the rights of the applicant and the other worshippers to pray together	
		<a href="#">MIHAYLOVA AND MALINOVA</a> (No. 36613/08)	3	Violation of Art. 2 (procedural)	Domestic authorities' failure to secure an independent and effective investigation into the circumstances of the applicants' son's death	
	CROATIA	5 February 2015	<a href="#">CIKANOVIC</a> (No. 27630/07)	3	Violation of Art. 6 § 1	Domestic authorities' dismissal of the applicant's claim for salary arrears on the ground of his non-compliance with the time-limit without taking into consideration his inability to obtain a document needed in order to apply for the enforcement of the judgment
		19 February 2015	<a href="#">M. S.</a> (No. 2) (No. 75450/12)	2	Violation of Art. 3 (procedural)	Ineffective investigation concerning the applicant's allegations of ill-treatment
Violation of Art. 3 (substantive)					Ill-treatment of the applicant (use of physical restraints for 15 hours, an unnecessary and disproportionate measure)	
Violation of Art. 5 § 1 (e)					Unlawful deprivation of liberty on account of the applicant's involuntary confinement in a psychiatric hospital	
<a href="#">MILEUSNIC AND MILEUSNIC-ESPENHEIM</a> (No. 66953/09)	3	No violation of Art. 2 and 14 (procedural)	Effective investigation into the killing of the applicants' relatives			

FINLAND	10 February 2015	<a href="#">KIIVERI</a> (No. 53753/12)  <a href="#">OSTERLUND</a> (No. 53197/13)	2 3	Violation of Art. 4 of Prot. No. 7 (concerning both cases)	Applicants convicted twice for the same matter in two separate sets of proceedings
	17 February 2015	<a href="#">BOMAN</a> (No. 41604/11)	3	No violation of Art. 4 of Prot. No. 7	Applicant was not convicted twice for the same matter in two separate sets of proceedings (the two proceedings against the applicant were intrinsically linked together in substance and in time to consider that these measures took place with a single set of proceedings)
HUNGARY	10 February 2015	<a href="#">BELANE NAGY</a> (No. 53080/13)	2	Violation of Art. 1 of Prot. No. 1	Applicant's loss to her entitlement to a disability pension constituted an excessive and disproportionate burden
MOLDOVA	24 February 2015	<a href="#">CIOBANU</a> (No. 62578/09)	3	Violation of Art. 2 (procedural)	Ineffective investigation into the circumstances of the applicant's husband's death
		<a href="#">PROMO LEX AND OTHERS</a> (No. 42757/09)	2	Violation of Art. 11  Violation of Art. 13 taken together with Art. 11	Domestic authorities' failure to take appropriate police measures in order to protect the applicants from violent attack and to effectively investigate the circumstances of the incident  Lack of an effective remedy which would have given the applicants the possibility of effectively complaining and obtaining compensation for the failure of the police to protect them during the demonstration
POLAND	24 February 2015	<a href="#">MIERZEJEWSKI</a> (No. 15612/13)	3	No violation of Art. 5 § 3	No lack of diligence displayed by the domestic authorities while the length of the investigation and of the trial was justified given the complexity of the case
PORTUGAL	5 February 2015	<b>PHOSTIRA EFTHYMIU AND RIBEIRO FERNANDES</b> (IN FRENCH ONLY) (No. 66775/11)	2	Violation of Art. 8	Domestic courts' decision to order the child's return to his father's country would give rise to a violation of the applicants' right to respect for their family right
ROMANIA	3 February 2015	<b>ANDRISCA</b> (IN FRENCH ONLY) (No. 65804/09)	3	Violation of Art. 3 (substantive and procedural)	Ill-treatment of the applicant by police officers during his arrest and ineffective investigation in that respect
	3 February 2015	<b>PRUTEANU</b> (IN FRENCH ONLY) (No. 30181/05)	2	Violation of Art. 8	Domestic authorities' interference with the applicant's right to private life and correspondence had not been proportionate with the aim pursued while no safeguard measures were taken in order to limit the interference
	10 February 2015	<a href="#">COJOCARU</a> (No. 32104/06)	3	Violation of Art. 10	Domestic courts' failure to put forward relevant and sufficient arguments capable of justifying the interference with the applicant's right to freedom of expression

	10 February 2015	<u>COLAC</u> (No. 26504/06)	3	Violation of Art. 6 § 1 taken together with Art. 6 § 3 (d)	Unfairness of proceedings on account of the domestic authorities' failure to ensure the attendance of the witnesses in order to grant the opportunity to the applicant to have them examined, the domestic criminal procedure rules which could counterbalance that absence were not put in place while the statements of the missing witnesses were not read out at trial before being admitted as evidence
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ROMANIA (CONTINUED)	10 February 2015	N. M. <a href="#">(IN FRENCH ONLY)</a> (No. 75325/11)	3	No violation of Art. 5 § 1 (f)	Lawful detention pending deportation
				Violation of Art. 5 § 4	Lack of an effective judicial review concerning the lawfulness of the applicant's detention pending deportation
		S.C. <a href="#">(IN FRENCH ONLY)</a> (No. 9356/11)	3	Violation of Art. 5 § 1 (f)	Unlawful detention of the applicant on account of the domestic authorities' lack of diligence in conducting the deportation proceedings
				No violation of Art. 5 § 4	No lack of an effective judicial review concerning the lawfulness of the applicant's detention pending deportation
	17 February 2015	BALASOIU <a href="#">(IN FRENCH ONLY)</a> (No. 70555/10)	3	No violation of Art. 2 (substantive)	Absence of evidence established beyond reasonable doubt that the domestic authorities had been responsible for the death of the applicant's son
				Violation of Art. 3 (procedural)	Lack of a prompt and effective investigation into the circumstances of the applicant's son's death
No violation of Art. 3 (substantive)				Absence of sufficient evidence suggesting that the applicant's son had been subjected to ill-treatment while in police custody, largely due to the lack of an effective investigation by the domestic authorities	
No violation of Art. 14 taken in conjunction with Art. 3				Absence of sufficient evidence in order to determine whether the ill-treatment to which the applicant's son had been subjected had been racially motivated	
RUSSIA	5 February 2015	<a href="#">KHLOYEV RUSSIA</a> (No. 46404/13)	3	Violation of Art. 34	Domestic authorities' failure to comply with the interim measure given that, instead of providing an independent medical opinion of the applicant's situation, they provided their own assessment
				Violation of Art. 3 (substantive)	Domestic authorities' failure to provide the applicant with adequate medical care
				No violation of Art. 5 § 3	Justified continuation of applicant's detention given the complexity of the case and the volume of the evidence to be analysed while no lack of diligence attributable to the domestic authorities had been found in handling the case
		<a href="#">MIFOBOVA</a> (No. 5525/11)	3	Violation of Art. 5 § 1	Unlawful deprivation of liberty on account of the applicant's involuntary confinement in a psychiatric hospital
	<a href="#">SERGEY ZUBAREV</a> (No. 5682/06)	2	No violation of Art. 6 § 1	Domestic authorities' refusal to accept the applicant's defamation claim against a judge on grounds of judicial immunity had not exceeded their margin of appreciation	

