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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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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 January 2017) 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.

- **Right to life (Art. 2)**

IONITA V. ROMANIA (No. 81270/12) - Importance 3 - 10 January 2017 - Violation of Article 2 - Domestic authorities’ failure to conduct an effective investigation on the death of the applicants’ son following a surgery

The case concerned the death of the applicants’ young son following an operation. The applicants complained that the authorities had failed to effectively investigate the incident, despite their repeated claims that it had been caused by the negligence of medical staff.

The Court first recalled that the domestic legislation authorising medical authorities to ignore requests by the judiciary is incompatible with the right to life. It also observed that no additional scientific report on the circumstances of the death was provided and that the proceedings had taken an unjustifiably long amount of time (six and a half years). Moreover, the authorities had never established whether the nurse had properly carried out her duties: they had refused to extend the criminal proceedings to her. Furthermore, the Court noted that the doctors had failed to obtain the informed consent of a patient prior to undertaking a risky procedure, in contradiction with domestic law.

Therefore, there had been a violation of Article 2.

Article 41 (Just satisfaction)

The Court held that Romania was to pay the applicant EUR 12,000 in respect of non-pecuniary damage.

GENGOUX V. BELGIUM (IN FRENCH ONLY) (No. 76512/11) - Importance 2 - 17 January 2017 - No violation of Article 2 - Lack of link between the continuing detention of a man suffering from cancer and his death - No violation of Article 3 - Not inhuman or degrading treatment during the continuing detention

The case concerned the applicant's allegation that the domestic authorities had not provided his father with the medical care which his condition required, thereby exposing him to a real risk to his life. Also, his father's continuing detention constituted inhuman or degrading treatment.

Article 2

The Court observed that the doctor had expressed the view that the imprisonment of the applicant's father was worsening his prospects. However, the poor prognosis given by the doctors with regard to the applicant's father had been based on the metastases which had existed prior to his imprisonment; moreover, each cycle of chemotherapy prescribed had been carried out. The Court was thus unable to find that there was a causal link between the imprisonment of the applicant's father and his death.

Therefore, there had been no violation of Article 2 of the Convention.

Article 3

The Court noted that the applicant did not complain about the conditions of his father's detention. The applicant's father had also been able to call on the services of an outside doctor who had examined him and given his opinion. Moreover, he had received the chemotherapy prescribed to him since his arrival in prison.

The Court was satisfied that the prison authorities had done everything that could reasonably be expected from them by contacting the general practitioner when the condition of the applicant's father had deteriorated sharply and transferring him to a better equipped hospital facility.

The Court considered it decisive that the applicant's father had not died from an infection or an immune deficiency but as a result of metastases of his cancer that had existed prior to his imprisonment. The Court also noted that none of the medical reports had referred to any medical contraindication that would have completely precluded his continuing detention. Furthermore, the applicant's father had received the care required by his condition while he was in prison.

When the doctor stated that it was "medically unacceptable" to keep him in prison, the patient had been transferred to hospital the same day. The Court concluded that the continuing detention of the applicant's father, notwithstanding his state of health and the progression of his illness, had not amounted to inhuman or degrading treatment.

Therefore, there had been no violation of Article 3 of the Convention.

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

HUTCHINSON V. THE UNITED KINGDOM (No. 57592/08) - Importance 1 - 17 January 2017 - No violation of Article 3 - Sufficient safeguards of domestic law concerning the review of whole life sentence

The case concerned the complaint by a man serving a whole life sentence for the murder of three members of a family and the rape of another so that his sentence amounted to inhuman and degrading treatment as he had no hope of release.

The Court first recalled that the European Convention did not prohibit the imposition of a life sentence on those convicted of especially serious crimes, such as murder. However, to be compatible with the Convention, there had to be both a prospect of release for the prisoner and a possibility of review of their sentence. The Court noted that in this case domestic law had been clarified. It provides for the statutory duty of the Secretary of State to exercise the power of release for life prisoners, in such a way that it is compatible with the ECHR. The Court took the view that the executive rather than judicial nature of a review was not in itself contrary to the requirements of Article 3. The Court was also satisfied that a review existed which not only could but had to consider whether, in light of significant change in a whole life prisoner and progress towards rehabilitation, continued detention could still be justified on legitimate penological grounds.

Moreover, the Court did not regard the domestic system as deficient in so far as it concerned the criteria and conditions for review, and in particular whether those serving life sentences could know what they had to do to be considered for release, and under what conditions the review took place.

The Court therefore concluded that there had been no violation of Article 3 of the ECHR.

X v. SWITZERLAND (No. 16744/14) - Importance 3 - 26 January 2017 - Violation of Article 3 - Domestic authorities' failure to assess the risk of ill-treatment before deporting the applicant in his home country

The case concerned the deportation of a Sri Lankan man and his subsequent ill-treatment while imprisoned in Sri Lanka. The applicant had applied for asylum in Switzerland on the grounds of political persecution, as he was a former member of the Liberation Tigers of Tamil Eelam and had previously been subjected to ill-treatment while imprisoned in his home country.

The Court first reiterated that the decision to expel an alien from a state's territory engage the responsibility of the expelling State under the Convention. It also recalled that Article 3 implies an obligation not to expel an asylum seeker if substantial grounds have been shown for believing that the person in question, if expelled, would face a real risk. In this case, the Court noted that the domestic authorities should have been well aware of the risk that he and his family might be subjected to, thanks to evidence available to them, such as the applicant's history of ill-treatment at the hands of the Sri Lankan authorities, but also the parallel case of another Tamil who had been deported to Sri Lanka the month before the applicant and had suffered ill-treatment requiring hospitalisation.

There had therefore been a violation of Article 3.

Article 41 (Just satisfaction)

The Court held that Switzerland was to pay the applicant EUR 30,000 in respect of non-pecuniary damage and EUR 4,770 in respect of costs and expenses.

- **Prohibition of slavery and forced labour (art. 4)**

J. AND OTHERS V. AUSTRIA (No. 58216/12) - Importance 2 - 17 January 2017 - No violation of Article 3 and Article 4 – No domestic authorities’ failure to comply with the duty to protect two alleged victims of human trafficking

The case concerned the applicants’ allegation that they had been subjected to forced labour and human trafficking, and that the domestic authorities had failed to carry out an effective and exhaustive investigation into their allegations.

Article 4

Firstly, the Court was satisfied that the domestic authorities had complied with their duty to identify, protect and support the applicants as (potential) victims of human trafficking. The applicants had been interviewed by specially trained police officers, were granted residence and work permits, and a personal data disclosure ban had been imposed for their protection. They had been supported by the NGO LEFÖ, which is funded by the domestic authorities. Furthermore, the applicants had been given legal representation, procedural guidance and assistance to facilitate their integration in the domestic authorities.

Secondly, the Court found that States under the Convention are not required to provide for universal jurisdiction over trafficking offences committed abroad.

Lastly, the Court considered that the domestic authorities’ investigation in the applicants’ case had been sufficient, and there was no indication that they had failed to comply with their duty of investigation.

Therefore, there had been no violation of Article 4 of the Convention.

Article 3

For essentially the same reasons, the Court concluded that there had been no violation of Article 3 either.

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

KHAMTOKHU AND AKSENCHIK V. RUSSIA (No. 60367/08) - Importance 1 - 24 January 2017 - No violation of Article 14 taken in conjunction with Article 5 - Non-discriminatory life sentencing

The case concerned the applicants’ allegation that as adult males serving life sentences for criminal offences they had been discriminated against as compared to other categories of convicts who were exempt from life imprisonment by operation of law.

The Court reiterated that under Article 14 a difference in treatment was discriminatory if it had no objective and reasonable justification. The Court noted that the applicants had been given life sentences, whereas women offenders, juvenile offenders and offenders aged 65 or over convicted of the same or comparable offences would not have been given a sentence of life imprisonment under the relevant domestic law. The Court found that the justification for that difference in treatment, namely to promote principles of justice and humanity, had been legitimate. Furthermore, the Court was satisfied that the means employed to achieve those principles of justice and humanity, namely exempting certain categories of offenders from life imprisonment, had been proportionate. The Court was satisfied that the applicants had been sentenced to life imprisonment following an adversarial trial; the outcome of their trials had been decided on the specific facts of their cases and their sentences had been the product of individualised application of the criminal law by the trial court. Moreover, the Court considered that it was quite natural that domestic authorities, whose duty was to consider the interests of society as a whole, should have considerable room for manoeuvre (“margin of appreciation”) when deciding on matters such as penal policy. The Court observed that there was a European consensus not to impose life imprisonment on juvenile offenders in all the Contracting

States, without exception, and to provide for a subsequent review in those jurisdictions which did so for adult offenders. As concerned the applicants' complaints about the difference in treatment as compared to women offenders, the Court accepted that there was a public interest in exempting women offenders from life imprisonment. In sum, the Court found that it was difficult to criticise the domestic authorities for exempting certain groups of offenders from life imprisonment, that exemption representing, all things considered, social progress in penological matters.

Therefore, there had been no violation of Article 14 taken in conjunction with Article 5 of the Convention.

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

HABRAN AND DALEM V. BELGIUM ([IN FRENCH ONLY](#)) (Nos. 43000/11, 49380/11) - Importance 2 - 17 January 2017 - No violation of Article 6 § 1 – Fair trial of the applicants whose conviction based in particular on the testimony of two “criminals turned informers”

The case concerned the applicants' complaint that their conviction on the basis of witness' statements made by “criminals turned informers” had prejudiced the fairness of the proceedings, and that the length of the proceedings had not been taken into account.

Firstly, the Court observed that although no such status existed under the domestic authorities' law, there was no reason not to consider that the witnesses in question had been “criminals turned informers”. It was sufficient for the Court to note that these witnesses had both criminal backgrounds and secured financial concessions.

Secondly, the witnesses in question, although they had received protection, had not been granted anonymity and their identity had been known to the applicants. The police officers who had obtained the information from the witnesses had stated under oath that the original information received did not differ substantially from the official statements later given by these individuals. Other elements such as ballistic evidence and other “non-suspect” witness had been taken into consideration.

