

# REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue#132

[ 1 – 31 July 2015]

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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  
For any queries, please contact: [eugen.cibotaru@coe.int](mailto:eugen.cibotaru@coe.int)

## 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.

The preparation of the RSIF has been supported as from 2013 by the "Versailles St-Quentin Institutions Publiques" research centre of the University of Versailles St-Quentin-en-Yvelines. It is entrusted to Valentine Decoen, Léa Guémené, Camille Joly, Pavlos Aimilios Marinatos, Quentin Michael, Clara Michel, Guillaume Verdier and Manon Wagner under the supervision of Laure Clément-Wilz, Ph.D, European Law Associate Professor.

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# 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 (1-31 July 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.

# PartOne

## §1 - EUROPEAN COURT OF HUMAN RIGHTS

### 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)

**V.M. AND OTHERS V. BELGIUM (IN FRENCH ONLY) - No. 60125/11 - Importance 2 - 7 July 2015 - Violation of Article 3 - Violation of Article 13 in conjunction with Article 3 - No violation of Article 2**

The applicants were immigrants who had been refused asylum, left without basic means of subsistence and forced to go back to their country of origin. Once there, their disabled child died.

### Article 3

The Court reiterated that neither the Convention nor its Protocols conferred the right to political asylum and that Contracting States had the right, subject to their international undertakings including the Convention, to control the entry, residence and expulsion of non-nationals.

However, the domestic authorities should take into account the asylum seekers' situation, needs and conditions of living. In this case, the applicants were particularly vulnerable due to the presence of small children, including one infant and of a disabled child.

The Court considered that the domestic authorities had not given due consideration to the applicants' vulnerability and had failed in their obligation not to expose the applicants to conditions of extreme poverty for four weeks, leaving them living on the street, without funds, with no access to sanitary facilities and no means of meeting their basic needs. The Court found that these living conditions, combined with the lack of any prospect of an improvement in the applicants' situation, had attained the level of severity required under Article 3.

Consequently, the Court held that there had been a violation of Article 3.

### Article 13 in conjunction with Article 3

The application to set aside and the request for suspension of the measure lodged by the applicants did not have suspensive effect, which had resulted in the material support granted to the applicants being withdrawn and had forced them to return to their country of origin without their fears of a possible violation of Article 3 having been examined. This fact, added to the length of the procedure, resulted in a violation of Article 13 taken in conjunction with Article 3.

### Article 2

The Court noted that the domestic authorities were not necessarily aware of the degree of severity of the child's medical conditions. Moreover, the living conditions of the family after their return to their country of origin could have contributed to the death of the child, which was not on account of the domestic authorities.

The Court therefore found no violation of Article 2.

### Article 41 (Just satisfaction)

The Court held that Belgium was to pay the applicants EUR 22,750 in respect of non pecuniary damage and EUR 8,120 in respect of costs and expenses.

### **MARTZAKLIS AND OTHERS V. GREECE [\[IN FRENCH ONLY\]](#) - No. 20378/13 - Importance 2 - 9 July 2015 - Violation of Article 3 taken alone and in conjunction with Article 14 - Domestic authorities' failure to ensure appropriate conditions of detention for HIV-positive detainees - Violation of Article 13 - Domestic authorities' failure to provide the applicants with an effective complaint concerning their conditions of detention**

The case concerned the conditions of detention of thirteen HIV-positive persons, who were detained in the psychiatric wing of a hospital, attached to a prison. They complained about the situation of overcrowding and the lack of hygiene. They especially pointed out that they were detained with other persons suffering from contagious diseases who should have been accommodated in individual cells. Furthermore, they could not prevent the risk of infection by washing their clothes at a high temperature because the washing machine was out of order. The absence of an infectious diseases specialist is also highlighted.

Finally, they alleged that they did not have access to an effective domestic remedy by which to complain of their conditions of detention and their medical treatment in the prison hospital, as their complaints to the prison hospital board had not been followed up.

### Article 3

The Court first recalled that under its case law, Article 3 of the Convention could not be interpreted as establishing a general obligation for contracting States to release a detainee on health grounds. Furthermore, the Court observed that the applicant's state of health was not incompatible with detention. Nevertheless, the Court reiterated that domestic authorities have to ensure that a person is detained in conditions that are compatible with respect for human dignity. In the case, the Court noted that the applicants' allegations had been corroborated by several political leading figures and that domestic authorities had not disputed them. In the circumstances, the Court found established the inadequate physical conditions and sanitation facilities for persons detained in the prison hospital, and also the irregularities in the administration of the appropriate medical treatment. It held that the applicants had been subjected to physical and mental suffering going beyond the suffering inherent in detention and that it had not been objectively and reasonably justified.

Consequently, the Court held that there had been a violation of Article 3, taken alone and in conjunction with Article 14 of the Convention.

### Article 13

The Court observed that the applicants had complained to the prison hospital board but that their complaints had not been followed up. Furthermore, the Court agreed with the applicants' argument according to which domestic authorities could not provide a single example of a detainee who allegedly got the cessation of the violation of the Convention. The Court found that the applicants were not able to lodge an effective complaint concerning their conditions of detention or to apply for conditional release.

Therefore, the Court held that there had been a violation of Article 13 of the Convention.

### Article 41 (Just satisfaction)

The Court held that Greece was to pay EUR 10,000 to each of the applicants in respect of non-pecuniary damage and EUR 2,500 to the applicants jointly in respect of costs and expenses.

### **GHEDIR AND OTHERS V. FRANCE ([IN FRENCH ONLY](#)) No. 20579/12 — Importance 2 — 16 July 2015 — Violation of article 3 — Domestic authorities' liability for the applicant's injuries — No violation of article 3 — No evidence of a violation of the applicant's rights as regards the conduct of the investigation**

The applicant had been arrested by members of the police and members of the railway security service as he was suspected of throwing stones at trains. He lost consciousness after his arrival at the police station. It was later discovered that the applicant would stay disable at 95% and be confined to a wheelchair.

All the applicant's judicial applications were dismissed by several domestic courts which held that his injuries could have been caused by an altercation prior to his arrest. His family and himself then lodged an application with the European Court of Human Rights to complain about a violation of article 3.

### Article 3 (ill-treatment)

The Court noted that the various expert medical reports had not the same conclusions, as one of them rejected the previous injury theory. Moreover, the testimonies were not corroborating. The Court held that the domestic authorities had not provided a satisfactory and convincing explanation of the cause of the applicant's injuries, the symptoms of which had become apparent while he was in police custody.

There had thus been a violation of article 3.

### Article 3 (investigation)

The Court noted that the investigation had been promptly and properly done. A judicial investigation had been opened, leading to the arrest of 3 members of the railway security service.

The Court concluded that there had been no violation of Article 3 in its procedural aspect.

#### Article 41 (just satisfaction)

The Court held that the question of the application of Article 41 was not ready for decision and reserved it for decision at a later date.

- **Right to liberty and security (Art. 5)**

#### **KUTTNER V. AUSTRIA (No. 7997/08) — Importance 2 — 16 July 2015 — Violation of article 5§4 — Domestic authorities' failure to ensure the right to liberty**

The case concerned an applicant detained in a psychiatric institution. He applied for transfer from the institution to an ordinary prison. He had to wait 16 months for the final decision and complained about the length of the procedure.

The Court agreed to admit the applicant's complaint on the basis of article 5§4, even if he wasn't asking for a true release but rather for a transfer. The Court found that the applicant had not been the cause of any delay, as he had even asked for the setting of a time-limit for the procedure. On the contrary, the domestic courts dragged out the examination of the request and the nomination of an expert, causing delay.

The Court held that there had been a violation of article 5 § 4.

#### Article 41 (just satisfaction)

The Court held that Austria was to pay the applicant EUR 3,000 in respect of non-pecuniary damage.