RUSSIA (CONTINUED)	12 February 2015	<a href="#">YUDITSKAYA AND OTHERS</a> (No. 5678/06)	3	Violation of Art. 8	Unnecessary interference in a democratic society on account of the search and seizure of the applicants' computers in the absence of a reasonable suspicion or any safeguards against the interference
	19 February 2015	<a href="#">DZHABBAROV</a> (No. 29926/08)	3	Violation of Art. 3 (substantive)	Ill-treatment of the applicant while in police custody
				Violation of Art. 3 (procedural)	Ineffective investigation in that respect
	26 February 2015	<a href="#">KHALIKOV</a> (No. 66373/13)	3	Violation of Art. 3	Real risk of ill-treatment in case of the applicant's removal to his country of origin
				Violation of Art. 5 § 4	Lack of an effective judicial review concerning the lawfulness of the applicant's detention pending extradition
				Violation of Art. 5 § 1 (f)	Unlawful detention pending extradition
	26 February 2015	<a href="#">YEVGENIY BOGDANOV</a> (No. 22405/04)	3	Violation of Art. 13	Lack of an effective remedy concerning the applicant's complaint of inadequate conditions of detention
				Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding)
				Violation of Art. 3 (substantive)	Poor conditions of the applicant's transportation
				Violation of Art. 5 § 1 (c)	Unlawful detention of the applicant
Violation of Art. 5 § 3				Unjustified continuation of applicant's detention	
Violation of Art. 5 § 4				Lack of a prompt judicial review of the lawfulness of the applicant's pre-trial detention	
SLOVENIA	5 February 2015	<a href="#">FURMAN</a> (No. 16608/09)	3	Violation of Art. 8	Domestic authorities' failure to deal diligently with the applicant's request for a contact order and its enforcement which prevented him from enjoying family life with his daughter
SWEDEN	26 February 2015	<a href="#">M.T.</a> (No. 1412/12)	2	No violation of Art. 3	Absence of sufficiently real risk suggesting that the applicant's expulsion to his country of origin would give rise to a violation under Art. 3
TURKEY	3 February 2015	<a href="#">BAYAR AND GURBUZ</a> (IN FRENCH ONLY) (No. 2) (No. 33037/07)	3	Violation of Art. 10	Unjustified interference with the applicant's right to freedom of expression given that the article contained no incitement to the use of violence, armed resistance or an uprising and did not constitute hate speech
				Violation of Art. 6 § 1	Applicant's impossibility to lodge an appeal against a first instance judgment
	10 February 2015	<a href="#">YOSLUN</a> (IN FRENCH ONLY) (No. 2336/05)	2	Violation of Art. 6	Unfairness of proceedings on account of the domestic court's decision to deprive the applicant of the opportunity to appear in person while his request for a hearing was dismissed

				Violation of Art. 10	Unlawful interference with the applicant's right to freedom of expression
	24 February 2015	<b>MEHMET YAMAN</b> <b>(IN FRENCH ONLY)</b> <b>(No. 36812/07)</b>	3	No violation of art. 3 (substantive)	Absence of sufficient evidence suggesting that the applicant had been subjected to ill-treatment while in police custody
				Violation of Art. 3 (procedural)	Ineffective investigation in that respect
<b>UKRAINE</b>	5 February 2015	<b>OGORODNIK</b> <b>(No. 29644/10)</b>	3	Violation of Art. 3 (substantive)	Ill-treatment of the applicant while in police custody
				Violation of Art. 3 (procedural)	Ineffective investigation in that respect
				Violation of Art. 6 §§ 1 and 3 (c)	Unfairness of proceedings on account of the lack of legal assistance afforded to the applicant while in police custody which undermined his right to freedom against self-incrimination
	19 February 2015	<b>ZHYZITSKYI</b> <b>(No. 57980/11)</b>	3	Violation of Art. 3 (substantive)	Ill-treatment of the applicant amounted to torture while in police custody
				Violation of Art. 3 (procedural)	Ineffective investigation in that respect
				Violation of Art. 6 § 1	Unfairness of proceedings on account of the use of evidence obtained under duress
	26 February 2015	<b>PRILUTSKIY</b> <b>(No. 40429/08)</b>	3	No violation of Art. 2 (substantive)	No failure of the domestic authorities to protect the applicant's son's life as they had not been aware of the exact time and place of the driving game in which the applicant's son took part and died
				Violation of Art. 2 (procedural)	Lack of a thorough and prompt investigation into the circumstances of the death of the applicant's son
		<b>ZACHENKO</b> <b>(No. 2) (No. 45797/09)</b>	3	Violation of Art. 5 § 1	Unlawful deprivation of liberty on account of the applicant's involuntary confinement in a psychiatric hospital
				Violation of Art. 8	Absence of safeguards against arbitrariness concerning the collection and storage of information related to the applicant

## B. The decision on admissibility

Those decisions are published with a slight delay of two to three weeks on the Court's website. Therefore the decisions listed below cover the period from 1 to 30 November 2014. Those decisions are selected to provide the NHRs with potentially useful information on the reasons of the inadmissibility of certain applications addressed to the Court and/or on the friendly settlements reached.

STATE	DATE	CASE TITLE	ALLEGED VIOLATION	DECISION
LATVIA	25 November 2015	Larionovs and Tess v. Latvia	Art. 7 (The crimes that the applicant was accused of, in terms of	Inadmissible for non-exhaustion of domestic remedies (Art. 7) and as



			International Law, were not crimes at the time of their commitment) and Art. 6 (Unreasonable length of proceedings)	manifestly ill-founded (Art. 6)
<b>UNITED KINGDOM</b>	13 November 2014	Hoon v. The United Kingdom	Art. 6 (Violation of his right to appeal against the parliamentary proceedings against the applicant), Art. 8 (Disrespect to his private life) and Art. 13 (no sufficient judicial remedies to challenge decisions)	The complaint is incompatible <i>ratione materiae</i> with the provisions of the Convention (Art. 6). Therefore, it follows that the other articles are ill-founded.
<b>BOSNIA AND HERZEGOVINA</b>	13 November 2014	Žerajić and Gojković v. Bosnia and Herzegovina	Art. 2, 3, 5, 6, 8, 13 and 14 (No effective investigation into the disappearance of the applicants' husbands)	The complaint is ill-founded, given the special situation of the country at the time of the investigations.
<b>SLOVAKIA</b>	4 November 2014	Straka and Others v. Slovakia	Art. 1 of Protocol N°1 in conjunction with Art. 14 (Their rights to the use of the flats had been revoked), Art. 8 (Their rights as sitting tenants had been affected, and violation of the protection of their personal data)	The complaint is incompatible partly <i>ratione materiae</i> and partly <i>ratione temporis</i> (Art. 1 of Protocol 1 and Art. 14). It is also manifestly ill-founded (concerning Art. 8).

SLOVENIA	13 November 2014	Begić c. Slovenia	Art. 3 (Ill conditions of detention), Art. 13 (No effective remedies to welcome his complaints), and Art. 14 (Discrimination between the prisoners who were in different financial situations and could buy different goods in the prison shop)	Inadmissible for non exhaustion of domestic remedies (Art. 3), ill-founded (Art. 13) and incompatible <i>ratione materiae</i> (Art. 14)
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### C. The communicated cases

The European Court of Human Rights publishes on a weekly basis a list of the communicated cases on its website. These are cases concerning individual applications which are pending before the Court. They are communicated by the Court to the respondent State's Government with a statement of facts, the applicant's complaints and the questions put by the Court to the Government concerned. The decision to communicate a case lies with one of the Court's Chamber which is in charge of the case. A **selection** of the cases covering the **period from 1 to 31 January 2015** is proposed below.