Thirdly, one of the witnesses had been present during the trial and the defence had been able to cross-examine him. The other witness could not be questioned since he had died before the opening of the first trial. Furthermore, it was apparent that the two witnesses had hardly known each other. The domestic court had stressed that the statements of the two witnesses, even though coming from different sources, had concurred.

Fourthly, the applicants had had access to the entire criminal case file, although not to the confidential “informer” file or the files of the witness protection commission, and they had not been prevented from challenging the reliability of the witnesses or the content and credibility of their statements throughout the proceedings. All the arguments relied on by the applicants had been heard and carefully examined by the domestic court. Furthermore, the domestic court had been aware of the fact that the testimony came from persons with a criminal background who could have been indirectly involved in the acts of which the applicants were convicted, and the jurors had been in a position to assess the risk that this testimony might pose to the fairness of the trial. The proceedings had lasted for eight years and five months, encompassing the investigation stage and consideration of the case across two levels of jurisdiction.

The Court thus concluded that the proceedings as a whole had been conducted with sufficient speed and that the overall length of the proceedings had not exceeded what could be considered reasonable in the specific circumstances of the case.

Therefore, the Court concluded that there had been no violation of Article 6 § 1 of the Convention.

TZIOVANIS AND OTHERS V. GREECE (IN FRENCH ONLY) (No. 27462/09) - Importance 3 - 19 January 2017
- No violation of Article 6 § 1 - No breached right of access to a court - Violation of Article 6 § 1
- Failure to complete proceedings within a reasonable time - Violation of Article 13 - Lack of remedy

The case concerned the applicants' complaint that the Court of Cassation's finding of inadmissibility regarding their second ground of appeal had breached their right of access to a court, and that their case was not heard within a reasonable time. Moreover, they had not had an effective remedy.

Article 6 § 1 (right to access to a court)

The Court observed that the applicants had submitted a second ground of appeal, in which they had maintained that the Court of Appeal had erred in declaring inadmissible their argument that the running of the limitation period had been interrupted because the defendants had acknowledged the applicants' claims. The Court noted that nowhere in their grounds of appeal or their additional pleadings had the applicants relied explicitly on Article 260 of the Civil Code, according to which the limitation period stopped running when the debtor acknowledged the creditor's claims. The Court observed, firstly, that the Court of Cassation had stressed that for a ground of appeal to be sufficiently precise, it had to be clear that the argument on which it was based had been submitted to the court below during the hearing leading to the decision that was being challenged. Secondly, the Court considered that the applicants had relied on the decisive argument as a subsidiary aspect, without referring to the relevant provision, namely Article 260 of the Civil Code, and without substantiating their argument sufficiently in factual or legal terms.

Therefore, the Court considered that there had been no violation of Article 6 § 1 of the Convention.

Article 6 § 1 (right to a fair hearing within a reasonable time)

The Court noted that the proceedings in the first-instance court had lasted for approximately three years and two months, and the proceedings in the Court of Appeal for two years and 14 days, including over six months for the correction of certain substantive errors. Consequently, the length of the proceedings had exceeded a "reasonable time".

Therefore, there had been a violation of Article 6 § 1 of the Convention.

Article 13

The domestic authorities argued that the applicants had had an available effective remedy: they could request the Court of Appeal and the Court of Cassation to examine their case as a matter of priority. The Court observed that this was not a compensatory remedy in respect of proceedings exceeding a reasonable time. The provision in question did not afford a specific remedy which expressly allowed proceedings to be speeded up in order to ensure that their length did not become incompatible with the Convention.

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

Article 41 (Just satisfaction)

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

PAULIKAS V. LITHUANIA (No. 57435/09) - Importance 3 - 24 January 2017 - No violation of Article 6 § 1 and Article 6 § 2 - Fair trial of policeman convicted of killing children whilst drunk driving - No violation of Article 14 taken in conjunction with Article 6 - Non-discrimination against policeman convicted of killing children whilst drunk driving

The case concerned the applicant's complaint that he had not received a fair trial because of the media reports and public comments by the domestic officials, in particular, because these had breached his right to the presumption of innocence.

Article 6 § 1 and Article 6 § 2

The Court held that the President should have exercised particular caution. The references to the need to "thoroughly examine" and "especially strictly evaluate" offences committed by police officers, and the criticism of the past trend of "relatively mild punishments" could have been regarded as expressing an opinion about the sentence to be given to the applicant, thus implying his guilt. However, the President had not stated that the applicant had been guilty, and had not made any specific statements about the aspects of the case which had been key to determining such guilt. Some of the language used in the publications had been strong and unambiguous (such as calling the applicant "the killer of children"). Though this could have influenced public perception of the applicant's guilt, the case had been decided in well-reasoned judgments, on the basis of extensive witness and expert evidence, by professional judges.

Consequently, the Court held that extensive media coverage of the events and public statements by the domestic authorities' officials had been justified in the circumstances, and that these had not breached the applicant's right to a fair trial.

Therefore, there had been no violation of Article 6 § 1 and Article 6 § 2 of the Convention.

Article 14 taken in conjunction with Article 6

The Court noted that complaints about discrimination only have effect in relation to rights safeguarded by other substantive provisions. Therefore, the applicant's complaint that his role as a police officer was taken into account when deciding his sentence was inadmissible. The Court noted that the domestic court had taken the applicant's job into account but this had not been discriminatory. Under domestic legislation, the crime of failing to assist a person in a life-threatening situation can only be committed by a person who had had an obligation to provide such assistance. Under domestic law, police officers have such an obligation.

Therefore, there had been no violation of Article 14 taken in conjunction with Article 6 of the Convention.

IVANOVA AND IVASHOVA V. RUSSIA (IN FRENCH ONLY) (Nos. 797/14, 67755/14) - Importance 2 - 26 January 2017 - No violation of Article 6 § 1 - Justified non-examination of appeal submitted out of time - Violation of Article 6 § 1 - Unjustified non-examination of appeal submitted out of time

The case concerned the applicants' complaint that their right of access to a court was violated, since their appeals had been declared inadmissible as out of time in what the applicants considered to be an erroneous application of the procedural rules.

The Court noted that the first applicant's claim and the second applicant's appeal were not examined on the ground that the applicants had not lodged them within the time-limits allowed. With regard to the first applicant, the Court noted her allegation that she had not received the court's decision inviting her to correct the shortcomings in her claim. However, the court, noting the late reception of the letter, had issued a new deadline. The first applicant submitted that she had never received this latter decision. Even if the first applicant denied receipt of the second court's decision, the Court considered that she had necessarily been aware of it, since the court could not have been informed of the late reception of the first decision, nor extended the deadline, without the first applicant having intervened to notify it. Therefore, the Court considered that the first applicant had failed to show diligence, in that

she had not complied with the deadline given by the court to correct the shortcomings in her paperwork for her claim. In consequence, it considered that the decision terminating the proceedings had not been manifestly arbitrary and that it had not infringed the applicant's right to a court.

Therefore, there had been no violation of Article 6 § 1 of the Convention in respect of the first applicant.

The Court reiterated it was not its task to interpret and apply domestic law, or to rule on the question of when a full text of the decision had been available at the registry of the court. It noted, however, that the second applicant had submitted a document concerning the posting of the decision, and this delivery date had been confirmed by the court of appeal.

The Court further noted that the second applicant not having obtained the full copy of the decision one month after the court hearing, had filed a summary statement of appeal in order to ensure that her appeal was not filed out of time. Therefore, the Court considered that the second applicant had taken all reasonable steps to obtain the full text of the decision and to lodge an appeal within the statutory deadline. In the Court's view, the domestic courts gave an inflexible interpretation of the domestic legislation, thereby placing an obligation on the second applicant with which she had been unable to comply. The Court considered that the right of appeal ought to have entered into effect from the point at which the applicant could effectively apprise herself of the full text of the decision.

Therefore, the Court concluded that there had been a violation of Article 6 § 1 of the Convention in respect of the second applicant.

Article 41 (Just satisfaction)

The Court held that Russia was to pay the second applicant EUR 2,500 in respect of non-pecuniary damage and EUR 50 in respect of costs and expenses.

Lena Atanasova v. BULGARIA (In French only) - No. 52009/07 - Importance 3 - 26 January 2017 - No violation of Article 6§1 - Domestic authorities' legitimate decision not to reopen criminal proceedings after the applicant's conviction in absentia

The case concerned the applicant's conviction in absentia and the courts' refusal to reopen the criminal proceedings.

The Court noted that the charges had been examined before the courts in the applicant's absence: the latter could not be traced at the addresses which she had provided to the judicial authorities. After the conviction judgment had become final, the applicant applied to have the proceedings reopened, but this was dismissed on the ground that she had sought to evade justice. The Court therefore considered that the main question was whether or not it had been established that she intended to evade justice.

The Court noted that the proceedings had not been the first set of criminal proceedings brought against the applicant. On two dates she had been questioned and admitted to the offences, and stated that she would explain herself before the courts. Thus, it was established that the applicant had been duly informed of the existence of criminal proceedings against her, and of the offences with which she was charged. The applicant had nonetheless left the address which she had previously indicated to the authorities, without informing them of her change of address. In consequence, the Court considered that the situation complained of by the applicant did not amount to an unjustified restriction on her right to participate in the hearing of the criminal case against her.

The Court concluded that there had been no violation of Article 6 § 1.

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

KACPER NOWAKOWSKI V. POLAND (No. 32407/13) - Importance 2 - 10 January 2017 - Violation of Article 8 - Domestic court's failure to guarantee contact rights between a deaf and mute father and his son

The case concerned the limited contact rights of a deaf and mute father with his son, who also has a hearing impairment.