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

#### **RUTKOWSKI AND OTHERS V. POLAND (Nos. 72287/10, 13927/11 and 46187/11) - Importance 2 - 7 July 2015 - Violation of Article 6 § 1 - Domestic courts' failure to satisfy the reasonable time requirement in the applicants' cases - Violation of Article 13 § 1 - Defective compensation system for unreasonable length of proceedings**

The case concerned the applicants' complaint about the length of the proceedings in their respective cases. They also pointed out the lack of an effective remedy in domestic law, as domestic courts had refused to acknowledge their demand and in consequence to grant them appropriate and sufficient just satisfaction.

#### Article 6 § 1

The Court first recalled that the reasonableness of the length of proceedings must be assessed in the light of the particular circumstances of the case and having regard to the criteria laid down in the Court's case-law, in particular the complexity of the case, the conduct of the applicant and of the relevant authorities. It examined the period to be taken into consideration and the reasonableness of the length of that period for each applicant. The Court noted that the proceedings concerning the first applicant, who was charged with organised crime allegations, had been of more than average complexity, involving a large number of accused. Nevertheless, the Court agreed with the applicant's argument according to which that could not justify the delay of nearly eight years on the part of domestic courts.

As to the other applicants' case, the Court found that they had not been particularly complex, and that there had been no justification for, respectively, the 11 and 13 years delays of proceedings.

The Court concluded that in every applicant's cases, domestic courts had not proceeded with the necessary expedition and had failed to satisfy the reasonable time requirement.

There had, accordingly, been a violation of Article 6 § 1 of the Convention.

#### Article 13 § 1

The Court first noted that domestic authorities did not contest the applicants' right to an effective remedy but that they argued that new domestic legislation, and in particular the 2004 Act, provided the applicants with appropriate and sufficient redress. The Court took into consideration the developments in the domestic judicial practice, and particularly the interpretation of the 2004 Act by the Supreme Court. It noted that according to the Supreme Court's case law, domestic courts followed the principle of "fragmentation of proceedings" in the applicants' cases. Consequently, in two of the applicants' cases, domestic courts had disregarded the periods before the entry into force of the 2004 Act, and in the case of one applicant, they had limited its assessment to the court instance at which the main proceedings were pending. In the Court's view, that principle had decisive consequences for the outcome of the applicants' claims for compensation, which were either entirely rejected or only partly granted.

The Court thus found that there had been a violation of Article 13 because the applicants' complaints under the 2004 Act had failed to provide them with appropriate and sufficient redress.

#### Article 41 (Just satisfaction)

The Court held that Poland was to pay the first applicant EUR 9,200 in respect of non-pecuniary damage and EUR 750 in respect of costs and expenses; it was to pay the second applicant EUR 8,800 in respect of non-pecuniary damage and EUR 750 in respect of costs and expenses; and it was to pay the third applicant EUR 10,000 in respect of non-pecuniary damage and EUR 180 in respect of costs and expenses.

### **GAZSÓ V. HUNGARY (No. 48322/12) — Importance 2 — 16 July 2015 — Violation of Article 6 § 1 — Domestic authorities' insufficient reaction to accelerate the proceedings — Violation of Article 13 in conjunction with Article 6 § 1 — Domestic authorities' liability for delay in the procedure**

The case concerned the length of the procedure, as the applicant had to wait more than six years for a ruling.

The applicant sued his former employer who was forced to reemployed him by order of the domestic court. The applicant did not accept the new post and went back to the courts. The final decision was pronounced 6 years later.

The applicant complained that the length of the proceedings had been excessive and that he had had no effective remedy available to him to accelerate the proceedings.

#### Article 6 § 1

The Court considered that the parties had not cause any delay by themselves. Based on the principles laid in its previous ruling, the Court observed that the domestic authorities had not exercised the requisite diligence in bringing the case to an end. It underlined that many cases were pending before it under the same circumstances.

The Court found there had been a violation of Article 6 § 1 and decided to apply the pilot-judgment procedure.

#### Article 13 in conjunction with Article 6 § 1

The Court re-affirmed that the domestic authorities did not offer any remedy concerning the procedure duration. Consequently, there had been a violation of article 13 read in conjunction with article 6 § 1.

Article 41 (just satisfaction)

The Court held that Hungary was to pay the applicant EUR 1,000 in respect of non-pecuniary damage and EUR 2,400 in respect of costs and expenses.

**NEAGOE V. ROMANIA (IN FRENCH ONLY) — No. 23319/08 — Importance 3 — 21 July 2015 — Violation of article 6 § 2 — Domestic authorities' failure to ensure the presumption of innocence**

The case concerned an applicant accused of manslaughter. Before the deliberations of the domestic court, the spokesperson of the court of appeal had made a statement to the media in which he said he thought the applicant was guilty. The applicant complained of the violation of the presumption of innocence.

The Court reaffirmed the principles laid in its previous rulings according to which the presumption of innocence protected the right of everyone to be presumed innocent until proved guilty according to law. It specified that no state or public authority representative could declare a person guilty of an offence until he or she had been found guilty by a court.

The Court held that the spokesperson had given his personal opinion, without caution, concerning a much-publicised trial. Moreover, the declaration was made 3 days before the domestic court of appeal had delivered its judgment. It had thus been a violation of article 6 § 2.

Article 41 (just satisfaction)

The Court held that Romania was to pay the applicant EUR 3.600 in respect of non-pecuniary damage.

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

**M.N. AND OTHERS V. SAN MARINO (No. 28005/12) - Importance 1 - 7 July 2015 - Violation of Article 8 - Domestic authorities' failure to ensure the applicant an effective control to challenge the seizure of his banking data**

The case concerned a judicial decision ordering the seizure of documents relating to banking and fiduciary relationships, in the context of an on-going criminal investigation into money laundering. The four applicants complained about the seizure of their personal data, whereas they were not involved in the investigation.

The Court first declared the complaints of three of the applicants inadmissible for non-exhaustion of domestic remedies and/or non-compliance with the six-month rule, which allowed the Court to only consider matters within a period of six months from the final decision at national level.

Concerning the fourth applicant, the Court reiterated that an interference breaches Article 8 unless it is “in accordance with the law”, pursues legitimate aims and is, in addition, “necessary in a democratic society” to achieve those aims. In this case, the Court noted that the interference with the applicant’s private life and correspondence had been prescribed by domestic law and that it had pursued various legitimate aims, namely, the prevention of crime, the protection of the rights and freedoms of others, and also the economic well-being of the country. As to the third requirement, the Court noted that no clear suspicions had been advanced against the applicant in the criminal investigation. The Court then assessed whether an “effective control” had been available to the applicant to challenge the measure to which he had been subjected. It found that, given that the applicant had not been charged with any financial wrongdoing, he had no standing under domestic law to contest the seizure and copying of his banking data. This significant disadvantage as compared to the accused in those proceedings had prevented the applicant from having an effective control to challenge the seizure of his data.

Considering that the interference had not been « necessary in a democratic society », the Court therefore held that there had been a violation of Article 8 of the Convention.

#### Article 41 (Just satisfaction)

The Court held that San Marino was to pay the applicant EUR 3,000 in respect of non-pecuniary damage and EUR 15,000 for costs and expenses.

#### **OLIARI AND OTHERS V. ITALY (No. 18766/11 AND 36030/11) — Importance 3 — 21 July 2015 — Violation of article 8 — Domestic authorities' failure to provide a legal framework to same-sex couples**

The applicants in this case were homosexual couples who complained that they could not get married nor enter into any other type of civil union. They went before several domestic courts. The case was then looked at by the constitutional court who found that the right to marriage did not extend to homosexual unions but enjoined the parliament to regulate the juridical recognition of same-sex couples' rights and duties.