NB: The statements of facts and complaints have been prepared by the Registry (solely in one of the official languages) on the basis of the applicant's submissions. The Court cannot be held responsible for the veracity of the information contained therein.

STATE	DATE OF DECISION TO COMMUNICATE	CASE TITLE	KEY WORDS OF QUESTIONS SUBMITTED TO THE PARTIES
ALBANIA	6 January 2015	<a href="#">DURDAJ</a> Nos 12720/14 AND 63543/09	After an explosion in a demilitarisation facility, the applicant complains about the authorities' failure to inform them of the risks they were likely to be exposed by working at such a place.
AZERBAIJAN	5 January 2015	<a href="#">AHMADOVA</a> No. 9437/12	The applicant complains about the judicial order on demolition of her house at her expense without compensation.
		<a href="#">YUNUSOVA AND YUNUSOV</a> No. 68817/14	The applicants allege that they were intended to silence during their arrest and pretrial detention for being human rights defenders and civil society activists.
	19 January 2015	<a href="#">RAHIMOVA</a> No. 32780/12	The applicant complains that her property was expropriated in breach of the requirements of the domestic law in respect of compensation.

<b>BULGARIA</b>	15 January 2015	<b>M.M.</b> <a href="#">IN FRENCH ONLY</a> <b>No 75832/13</b>	Risk for the applicant of being subjected to inhuman and degrading treatment if he is deported to his country of origin.
<b>CROATIA</b>	9 January 2015	<b>MATAS</b> <b>No. 23559/12</b>	The applicants complain that they were each twice tried or convicted of the same offence, first in the minor offences proceedings and then in the criminal proceedings.
<b>FINLAND</b>	15 January 2015	<b>VALKEAJÄRVI</b> <b>No. 34015/14</b>	The applicant complains that his freedom to choose his place of residence has been violated because he has not been able to live fully in a municipality even though his house fulfils all the criteria for permanent residence.
<b>FRANCE</b>	12 January 2015	<b>COLONNA</b> <a href="#">IN FRENCH ONLY</a> <b>No 4213/13</b>	The applicant alleges that the comments made by public authorities from the executive, legislative and judicial powers, pointing him as the murderer of a prefect, have infringed his right to the presumption of innocence.
	16 January 2015	<b>FOULON LABORIE AND OTHER BOUVET AND OTHER</b> <a href="#">IN FRENCH ONLY</a> <b>No 9063/14</b>	The domestic authorities refused to transcribe the Indian birth certificate in the records of their civil status of a child and cancelled the paternal recognition of another child on the grounds that the parents resorted to surrogacy.
<b>GREECE</b>	13 January 2015	<b>MAMATAS AND OTHERS TOMBRAS AND OTHERS TAGARAS AND VELLIYOU</b> <a href="#">IN FRENCH ONLY</a> <b>Nos 63066/14, 64297/14 66106/14</b>	The applicants argue that "the public interest" lacked because the reduction of the public debt of 53.5% for a period ranging from 2023 to 2042 resulted in adverse economic consequences both for the domestic economy and for individuals.
	27 January 2015	<b>KENDRISTAKIS AND OTHERS</b> <a href="#">IN FRENCH ONLY</a> <b>No 47975/11</b>	The applicant complains that his belongings were confiscated at the conclusion of a procedure in which the adversarial principle of equality of arms and of legal certainty have been infringed.
<b>ITALY</b>	5 January 2015	<b>MANDELLI AND MANDELLI</b> <a href="#">IN FRENCH ONLY</a> <b>No 44121/09</b>	The applicants complain that they have been sentenced for a different offense, being as a result victims violation of the principle of correlation between the prosecution and conviction, as well as the rights of defence.
	14 January 2015	<b>CINCIMINO</b> <a href="#">IN FRENCH ONLY</a> <b>No 68884/13</b>	The applicant argues that the authorities prevented her from exercising her role as mother and left the parent with whom the child lives manipulate him so that it moves away from her, and finally, that it benefited from preferential treatment in that it get the custody of the child.
<b>LATVIA</b>	7 January 2015	<b>R.Š.</b> <b>No. 44154/14</b>	After a plane crash, the applicant argues that the domestic authorities did not provide the legislative framework ensuring flight safety and that the aircraft was piloted by a person who lacked appropriate qualification.

		<a href="#"><u>SERGEYS AND MOČULSKIS</u></a> Nos. 41744/12 AND 71064/12	The applicant complains that the police inspected his computer without the authorisation of a judge, his private information and his client's correspondence becoming freely accessible to the police.
MALTA	22 January 2015	<a href="#"><u>MONTANARO GAUCI AND OTHERS</u></a> No. 31454/12	The applicants considered that the requisition order over their property had not been issued in the public interest, but in the private interest of a squatter who had entered the premises illegally.
		<a href="#"><u>APAP BOLOGNA</u></a> No. 73182/12	The applicants complain that they remain victims of the violation upheld by the domestic courts in the absence of an effective remedy to obtain sufficient just satisfaction or to bring the consequences of the violation to an end.
NETHERLANDS	8 January 2015	<a href="#"><u>S.M.H.</u></a> No. 5868/13	The applicant complains that despite the removal of herself and her children, no guarantees from the Government in question would be provided, including reception facilities and medical care pending the determination of her asylum request.
POLAND	5 January 2015	<a href="#"><u>KAMIŃSKA</u></a> <a href="#"><u>IN FRENCH ONLY</u></a> No 51474/13	The applicant complains about interference with his physical integrity following a medical treatment and about the ineffectiveness of proceedings to establish the responsibility of the hospital staff.
	14 January 2015	<a href="#"><u>WIELOGÓRSKI</u></a> No. 41244/14	The applicant complains that because of his placement in the social care home, he was deprived of his liberty on the basis of erroneous medical assessment while he alleges he could live independently.
	19 January 2015	<a href="#"><u>BUDA</u></a> No. 38940/13	The applicant complains about the domestic court's finding that users of the Internet are public figures and are not entitled to protection while he considers he is a private person who was not protected against insults and threats in an online discussion forum.
		<a href="#"><u>WASOWICZ-HOŁOTA AND GROŃ</u></a> No. 18533/13	The applicants complain that the person they wrote articles on was a local politician and that the press was obliged to inform the public opinion about controversies relating to his conduct in the past, as the articles was based on reliable evidence.
	29 January 2015	<a href="#"><u>OLLER KAMIŃSKA</u></a> No. 28481/12	The applicant complains about the domestic authorities' failure to speedily enforce a foreign court decisions awarding her sole custody of her child as it resulted in loss of contact with her daughter.
	31 January 2015	<a href="#"><u>PORADA</u></a> No. 17705/11	The applicant was prevented from undergoing a medical examination to assess his suitability for becoming a donor of bone marrow for his mother who suffered from leukaemia because the domestic regulations prevented prisoners from becoming a donor.