The Court first underlined the importance of a child preserving and developing his or her ties with his or her family, and considered that, in principle, it was in the child's best interests to maintain contact with both parents. The Court then assessed the reasons given by the national courts for dismissing the applicant's request for extended contact with his son, taking into account two specific features of the case, namely: the serious conflict between the parents; and the applicant's disability. The Court noted that the courts' solution to the problem had been to involve the child's mother in the contact arrangements, since she was able to communicate both orally and in sign language. However, that solution had ignored the animosity between the parents and the applicant's frequent complaints about the mother's attempts to obstruct contact and marginalise his role. Moreover, the courts had failed to envisage measures more adapted to the applicant's disability, such as obtaining expert evidence from specialists familiar with the problems faced by those with hearing impairments.

In conclusion, the Court was of the view that the national courts had not taken all appropriate steps to facilitate the applicant's contact with his son, in violation of Article 8.

Article 41 (Just satisfaction)

The Court held that Poland was to pay the applicant EUR 16,250 in respect of non-pecuniary damage and EUR 698 for costs and expenses.

KIRÁLY AND DÖMÖTÖR V. HUNGARY (No. 10851/13) - Importance 2 - 17 January 2017 - Violation of Article 8 - Domestic authorities' failure to protect the applicant against racism and violence during an anti-Roma demonstration

The applicants – both of whom are of Roma origin – alleged that the police had failed to protect them from racist abuse during an anti-Roma demonstration and to properly investigate the incident.

The Court first held that the domestic authorities should have paid attention to the specific context in which the obscene statements had been made, namely, during a rally which had been attended by groups known for their militant behaviour and anti-Roma stance. Furthermore, the speeches delivered had made direct threats against Roma people and had demanded the police not to protect the Roma minority. The domestic authorities had not apparently considered those factors when assessing the nature of the speeches and concluding that they had been hateful and abusive but had not incited violence. Regarding the investigation into the offence of violence against a group, the Court noted that the proceedings had lasted almost three years and that their scope had been statutorily limited to acts of physical violence. Moreover, although the police had had plenty of time to interrogate numerous persons after the demonstration, only five had been questioned and three of the alleged perpetrators could not be identified. The Court therefore found that this limited investigation had not been capable of leading to the establishment of the facts of the case and had not constituted a sufficient response to the true and complex situation at hand.

The Court thus held that there had been a violation of Article 8.

Article 41 (Just satisfaction)

The Court held, by five votes to two, that Hungary was to pay the applicants EUR 7,500 each in respect of non-pecuniary damage, and EUR 3,205 to the first one and EUR 3,235 to the second one for costs and expenses.

PARADISO AND CAMPANELLI V. ITALY (No. 25358/12) - Importance unspecified - 24 January 2017 - No violation of Article 8 - No failure of domestic courts to strike a fair balance between the applicant's right to private life and the prevention of disorder created by a gestational surrogacy contract

The case concerned the placement in social-service care of a nine-month-old child who had been born in Russia following a gestational surrogacy contract, entered into with a Russian woman by an Italian couple who had no biological relationship with the child.

The Court first noted that the termination of the relationship between the applicants and the child was not directly imputable to the applicants, but that it was nonetheless the consequence of the legal uncertainty that they themselves had created in respect of the ties in question, by engaging in conduct that was contrary to Italian law and by coming to settle in Italy with the child. Having regard to the absence of any biological tie between the child and the intended parents, the short duration of the relationship with the child (six months) and the uncertainty of the ties between them, and in spite of the existence of a parental project and the quality of the emotional bonds, the Court considered that the conditions for the existence of family life had not been met. The Court accepted, however, that the facts of the case fell within the scope of the applicants' private life.

The Court first considered that this interference was in accordance with domestic law, namely the Adoption Act and the domestic prohibition on heterologous artificial reproduction techniques. It accepted that those had pursued the legitimate aim of "preventing disorder" and of protecting the "rights and freedoms" of others. Lastly, the Court had to determine whether this interference was necessary in a democratic society or not. It noted that the only way to bring this unlawful situation to an end had been to remove the child from the applicants. The domestic Court had considered that, given the short period spent with the applicants and his young age, the trauma of the separation from the applicants would not be irreparable. They also added that it could be thought that the child resulted from a narcissistic desire on the part of the couple or that he was intended to resolve problems in their relationship, and that it was permissible to express doubts as to the applicants' genuine affective and educational abilities. The Court observed that the domestic authorities relied on two strands of argument: the illegality of the applicants' conduct and the urgency of taking measures in respect of the child, whom they considered to be in a state of abandonment within the meaning of the Adoption Act. The Court had no doubt that those reasons were relevant, directly linked as they were to the legitimate aims of preventing disorder and of protecting children. Furthermore, concentrated as they were on the situation of the child and the illegality of the applicants' conduct, those reasons had been sufficient and proportionate. With regard to the proportionality, agreeing to let the child stay with the applicants would have been tantamount to legalising the situation created by them in breach of important rules of Italian law.

The Court concluded that there had been no violation of Article 8 of the Convention.

Kalnėnienė v. BELGIUM (In French only) - No. 40233/07 - Importance 3 - 31 January 2017 - Violation of Article 8 - Unlawfulness search without a warrant - No violation of Article 6 - Domestic courts' legitimate decision not to exclude the impugned evidence from their deliberations - No violation of Article 13 taken in conjunction with Article 8 - The applicant's possibility to bring claim for compensation through domestic law

The case concerned a search carried out at the applicant's home and the use of evidence thus obtained in the criminal trial which resulted in her conviction.

Article 8

The Court considered that it had to ascertain whether the search warrant legally authorised the police officers to carry out a search of the applicant's home. It could not accept that a search warrant be interpreted in such an extensive manner, as though it had been issued for an entire building, made up of several homes and occupied by numerous persons, without particular reasons being given by the investigating judge. In consequence, it noted that, in the present case, the contested search had been conducted without a search warrant. The Court therefore concluded that there had not been a legal basis for the contested search and that it had not been "in accordance with the law".

It therefore held that there had been a violation of Article 8 of the Convention.

Article 6 § 1

With regard to the legislation concerning the admissibility of unlawfully obtained evidence, the Court reiterated that it had already held that the domestic case-law in this area was sufficiently well-established. With regard to the fairness of the proceedings, the Court noted that domestic courts had taken into account the fact that the unlawfulness found did not render the proceedings null and void under the law; that it did not compromise the reliability of the evidence thus obtained; that the applicant had been charged with very serious offences; and that the evidence obtained concerned only physical evidence and that there existed other incriminating evidence that was sufficient to lead to the finding that the applicant was guilty. Furthermore, the applicant had been able to challenge the evidence. They had therefore held that it was not necessary to exclude the impugned evidence from their deliberations.

In consequence, the Court considered that the proceedings conducted in the present case, taken as a whole, had not been contrary to the requirements of a fair trial, and held that there had been no violation of Article 6 § 1 of the Convention.

Article 13 taken together with Article 8

The Court noted that the applicant did not specify what form of redress she considered appropriate for the unlawful search of her home. The Court noted that domestic law had given the applicant the opportunity to obtain a review of the fairness of the proceedings. Furthermore, the applicant had brought an action for damages against domestic authorities, on the basis of the domestic Civil Code, in order to obtain compensation for the damage caused by the contested search, and she had not argued that such a procedure did not allow for adequate redress.

In consequence, the Court concluded that there had been no violation of Article 13 taken together with Article 8 of the Convention.

Article 41 (Just satisfaction)

The Court held that the finding of a violation provided in itself sufficient just satisfaction for the non-pecuniary damage sustained by the applicant.

- **Freedom of thought, conscience and religion (Art. 9)**

OSMANOĞLU AND KOCABAŞ V. SWITZERLAND ([IN FRENCH ONLY](#)) - No. 29086/12 - Importance 2 - 10 January 2017 - No violation of Article 9 - No failure of domestic authorities to strike a fair balance between the applicant's right to freedom of religion and the compulsory education for children's development

The case concerned the refusal of Muslim parents to send their daughters, who had not reached the age of puberty, to compulsory mixed swimming lessons as part of their schooling and the authorities' refusal to grant them an exemption.

The Court first accepted that the impugned decision not to exempt the applicants' daughters from compulsory mixed swimming lessons had been an interference with the applicants' right to their freedom of religion. It noted that this interference was prescribed by domestic law and had had the legitimate aim to protect foreign pupils from any form of social exclusion. With regard to weighing up the competing interests, the Court observed that school played a special role in the process of social integration; that given the importance of compulsory education for children's development, an exemption from certain lessons was justified only in very exceptional circumstances, in well-defined conditions and having regard to equality of treatment of all religious groups. The Court took the view that the children's interest in a full education prevailed over the parents' wishes. Moreover, the authorities had offered the applicants very flexible arrangements: their daughters had been allowed to wear a burkini during the swimming lessons and to undress with no boys present. Moreover, with

regard to the procedure followed in the present case, the authorities had published a guideline on dealing with religious matters in schools, in which the applicants were able to find the relevant information.

The Court therefore held that there had been no violation of Article 9 of the Convention.

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

KAPSIS AND DANIKAS V. GREECE ([IN FRENCH ONLY](#)) - No. 52137/12 - Importance 2 - 19 January 2017 - Violation of Article 10 - Domestic courts' failure to strike a fair balance between the applicant's right to freedom of expression and the reputation of an actress criticized in an article

The case concerned an award of damages of 30,000 euros against the director of a daily newspaper and a journalist, jointly with the newspaper's proprietor, for a press article describing as "completely unknown" an actress who had been appointed to an advisory board on subsidies awarded by the authority for theatres.

The Court firstly noted that the award of damages against the two journalists constituted an interference with their right to freedom of expression. It took the view that this interference was in accordance with the law and pursued a legitimate aim: the protection of the reputation or rights of others, namely the reputation of the actress. As to the fact that the interference was necessary in a democratic society, the Court observed that the expression "completely unknown", read in context, was a value judgment not requiring proof, rather than a fact that could be objectively established. In the Court's view, the article had not sought to convey information in the strict sense of the word but was part of a column which looked behind the political scene and which was thus known for the sarcastic tone in which it portrayed certain figures and political situations.

Secondly, the Court found that the domestic courts had not considered the offending comments in the general context of the case in order to assess the intention of the two journalists. Indeed, the article included favourable comments on the appointment the actress.