The Court pointed out that in its previous rulings it had already observed that same-sex couples must have legal recognition and protection on the grounds of article 8 of the Convention and the notion of family life. The Court observed that the legal protection currently available not only failed to provide for the core needs relevant to a couple in a stable committed relationship, but it was also not sufficiently reliable as it did not confer any rights to same-sex couples. The Court noted that there was a trend among Council of Europe member states towards legal recognition of same-sex couples, 24 out of the 47 member States having legislated in favour of such recognition.

The Court found that domestic authorities had failed to fulfil their obligation to ensure that the applicants had available a specific legal framework providing for the recognition and protection of their union.

It held that there had been a violation of article 8.

#### Just satisfaction (Article 41)

The Court held that Italy was to pay each of the applicants EUR 5,000 in respect of non-pecuniary damage; it was to pay to 2 applicants EUR 4,000, and to the 4 others jointly EUR 10,000 in respect of costs and expenses.

#### **G.S. v. GEORGIA (No. 2361/13) — Importance 2 — 21 July 2015 — Violation of article 8 — Domestic authorities' failure to take into account the child's best interests**

The case concerned the custody of a boy whose father lives in Russia, paternal family lives in Georgia and mother, the applicant, lives in Ukraine. The boy spent the summer holidays with his father and family in Georgia. At the end of the holidays, the father made the boy stay in Georgia while himself went back to Russia. The applicant brought child return proceedings, under which two reports were drawn up. Both stated that the boy was suffering from the lack of contact with his parents. Nevertheless, this argument was dismissed by the domestic courts, which held that the boy would be separated from his father by going back to Ukraine.

The Court underlined the fact that, even if the Article 13 § b of the Hague Convention allows a State not to return a child if it is at a grave risk of psychological harm, there were no proof of the existence of such a risk. It noted that the domestic courts did not rely on the expert examinations when they made their decision. Moreover, the boy was not being looked after by his father, but rather by his paternal family, which had no custody rights.

The Court held that the domestic courts had failed to properly determine the boy's best interests in the specific circumstances of the case or to strike a fair balance between the parties' conflicting interests.

It thus concluded to a violation of the applicant's respect of family life and by this very fact, to a violation of Article 8.

Just satisfaction (Article 41)

The Court held that Georgia was to pay the applicant EUR 300 in respect of pecuniary damage, EUR 8,000 in respect of non-pecuniary damage and EUR 800 for costs and expenses.

**NAZARENKO V. RUSSIA (No. 39438/13) — Importance 2 — 16 July 2015 — Violation of Article 8 — Domestic authorities' failure to take into account the child's best interests**

The applicant complained about having been excluded from his daughter's life after it had been discovered he was not the biological father. Following a dispute between the separated parents, the mother had contested the applicant's paternity. When it was discovered he was not the biological father, the domestic authorities excluded him from his daughter's life.

The Court considered that, as the applicant took care of the girl for five years, they had developed a close emotional bond. The Court confirmed that the absence of biological links with a child did not negate the existence of family life for the purposes of Article 8 of the Convention, as it was essentially a question of whether there existed in practice close personal ties. The Court also expressed concern about the inflexibility of the domestic law, which provides that only parents, grandparents, brothers, sisters and other relatives are entitled to maintain contact. Moreover, the Court considered that States should be obliged to examine on a case-by-case basis whether it is in the child's best interests to maintain contact with a person, whether biologically related or not, who has taken care of him or her for a relatively long time.

The consequence of the inflexibility of the domestic law had therefore amounted to a failure to respect the applicant's family life, in violation of Article 8.

Article 41 (just satisfaction)

The applicant not having submitted a claim for just satisfaction, the Court decided to make no such award.

## 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.

For more detailed information, please refer to the cases.

STATE	DATE	CASE TITLE	IMP.	CONCLUSION	KEY WORDS
ARMENIA	7 July 2015	<a href="#">SHAMOYAN</a> (No. 18499/08)	2	Violation of Art. 6 § 1	Disproportionate limitation upon the applicant's right to access to the domestic Cassation Court given that the procedural requirement only allowed to licensed advocates to lodge appeals, thus, the right to access to that level of jurisdiction depended on the financial situation of the appellants
AZERBAIJAN	16 July 2015	<a href="#">KERIMLI</a> (No. 3967/09)	2	Violation of Art. 2 § 2 of Prot. No. 4	Domestic authorities' failure to take appropriate measures to ensure that the interference with the applicant's freedom of movement remained justified and proportionate given that the travel ban imposed to him was a blanket measure of indefinite duration
CROATIA	9 July 2015	<a href="#">MAFALANI</a> (No. 32325/13)	3	Violation of Art. 3 (procedural)	Domestic authorities' failure to disprove the applicant's allegations of police ill-treatment
				Violation of Art. 3 (substantive)	Lack of an independent and effective investigation into the applicant's allegations of police ill-treatment
	23 July 2015	<a href="#">NOVAKOVIC</a> (No. 32096/12)	2	No violation of Art. 6 § 1	Proportionate restriction of the applicant's right of access to court given that there had not been insurmountable obstacles that would have prevented him from lodging his civil claim within the statutory limitation period

CYPRUS	21 July 2015	<b><u>A.H. AND J.K.</u></b> (Nos. 41903/10 AND 41911/10)	3	Violation of Art. 5 § 1	Unlawful detention of the applicants (absence of a clear legal basis)
				No violation of Art. 5 § 1	Lawful detention of the applicants in compliance with the domestic law
				Violation of Art. 5 § 1 (concerning the second applicant)	Unjustified detention pending deportation of the applicant
				No violation of Art. 5 § 2	Applicants were informed of the reasons of their arrest and detention
				Violation of Art. 5 § 4	Lack of a prompt judicial review of the lawfulness of the applicants' detention
				No violation of Art. 4 of Prot. No. 4	Domestic authorities' measures did not reveal the appearance of a collective expulsion
	21 July 2015	<b><u>H.S. AND OTHERS</u></b> (nos. 41753/10, 41786/10, 41793/10, 41794/10, 41796/10, 41799/10, 41807/10, 41811/10, 41812/10, 41815/10, 41820/10, 41824/10, 41919/10 AND 41921/10)	2	Violation of Art. 5 § 1	Unlawful detention of the applicants (absence of a clear legal basis)
				No violation of Art. 5 § 1 (concerning nine of the applicants)	Lawful detention of the applicants in compliance with the domestic law
				Violation of Art. 5 § 1 (concerning five of the applicants)	Unjustified continuation of the applicants' detention
				No violation of Art. 5 § 2	Applicants were informed of the reasons of their arrest and detention
				Violation of Art. 5 § 4	Lack of a prompt judicial review of the lawfulness of the applicants' detention
No violation of Art. 4 of Prot. No. 4				Domestic authorities' measures did not reveal the appearance of a collective expulsion	
21 July 2015	<b><u>K.F.</u></b> (No. 41858/10)	2	Violation of Art. 5 § 1	Unlawful detention of the applicant (absence of a clear legal basis)	
			No violation of Art. 5 § 1	Lawful detention of the applicant in compliance with the domestic law	
			No violation of Art. 5 § 2	The applicant was informed of the reasons of his arrest and detention	