<b>SLOVENIA</b>	19 January 2015	<a href="#"><u>KASTELIC</u></a> No. 39216/13	The applicant complains that the seizure of his rifles, the duration of the seizure and the rejection of his claim for compensation amounted to a disproportionate interference with his right to the peaceful enjoyment of his possessions.
<b>ROMANIA</b>	27 January 2015	<a href="#"><u>OROS</u></a> No 45011/14	The applicant complains about a total lack of motivation of the decision delivered by the court of last resort by which the proportion of assets attributed to her from the marital patrimony by the first-instance court was changed.
<b>RUSSIA</b>	22 January 2015	<a href="#"><u>KOSTYCHEVA</u></a> No. 75781/14	The applicant complains that her request for a residence permit was rejected on account of discrimination because the domestic law restricted the issue of residence permits to foreign nationals who could not show their HIV-negative status.
<b>SWEDEN</b>	22 January 2015	<a href="#"><u>A.T.</u></a> No. 78701/14	The applicant complains that his expulsion would expose him to a risk of being sentenced to death or subjected to torture or ill-treatment because of his sexual orientation.
<b>TURKEY</b>	26 January 2015	<a href="#"><u>ERDEM AND ERDEM</u></a> No. 64727/11	The applicants complain that, although it would have been possible for the police officers to control the demonstrators by using non-life-threatening methods, they chose to fire at the crowds in an excessive and disproportionate manner, which killed their son.
<b>THE UNITED KINGDOM</b>	5 January 2015	<a href="#"><u>BUREAU OF INVESTIGATIVE JOURNALISM AND ALICE ROSS</u></a> No. 62322/14	The applicants allege that they are very likely to have been the subjects of generic surveillance by the domestic's security, these interferences being neither "in accordance with the law" nor "prescribed by law".
	15 January 2015	<a href="#"><u>J.M.O.</u></a> No. 54318/14	The applicant complains that the domestic law governing administrative detention of immigrants for the purposes of expulsion was unregulated, not subject to automatic judicial supervision and not sufficiently clear, precise and foreseeable.
	29 January 2015	<a href="#"><u>DOSTENKO</u></a> No. 23178/13	The applicant complains that the confiscation order amounted both to a second penalty for the same offence, and to a retrospective penalty.
<b>UKRAINE</b>	19 January 2015	<a href="#"><u>LESHCHENKO</u></a> No. 14220/13	The applicant complains that his right to receive and impart information was violated as he had been refused access to the information and documents on the issue of a great public interest.

## PartOne

# §2 - EUROPEAN COMMITTEE OF SOCIAL RIGHTS

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### A. Reclamations and Decisions

#### 1. Reclamations

*[No work deemed relevant for NHRs during the period under observation]*

#### 2. Decisions

STATE	COMPLAINANT	RECLAMATION NUMBER	SUBJECT MATTER	DECISION
FINLAND	Finnish Society of Social Rights	<a href="#">88/2012</a>	Violation of article 12§1, 12§3 and 13§1 of the Charter concerning the minimum level of several social security benefits	Decision on the merits. Violation of Article 12§1, no violation of Article 12§3, violation of Article 13§1 of the Charter

### B. Other information

*[No work deemed relevant for NHRs during the period under observation]*

# PartOne

## §3 - RECOMMENDATIONS & RESOLUTIONS

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### A. Recommendations

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
COMMITTEE OF MINISTERS OR PACE	11 February 2015	<a href="#">CM/Rec(2015)4</a>	Preventing and resolving disputes on child relocation	Concerning child relocation, the CM called on member states to offer sufficient legal certainty to prevent and resolve disputes, to provide sufficient flexibility to satisfactorily resolve individual disputes and to encourage the reaching of friendly agreements.

### B. Resolutions

*[No work deemed relevant for NHRs during the period under observation]*

## PartOne

# §4 - OTHER INFORMATION OF GENERAL IMPORTANCE

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### A. Information from the Committee of Ministers

#### ■ Council of Europe condemned recent executions in the United States (04.02.2015)

At their meeting on 4 February, the Ministers' Deputies adopted a declaration condemning the recent executions in the United States of Mr Warren Lee Hill and Mr Robert Ladd, both of whom suffered from intellectual disability. Moreover, the CM reiterated its appeal to the US to introduce a moratorium on the death penalty as a first step towards abolition. ([Read more](#) - [Read the declaration](#))

#### ■ 1220th meeting of the Ministers' Deputies (18.02.2015)

The CM adopted a declaration condemning the deadly attacks which took place on 14 February against a cultural centre and a synagogue in Copenhagen. Moreover, the CM reiterated its determination to combat such acts and to vigorously continue the action initiated in recent weeks to strengthen the fight against extremism and radicalisation leading to terrorism. ([Read more](#) - [Read the declaration](#) - [1220th meeting of the Ministers' Deputies](#) )

### B. Information from the Parliamentary Assembly

#### ■ World Cancer Day: a manifesto for cutting the number of deaths (04.02.2015)

The PACE Sub-Committee on Public Health called for a number of practical steps to ensure the adequate prevention, cure and care of cancer. ([Read more](#) - [PACE' s October 2014 Resolution](#))

#### ■ Official launch of the No Hate Parliamentary Alliance (11.02.2015)

On 29 January 2015, the No Hate Parliamentary Alliance was officially launched in the presence of the PACE President who expressed her wholehearted support for the initiative. Thus, PACE President underlined that concrete action against hate speech is urgently needed and reaffirmed that fighting intolerance and promoting respect for diversity were among her priorities. ([Read more](#) - [Website of the No Hate Parliamentary Alliance](#))

#### ■ Lampedusa: another tragedy should have been avoided by all means (11.02.2015)

PACE President called on European governments to reaffirm their solidarity with countries of origin of migrants by putting in place a more effective and well-resourced European search and rescue initiative, creating alternative migration possibilities and increasing efforts to combat smuggling. ([Read more](#))

#### ■ Copenhagen terrorist attack targeted our value and freedoms (15.02.2015)

PACE President called to combat intolerance and anti-semitism, and promote freedom of expression as a necessary condition for democracy and the protection of human rights. Furthermore, PACE President called on European countries to support the No Hate speech Movement as well as the No Hate Parliamentary Alliance. ([Read more](#) - [The No Hate Parliamentary Alliance](#) - [The No Hate Speech Movement](#))

#### ■ « We must stand united against intolerance » said Anne Brasseur at Sare-Union ceremony (17.02.2015)

PACE President called on all democratic forces to unite their efforts together with civil society and religious communities in order to combat xenophobia and anti-semitism. ([Read more](#))

### C. Information from the Commissioner for Human Rights



### ■ Syrian refugees: ‘Reset’ needed in Europe’s approach (03.02.2015)

The Commissioner for Human Rights called on all European states to be more generous and assume their responsibility for providing effective protection to Syrian refugees who are in need. ([Read More - Mid-year trends 2014 - Resettlement and other forms of admission for Syrian refugees - Living in the shadows. Jordan home visit reports - No escape. Civilians in Syria struggle to find safety across borders - Effects of the Syrian refugees on Turkey](#))

## D Information from the monitoring mechanisms

### ■ ECRI: The Committee’s Commission has published conclusions on the implementation of its priority recommendations in respect of Iceland, Italy, Latvia, Luxembourg and Montenegro (24.02.2015)

The ECRI has published conclusions on the implementation of a number of recommendations made in its country reports on Iceland, Italy, Latvia, Luxembourg and Montenegro, which had been released in 2012 ([Read more](#)).

## PartTwo

# INFORMATION BY COUNTRY

This part presents a selection of information which is deemed to be mainly relevant for only one country.