Thirdly, this actress had been appointed as a member of the advisory board on subsidies granted by the government authority for theatres; she thus had an essentially political role, with public duties, and could not therefore be regarded as a "mere private individual". The article in question contributed to a debate in the general interest. The Court therefore found that the national authorities had not given relevant and sufficient grounds to justify the award against the journalists, taking the view that the sanction was not proportionate to the legitimate aim pursued and that the judgment did not meet a "pressing social need" and was thus not necessary in a democratic society.

The Court therefore found a violation of Article 10 of the Convention.

Article 41 (Just satisfaction)

The Court held that Greece was to pay the applicants EUR 2,000 each in respect of non-pecuniary damage and to pay the newspaper's director EUR 1,500 in respect of costs and expenses.

- **Right to an effective remedy (Art. 13)**

[ABUHMAID V. UKRAINE](#) (No. 31183/13) - Importance 2 - 12 January 2017 - No violation of Article 13 in conjunction with Article 8 – No violation in uncertain continued residence

The case concerned the applicant's complaint that his possible future removal from Ukraine would involve unjustified interference with his personal and family life, and that the domestic authorities did not carry out an independent and rigorous scrutiny of his claims, without an effective remedy.

The Court found that the applicant does not face any real or imminent risk of expulsion from the domestic authorities, because his new asylum application is still under consideration and he is lawfully permitted to remain in the domestic authorities pending the outcome. The Court found that the applicant's private life interests had been taken into account by the domestic authorities when examining his case, and also that he can still have access to different domestic procedures which might result in the regularisation of his stay and status.

Therefore, there had been no violation of Article 13 in conjunction with Article 8 of the Convention.

KEBE AND OTHERS V. UKRAINE (No. 12552/12) - Importance 3 - 12 January 2017 - Violation of Article 13 in conjunction with Article 3 - Unlawful prevention of a claim for asylum - No violation of Article 3 - Lack of potential ill-treatment

The case concerned the applicants' complaint that they had been exposed of ill-treatment in their countries of origin, on account of the initial refusal of the domestic authorities to accept and examine their asylum claims, and to prevent their possible removal, without effective remedies.

Article 3

The applicant had originally complained of ill-treatment on the grounds that the domestic authorities had not allowed him to disembark or lodge an asylum application, and that he had faced the threat of ill-treatment due to his imminent departure to Saudi Arabia. However, after the Court had indicated interim measures under Rule 39, the applicant was allowed to disembark the vessel to the domestic authorities and lodge his asylum claim. Though that claim has not been finally resolved, the applicant does not face any immediate threat of expulsion.

Therefore, there had been no violation of Article 3 of the Convention.

Article 13

The Court held that the border guards gave the applicant no proper opportunity to submit an asylum claim whilst he was on board the vessel. They did not give information of asylum procedures, failed to take into consideration his need for international protection, and told him that they could not accept asylum applications. Furthermore, the guards' decision to prevent him from entering the domestic territory had been enforceable immediately, making the applicant liable to be removed at any time – without having his claim of potential ill-treatment examined by the authorities.

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

Article 41 (Just satisfaction)

The Court found that the finding of a violation was sufficient just satisfaction in the case.

- **Prohibition of discrimination (Art. 14)**

SAUMIER V. FRANCE (IN FRENCH ONLY) (No. 74734/14) - Importance 2 - 12 January 2017 - No violation of Article 14 - Lack of discrimination in the application of different sets of legal rules to persons in different situations

The case concerned the applicant's complaint that unlike victims of negligence under the ordinary law, victims of work-related accidents or occupational diseases caused by their employer's negligence were not eligible for compensation in respect of all the damage sustained.

The Court observed that in the domestic authorities' employees who suffered an accident at work or contracted an occupational disease were covered by a special insurance and compensation plan. In consideration of the employer's strict liability, the compensation paid to the employee was a lump sum and did not cover loss known as non-pecuniary damage. However, where the accident or occupational illness was due to "inexcusable negligence" on the part of the employer, the employee was eligible for additional compensation in the form of an increase in the aforementioned capital sum or annuity. Irrespective of that increase in annuity, the employee could also obtain redress for damage caused by physical or mental suffering, aesthetic damage, loss of amenity and damage arising from the loss or reduction of promotion opportunities at work.

The Court observed that employees who had suffered an accident at work or contracted an occupational disease as a result of negligence by their employer were not in an analogous or comparable situation to that of individuals who had sustained physical injury or damage to health as a result of negligence by persons who were not their employer. The relationship between an employer and his or her employee was contractual and governed by a specific set of rules that were clearly distinguishable from the general rules governing relations between individuals. The domestic authorities' rules governing liability in case of accidents at work and occupational diseases were thus very different from those applicable under the ordinary law in that they were not based on proof of negligence. Compensation for the damage incurred by the employee on account of inexcusable negligence by the employer supplemented the damages automatically received by the former. Accordingly, the situation of an employee who had suffered an accident at work or contracted an occupational disease was not the same as that of an individual who had suffered damage occurring in a different context.

Therefore, there had been no violation of Article 14 of the Convention.

A.H. AND OTHERS V. RUSSIA (Nos. 6033/13, 8927/13, 10549/13, 12275/13, 23890/13, 26309/13, 27161/13, 29197/13, 32224/13, 32331/13, 32351/13, 32368/13, 37173/13, 38490/13, 42340/13, 42403/13) - Importance 2 - 17 January 2017 - Violation of Article 14 taken in conjunction with Article 8 - Unlawful discrimination ban on US nationals adopting Russian children

The case concerned the applicants' complaint that, given that they had been at an advanced stage of the adoption procedure and a bond had already been formed between the prospective parents and the children, the application of the adoption ban to them had been an unlawful and disproportionate interference with their family life.

The Court noted that the alleged discrimination had taken place against the prospective parents due to their US nationality. Firstly, the Court held that there had been a difference between the treatment of US nationals and other foreign nationals. Secondly, the Court held that this difference in treatment had been disproportionate and discriminatory. The domestic authorities had justified the ban by referring to two aims: protecting children from harm (citing a number of highly-publicised instances of ill-treatment of the domestic authorities children adopted by US nationals); and the encouragement of adoption by the domestic authorities nationals. The Court held that, though these aims had been legitimate, it had doubts as to whether the ban had been an adequate response to them. The Court noted the abrupt way in which the ban had been implemented. When an adoption procedure reaches a late stage it involves considerable emotional resources, as an attachment begins to form between the adults and the child. The domestic authorities had failed to show that there had been compelling reasons to justify such a retroactive and indiscriminate blanket ban on all prospective US parents, irrespective of the status of proceedings or the individual circumstances.

Therefore, there had been a violation of Article 14 taken in conjunction with Article 8 of the Convention.

Article 41 (Just satisfaction)

The Court held that Russia was to pay each pair of prospective parents (or, where an applicant had made their application alone, to that person individually) EUR 3,000 in respect of non-pecuniary damage, and USD 600 in respect of costs and expenses (except in respect of two applicants, whose lawyer had acted pro bono).

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
AZERBAIJAN	26 January 2017	FAIG MAMMADOV (No. 60802/09)	3	No violation of Art. 6 §§ 1 and 3 (c)	Fairness of proceedings given that the applicant's absence did not undermine his interests while, concerning the conduct of the applicant's lawyer, the relevant state could not be held accountable for his shortcomings
BELGIUM	24 January 2017	HIERNAUX (IN FRENCH ONLY) (No. 28022/15)	2	No violation of Art. 13 taken together with Art. 6 § 1	No lack of an effective domestic remedy concerning the applicant's complaint about the excessive length of the criminal proceedings brought against her
		J.R. (IN FRENCH ONLY) (No. 56367/09)	2	Violation of Art. 6 § 1	Excessive length of criminal proceedings (12 years)
BULGARIA	12 January 2017	SARBYANOVA AND PASHALIYSKA (N. 3224/14)	3	No violation of Art. 2	Impossibility to say either that the lengthy duration of the domestic proceedings caused evidence to deteriorate or perish, to the detriment of the quality of the results of the criminal proceedings
				No violation of Art. 13 in conjunction with Art. 2	Impossibility to say that an effective domestic remedy did not exist and was not available to the applicants in relation to their complaint about the length of the criminal proceedings into the murder of their relative

BULGARIA (CONTINUED)	19 January 2017	DIMOVA AND PEEVA (No. 20440/11)	3	No violation of Art. 8	Domestic authorities' decision to not allow the applicant's child unrestricted travel abroad without her father's consent was taken through the prism of the child's best interest
		I.P. (IN FRENCH ONLY) (No. 72936/14)	2	Violation of Art. 5 § 4	Lack of a judicial review of the lawfulness of the applicant's detention
		IVAN TODOROV (IN FRENCH ONLY) (No. 71545/11)	2	Violation of Art. 5 § 4	Lack of a judicial review of the lawfulness of the applicant's detention
				Violation of Art. 5 § 5	Absence of an effective domestic remedy concerning the violation under Art. 5 § 4
		POSEVINI (No. 63638/14)	3	No violation of Art. 8	Justified and proportionate search of the applicants' house and photography studio
				Violation of Art. 13 read in conjunction with Art. 8	Absence, under domestic law, of a procedure enabling the applicants to contest the lawfulness of the searches and seizures and obtain appropriate redress if they were unlawfully ordered or executed
STAMOVA (No. 8725/07)	3	Violation of Art. 1 of Prot. No. 1	Domestic authorities' failure to enforce three final judgments in favour of the applicant		
		Violation of Art. 13 in conjunction with Art. 1 of Prot. No. 1	Absence of an effective domestic remedy in that respect		
CROATIA	31 January 2017	BOLJEVIC (No. 43492/11)	3	Violation of Art. 1 of Prot. No. 1	Applicant's confiscation of the entire amount of money that should have been declared as an additional sanction to the fine had imposed him an excessive burden
CZECH REPUBLIC	12 January 2017	BÁTEK AND OTHERS (No. 54146/09)	3	No violation of Art. 6 § 1 in conjunction with Art. 6 § 3 (d)	Domestic trial court's rigorous assessment of all the evidence showing no sign of arbitrariness, and bearing in mind the public interest in seeing the crime of corruption properly prosecuted: no finding that the lawfully administered procedural safeguards were, in the circumstances of the present case, capable of counterbalancing certain handicaps under which the defence laboured