				Violation of Art. 5	Lack of a prompt
				§ 4	judicial review of the lawfulness of the applicant's detention
				No violation of Art. 4 of Prot. No. 4	Domestic authorities' measures did not reveal the appearance of a collective expulsion
ESTONIA	9 July 2015	<a href="#">TOLMACHEV</a> (No. 73748/13)	3	Violation of Art. 6 §§ 1 and 3 (c)	Unfairness of proceedings on account of the discontinuation of the applicant's case because of his absence
FINLAND	21 July 2015	<a href="#">SATAKUNNAN MARKKINAPORSSI OY AND SATAMEDIA OY</a> (No. 931/13)	2	No violation of Art. 10	Justified interference with the applicant companies' right to freedom of expression in order to protect the right to private life of the taxpayers
				Violation of Art. 6 § 1	Excessive length of proceedings (over 6 years and 6 months)
FRANCE	9 July 2015	<a href="#">R.K.</a> ( <a href="#">IN FRENCH ONLY</a> ) (No. 61264/11)	3	Violation of Art. 3	Real risk of ill-treatment in case of the applicant's removal to his country of origin
	30 July 2015	<a href="#">LOISEL</a> ( <a href="#">IN FRENCH ONLY</a> ) (No. 50104/11)	3	No violation of Art. 5 § 3	Reasonable length of applicant's pre-trial detention (3 years and 3 months) given the complexity of the case, the nature of the offense and the applicant's refusal to cooperate with the domestic authorities
GERMANY	9 July 2015	<a href="#">EL KHOURY</a> (Nos. 8824/09 AND 42836/12)	3	Violation of Art. 5 § 3	Excessive length of applicant's pre-trial detention (3 years and 9 days)
				No violation of Art. 6 § 1	Reasonable length of proceedings (5 years and 5 months)
				No violation of Art. 6 §§ 1 and 3 (d)	Fairness of proceedings as, despite the applicant's impossibility to question the key witness directly, he had the possibility to cast doubt on his credibility

GREECE	9 July 2015	MAISON DE LA CIVILISATION MACEDONIENNE ET AUTRES (IN FRENCH ONLY) (No. 1295/10)	2	Violation of Art. 11	Domestic authorities' refusal to register the association was disproportionate to the legitimate aims mentioned by the domestic courts
	30 July 2015	E.A. (IN FRENCH ONLY) (No. 74308/10)	3	Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding, poor hygiene)
				Violation of Art. 13	Lack of an effective remedy concerning the conditions of the applicant's detention
				Violation of Art. 13 taken together with Art. 3	Shortcomings in the domestic asylum system at the relevant time
				No violation of Art. 5 § 1	Lawful detention of the applicant
Violation of Art. 5 § 4	Lack of an effective judicial review of the applicant's detention pending expulsion at the relevant time				
HUNGARY	16 July 2015	GÉGÉNY (No. 44753/12)	3	Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding, poor sanitary facilities, virtually non-existent outdoor activities)
				Violation of Art. 13	Lack of an effective domestic remedy
	21 July 2015	GALAMBOS (No. 13312/12)	3	Violation of Art. 5 § 3	Domestic authorities' failure to justify the applicant's continued deprivation of liberty
				Violation of Art. 5 § 4	Domestic authorities' refusal to provide the applicant's lawyer with the content of the motions of the prosecution in advance prevented the applicant of exercising effectively his defence rights
ITALY	7 July 2015	ODESCALCHI AND LANTE DELLA ROVERE (IN FRENCH ONLY) (No. 38754/07)	3	Violation of Art. 1 of Prot. No. 1	Domestic authorities' failure to strike a fair balance between the requirements of the general interest and the applicants' right to enjoyment of possessions given the lack of an effective domestic remedy and the lack of compensation concerning the prohibition on building on their land

	16 July 2015	<b>AKINNIBOSUN</b> <b>(IN FRENCH ONLY)</b> <b>(No. 9056/14)</b>	3	Violation of Art. 8	Domestic authorities' failure to take adequate measures in order to enforce the applicant's right to live with his child
	21 July 2015	<b>SCHIPANI AND OTHERS</b> <b>(IN FRENCH ONLY)</b> <b>(No. 38369/09)</b>	2	Violation of Art. 6 § 1	Unmotivated refusal of the domestic Court of Cassation to refer a question to the Court of Justice
LATVIA	21 July 2015	<b>MEIMANIS</b> <b>(No. 70597/11)</b>	2	Violation of Art. 8	Unlawful interception of the applicant's telephone conversations
				No violation of Art. 13	Lack of an effective remedy in that respect
		<b>NASSR ALLAH</b> <b>(No. 66166/13)</b>	3	No violation of Art. 5 § 1	Lawful detention of the applicant
				Violation of Art. 5 § 4	Lack of a prompt judicial review of the lawfulness of the applicant's detention
No violation of Art. 5 § 4	Effective judicial review of the lawfulness of the applicant's detention given that he had been given a reasonable opportunity to present his case				
LIECHTENSTEIN	9 July 2015	<b>A.K.</b> <b>(No. 38191/12)</b>	2	Violation of Art. 6 § 1	Lack of impartiality of the domestic Constitutional Court
LITHUANIA	7 July 2015	<b>KARDISAUSKAS</b> <b>(No. 62304/12)</b>	3	No violation of Art. 3 (procedural)	No failure of the domestic authorities, despite the non identification of the perpetrators, to act diligently and to take all necessary measures in order to bring to justice those responsible for the applicant's injury

MALTA	30 July 2015	<u>ZAMMIT AND ATTARD CASSAR</u> (No. 1046/12)	2	Violation of Art. 1 of Prot. No. 1	Domestic authorities' failure to strike a fair balance between the general interest of the community and the protection of the applicants' right to the enjoyment of their property on account of the low rental value of the premises and the lack of procedural safeguards which forced the applicants to bear a significant part of the social and financial costs of a commercial enterprise
MOLDOVA	21 July 2015	<u>DONPRUT S.R.L.</u> (No. 45504/09)	2	Violation of Art. 1 of Prot. No. 1	Disproportionate interference with the applicant company's right to peaceful enjoyment of possessions on account of the termination of a valid licence without taking into consideration the lengthy delays caused by the bureaucratic formalities and which prevented the applicant company from respecting the new regulations

POLAND	21 July 2015	<u>R.S.</u> (No. 63777/09)	2	Violation of Art. 8	Domestic courts' failure to promptly examine the applicant's request for his children's return under the Hague Convention
ROMANIA	7 July 2015	MORAR <u>(IN FRENCH ONLY)</u> (No. 25217/06)	3	Violation of Art. 10	Unnecessary interference with the applicant's freedom of speech in a democratic society given the importance of the debate of general interest and the amount of damages the applicant was convicted to pay
	16 July 2015	<u>CIPRIAN VLADUT AND IOAN FLORIN POP</u> (Nos. 43490/07 AND 44304/07)	2	Violation of Art. 3 (substantive) (concerning the second applicant)	Poor conditions of detention (overcrowding)
				Violation of Art. 6 § 1 (concerning both applicants)	Unfairness of proceedings on account of the use of evidence obtained by police incitement

	16 July 2015	<a href="#">SAMACHISA</a> (No. 57467/10)	3	Violation of Art. 3 (substantive)	Ill-treatment of the applicant while at the hands of the police
				Violation of Art. 3 (procedural)	Ineffective investigation into the applicant's allegations of police ill-treatment
	16 July 2015	<b>SAMOILA</b> ( <a href="#">IN FRENCH ONLY</a> ) (No. 19994/04)	3	Violation of Art. 6 § 1	Domestic court's failure to examine effectively the applicant's appeal
	16 July 2015	<b>SANATKAR</b> ( <a href="#">IN FRENCH ONLY</a> ) (No. 74721/12)	2	Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding)
RUSSIA	16 July 2015	<b>ALEKSEY BORISOV</b> ( <a href="#">IN FRENCH ONLY</a> ) (No. 12008/06)	3	Violation of Art. 3 (procedural)	Ineffective investigation into the applicant's allegations of police ill-treatment
				No violation of Art. 3 (substantive)	Absence of sufficient evidence suggesting that the applicant had been subjected to police ill-treatment, largely due to the lack of an effective investigation by the domestic authorities
				Violation of Art. 5 § 1	Unlawful detention of the applicant
	23 July 2015	<a href="#">ALEKSANDR SHEVCHENKO</a> (No. 48243/11)	3	Violation of Art. 6 § 1 taken in conjunction with Art. 6 § 3 (c)	Unfairness of proceedings on account of the absence of legal assistance
				Violation of Art. 5 § 3	Unjustified continuation of applicant's detention
	23 July 2015	<a href="#">BATALINY</a> (No. 10060/07)	2	Violation of Art. 5 § 4	Lack of a prompt judicial review of the lawfulness of the applicant's detention
				Violation of Art. 5 § 1 (e)	Unlawfulness of the applicant's involuntary confinement in a psychiatric hospital
Violation of Art. 3 (substantive)				Applicant's subjection to forced psychiatric treatment in the absence of an established medical need	