Please, refer to the index above (p.3) to find the country you are interested in. Only countries concerned by at least one piece of information issued during the period under observation are listed below.

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">Ilgar Mammadov</a> (No.15172/13)	13 October 2014	<a href="#">CM/Del/Dec(2014)1 214</a>	Imprisonment for reasons other than those permitted by Article 5 namely, to punish the applicant for having criticised the government	First examination, in particular of the issue of individual measures and general measures concerning Article 18 taken in conjunction with Article 5 § 1
<a href="#">Mahmudov and Agazade Group</a> (No. 35877/04)	18 March 2009	<a href="#">CM/ResDH(2014)1 83</a>	Violation of right to freedom of expression, arbitrary application of law.	Follow-up to the interim resolution adopted at the 1208th meeting.

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ Commissioner Muižnieks intervened in cases concerning Azerbaijan before the European Court of Human Rights (24.02.2015)

The Commissioner called on Azerbaijani authorities to improve respect for freedom of expression, freedom of assembly and freedom of association. ([Read more - Read the observations submitted to the European Court of Human Rights on the case of Hilal Mammadov against Azerbaijan](#) - [Read more on the Commissioner's work in Azerbaijan](#))

# Belgium

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## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">M.S.S.</a> (No. 30696/09)	21 January 2011	<a href="#">CM/Inf/DH(2014)23</a>	Expulsion of an asylum seeker from Belgium to Greece.	Assessment of the information provided on the last point under examination (effective remedy); and proposal to adopt a final resolution.
<a href="#">Firoz Muneer</a> (No. 56005/10)	11 July 2013	<a href="#">CM/ResDH(2014)255</a>	Examination closed	
<a href="#">M.D.</a> (No. 56028/10)	11 July 2013	<a href="#">CM/ResDH(2014)255</a>	Examination closed	

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

# Bosnia and Herzegovina

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## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">Sejdic and Finci</a> (No. 27996/06)	22 December 2009	<a href="#">CM/ResDH(2011)2</a> <a href="#">91</a> , <a href="#">CM/ResDH(2012)2</a> <a href="#">33</a> , <a href="#">CM/ResDH(2013)2</a> <a href="#">59</a>	Violation of the right to free elections and discrimination against minorities.	To encourage the authorities and political leaders of Bosnia and Herzegovina to intensify their efforts, following the recent elections, with a view to reaching a consensus on the Constitutional amendments.

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

# Bulgaria

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">United Macedonian Organisation Ilinden and others group</a> (No. 59491/00)	19 April 2006	<a href="#">CM/Del/Dec(2014)1214</a>	Unjustified refusals of the courts, in 1998-99 and 2002-04, to register an association aiming at achieving "the recognition of the Macedonian minority in Bulgaria", refusals based, on the one hand, on considerations of national security, protection of public order and the rights of others (alleged separatist ideas) and, on the other hand, on the constitutional prohibition for associations to pursue political goals (violations of Art. 11).	Assessment of the additional measures taken by the Bulgarian authorities since December 2013 and proposal to transfer to the enhanced procedure.

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Zaharievi</a> (No. 22627/03)	26 September 2012	<a href="#">CM/ResDH(2014)256</a>	Examination closed
<a href="#">Zhelyazkov</a> (No. 11332/04)	9 January 2013	<a href="#">CM/ResDH(2014)257</a>	Examination closed
<a href="#">Petrov</a> (No. 15197/02)	22 August 2008	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Dimitar Vasilev</a> (No. 10302/05)	10 April 2012	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Koriyski</a> (No. 19257/03)	26 February 2010	<a href="#">CM/ResDH(2014)258</a>	Examination closed

<a href="#">Mondeshki</a> (No. 36801/03)	22 January 2010	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Oreshkov</a> (No. 11932/04)	6 June 2012	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Petkov</a> (No. 1399/04)	9 December 2010	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Popov Konstantin</a> (No. 15035/03)	25 September 2009	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Radkov</a> (No. 27795/03)	22 July 2010	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Tsonev Tsonyo</a> (No. 33726/03)	1 January 2010	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Vuldzhev</a> (No. 6113/08)	18 December 2012	<a href="#">CM/ResDH(2014)258</a>	Examination closed
<a href="#">Aliykov</a> (No. 333/04)	3 March 2010	<a href="#">CM/ResDH(2014)259</a>	Examination closed
<a href="#">Stoyanov</a> (No. 39206/07)	30 April 2012	<a href="#">CM/ResDH(2014)259</a>	Examination closed
<a href="#">Ivan Stoyanov</a> <a href="#">Vasilev</a> (No. 7963/05)	4 September 2013	<a href="#">CM/ResDH(2014)260</a>	Examination closed
<a href="#">Petko Petkov</a> (No. 2834/06)	19 May 2013	<a href="#">CM/ResDH(2014)261</a>	Examination closed

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRSS during the period under observation]*

## C. Other information

### ■ CPT: The Committee visited Bulgaria and carried out high-level talks with the authorities (24.02.2015)

A delegation of the CPT recently carried out an eight-day visit to Bulgaria.

The objective of the ad hoc visit, which started on 13 February, was two-fold. On the one hand, the delegation wished to gauge the commitment of the Bulgarian authorities to implement recommendations made by the CPT (...). On the other hand, the delegation examined the implementation of the CPT's long-standing recommendations concerning the ill-treatment of prisoners by staff, inter-prisoner violence, prison overcrowding, material conditions of detention, prison health care, staffing levels, as well as discipline, segregation and contact with the outside world ([Read more](#)).

## A. Execution of the judgments of the European Court of Human Rights

*[No work deemed relevant for NHRs during the period under observation]*

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ PACE President praised the excellent co-operation between Croatia and the Council of Europe (20.02.2015)

PACE President encouraged the authorities to share their best practices with neighbouring countries and to maintain the momentum of reform, particularly to improve the efficiency of the judiciary by raising judges' awareness of the standards of the European Convention, by promoting minority rights protection, and by combating corruption. Moreover, PACE President called on politicians to promote inclusiveness, tolerance and respect. ([Read more](#))



## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Streltsov</a> (No. 25662/10)	2 July 2013	<a href="#">CM/ResDH(2014)262</a>	Examination closed

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ GRETA: Estonia became 43rd party to the Convention (05.02.2015)

On 5 February 2015 Estonia ratified the Convention on Action against Trafficking in Human Beings. The Convention will enter into force as regards Estonia on 1 June 2015.