		ŠTULIČ (No. 36705/12)	3	No violation of Art. 6 § 1 in conjunction with Art. 6 § 3 (d)	Sufficient counterbalancing factors on which it is possible to conclude that the admission in evidence of the testimony given at the pre-trial stage of the domestic criminal proceedings did not result in a breach of the Convention
GEORGIA	17 January 2017	GAKHARIA (No. 30459/13)	3	Violation of Art. 6 § 1	Domestic authorities' rigid application of domestic law undermined the applicant's ability to participate in the proceedings and defend his interests while the domestic courts' own lack of diligence during the default proceedings meant that the applicant should have had an opportunity to obtain a fresh examination of his case with his participation
		TSARTSIDZE AND OTHERS (No. 18766/04)	3	Violation of Art. 9 taken separately and in conjunction with Art. 14	Domestic authorities having neither made any credible argument nor submitted any evidence capable of rebutting the applicants' allegations concerning the disruption of their religious activities
GERMANY	19 January 2017	WERRA NATURSTEIN GMBH & Co KG (No. 32377/12)	3	Violation of Art. 1 of Prot. No. 1	Infringement of the applicant company's right to peaceful enjoyment of its possessions on account of the lack of compensation after the expropriation proceedings for road construction purposes
GREECE	19 January 2017	SINGH AND OTHERS (No. 60041/13)	3	Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding)
				Violation of Art. 13 in conjunction with Art. 3	Absence of an effective domestic remedy concerning the applicants' complaint
HUNGARY	17 January 2017	BÉRES AND OTHERS (Nos. 59588/12, 59632/12 AND 59865/12)	3	No violation of Art. 6 § 2	Presumption of innocence not being undermined by the fact that the domestic criminal proceedings against the applicants ended without a formal judgment
LATVIA	12 January 2017	KIRINS (No. 34140/07)	3	Violation of Art. 6	Domestic authorities not acting with the requisite diligence expected from them in this type of

LATVIA (CONTINUED)					cases, given that the aim of the proceedings was to provide compensation for excessive use of force by a domestic police officer
				Violation of Art. 13 in conjunction with Art. 3	Domestic authorities not providing the applicant with a remedy within the meaning of Art. 13 by which the applicant at the material time could obtain appropriate redress for his grievances under Art. 3
	26 January 2017	DZIRNIS (No. 25082/05)	3	Violation of Art. 1 of Prot. No. 1	Disproportionate interference with the applicant's rights on account of the expropriation of a plot of land which he had purchased in good faith without compensation
LITHUANIA	17 January 2017	JANKOVSKIS (No. 21575/08)	3	Violation of Art. 10	Domestic authorities' interference with the applicant's right to receive information cannot be regarded as having been necessary in a democratic society
	24 January 2017	FRIDMAN (No. 40947/11)	3	Violation of Art. 6 § 1	Unfairness of proceedings on account of the applicant's absence to the hearing due to a late notification which deprived him of the opportunity to submit his observations
		LIATUKAS (No. 27376/11)	3	No violation of Art. 6 § 1	Fairness of proceedings as the error committed by the domestic courts was counterbalanced by granting the applicant sufficient opportunity to comment on the other party's appeal
POLAND	10 January 2017	KORZENIAK (No. 56134/08)	3	Violation of Art. 6 § 1	Domestic court having to examine whether the lower courts had correctly applied substantive law. Domestic court being invited by the plaintiff to decide, inter alia, whether the rates of the applicant's pay had been fixed in his employment contract or whether they had to be determined on the basis of the provisions of the international agreement

POLAND (CONTINUED)		BABIARZ (No. 1955/10)	2	No violation of Art. 8 taken together with Art. 12	Positive obligations arising under Art. 8 did not impose on the domestic authorities a duty to accept the applicant's petition for divorce
	17 January 2017	ZYBERTOWICZ (No. 59138/10)	3	Violation of Art. 10	Reasons given by the domestic courts not being regarded as a sufficient justification for the interference with the applicant's right to freedom of expression. Domestic courts therefore failing to strike a fair balance between the competing interests. Moreover, this conclusion not being affected by the fact that the proceedings complained of were civil rather than criminal in nature.
PORTUGAL	17 January 2017	TAVARES DE ALMEIDA FERNANDES AND ALMEIDA FERNANDES (No. 31566/13)	3	Violation of Art. 10	Domestic courts having exceeded the margin of appreciation afforded to them regarding limitations on debates of public interest and no reasonable relationship of proportionality between, on the one hand, the restriction on the first applicant's right to freedom of expression and, on the other hand, the legitimate aim pursued.
ROMANIA	17 January 2017	CACUCI AND S.C. VIRRA & CONT PAD S.R.L. (No. 27153/07)	3	Violation of Art. 8	Domestic interference with the applicant's right to a private life not "in accordance with the law" within the meaning of Article 8 of the Convention.
				No violation of Art. 8	Domestic decision authorising the search of the applicant's home being based on relevant and sufficient reasons, and being attended by adequate safeguards against abuse and arbitrariness.
				No violation of Art. 13 taken in conjunction with Art. 8	Applicant having at her disposal sufficient remedies capable of offering redress for her complaints relating to the

					search and seizure of various items.
		PANTEA ONLY IN FRENCH (No. 36525/07)	3	Violation of Art. 6 § 1	Length of the domestic criminal proceedings against the applicant infringing the “reasonable time” principle.
RUSSIA	17 January 2017	BARAKHOYEV (No.8516/08)	3	Violation of Art. 3	Treatment to which the applicant was subjected being sufficiently serious to be considered inhuman and degrading.
				Violation of Art. 3 (procedural)	Domestic authorities failure to carry out an effective criminal investigation into the applicant’s allegations of ill-treatment while in police custody
				Violation of Art. 5 § 1	Applicant being “deprived of his liberty” within the meaning of Article 5 § 1 of the Convention when he was taken by the domestic policemen to the police station and held there for several hours.
	26 January 2017	KHAMIDKARIYEV (No. 42332/14)	3	Violation of Art. 38	Domestic authorities’ failure to provide relevant information and documents
				Violation of Art. 3 (substantive)	Domestic authorities’ failure to demonstrate that the applicant’s disappearance was not due to the passive or active involvement of the state agents
				Violation of Art. 3 (procedural)	Ineffective investigation into the applicant’s abduction
				No violation of Art. 34	Domestic authorities’ failure to comply with the interim measure
			TERENTYEV (No. 25147/09)	3	Violation of Art. 10
31 January 2017	ABUBAKAROVA AND MIDALISHOVA (Nos. 47222/07 AND 47223/07)	3	Violation of Art. 2 (substantive)	Applicants’ husbands had been killed by state agents	
			Violation of Art. 2 (procedural)	Domestic authorities’ failure to carry out an effective investigation into the deaths of the	

RUSSIA (CONTINUED)					applicants' husbands
				Violation of Art. 5 § 1	Absence of legal basis concerning the "escorting" of the applicant
		ROZHKOV (No. 2) (No. 38898/04)	2	Violation of Art. 5 § 1	Domestic authorities' failure to notify the applicant of any summonses to appear before an investigating officer
				Violation of Art. 8	Unjustified search of the applicant's office
				Violation of Art. 5 § 3	Domestic authorities' failure to promptly bring the applicants before a judge following their arrests
		VAKHITOV AND OTHERS (Nos. 18232/11, 42945/11 AND 31596/14)	3	Violation of Art. 5 § 2	Domestic authorities' failure to promptly inform one of the applicants about the reasons for his arrest
				Violation of Art. 6 § 2	Domestic court's statement amounted to a pronouncement on the applicant's guilt before he was proved guilty according to law
		VORONTSOV AND OTHERS (Nos. 59655/14, 5771/15 AND 7238/15)	3	Violation of Art. 3 (substantive)	Applicants' confinement in metal cages in courtrooms
SLOVAKIA	10 January 2017	MEČIAR AND OTHERS (No. 62864/09)	3	Violation of Art. 1 of Protocol 1	Domestic authorities failing to strike the requisite fair balance between the general interests of the community and the protection of the applicants' right of property.
		RIEDEL AND OTHERS (Nos. 44218/07, 54831/07, 33176/08 AND 47150/08)	3	Violation of Art. 1 of Protocol No. 1	Domestic authorities' failure to strike the requisite fair balance between the general interests of the community and the protection of the applicants' right to property.
SLOVENIA	17 January 2017	B.K.M. LOJISTIK TASIMACILIK TICARET LIMITED SIRKETI (No. 42079/12)	3	Violation of Art. 1 of Protocol No. 1	Mandatory confiscation of the applicant company's vehicle, coupled with the lack of a realistic opportunity to obtain compensation for its loss, not taking sufficient

					account of the applicant company's interests.
	24 January 2017	KOPRIVNIKAR (No. 67503/13)	3	Violation of Art. 7	Domestic courts' failure to ensure the observance of the principle of legality as the overall penalty imposed on the applicant was in violation of both the principle that only the law can prescribe a penalty and the principle of retrospectiveness of the more lenient criminal law
		VALANT (No. 23912/12)	3	Violation of Art. 1 of Prot. No. 1	Unlawful seizure of the applicant's car
SWITZERLAND	10 January 2017	SALJA (No. 55470/10)	3	No violation of Art. 8	Domestic authorities balancing the applicant's right to respect for his family life reasonably against the State's interests in public safety and in preventing disorder and crime. Domestic authorities not attributing too much weight to its own interests when deciding to revoke the applicant's permanent residence permit and order his expulsion to another State Party.
	17 January 2017	C. M. ONLY IN FRENCH (No. 7318/09)	3	Violation of Art. 6 § 1	Domestic Social Insurance Tribunal not sending the applicant the observations of the opposing party concerning his action until a few days before judgment had been given, with the result that he had been unable to reply to them.
TURKEY	17 January 2017	ÖNKOL ONLY IN FRENCH (No. 24359/10)	3	No violation of Art. 2 (procedural)	Effective investigation into the death of the applicant's daughter
	24 January 2017	CENGIZ AND SAYGIKAN (IN FRENCH ONLY) (No. 26754/12)	3	Violation of Art. 2 (positive obligations, substantive)	Domestic authorities' failure to protect the life of the applicants' relative while performing his military service
	31 January 2017	HASAN TUNC AND OTHERS (IN FRENCH ONLY) (No. 19074/05)	3	Violation of Art. 6 § 1	Domestic court's rigid interpretation of the domestic law restrained the applicants' right to access to court
Violation of Art. 6 § 1				Excessive length of proceedings (8 years)	