RUSSIA (CONTINUED)			3	Violation of Art. 3 (substantive and procedural)	Ill-treatment of the applicant during his confinement in a psychiatric hospital and ineffective investigation in that respect
				Violation of Art. 34	Domestic authorities' failure to subject the applicant to an independent medical examination as indicated by the Court
				Violation of Art. 3 (substantive)	Domestic authorities' failure to provide the applicant with adequate medical treatment
				Violation of Art. 13	Lack of an effective domestic remedy
30 July 2015		<u>VORONKOV</u> (No. 39678/03)	3	Violation of Art. 6 § 1	Domestic authorities' failure to comply with the final and binding judgment in the applicant's favour virtually emptied Art. 6 § 1 of its substance
				Violation of Art. 1 of Prot. No. 1	Domestic authorities' failure to take the necessary measures to comply with the final and binding judgment in the applicant's favour prevented him from receiving the money to which he was entitled which constituted a disproportionate interference with his right to peaceful enjoyment of possessions
SERBIA	21 July 2015	<u>GRUJOVIC</u> (No. 25381/12)	3	Violation of Art. 5 § 3	Excessive length of applicant's pre-trial detention (7 years)
				Violation of Art. 6 § 1	Excessive length of criminal proceedings (almost 8 years)
				No violation of Art. 34	Insufficient factual basis to conclude that the domestic authorities had interfered with the applicant's exercise of his right of individual petition
SLOVAKIA	16 July 2015	<u>MASLAK AND OTHERS</u> (No. 11037/12)	3	Violation of Art. 5 § 4	Lack of a prompt judicial review of the lawfulness of the applicants' detention

				Violation of Art. 5 § 5	Lack of an enforceable right to compensation concerning the violation of the applicants' rights under Art. 5 § 4
	21 July 2015	<a href="#">FRISANCHO PEREA</a> (No. 383/13)	3	Violation of Art. 8	Domestic authorities' failure to secure the applicant's right to respect for his family life by providing him with proceedings for the return of his children under the Hague Convention
		<a href="#">ZACHAR AND CIERNY</a> (Nos. 29376/12 AND 29384/12)	3	Violation of Art. 6 § 1 taken together with Art. 6 § 3 (c)	Unfairness of proceedings on account of the lack of legal representation
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	2 July 2015	<a href="#">EFTIMOV</a> (No. 59974/08)	3	Violation of Art. 6 § 1	Excessive length of proceedings (10 years and 9 months)
				Violation of Art. 6 § 1	Unfairness of proceedings on account of the applicant's absence from the session before the domestic Supreme Court while the domestic public prosecutor had the opportunity to bolster her opinion without fear of contradiction by the applicant
	23 July 2015	<a href="#">ANDONOVSKI</a> (No. 24312/10)	2	Violation of Art. 3 (procedural)	Domestic authorities' failure to conduct an effective investigation into the applicants' allegations of police ill-treatment
				Violation of Art. 3 (substantive)	Ill-treatment of the applicant while at the hands of the police
TURKEY	7 July 2015	<b>GURTAS YAPI TICARET VE PAZARLAMA A.S.</b> ( <a href="#">IN FRENCH ONLY</a> ) (No. 40896/05)	2	Violation of Art. 1 of Prot. No. 1	Failure of the domestic legal system to sufficiently safeguard the applicant's property rights
	7 July 2015	<b>SARIDAS</b> ( <a href="#">IN FRENCH ONLY</a> ) (No. 6341/10)	2	Violation of Art. 6 § 1	Unfairness of proceedings on account of the domestic Supreme Military Administrative Court's failure to forward the final medical report in order to provide the applicant with the

TURKEY (CONTINUED)					opportunity to comment on it
	16 July 2015	<b>D.Y.S.</b> <b>(IN FRENCH ONLY)</b> <b>(No. 49640/07)</b>		Violation of Art. 6 § 1	Domestic court's failure to communicate the opinion of the domestic public prosecutor to the applicant's lawyers
	21 July 2015	<b>ABDULLATIF ARSLAN AND ZERIFE ARSLAN</b> <b>(IN FRENCH ONLY)</b> <b>(No. 40862/08)</b>	3	Violation of Art. 2 (positive obligations, procedural)	Domestic authorities' failure to put appropriate measures in place in order to prevent the suicide of the applicant's son during his compulsory military service
		<b>AKARSUBASI</b> <b>(IN FRENCH ONLY)</b> <b>(No. 70396/11)</b>	3	Violation of Art. 11	Domestic authorities' failure to strike a fair balance between the public interest and the applicant's right to demonstrate peacefully
		<b>CINGILLI HOLDING A.S. AND CINGILLIOGLU</b> <b>(Nos. 31833/06 AND 37538/06)</b>	3	Violation of Art. 6 § 1	Domestic authorities' failure to respond to the second applicant's request for the enforcement of the domestic Supreme Administrative Court's judgments deprived the applicants of their rights of access to court
				Violation of Art. 1 of Prot. No. 1	Unlawful interference with the applicants' right to enjoyment of their possessions
	21 July 2015	<b>REISNER</b> <b>(No. 46815/09)</b>	2	Violation of Art. 6 § 1	Domestic court's strict interpretation concerning the time-limit for the initiation of compensation proceedings impaired the applicant's right of access to a court
				Violation of Art. 1 of Prot. No. 1	Unlawful interference with the applicant's right to enjoyment of his possessions
		<b>DERYAN</b> <b>(No. 41721/04)</b>	3	Violation of Art. 6 § 1	Unfairness of proceedings on account of the domestic courts' failure to provide adequate reasoning for their decisions

		<b>ZAFER OZTURK</b> <b>(IN FRENCH ONLY)</b> <b>(No. 25774/09)</b>	2	Violation of Art. 2 (positive obligations, (procedural)	Domestic authorities' failure to handle promptly and with the level of diligence required under the Art. 2 of the Convention the applicant's case concerning the death of his wife
<b>UKRAINE</b>	16 July 2015	<b>MAMCHUR</b> <b>(No. 10383/09)</b>	3	Violation of Art. 8	Domestic authorities' failure to take any meaningful action in order to safeguard the applicant's access to his child and his ability to participate in her upbringing
				Violation of Art. 8	Domestic authorities' failure to properly assess the entire family situation, the factors pertinent to the child's best interest and those of the applicant concerning the child's placement
	16 July 2015	<b>TEMCHENKO</b> <b>(No. 30579/10)</b>	3	Violation of Art. 3 (substantive, positive obligations)	Inadequate medical assistance
				Violation of 13	Lack of an effective domestic remedy concerning the applicant's allegations of inadequate medical assistance
				Violation of Art. 5 § 1	Unlawful detention of the applicant
				Violation of Art. 5 § 3	Domestic authorities' failure to provide sufficient grounds to justify the applicant's detention
				Violation of Art. 5 § 4	Domestic authorities' failure to examine promptly the applicant's request for release given his state of health and the unavailability of adequate medical treatment
	Violation of Art. 5 § 5	Lack of an enforceable right to compensation concerning the violations under Art. 5			