# France

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## A. Execution of the judgments of the European Court of Human Rights

*[No work deemed relevant for NHRs during the period under observation]*

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ Commissioner: Persistent discrimination endangers human rights in France (17. 02.2015)

The Commissioner for Human Rights called on French authorities to combat intolerance and racism, discrimination and hate speech, in a sustained and systematic manner. Through his report, the Commissioner for Human Rights called on French authorities to improve life conditions of migrants, travellers, Roma, and to promote the social inclusion of people with disabilities. ([Read more](#) - [Read the Report \(in French\)](#) - [Link to the response of the French government on the report](#))

# Georgia

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## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Zviad Mazmishvili</a> (No. 35220/09)	24 June 2014	<a href="#">CM/ResDH(2014)263</a>	Examination closed

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ PACE Rapporteur in Georgia: 'don't use detention to settle political scores' (20.02.2015)

PACE Rapporteur recalled that the 'demonisation' of political competitors is not healthy for a democracy, and the power to detain suspected criminals must not be used to settle political scores. ([Read more](#))

# Germany

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## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Schüth</a> (No. 1620/03)	28 September 2012	<a href="#">CM/ResDH(2014)264</a>	Examination closed

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

■ **PACE: Presentation of the Council of Europe Flag of Honour to the town of Aspach (23.02.2015)**

The town of Aspach received the Flag of Honour of the Council of Europe on Friday 27 February 2015. ([Read more](#) - [Europe prize website](#) )

## Greece

### A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">M.S.S.</a> (No. 30696/09)	21 January 2011	<a href="#">CM/Inf/DH(2014)23</a>	Expulsion of an asylum seeker from Belgium to Greece.	Assessment of the general measures regarding living conditions of asylum seekers (including unaccompanied minors) and identification of outstanding issues
<a href="#">Michelioudakis</a> (No. 54447/10)  <a href="#">Diamantides No. 2</a> (No. 71563/01)  <a href="#">Glykantzi</a> (No. 40150/09)  <a href="#">Konti-Arvaniti Group</a> (No. 53401/99)	3 July 2012  19 August 2005  30 January 2013  10 July 2003	<a href="#">ResDH(2005)66</a>	Excessive length of criminal ( <i>Michelioudakis</i> case, <i>Diamantides No. 2</i> group) and civil ( <i>Glykantzi</i> case, <i>Konti-Arvaniti</i> group) procedures and lack of an effective remedy (pilot judgments) (deadline expired on 30 January 2014)	Proposal to transfer the groups to the standard procedure
<a href="#">Beka-Koulocheri Group</a> (No. 38878/03)	6 October 2006	<a href="#">CM/Del/OJ/DH(2014)1214/7</a>	Non-compliance by the administration with domestic court decisions and lack of an effective remedy.	To take stock of individual and general measures in light of recent developments in the Court's case law and at a domestic level

### B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRSS during the period under observation]

### C. Other information

#### ■ ECRI: Publication of the fifth report on Greece (24.02.2015)

The ECRI has published its fifth report on Greece analysing new developments and outstanding issues, and providing recommendations to the authorities. Despite new antidiscrimination law, xenophobia and violence against migrants reached worrying levels, and segregation of Roma children continued, according to the Council of Europe's Anti-Racism Commission ([Read more](#)).

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">R.R. and Others</a> (No. 19400/11)	29 April 2013	<a href="#">CM/Inf/DH(2014)23</a>	Expulsion of an asylum seeker from Belgium to Greece.	Assessment of the general measures regarding living conditions of asylum seekers (including unaccompanied minors) and identification of outstanding issues

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">A, B. and C.</a> (No. 25579/05)	16 December 2010	<a href="#">CM/Del/OJ/DH(2014)1214/9</a>	Absence of any legislative or regulatory regime providing access to lawful abortion when the mother's life is at risk.	Assessment of the action report and proposal to adopt a final resolution.

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">M.C. and Others</a> (No. 5376/11)	3 December 2013	<a href="#">CM/Del/OJ/DH(2014)1214/10</a>	<p>Pilot judgment: Legislative intervention which, retrospectively and in a discriminatory manner, deprived the applicants of the annual adjustment of the supplementary component of a compensation allowance paid to them following their accidental contamination with different viruses as a result of blood transfusions or the administration of blood derivatives (violations of Article 6§1 and of Article 1 of Protocol No. 1 taken alone or in conjunction with Article 14).</p> <p>The Italian authorities were bound to set, before <b>3 June 2014</b>, in co-operation with the Committee of Ministers, a binding time-limit in which they undertook to guarantee the effective and rapid realisation of the entitlement to adjustment, by appropriate legislative and administrative measures.</p>	<p>Follow-up to the decision adopted by the Committee at the last examination of the case.</p> <p>Examination of the case in the light of the information awaited from the authorities, with a view to setting the time-limit for the adoption of the general measures that remain to be taken.</p>



<p><a href="#">Torreggiani and Others</a> (No. 43517/09)</p> <p><a href="#">Sulejmanovic</a> (No. 22635/03)</p>	<p>27 May 2013</p> <p>6 November 2009</p>	<p><a href="#">CM/Del/OJ/DH(2014)1214/11</a></p>	<p>Inhuman and degrading treatment of the applicants due to imprisonment in inadequate conditions, particularly overcrowding. Pilot judgment setting a deadline of <b>27 May 2014</b> for the introduction of a remedy or combination of effective remedies.</p>	<p>Follow-up to the decision adopted at the 1201st meeting (June 2014), assessment of progress achieved in the implementation of the pilot judgment and proposal to transfer the cases to the standard procedure.</p>
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*[No work deemed relevant for NHRs during the period under observation]*

## **B. Resolutions, signatures and ratifications**

*[No work deemed relevant for NHRs during the period under observation]*

## **C. Other information**

*[No work deemed relevant for NHRs during the period under observation]*

# Lithuania

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## A. Execution of the judgments of the European Court of Human Rights

*[No work deemed relevant for NHRs during the period under observation]*

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

■ **GRECO: the committee invited Lithuania to focus on a proper enforcement of the rules on corruption prevention among members of parliament, judges and prosecutors (11.02.2015)**

In a report, the GRECO acknowledged the comprehensive legal and institutional framework developed by Lithuania to prevent and fight corruption among members of parliament, judges and prosecutors. It also stressed that the authorities now need to shift their focus to ensuring that the legal norms are well understood and properly enforced ([Read the report](#)).

# Luxembourg

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## A. Execution of the judgments of the European Court of Human Rights

*[No work deemed relevant for NHRs during the period under observation]*

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ CPT: Visit of the committee (05.02.2015)

A delegation of the CPT carried out a visit to Luxembourg from 28 January to 2 February 2015.

The visit focused on the treatment and living conditions of persons detained by the police and of foreign nationals deprived of their liberty. The delegation also carried out follow-up visits to Luxembourg Prison and to the State Socio-Educational Centres at Schrassig and Dreibern in order to review the measures taken by the Luxembourg authorities to implement the previous recommendations of the CPT ([Read more](#)).

**A. Execution of the judgments of the European Court of Human Rights**

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">Suso Musa Group</a> (No. 42337/12)	9 December 2013	<a href="#">CM/Del/OJ/DH(2014)1214/12</a>	Failure of the national system as a whole to protect the applicants, asylum seekers, from arbitrary detention; lack of an effective and speedy remedy by which to challenge the lawfulness of their detention; and inadequate conditions of detention of asylum seekers (Violations of Articles 5§1 and 5§4 as well as of Article 3)	Assessment of the action plans with a view to identifying the outstanding issues and requesting further information from the authorities

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">M.D. and Others</a> (No. 64791/10)	17 October 2012	<a href="#">CM/ResDH(2014)265</a>	Examination closed

**B. Resolutions, signatures and ratifications**

*[No work deemed relevant for NHRs during the period under observation]*

**C. Other information**

*[No work deemed relevant for NHRs during the period under observation]*

# Republic of Moldova

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## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">Sarban Group</a> (No. 3456/05)	4 January 2006	<a href="#">CM/Inf/DH(2009)42</a> <a href="#">rev</a>	Various violations of Article 5, mainly arising from detention pending trial without court order; lack of relevant and sufficient reasons for detention; the lack of a speedy review of detention order (Article 5 §§1, 3 and 4).	To take stock of the updated action plan of September 2014 with a view to identifying the outstanding issues.