UKRAINE	12 January 2017	LYKIN (No. 19382/08)	3	Violation of Art. 10	Domestic judicial authorities failing to recognise that the present case involved a conflict between the right to protection of reputation and freedom of political expression and to carry out the relevant balancing exercise.
	19 January 2017	KULYKOV AND OTHERS (Nos. 5114/09, 4588/11, 9740/11, 12812/11, 20554/11, 35336/11, 68443/11, 75790/11, 78241/11, 5678/12, 11775/12, 21546/12, 54135/12, 65207,12, 77810/12, 242/13, 15073/13 AND 57154/13)	3	Violation of Art. 6 § 1	Lack of independence and impartiality
				Violation of Art. 8	Unlawful interference with the private life of the applicant on account of his dismissal from the post of judge
	26 January 2017	SURIKOV (No. 42788/06)	3	Violation of Art. 8	Unjustified interference with the applicant's right to respect for his private life concerning the use of the disputed date for deciding on the applicant's promotion and its unrestricted disclosure to various third parties
				Violation of Art. 6	Domestic courts' failure to state adequate reasons for rejecting the applicant's claims

B. The decision on admissibility

These 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 October 2016**. They 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
GERMANY	4 October 2016	NATIONALDEMOKRATISCHE PARTEI DEUTSCHLANDS (NPD) v. GERMANY (No. 55977/13)	Violation of Art.13, Art. 10, Art. 11 and Article 3 of Protocol No. 1 (Ineffective remedy at national level to protect the applicant's rights against the large number of infringements in connection with its constant "stigmatisation" as an "unconstitutional political party" and its "de facto ban")	Rejected as ill-founded (Remedies were available to the applicant at national level which enabled it to effectively enforce the substance of its rights and freedoms protected by the Convention)
GEORGIA	11 October 2016	JIKIA v. GEORGIA (No. 37302/05)	Violation of Art. 8 and Art. 1 of Protocol No. 1 (Inability to reconstruct a house after its demolition on the land where it was located, inadequate compensation award of the subsequent civil proceedings)	Rejected as incompatible <i>ratione temporis</i> with the provisions of the Convention
		KIKNADZE v. GEORGIA (No. 33953/05)	Violation of Art. 6 § 1, Art. 13 and Art. 1 of Protocol No. 1 (Complaint of the applicant about the outcome of the domestic proceedings)	Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention
SERBIA	4 October 2016	KAMENICA AND OTHERS v. SERBIA (No. 4159/15)	Violation of Art. 3, Art. 6 and Art. 13 (Lack of effective investigation into the applicants' alleged torture)	Rejected as inadmissible (The complaint has been lodged out of time)

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 November** 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
ARMENIA	25 NOVEMBER 2016	T.M. AND OTHERS (No. 22759/16)	The applicants claim that they have suffered profound mental distress and anguish as a consequence of the mutilation or abuse of their relative's body by the armed forces. Moreover, referring to this mutilation or abuse, the failure of the domestic authorities to return the cut-off body parts and the resultant inability to bury the body in a proper manner, the applicants complain that their right to respect for their private and family life has been violated.
AZERBAIJAN	29 NOVEMBER 2016	MAMMADOV AND HUSEYNOV (No. 14604/08)	The applicants complain that their criminal conviction for refusing to serve in the army constituted a violation of freedom of thought, conscience and religion and that they were discriminated against on the ground of their religious belief.
BULGARIA	23 NOVEMBER 2016	RIBCHEVA, IVANOVA-SHARKOVA AND SHARKOVA (No. 37801/16) (No. 39549/16) (No. 40658/16)	The applicants complain that the authorities did not do enough to prevent the risk to the victim's life as they granted the shooter permission to store and carry firearms without properly checking whether he was mentally fit and as the authorities did not provide the officers who took part in his arrestation with suitable ballistic helmets and shields.
MALTA	30 NOVEMBER 2016	BUTTIGIEG AND OTHERS (No. 22456/15)	The applicants complain their property rights were being infringed as a result of the law which imposed upon them a unilateral lease relationship for an indeterminate time without reflecting a fair and adequate rent.
POLAND	2 NOVEMBER 2016	GESINA-TORRES (No. 11915/15)	The applicant complains that the sanction imposed on him breached his right to freedom of expression as he had himself detained in the centre on false pretences in order to establish the alleged ill-treatment of aliens in the State-run detention centre.
RUSSIA	10 NOVEMBER 2016	MASTERSKIKH (No. 25036/16)	The applicant complains that her right to respect for her private life was infringed by the State authorities' refusal to provide her with special-function wheelchairs, despite the recommendations of a physician.

SLOVAKIA	10 NOVEMBER 2016	LAKATOŠOVÁ AND LAKATOŠ (No. 655/16)	<p>The applicants complain about the failure of the public authorities to establish the racial element of the crime committed against them and to punish the perpetrator accordingly which undermined public confidence in an objective and transparent justice system.</p>
SLOVENIA	30 NOVEMBER 2016	ROLA (No. 12096/14) (No. 39335/16)	<p>The applicant complains that the revocation of his licence to work as a liquidator following his conviction for the criminal offence constituted a disproportionate measure that retroactively imposed on him, which had not been provided in law at the time of the offence.</p>

PartOne

§2 - EUROPEAN COMMITTEE OF SOCIAL RIGHTS

A. Reclamations and Decisions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
FINNISH SOCIETY OF SOCIAL RIGHTS	6 September 2016	No. 107/2014	The right to protection in cases of termination of employment (Art. 24)	CM notes that domestic legislation provides certain guarantees, notably the obligation to re-employ employees dismissed on economic grounds where the employer needs new employees within nine months of the termination of employment, for the same or similar work that the employees had been doing. Therefore, there has not been a violation of Art. 24.
FINNISH SOCIETY OF SOCIAL RIGHTS	9 September 2016	No. 106/2014	The right to protection in cases of termination of employment (Art. 24)	As regards the Government's arguments that the obligation stipulated in the legislation to re-employ employees made redundant for financial or production-related reasons should an employer require employees during the following nine months, the Committee finds that this obligation cannot be regarded as a substitute for reinstatement as it has a limited scope of application and does not have as its purpose the reinstatement of workers unlawfully dismissed. Therefore, there has been a violation of Article 24.

B. Other information

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

PartOne

§3 - RECOMMENDATIONS & RESOLUTIONS

A. Recommendations

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
PACE	24 January 2017	2141	Attacks against journalists and media freedom in Europe	PACE reiterates the right to freedom of expression and information through the media as a necessary requirement for any democratic society, and regrets however, that some concerns expressed in a previous resolution have to be reiterated.
PACE	24 January 2017	2142	The humanitarian crisis in Gaza	PACE recalls its Resolution 1940 (2013) on the situation in the Middle East, and urges the State of Israel and the Palestinian Authority to fully co-operate with the International Criminal Court's preliminary examination of the situation in Gaza
PACE	25 January 2017	2143	Online media and journalism: challenges and accountability	PACE acknowledges the radical changes in the media landscape resulting from the convergence of traditional media with the internet and mobile telecommunications.
PACE	25 January 2017	2144	Ending cyberdiscrimination and online hate	PACE calls to clarify the responsibility and role of internet intermediaries that provide the tools, forums and platforms on which internet communications occur, as regards preventing and combating online hate.
PACE	25 January 2017	2146	Reinforcing social dialogue as an instrument for stability and decreasing social and economic inequalities	PACE is convinced that the need for a strong social dialogue, based on a healthy balance of power, an open and trustful dialogue and full respect for international standards, should be recognised and its implementation supported by all social partners.
PACE	26 January 2017	2147	The need to reform European migration policies	PACE recognises the need to engage meaningfully in dialogue with the Turkish Government for effective burden-sharing schemes in face of the magnitude of the refugee crisis faced in Turkey.

PACE	26 January 2017	2149	The progress of the Assembly's monitoring procedure (September 2015-December 2016) and the periodic review of the honouring of obligations by Austria, the Czech Republic, Denmark, Finland, France and Germany	PACE acknowledges the work carried out by the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) in fulfilling its mandate as defined in Resolution 1115 (1997) on the setting up of an Assembly committee on the honouring of obligations and commitments by member States of the Council of Europe (Monitoring Committee).
PACE	26 January 2017	2150	The situation in Lebanon and challenges for regional stability and European security	PACE recalls its Resolution 1520 (2006) on recent developments in Lebanon in the context of the situation in the Middle East, in which it stated that a lasting political solution in the region can only be achieved through political dialogue among all parties concerned and that it considered itself to be particularly well placed to pursue such a dialogue at the parliamentary level.
PACE	27 January 2017	2151	Human rights compatibility of investor-State arbitration in international investment protection agreements	PACE backs the proposed Investment Court System (ICS) as a "reasonable compromise" for arbitrating in commercial disputes between states and foreign investors.
PACE	27 January 2017	2152	"New generation" trade agreements and their implications for social rights, public health and sustainable development	PACE calls "new generation" trade agreements to be designed to promote environmental sustainability, human rights and the rule of democratic law as well as to facilitate the mutual benefits of trade
PACE	27 January 2017	2153	Promoting the inclusion of Roma and Travellers	PACE invites national parliaments to mobilise against anti-Gypsyism and all forms of racism and intolerance.