				No violation of Art. 34	Lack of evidence suggesting that the applicant's hospitalisation was carried out for reasons other than the Court's decision or that following the applicant's request for the application of the interim measure the prison medical staff stopped providing him with medical assistance and registering his complaints
	23 July 2015	<u>SERIKOV</u> (No. 42164/09)	2	Violation of Art. 3 (substantive)	Ill-treatment of the applicant while in police custody
				Violation of Art. 3 (procedural)	Ineffective investigation in that respect

## B. Decisions 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 April 2015**. Those decisions are selected to provide the NHRSs 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
GEORGIA	21 April 2015	<a href="#">Union of Jehovah's Witnesses and others v. Georgia</a>	Articles 9, 10 and 11 of the Convention, in conjunction with Article 14 (Complained that the deprivation of a status to their association constituted an infringement to their rights)	Inadmissible as incompatible <i>ratione materiae</i>
MOLDOVA	21 April 2015	<a href="#">Toporovschi v. the Republic of Moldova</a>	Article 6 (Excessive length of the proceedings), 7 (Lack of reasons given for the issued judgment), and Article 18 of the Convention (Ill purpose of the reopening of criminal proceedings), read along with Article 4 of Protocol 7 (Reopening of criminal proceedings for already judged facts).	Inadmissible as incompatible <i>ratione personae</i> (Art. 7). The other complaints were inadmissible either because of a non exhaustion of the domestic remedies or because manifestly ill-founded.

### 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 those cases **covering the period from 1 to 30 May 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
BULGARIA	13 May 2015	<a href="#">MUSLIM BOARD STARTSEVO</a> No. 41214/13	The applicant complains that the municipal authorities continuously prevented him from observing some religion rituals.
CROATIA	19 May 2015	<a href="#">J.</a> No. 18572/12	The applicant complains about the adverse effects of the ineffective criminal proceedings on her private life and her position of a victim of rape.
		<a href="#">MATIĆ</a> No. 1962/12	According to the applicant, the customs debt he had to pay constituted discrimination on the ground of his profession and/or education.
		<a href="#">TILOCCA</a> No. 40559/12	The applicant complains about the decision of the domestic to confiscate EUR 318,500 from him for having failed to declare the sum of EUR 560,000.
GERMANY	21 May 2015	<a href="#">KESKIN AND OTHERS</a> No. 24705/14	The applicants complain that the domestic courts' decision led to a so-called "limping adoption" as a result of which one of them had different legal parents in two countries.
MALTA	26 May 2015	<a href="#">DESIRA AND ELTARHUNI</a> No. 30623/13	The applicants complain that they were denied the right to marry on the basis that one of them had not submitted the documentation required by law.

	29 May 2015	<u>GALEA AND OTHERS</u> No. 68980/13	The applicants complain that their property had been expropriated without satisfying the public interest requirement
NETHERLANDS	26 May 2015	<u>VRINDS</u> No. 10662/15	The applicant complains about the difference in treatment between remand prisoners like himself and convict prisoners
RUSSIA	13 May 2015	<u>OBOTE</u> No. 58954/09	The applicant complains that it was disproportionate to impose a notification requirement for this "flash mob", which was short and involved only seven people.
		<u>X</u> No. 3150/15	The applicant complains about his involuntary placement to a psychiatric facility due to the failure of the national authorities to meet the requirements for involuntary hospitalisation
RUSSIA	18 May 2015	<u>KOSENKO</u> 18 MAY 2015	The applicant complains that he was not granted leave from prison to attend his mother's funeral.
UKRAINE	11 May 2015	<u>RUBAS</u> No. 23902/14	The applicant complains about the national law's failure to provide her the immunologic depressants she needed to prevent her transplant to be rejected.

# PartOne

## §2 - EUROPEAN COMMITTEE OF SOCIAL RIGHTS

### A. Resolutions and Decisions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
IRELAND	30 June 2015	No.112/2014	EUROMIL alleged that the situation in Ireland is in violation of Articles 5 and 6 of the Charter on the grounds that Defence Forces representative associations do not have the right to join national umbrella organisations, the right to take part in collective bargaining over pay and the right to take collective action. ( <a href="#">Decision on admissibility</a> )	Admissibility
FRANCE	30 June 2015	No. 114/2015	The EUROCEF alleged that France did not fulfil its obligations under Articles 7, 11, 13, 14, 17, 30, 31 and E of the Charter towards unaccompanied foreign minors, residing irregularly or seeking asylum due to problems in the process of assessing whether unaccompanied young foreigners are minors, shortcomings of initial reception arrangements, and very long delays in care provision, which take no account of the vulnerability of young people and the need to satisfy their basic needs and provide them with social and educational support. ( <a href="#">Decision on admissibility</a> )	Admissibility

### B. Other information

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

## PartOne

### §3 - RECOMMENDATIONS & RESOLUTIONS

#### A. Recommendations

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

#### B. Resolutions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
CM	01 July 2015	<a href="#">(2015)8</a>	The appointment to the post of Secretary General of the Parliamentary Assembly	CM decided to submit to the Parliamentary Assembly, for appointment to the post of Secretary General of the Parliamentary Assembly, the following candidatures: Ms Svetislava Bulajić, and Mr Wojciech Sawicki.
CM	08 July 2015	<a href="#">(2015)9</a>	The Congress of Local and Regional Authorities of the Council of Europe and the revised Charter appended thereto	CM adopted the text of the Charter of the Congress of Local and Regional Authorities of the Council of Europe.
CM	08 July 2015	<a href="#">(2015)2</a>	Election of members of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)	CM declared the following candidates elected as member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment: Ms Arta Mandro (in respect of Albania); Mr Joan Cabeza Gimenez (in respect of Andorra); Mr Costakis Paraskeva (in respect of Cyprus); Ms Marie Lukasová (in respect of the Czech Republic); Mr Jari Pirjola (in respect of Finland); Mr Matthias Halldórsson (in respect of Iceland); Ms Olivera Vulić (in respect of Montenegro); Ms Maria Rita Morganti (in respect of San Marino); Ms Dagmar Breznoščáková (in respect of the Slovak Republic); and finally, Ms Ivona Todorovska (in respect of "the former Yugoslav Republic of Macedonia").

## PartOne

### §4 - OTHER INFORMATION OF GENERAL IMPORTANCE

#### A. Information from the Committee of Ministers

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

#### B. Information from the Parliamentary Assembly

##### ■ PACE Rapporteur condemned U.S. Court decision to allow midazolam use in executions (01.07.2015)

PACE rapporteur condemned the recent decision of the U.S. Supreme Court to uphold the use of a controversial drug, midazolam, in the execution of death sentences. Thus, PACE rapporteur urged the U.S. authorities « to consider not only the legality of the way in which lethal injections are administered, but the character of the death penalty as a cruel and inhuman punishment in all circumstances. » ([Read more](#))

##### ■ PACE President paid tribute to Srebrenica victims (10.07.2015)

PACE President paid tribute to the victims of the genocide and expressed solidarity with their families. Furthermore, PACE President called on all Europe's parliaments and political forces to join the cause. Finally, PACE President welcomed efforts at reconciliation among the countries of the region, and encouraged them to continue working together, including on prosecution of war crimes. ([Read more](#))

##### ■ PACE President called on leaders at UN summit to make the empowerment of women and girls a priority (13.07.2015)

PACE President called on leaders at the UN summit on Financing for Development to make effectively addressing persistent gender inequality a priority in the new Sustainable Development Goals (SDGs). Furthermore, PACE President expressed that the Resolution on "Stepping up action against global inequalities: Europe's contribution to the Millennium Development Goals (MDGs) process", adopted last year by the Assembly, should be included in the new SDGs. ([Read more](#) - [The new Sustainable Development Goals \(SDGs\)](#) - [Resolution 1975\(2014\)](#) - [Report](#))

##### ■ World Anti-Trafficking Day: protecting victims must be the top priority (30.07.2015)

The chair of the Committee on Equality and Non-Discrimination of the PACE expressed that protecting victims must be the top priority in action against trafficking in human beings, and therefore, called for close police and judicial co-operation at international level and the support of legislators, experts, judges, police forces and intergovernmental organisations. ([Read more](#))

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

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

#### D. Information from the monitoring mechanisms

##### ■ CPT: June/July 2015 Plenary Meeting (06.07.2015)

The CPT held its 87th plenary meeting from 29 June to 3 July 2015 in Strasbourg.