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Navone and Others</a> (No. 62880/11+)	24 January 2014	<a href="#">CM/ResDH(2014)266</a>	Examination closed

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

# Netherlands

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## A. Execution of the judgments of the European Court of Human Rights

*[No work deemed relevant for NHRs during the period under observation]*

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ CPT: Publication of a report on forced return flight from the Netherlands (05.02.2015)

The CPT has published its second report on an operation of deportation of foreign nationals by air as well as the response from the Dutch authorities ([Read the report](#) - [Response from the Dutch authorities](#)).

## A. Execution of the judgments of the European Court of Human Rights

*[No work deemed relevant for NHRs during the period under observation]*

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ ECRI: Publication of the fifth report on Norway (24.02.2015)

The ECRI has published its fifth report on Norway analysing new developments and outstanding issues, and providing recommendations to the authorities. “Despite positive developments, concerns remain, such as the dissemination of racism on the Internet and insufficient assistance to migrants in education and employment”, has declared the Committed about Norway ([Read more](#)).



## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Chuchla</a> (No. 41950/11)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Cyran</a> (No. 37476/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Dabek</a> (No. 31175/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Drzewieccy</a> (No. 19974/12)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Dudek</a> (No. 42956/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Geszke</a> (No. 65626/10)	9 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Gumna</a> (No. 17901/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Jasek</a> (No. 28861/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Kielb</a> (No. 28958/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Kielb</a> (No. 43110/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Kipa</a> (No. 40175/04)	9 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Kostur</a> (No. 37814/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Krempa</a> (No. 10844/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Krol</a> (No. 38252/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Kurczyk</a> (No. 3721/05)	9 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Lizewska</a> (No. 32612/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed

<a href="#">Marszalek</a> (No. 32137/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Marzec</a> (No. 37495/04)	9 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Maziarz</a> (No. 37833/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Milos</a> (No. 21671/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Orlowski</a> (No. 25559/11)	4 February 2014	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Osmola</a> (No. 26578/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Pawlowski</a> (No. 5724/11)	9 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Piecuch</a> (No. 61730/11)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Pieta</a> (No. 15218/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Pikul</a> (No. 7398/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Podkanski</a> (No. 70142/10)	9 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Pogoda</a> (No. 22167/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Przepiora</a> (No. 41233/05)	9 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Rademacher</a> (No. 54075/11)	18 June 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Rafacz</a> (No. 43802/09)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Ryniewicz</a> (No. 3772/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Seweryn</a> (No. 39453/09)	21 May 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Stecyk</a> (No. 43607/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Suchecky</a> (No. 26389/12)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed

<a href="#">Wojcik</a> (No. 27703/05)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Zaremba</a> (No. 4431/04)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Zawadzka</a> (No. 29183/06)	2 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Zielinski</a> (No. 24810/11)	21 May 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Ziobro</a> (No. 8594/05)	9 July 2013	<a href="#">CM/ResDH(2014)267</a>	Examination closed
<a href="#">Trzaska Group</a> (No. 25792/94)	11 July 2000	<a href="#">CM/ResDH(2014)268</a>	Examination closed

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRSS during the period under observation]*

## C. Other information

### ■ GRECO: Publication of a compliance report (24.02.2015)

[Read the report.](#)

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<p><a href="#">Stain and Others Group</a> (No. 57001/00)</p> <p><a href="#">Maria Atanasiu and Others</a> (No. 30767/05)</p>	<p>30 November 2005</p> <p>12 January 2011</p>	<p><a href="#">CM/Inf/DH(2013)24</a></p>	<p>Ineffectiveness of the mechanism put in place to allow the restitution/compensation for nationalised property; pilot judgment; extended deadline expired in May 2013.</p>	<p>Follow-up of the decision adopted by the Committee at its last examination of this group of cases. Evaluation of the general measures taken by the authorities in response to the pilot judgment and of those envisaged to solve the outstanding issues identified by the European Court in its follow-up judgment to the pilot judgment. Adoption of a final resolution in respect of 85 cases of this group.</p>

<p><a href="#">Moldovan Group</a> (No. 41138/98)</p>	<p>5 July 2005</p>	<p><a href="#">CM/Inf/DH(2011)37</a></p>	<p>Consequences of racially-motivated violence, between 1990 and 1993, against villagers of Roma origin, in particular improper living conditions following the destruction of their homes, and the general discriminatory attitude of the authorities, including their prolonged failure to put an end to the breaches of the applicants' rights (Articles 3, 6, 8, 13, and 14 in conjunction with Articles 6 and 8).</p>	<p>Intervention of the Committee necessary in light of the delay in the implementation of the general measures which remain to be adopted at the level of the locality of Hădăreni.</p>
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## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

## Russian Federation

### A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">Alim</a> (No. 39417/07)	27 December 2011	<a href="#">CM/DeI/OJ/DH(2014)1214/16</a>	Violation of Article 8 if the applicant, a national of Cameroon with strong family ties in the Russian Federation (Russian wife and two minor children) was to be removed from the Russian Federation.	To urge the Russian authorities to regularise the applicant's situation in the Russian Federation and, as regards general measures, to ask for clarifications concerning legislative amendments introduced in 2013.
<a href="#">Catan and Others</a> (No. 43370/04)	19 October 2012	<a href="#">CM/ResDH(2014)184</a>	Violation of the applicants' rights to education, resulting from acts of intimidation and pressure affecting the functioning of the Latin script schools in the Transdnestrian region of the Republic of Moldova	Follow-up to the interim resolution adopted at the 1208th meeting.
<a href="#">Garabayev Group</a> (No. 38411/02)	30 January 2008	<a href="#">CM/ResDH(2013)200</a>	Different violations related to extradition (Articles 3, 5, 13 and 34). Indications under Article 46, notably to ensure effective protection against abduction and irregular transfer, as well as effective investigations into such allegations.	To examine the information which is expected from the Russian authorities by 9 November 2014 in response to the last decision adopted at the 1208th meeting.

<p><u>Y.U.</u> (No. 41354/10)</p>	<p>13 February 2013</p>	<p><u>CM/Del/OJ/DH(2014)1214/19</u></p>	<p>Violation of the applicant's right to respect for her family life on account of the authorities' failure to enforce the judgment determining the residence of her minor child with her (Article 8).</p>	<p>To examine recent developments as regards individual measures and the proposal to transfer the issue of individual measures to the standard procedure.</p>
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## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRSS during the period under observation]*

## C. Other information

### ■ CM: Didier Reynders called on Russia to release Nadia Savchenko and other Ukrainian citizens (27.02.2015)

The CM president called on Russia to respect its commitments and to release, without delay, Nadia Savchenko, who started a hunger strike eleven weeks ago to protest against her detention in Russia, Oleg Sentsov, and all other Ukrainian citizens that are illegally detained in Russia.