B. Resolutions

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

PartOne

§4 - OTHER INFORMATION OF GENERAL IMPORTANCE

A. Information from the Committee of Ministers

■ 1274th meeting of the Ministers' Deputies (11.01.2017)

At the start of the meeting, the Chair expressed the Committee's condolences and solidarity after the terrorist attacks in Germany and Turkey, the assassination of the Russian Ambassador in Ankara and the several attacks in neighbouring countries. She also paid tribute to Mr Mário Soares, former President of the Republic of Portugal and of the Group of Wise Persons at the Council of Europe, who passed away. ([Read more](#) – [Agenda](#))

■ 1275th meeting of the Ministers' Deputies (18.01.2017)

At their meeting on 18 January, the Ministers' Deputies took note of and authorised the Secretary General to sign the revised draft Statute and the act of establishment of the European Roma Institute for Arts and Culture (ERIAC). ([Read more](#) – [Agenda](#))

■ Day of Remembrance of the Holocaust and the Prevention of Crimes against Humanity (24.01.2017)

In a statement, the Chair of the Committee of Ministers, Ioannis Kasoulides, Minister for Foreign Affairs of Cyprus, recalled that “calls for a remembrance of past crimes with an eye towards preventing them in the future points to our collective duty – governments, elected representatives, civil society actors – to act, to combat intolerance, hate and extremism.” ([Read more](#))

■ Council of Europe colloquy on protecting cultural heritage from destruction and trafficking (02.01.2017)

High-level representatives from international organisations and national governments, as well as academic experts, are in Strasbourg today for a colloquy aimed at strengthening cooperation to protect cultural heritage from wanton destruction and preventing the illicit trafficking of cultural goods. ([Read more](#) – [draft programme](#) - [Opening speech by Thorbjørn Jagland, Secretary General of the Council of Europe](#) – [Address by Ioannis Kasoulides, Chair of the Committee of Ministers and Minister for Foreign Affairs of Cyprus](#))

B. Information from the Parliamentary Assembly

■ Pedro Agramunt: “Our societies are stronger than terrorism” (01.01.2017)

“Our societies are resilient enough to withstand these attacks: together we are stronger than terrorism”, said PACE President Pedro Agramunt, condemning the New Year's Day terrorist attack in Istanbul. ([Read more](#))

■ Rapporteurs urge Belarusian authorities to join the European family of abolitionists (04.01.2017)

Yves Cruchten (Luxembourg, SOC), general rapporteur of the PACE on the abolition of the death penalty, and Andrea Rigoni (Italy, ALDE), PACE rapporteur on the situation in Belarus, have deplored the death sentence handed down on Kiryl Kazachok by a Belarusian court. ([Read more](#))

■ President condemns attack in Jerusalem (09.01.2017)

Pedro Agramunt, the President of the PACE, has condemned the terrorist attack on young Israeli cadets at the weekend and expressed his condolences in a letter to the Speaker of the Knesset, which holds observer status with the Assembly. ([Read more](#) – [Letter to the Speaker of the Knesset](#))

■ PACE President in Moscow: 'The voice of MPs from all Europe's 47 countries must be heard in the Assembly' (13.01.2017)

At the end of his visit to Moscow, Pedro Agramunt spoke in favour of the continuation of contact between parliamentarians of all Council of Europe member States. "The Assembly is a pan-European parliamentary forum and the voice of MPs from all Europe's 47 countries must be heard in the Assembly", he said. ([Read more](#) – [President makes working visit to Moscow](#))

■ Debate on the need to reform European migration policies (23.01.2017)

Adopting its final agenda at the opening of the winter session, the Assembly decided to hold an urgent debate on the need to reform European migration policies and a current affairs debate on the situation in Syria and its effects upon surrounding countries. ([Read more](#) – [Session special page](#) – [Video of the debate](#))

■ Pedro Agramunt re-elected President of PACE (23.01.2017)

Following his re-election as PACE President for a second one-year term at the opening of the winter session in Strasbourg, Pedro Agramunt outlined his political priorities for 2017 with a plea for parliamentary diplomacy. ([Read more](#) – [Opening statement by Pedro Agramunt](#) – [Video link of the opening of the session](#))

■ Ioannis Kasoulides: Cypriot chairmanship to focus on strengthening democratic security in Europe (23.01.2017)

Given the series of recent terrorist attacks, Ioannis Kasoulides underlined that member States should act with even greater determination against terrorism, using the Council of Europe tools for strengthening international co-operation in the fight against terrorism, in particular the Protocol on Foreign Terrorist Fighters which was opened for signature in October 2015. ([Read more](#) – [Video of the speech](#))

■ Secretary General: tackling the challenges of populism, fake news, terrorism and migration; the situation in Turkey (24.01.2017)

Addressing the PACE, Secretary General Thorbjørn Jagland attributed the rise of populism in Europe and elsewhere to a widespread loss of faith in democratic institutions. He said the solution was to find answers to the everyday problems faced by Europeans. ([Read more](#) – [Video of the communication from Thorbjørn Jagland](#))

■ PACE elects Jolien Schukking judge to the European Court of Human Rights in respect of the Netherlands (24.01.2017)

Ms Schukking, having obtained an absolute majority of votes cast, has been elected a judge of the European Court of Human Rights for a term of office of nine years which shall commence no later than

three months after her election. ([Read more](#) – [List and curricula vitae of candidates submitted by the Government of the Netherlands](#) – [Voting result](#) – [How are judges of the European Court of Human Rights elected?](#))

■ PACE elects Péter Paczolay judge to the European Court of Human Rights in respect of Hungary (24.01.2017)

Mr Paczolay, having obtained an absolute majority of votes cast, has been elected a judge of the European Court of Human Rights for a term of office of nine years which shall commence as from 1 February 2017 and in any event no later than three months after his election. ([Read more](#) – [Voting results](#) – [List and curricula vitae of candidates submitted by the Government of Hungary](#) – [How are judges of the European Court of Human Rights elected?](#))

■ Media freedom under serious threat in many European countries (24.01.2017)

PACE has expressed its concern at the many cases of serious threats to media freedom in Europe listed by the Platform to promote the protection of journalism and safety of journalists, set up by the Council of Europe in 2015. A resolution adopted today by the Assembly, on the basis of a report by Volodymyr Arieu (Ukraine, EPP/CD), highlights the death of 16 journalists since January 2015 following acts of violence in the member States. ([Read more](#) – [Video of the debate](#))

■ EU and Council of Europe should combine strengths in a ‘strategic partnership’ – Commissioner Hahn (24.01.2017)

The EU’s Enlargement Commissioner Johannes Hahn has hailed the Council of Europe’s role as a “moral compass”, and called for the Council of Europe and the EU to combine their strengths in a strategic partnership to boost their shared values in a time of change. ([Read more](#) – [Video of the address by Johannes Hahn](#) – [Session web page](#))

■ PACE lists urgent steps to end the ‘deteriorating’ humanitarian situation in Gaza (25.01.2017)

PACE has called on all sides to take urgent steps to alleviate the humanitarian plight of the population of the Gaza Strip, which it described as having “worsened significantly” since the 2014 Israeli military operation there. ([Read more](#) – [Voting results](#) – [Video of the debate](#))

■ Reinforcing social dialogue as an instrument for stability (25.01.2017)

The Assembly has expressed its concern with regard to the “lower significance and changing role of trade unions” which “could further increase social and economic inequalities”. ([Read more](#) – [Voting result](#) – [Video of the debate](#))

■ The Assembly says no to online hate (25.01.2017)

Based on the report by Marit Maij (Netherlands, SOC), PACE has proposed, in a resolution, a set of measures to prevent and combat online hate. ([Read more](#) – [Voting results](#) – [Video of the debate](#))

■ ‘Europhobia is not just against the values of the EU, but those of the CoE too’ (25.01.2017)

“One of the main challenges we all face in Europe is, unfortunately, the rise of populism, radicalism, xenophobia and Europhobia. Europhobia is not just against the values of the European Union. It is also very much against the fundamental values, principles and norms of the Council of Europe,” said Klaus Werner Iohannis, President of Romania, addressing the Assembly today. ([Read more](#) – [Video of the speech by Klaus Werner Iohannis](#))

■ Standards needed for the accountability of online media and journalists (25.01.2017)

Considering the new media landscape and the exponential growth in internet media – which offer everybody the possibility to disseminate information to the public – PACE recommended that member States initiate discussions on norms and mechanisms required for “preventing the risk of information distortion and manipulation of public opinion”. ([Read more](#) – [Video of the debate](#))

■ PACE reviews progress of states involved in its monitoring procedure (26.01.2017)

PACE has adopted the annual report on its monitoring procedure, which takes stock of the activities of its Monitoring Committee from September 2015 to December 2016 and assesses the progress of the countries concerned. ([Read more](#) – [Voting result](#) – [Video of the debate](#))

■ Chair of Equality Committee: ‘No to the trivialisation of domestic violence’ (26.01.2017)

“I am deeply concerned at the adoption yesterday by the lower house of the Russian Parliament of a bill decriminalising violence against family members for cases when it is a first offence and does not cause serious physical injury”, said Elena Centemero (Italy, EPP/CD), Chairperson of the Committee on Equality and Non-Discrimination of PACE, following a debate with the committee members. ([Read more](#))

■ Allegations of corruption and fostering of interests made against some members or former members of PACE (26.01.2017)

The Committee on Rules of Procedure, Immunities and Institutional Affairs of PACE have unanimously adopted a declaration urging “the Bureau to act with utmost diligence in order to promptly put an end to speculations leading to criticism of the Assembly” ([Read more](#) – [Interview of Ms Maury Pasquier](#))

■ Lebanon: call for more solidarity to deal with an ‘unsustainable’ refugee crisis (26.01.2017)

“The refugee crisis is becoming unsustainable for Lebanon. Greater solidarity is needed”, PACE said today. It added that the international community should step up “as a matter of urgency, its contribution to support and assist the refugees presently in Lebanon”. States should, on the one hand, increase their financial support for the humanitarian response on the spot and, on the other hand, increase resettlement possibilities for those refugees who so wished. ([Read more](#) – [Video of the debate](#))