During this meeting, it adopted the reports on its periodic visits to Georgia (carried out in December 2014) and Luxembourg (January/February 2015), and on its ad hoc visits to Bulgaria (February 2015) and Greece (April 2015) ([Read more](#)).

■ **GRETA: Committee's 23rd meeting (from 29.06.2015 to 03.07.2015)**

([List of decisions](#))

■ **Statement by GRETA on the occasion of the World Day against Trafficking in Persons (30.07.2015)**

On the occasion of the World Day against Trafficking in Persons, the GRETA expressed deep concern at the current humanitarian crisis in the Mediterranean region, which may fuel trafficking in human beings ([Read more](#)).

■ **MONEYVAL: FATF Working Groups and Plenary Meetings (Brisbane, 21-26 June 2015) (01.07.2015)**

MONEYVAL participated in the Working Groups and the third FATF Plenary meeting held under the Australian Presidency ([More](#)).

■ **MONEYVAL's activity report for 2014 (21.07.2015)**

[Read more](#).

■ **ECRI: Dramatic increase in antisemitism, islamophobia, online hate speech: annual report (09.07.2015)**

With conflicts in the Middle East, acts of Islamist violence in Europe and incidents of unprecedented mass arrivals of migrants, the annual report of the ECRI identifies a dramatic increase in antisemitism, islamophobia, online hate speech and xenophobic political discourse as main trends in 2014 ([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.

# Croatia

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

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Bajric</a> (No. 44793/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Bencak</a> (No. 29549/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Cikac</a> (No. 57082/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Jandrijevic</a> (No. 26469/14)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Krizanac</a> (No. 79831/12)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Macesic Jurina</a> (No. 57041/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Mesaric</a> (No. 53483/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Milinkovic</a> (No. 62134/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Nisevic</a> (No. 21108/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Omahic</a> (No. 21884/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Sambol and others</a> (No. 48884/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Sireta</a> (No. 44414/13)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed

<a href="#">Smailagic</a> (No. 15844/14)	18 November 2014	<a href="#">CM/ResDH(2015)97</a>	Examination closed
<a href="#">Solar</a> (No. 80898/12)	7 October 2014	<a href="#">CM/ResDH(2015)97</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]*

# Denmark

## 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

### ■ CM: Resolution on the implementation of the Framework Convention for the Protection of National Minorities by Denmark, 01 July 2015

CM called on domestic authorities to take measures to improve further the implementation of the Framework Convention, especially by introducing additional and targeted initiatives and policies to combat all manifestations of intolerance, racism and xenophobia, by ensuring that persons belonging to the German minority continue to be able to communicate fully using the German language, and finally by intensifying dialogue with representatives of different groups, in order to analyse the existing needs and find appropriate solutions allowing all interested persons to receive teaching in or of their language. ([Link to the Resolution](#))

## C. Other information

### ■ FCNM: Adoption of Committee of Ministers' Resolution (01.07.2015)

([Read the Resolution](#))

# Georgia

## 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 concerned by changes to the Administrative Border Line in Georgia (16.06.2015)

PACE President recalled that the “borderisation” of the ABL runs counter to international law and only serves to escalate tension. ([Read more](#))

# Greece

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

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Barbounis</a> (No. 37988/10)	23 September 2014	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Elliniki</a> (No. 31633/11)	18 November 2011	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Evaggelou and six others</a> (No. 16825/13+)	18 February 2014	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Kagias</a> (No. 54313/10)	18 November 2011	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Kaloulis</a> (No. 50742/10)	18 November 2011	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Kantas</a> (No. 16692/11)	18 November 2011	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Kotzamanis</a> (No. 5690/14)	18 November 2011	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Kyrimi</a> (No. 60575/10)	4 November 2011	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Sakellari-Basiouka</a> (No. 35040/11)	4 November 2011	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Triantafyllou</a> (No. 67184/10)	4 November 2011	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Zavogiannis</a> (No. 67488/10)	9 September 2014	<a href="#">CM/ResDH(2015)101</a>	Examination closed
<a href="#">Zervogianni-Paraskevopoulou</a> (No. 6140/14)	18 November 2014	<a href="#">CM/ResDH(2015)101</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]*

# Hungary

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

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Bagi</a> (No. 42576/10)	25 June 2013	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Fellegi</a> (No. 18616/10)	25 November 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">György</a> (No. 67752/12)	7 May 2013	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Kocsis</a> (No. 40319/11)	1 July 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Korozs</a> (No. 65249/11)	25 November 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Kovacs</a> (No. 29672/13)	30 September 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Nemeth</a> (No. 41003/11)	1 July 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Nikolits</a> (No. 38723/11)	1 July 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Osvath</a> (No. 20723/02)	21 May 2013	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Perjési</a> (No. 18896/10)	30 September 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Szabo</a> (No. 40325/11)	1 July 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed
<a href="#">Turi</a> (No. 58225/11)	25 November 2014	<a href="#">CM/ResDH(2015)102</a>	Examination closed

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

### **■ CM: Resolution on the election of an expert to the list of experts eligible to serve the Advisory Committee of the Framework Convention in respect of a vacancy concerning Hungary, 01 July 2015**

CM declared elected to the list of experts eligible to serve on the Advisory Committee on the Framework Convention for the Protection of National Minorities on 1 July 2015: Ms Elisabeth Sándor-Szalay, in respect of Hungary. ([Link to the Resolution](#))

## **C. Other information**

### **■ GRECO: Hungary urged to strengthen anti-corruption measures (22.07.2015)**

In a report, GRECO praised Hungary for taking steps in recent years to reduce corruption in its legislative, judiciary and prosecution sectors of government. ([Link to the report](#)).

# Italy

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

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Di Pasquale</a> (No. 27522/04)	9 September 2009	<a href="#">CM/ResDH(2015)107</a>	Examination closed
<a href="#">Kollcaku</a> (No. 25701/03)	8 May 2007	<a href="#">CM/ResDH(2015)108</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]*

# Norway

## 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: Call for recognition of 22 July as European Day for Victims of Hate Crime (22.07.2015)

PACE President called for 22 July to be recognised as the European Day for Victims of Hate Crime. ([Read more](#) - [Speech](#) - [Interview of Anne Brasseur](#) - [Announcement of the visit](#))

# Poland

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

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Brysz</a> (No. 69862/11)	15 January 2013	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Dorobek</a> (No. 60621/11)	18 December 2012	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Gasinski XII</a> (No. 45655/11)	18 December 2012	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Jalowiczor</a> (No. 471/12)	17 September 2013	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Jaworski</a> (No. 3519/12)	18 December 2012	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Kaczorowski</a> (No. 14247/12)	11 December 2012	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Madeja</a> (No. 27562/12)	27 August 2013	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Maziarz</a> (No. 4145/05)	2 July 2013	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Sliwinski</a> (No. 46810/09)	22 January 2013	<a href="#">CM/ResDH(2015)104</a>	Examination closed
<a href="#">Wojciechowski</a> (No. 37540/12)	4 February 2014	<a href="#">CM/ResDH(2015)104</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]*