### ■ PACE: PACE President reacted to shooting of Boris Nemtsov in Moscow (28.02.2015)

PACE President extended her deepest sympathies to Boris Nemtsov's family and those who worked with him and urged that the investigation be transparent, thorough and determined. ([Read more - PACE President called for release of PACE member arrested in Moscow](#) )

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#"><u>Zorica Jovanovic</u></a> (No. 21794/08)	9 September 2013	<a href="#"><u>CM/Del/OJ/DH(2014)1214/20</u></a>	Violation of the applicant's right to respect for her family life on account of the respondent State's continuing failure to provide her with credible information as to the fate of her son, who allegedly died in a maternity ward in 1983; his body has never been transferred to her; she has not been informed where he had allegedly been buried; and his death has never been properly investigated and officially recorded (violation of Article 8).	To take stock of the measures envisaged and to identify the outstanding questions
<a href="#"><u>Alisic and Others</u></a> (No. 60642/08)	16 July 2014	<a href="#"><u>CM/Del/OJ/DH(2014)1214/21</u></a>	Violations of the applicants' right to peaceful enjoyment of their property on account of their inability to recover their "old" foreign-currency savings deposited in Bosnian-Herzegovinian branches of banks incorporated in Serbia and Slovenia respectively (violations of Article 1 of Protocol No. 1).	To stress the importance of timely compliance with the pilot judgment and to invite the Serbian and Slovenian authorities to provide information to the Committee on the measures envisaged.



## **B. Resolutions, signatures and ratifications**

*[No work deemed relevant for NHRs during the period under observation]*

## **C. Other information**

*[No work deemed relevant for NHRs during the period under observation]*

# Slovak Republic

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## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">Labsi</a> (No. 33809/08)	24 September 2012	<a href="#">CM/Del/OJ/DH(2014)1214/22</a>	Expulsion of the applicant to Algeria where he faced a real risk of treatment contrary to Article 3. Violation of Article 34 as the expulsion took place despite an interim measure indicated by the European Court under Rule 39 of its Rules, and lack of an effective remedy in this respect - violation of Article 13.	To assess the action report provided by the authorities, in particular the measures adopted in response to the violation of Article 13.

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

# Slovenia

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## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION
<a href="#">Alisic and Others</a> (No. 60642/08)	16 July 2014	<a href="#">CM/Del/OJ/DH(2014)121</a> <a href="#">4/21</a>	Violations of the applicants' right to peaceful enjoyment of their property on account of their inability to recover their "old" foreign-currency savings deposited in Bosnian-Herzegovinian branches of banks incorporated in Serbia and Slovenia respectively (violations of Article 1 of Protocol No. 1).

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*

# Turkey

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">Cyprus</a> (No. 25781/94)	10 May 2001	<a href="#">CM/Del/OJ/DH(2014)1214/23</a>	14 violations in relation to the situation in the northern part of Cyprus.	To decide on the order and the calendar for the examination of the three clusters of the principal judgment concerning the missing persons, the property rights of enclaved persons and the property rights of displaced persons.
<a href="#">Varnava and Others</a> (No. 16064/90) <a href="#">Xenides-Arestis Group</a> (No. 46347/99)	18 September 2009  23 May 2007	<a href="#">CM/ResDH(2013)201</a> , <a href="#">CM/ResDH(2014)185</a>	Lack of effective investigation on the fate of nine Greek Cypriots who disappeared during the military operations by Turkey in Cyprus in 1974.  Continuous denial of access to property in the northern part of Cyprus and consequent loss of control thereof (Art. 1 Prot. 1). Violation of the right to respect for applicants' home in some cases (Art. 8).	Examination of the issue of payment of the just satisfaction.

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Akgün</a> (No. 35595/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed

<a href="#">Altunkara</a> (No. 10321/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Anli</a> (No. 2125/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Bay</a> (No. 45429/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Bircan</a> (No. 36983/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Boyrac</a> (No. 13701/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Camdere</a> (No. 6227/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Cankurt</a> (No. 9590/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Colak</a> (No. 2431/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Demirci</a> (No. 9344/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Erdal</a> (No. 32852/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Erkenci</a> (No. 12602/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Izzettin Hedekoglu</a> (No. 62876/12)	15 April 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Ince</a> (No. 24352/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Kurnaz</a> (No. 9583/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Kuyumcu</a> (No. 21884/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Metin</a> (No. 13602/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Tasdelen</a> (No. 15245/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Ugur</a> (No. 44400/09)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Yesilirmak</a> (No. 45504/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed

<a href="#">Oguz Yildirim</a> (No. 14061/12)	15 April 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed
<a href="#">Yilmaz</a> (No. 13592/12)	4 March 2014	<a href="#">CM/ResDH(2014)269</a>	Examination closed

## **B. Resolutions, signatures and ratifications**

*[No work deemed relevant for NHRs during the period under observation]*

## **C. Other information**

*[No work deemed relevant for NHRs during the period under observation]*

# Ukraine

## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	VIOLATION	DECISION
<a href="#">Oleksandr Volkov</a> (No. 21722/11)	27 May 2013	<a href="#">CM/Del/OJ/DH(2014)1214/25</a>	Unlawful dismissal of the applicant from his post as judge at the Supreme Court (Articles 6 and 8).	Follow-up to the decision adopted at the 1208th meeting.
<a href="#">Yuriy Nikolayevich Ivanov</a> (No. 40450/04)  <a href="#">Zhovner Group</a> (No. 56848/00)	15 January 2010  29 September 2004	<a href="#">CM/ResDH(2008)1</a> , <a href="#">CM/ResDH(2009)1</a> <a href="#">59</a> , <a href="#">CM/ResDH(2010)2</a> <a href="#">22</a> , <a href="#">CM/ResDH(2011)1</a> <a href="#">84</a> , <a href="#">CM/ResDH(2012)2</a> <a href="#">34</a>	Non-enforcement of domestic court decisions against the State or State owned enterprises (Art. 6§1 + Art. 1 P1), pilot judgment, deadline expired in <b>July 2011</b> .	To follow up on the last decision adopted at the December 2013 meeting and to take stock of the latest developments concerning the functioning of the domestic remedy introduced.

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Novoseletskiy</a> (No. 47148/99)	22 May 2005	<a href="#">CM/ResDH(2014)270</a>	Examination closed

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

### ■ PACE: Anne Brasseur welcomed announcement of ceasefire in Ukraine (12.02.2015)

PACE President called on all sides to act responsibly to preserve and implement this agreement of ceasefire. Furthermore, the PACE President underlined that it is essential that this opportunity for peace is seized, in order to allow Ukraine to move forward with the necessary reforms, including changes to the constitution and decentralisation. ([Read more](#))

### ■ PACE: Call for urgent green corridor in Debaltsevo (16.02.2015)

The PACE rapporteur for the Political Affairs called for the urgent creation of a green corridor, for a period of several days, in order to evacuate 5 000 civilians from Debaltsevo where, despite the ceasefire, intensive fighting continues. ([Read more](#))

■ **PACE: PACE President condemned flagrant violation of cease-fire agreement (18.02.2015)**

Despite, the ceasefire agreement, the violence in eastern Ukraine had not stopped. Thus, the PACE president reiterated the call to respect the cease-fire, which is the only chance for progress towards the much-wanted peace. ([Read more](#))



# United Kingdom

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## A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Al-Jedda</a> (No. 27021/08)	7 July 2011	<a href="#">CM/ResDH(2014)271</a>	Examination closed

## B. Resolutions, signatures and ratifications

*[No work deemed relevant for NHRs during the period under observation]*

## C. Other information

*[No work deemed relevant for NHRs during the period under observation]*