# Portugal

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

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Abrantes Rodrigues and others</a> (No. 66506/12)	26 August 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Antunes</a> (No. 52205/12)	7 October 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Carreira Da Encarnação Coelho</a> (No. 48811/12)	7 October 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Da Fonseca Arsénio</a> (No. 51999/12)	7 October 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Domingues Reis</a> (No. 70477/12)	7 October 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Cardoso</a> (No. 37640/13)	7 October 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Mendes Duarte Beja</a> (No. 78137/12)	7 October 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Pereira Vieira</a> (No. 43304/12)	7 October 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Pinto Pereira</a> (No. 46356/12)	7 October 2014	<a href="#">CM/ResDH(2015)105</a>	Examination closed
<a href="#">Colaço Mestre and Sic</a> (No. 11182/03+)	26 July 2007	<a href="#">CM/ResDH(2015)115</a>	Examination closed
<a href="#">Azevedo</a> (No. 20620/04)	27 June 2008	<a href="#">CM/ResDH(2015)115</a>	Examination closed

<a href="#">Campos Dâmaso</a> (No. 17107/05)	24 July 2008	<a href="#">CM/ResDH(2015)115</a>	Examination closed
<a href="#">Alves Da Silva</a> (No. 41665/07)	20 January 2010	<a href="#">CM/ResDH(2015)115</a>	Examination closed
<a href="#">Conceicao Letria</a> (No. 4049/08)	12 July 2011	<a href="#">CM/ResDH(2015)115</a>	Examination closed
<a href="#">Sofia Pinto Coelho</a> (No.28439/08)	28 November 2011	<a href="#">CM/ResDH(2015)115</a>	Examination closed
<a href="#">Bargao and Domingos Correia</a> (No. 53579/09+)	15 February 2013	<a href="#">CM/ResDH(2015)115</a>	Examination closed
<a href="#">Sampaio e Paiva de Melo</a> (No. 33287/10)	23 October 2013	<a href="#">CM/ResDH(2015)115</a>	Examination closed
<a href="#">Welsh and Silva Canha</a> (No. 16812/11)	17 December 2013	<a href="#">CM/ResDH(2015)115</a>	Examination closed
<a href="#">Amorim Giestas and Jesus Costa Bordalo</a> (No. 37840/10)	3 July 2014	<a href="#">CM/ResDH(2015)115</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: Portugal - 'a committed European partner' (03.07.2015)

PACE President called on the authorities to continue the positive co-operation with the Group of States against Corruption (GRECO). Furthermore, PACE President called on the Portuguese authorities to continue promoting tolerance and respect. Finally, PACE President noted that the North-South Centre has a key role to play in fostering dialogue and co-operation with southern neighbours, notably in the fields of migration and the fight against radicalisation and extremism. ([Read more - Announcement of the visit](#))

# Romania

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

CASE	DATE	RESOLUTION	CONCLUSION
<a href="#">Achitei</a> (No. 51410/09)	7 October 2014	<a href="#">CM/ResDH(2015)106</a>	Examination closed
<a href="#">Dobre and Ioanovici</a> (No. 44901/12)	23 September 2014	<a href="#">CM/ResDH(2015)106</a>	Examination closed
<a href="#">Dumitrescu and others</a> (No. 18321/08)	7 October 2014	<a href="#">CM/ResDH(2015)106</a>	Examination closed
<a href="#">Gheorghiu</a> (No. 25249/07)	23 September 2014	<a href="#">CM/ResDH(2015)106</a>	Examination closed
<a href="#">Societatea de Investitii Financiare Banat-Crisana S.A.</a> (No. 7392/06)	23 September 2014	<a href="#">CM/ResDH(2015)106</a>	Examination closed
<a href="#">Tanase</a> (No. 53379/08)	7 October 2014	<a href="#">CM/ResDH(2015)106</a>	Examination closed
<a href="#">Buceas and Bucias</a> (No. 32185/04)	1 October 2014	<a href="#">CM/ResDH(2015)109</a>	Examination closed
<a href="#">Hagiescu and others</a> (No. 7901/02)	18 June 2014	<a href="#">CM/ResDH(2015)110</a>	Examination closed
<a href="#">Lavric</a> (No. 22231/05)	14 April 2014	<a href="#">CM/ResDH(2015)111</a>	Examination closed
<a href="#">Paroisse Greco-Catholique Sambata Bihor</a> (No. 48107/99)	12 April 2010	<a href="#">CM/ResDH(2015)112</a>	Examination closed

<a href="#">Simon</a> (No. 34945/06)	1 October 2014	<a href="#">CM/ResDH(2015)113</a>	Examination closed
<a href="#">Ionut-Laurentiu Tudor</a> (No. 34013/05)	24 September 2014	<a href="#">CM/ResDH(2015)114</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]*

# Russian Federation

## 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 called on Russia to revise 'foreign agents' law (09.07.2015)

PACE President urged the Russian authorities to bring the 'foreign agents' legislation into line with Council of Europe standards, so that the Committee against Torture, as well as other NGOs, can continue to work freely in Russia. ([Read more](#) - [Statement by Council of Europe Commissioner for Human Rights Nils Muiznieks](#))

### ■ PACE President concerned by decision on 'selective implementation' of Strasbourg rulings in Russia (16.07.2015)

PACE President expressed that the « implementation of Strasbourg Court judgments is a legal obligation binding on any State Party to the European Convention on Human Rights. The mechanism envisaged by the Constitutional Court "to ensure the primacy of the Constitution in the implementation of ECHR judgments" should in no way lead to a selective implementation of these judgments, as this would undermine the authority and the efficiency of the human rights protection system based on the Convention as a whole. » ([Read more](#))

# Serbia

## 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

### ■ CM: Resolution on the implementation of the Framework Convention for the Protection of National Minorities by Serbia, 01 July 2015

Despite the observation of positive developments, the CM called on domestic authorities to take measures to improve further the implementation of the Framework Convention, especially, by ensuring that adequate human and financial resources are allocated to achieve the objectives fixed in the Action Plan for the Implementation of the Strategy for the Improvement of the Status of Roma 2012-2014, by pursuing efforts to eliminate segregation of Roma children in education, by promoting the effective participation of national minorities in electoral processes and, finally, by pursuing work towards revising the Law on National Councils of National Minorities. ([Link to the Resolution](#))

## C. Other information

### ■ PACE President expressed solidarity with Serbian Prime Minister Vucic (13.07.2015)

PACE President condemned the attack on the Prime Minister of Serbia at the Commemoration Ceremony of the 20th anniversary of the Srebrenica tragedy and called on the politicians of the region to pursue reconciliation efforts. ([Read more](#))

### ■ GRECO: Serbia urged by the committee to improve tools for preventing corruption among parliamentarians, judges and prosecutors (02.07.2015)

Serbia has come a long way in creating a regulatory and institutional framework for fighting corruption, concludes a report published today by GRECO ([Read more](#) - [Link to the report](#)).

### ■ FCNM: Adoption of Committee of Ministers' Resolution (01.07.2015)

([Read the resolution](#))

# “The former Yugoslav Republic of Macedonia”

## 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 rapporteurs welcomed Skopje agreement (15.07.2015)

PACE rapporteurs welcomed the Skopje agreement reached by the country's four main political parties. Thus, PACE rapporteurs called on « all political leaders to implement this agreement in good faith, show political maturity in the interest of their citizens, and ensure that the early elections planned for 24 April 2016 are well prepared. » ([Read more - Skopje agreement](#))

# Ukraine

## 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 Ukrainian response to the report on the September 2014 visit (28.07.2015)**

[\(Read more\)](#)

# United Kingdom

## 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: Call on UK to investigate spying on human rights groups by UK secret services (14.07.2015)

PACE rapporteur joined the call by Amnesty International to David Cameron urging him to launch an independent inquiry into surveillance of human rights organisations by the UK secret services (GCHQ). ([Read more](#) - [Amnesty International's letter to David Cameron](#))