■ Debate on the situation in Syria, and its effects on surrounding countries (26.01.2017)

Sir Roger Gale (United Kingdom, EC) opened a current affairs debate on the situation in Syria, and its effects upon surrounding countries, with an emotional appeal for action to relieve the suffering in the country. ([Read more](#) – [Video of the debate](#) – [Speakers’ list](#))

■ Protecting borders is compatible with the upholding of humanitarian law (26.01.2017)

The right and obligation to protect national and EU external borders is not incompatible with the commitment to uphold international humanitarian law, declared the Assembly. Regrettably, “dysfunctional status determination procedures do not allow for quick distinctions between people in real need of international protection and irregular migrants”. ([Read more](#) – [Voting result](#) – [Video of the debate](#))

■ Free debate on current issues that are not included in the session agenda (27.01.2017)

The Parliamentary Assembly of the Council of Europe held a free debate on current issues not included in the session agenda. ([Read more](#) – [Video of the debate](#))

■ **Call for scrutiny to protect democracy and citizens in new blueprints for world trade (27.01.2017)**

The Assembly has reminded member States to pay very close attention to safeguarding environmental, democratic, and human rights imperatives in Europe, when drafting the 'new generation trade agreements'. ([Read more](#) – [Video of the debate](#))

■ **Promoting the inclusion of Roma and Travellers (27.01.2017)**

In a resolution adopted on the basis of a report by Tobias Zech (Germany, EPP/CD), PACE has called on member States actively to promote equal access to employment for Roma and Travellers and, also in the field of employment, to ensure that effective anti-discrimination laws are in place, providing for accessible complaints procedures. "Access to employment is a crucial factor in social inclusion," the parliamentarians said. ([Read more](#) – [Voting result](#) – [Video of the debate](#))

■ **Investment court system - a 'reasonable compromise' for arbitrating disputes between states and foreign investors (27.01.2017)**

PACE has backed the proposed Investment Court System (ICS) as a "reasonable compromise" for arbitrating in commercial disputes between states and foreign investors. ([Read more](#) – [Voting result](#) – [Video of the debate](#))

■ **Corruption allegations at PACE: Bureau decides on three-step response (27.01.2017)**

The Bureau of the PACE agreed with the declaration by the Rules Committee on allegations of corruption and fostering of interests made against some members or former members of PACE, and unanimously supported a three-fold approach to dealing with the matter. ([Read more](#) – [Declaration by the Rules Committee](#) – [Video: statement by the President](#))

■ **Ensuring the political participation of persons with disabilities (30.01.2017)**

In adopting the report by Mechthild Rawert (Germany, SOC), the Committee on Equality and Non-Discrimination emphasised the need for persons with disabilities to participate in political life, and pointed out that political rights, such as the right to vote, stand for election and be elected, are fundamental human rights. ([Read more](#) – [Adopted report](#))

C. Information for the Commissioner for Human Rights

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

D. Information from the monitoring mechanisms

■ **GRECO to support PACE integrity support (26.01.2017)**

The President of the GRECO, Marin Mrcela, has made the following statement: "GRECO welcomes the commitment by the Parliamentary Assembly to strengthen its integrity and ethics framework. There must be no room for corruption anywhere. As President of the Council of Europe's anti-corruption body, I expect the same level of integrity and ethics standards in the Council of Europe's institutions as we ask from our member States during our evaluations. We look forward to working speedily and constructively with the Assembly and its Committee on Rules of Procedure, Immunities and Institutional Affairs to strengthen their Code of conduct and its implementation." ([Read more](#))

■ **Anti-corruption body GRECO encourages the United States to further enhance measures to prevent conflicts of interest in respect of Members of Congress, judges and prosecutors (17.01.2017)**

In a report, the GRECO acknowledges that the United States has in place a solid legal, ethical and institutional framework to prevent and fight corruption in respect of Members of Congress, judges and prosecutors. Nevertheless, the report draws the attention to some areas where the system could be further enhanced. ([Read more](#))

■ **MONEYVAL: Publication of a report on Isle of Man (27.01.2017)**

In its new report, MONEYVAL praised the authorities of the Isle of Man for the effective coordination of anti-money laundering/countering the financing of terrorism policies. In addition, it is commended the authorities' thorough understanding of money laundering and financing of terrorism vulnerabilities, which lie within the national institutional and legal framework. ([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.

Azerbaijan

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

■ FCNM: Receipt of the 4th cycle State Report (10.01.2017)

Azerbaijan submitted its fourth State Report on 10 January 2017, in English and Azerbaijani, pursuant to Article 25, paragraph 2, of the Framework Convention for the Protection of National Minorities.

It is now up to the Advisory Committee to consider it and adopt an opinion intended for the Committee of Ministers. ([Read more](#))

■ PACE: Statement by PACE monitors, ending visit to Azerbaijan (19.01.2017)

After their fact-finding visit to Baku from 12 to 14 January 2017, the co-rapporteurs for the monitoring of Azerbaijan by PACE, Stefan Schennach (Austria, SOC) and Cezar Florin Preda (Romania, EPP/CD), made a statement. ([Read more](#) – [Monitoring co-rapporteurs to visit Azerbaidjan](#))

Bosnia and Herzegovina

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

■ FCNM: Receipt of the 4th cycle State Report (06.01.2017)

Bosnia and Herzegovina submitted its fourth State Report on 22 December 2016, in English and Bosnian, pursuant to Article 25, paragraph 2, of the Framework Convention for the Protection of National Minorities.

It is now up to the Advisory Committee to consider it and adopt an opinion intended for the Committee of Ministers. ([Read the report](#))

Bulgaria

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

CASE	DATE	RESOLUTION	CONCLUSION
MEIRELLES 66203/10	18 March 2013	CM/ResDH(2017)1	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

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

Cyprus

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

CASE	DATE	RESOLUTION	CONCLUSION
VROUNTOU 33631/06	13 January 2016	CM/ResDH(2017)2	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: Nicos Anastasiades expresses his determination to resolve the Cyprus problem (24.01.2017)

A resolution of the Cyprus problem on the basis of the values of the Council of Europe, respecting liberties and human rights, is a sine qua non condition for strengthening democratic security in Europe and the south-eastern Mediterranean region, said Nicos Anastasiades, President of Cyprus, addressing the Assembly. ([Read more](#) – [Video of the address by Nicos Anastasiades](#))

Georgia

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

CASE	DATE	RESOLUTION	CONCLUSION
Teimuraz ZHORZHOLIANI and others 1838/08	28 June 2016	CM/ResDH(2017)3	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: “Georgia should continue reforms to prevent corruption among parliamentarians, judges and prosecutors”, new Council of Europe report (17.01.2017)

In a published report the GRECO acknowledged considerable progress in reducing corruption in Georgia and improving the country’s standing in international indices, and called on the Georgian authorities to continue implementing the reforms aimed at preventing corruption among parliamentarians, judges and prosecutors. ([Read more](#))

Germany

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

CASE	DATE	RESOLUTION	CONCLUSION
Heinz Rainer MAREK 64337/12	24 June 2016	CM/ResDH(2017)4	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]

Greece

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

CASE	DATE	RESOLUTION	CONCLUSION
Mohamad ADIB and others 16451/14	23 February 2016	CM/ResDH(2017)5	Examination closed
Aikaterini ALEXANDRI and others 63400/11	17 February 2015	CM/ResDH(2017)5	Examination closed
Panagiotis ATHANASOPOULOS 69402/13	20 October 2015	CM/ResDH(2017)5	Examination closed
Zois KATAGIS and 7 other applications 40967/10	10 May 2016	CM/ResDH(2017)5	Examination closed
Triantafyllos KYROU 61939/14	23 June 2015	CM/ResDH(2017)5	Examination closed
Habib LOHAR 67357/14	20 October 2015	CM/ResDH(2017)5	Examination closed
Charalambos MAKRIDIS and others 11089/15	23 February 2016	CM/ResDH(2017)5	Examination closed
Otar POPIASHVILI 9392/15	15 December 2015	CM/ResDH(2017)5	Examination closed
S. MESSIS A. KATSAROS O.E. 61987/14+	26 January 2016	CM/ResDH(2017)5	Examination closed
Konstantinos TSIGGOS and Loukia NIKOLA 48052/13	23 February 2016	CM/ResDH(2017)5	Examination closed
Athanasios VALAKOS 33054/12	15 December 2015	CM/ResDH(2017)5	Examination closed

Apostolos VALIGIANNOPOULOS 76907/11	26 April 2016	CM/ResDH(2017)5	Examination closed
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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]

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

CASE	DATE	RESOLUTION	CONCLUSION
GANCI 41576/98	30 October 2003	CM/ResDH(2017)6	Examination closed
MESSINA ANTONIO No. 2 25498/94	28 September 2000	CM/ResDH(2017)6	Examination closed
VIOLA 8316/02	29 June 2006	CM/ResDH(2017)6	Examination closed
MUSUMECI CARMELO 33695/96	11 January 2005	CM/ResDH(2017)6	Examination closed
ASCIUTTO 35795/02	27 November 2007	CM/ResDH(2017)6	Examination closed
SALVATORE 42285/98	6 December 2005	CM/ResDH(2017)6	Examination closed
BIFULCO 60915/00	8 February 2005	CM/ResDH(2017)6	Examination closed
GALLICO 53723/00	28 June 2005	CM/ResDH(2017)6	Examination closed
ARGENTI 56317/00	10 November 2005	CM/ResDH(2017)6	Examination closed
PAPALIA 60395/00	4 December 2007	CM/ResDH(2017)6	Examination closed
ENEA 74912/01	17 September 2009	CM/ResDH(2017)6	Examination closed
BARBARO 16436/02	16 May 2010	CM/ResDH(2017)6	Examination closed

MOLE 24421/03	28 June 2010	CM/ResDH(2017)6	Examination closed
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B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: The committee calls Italy for reinforced measures to prevent conflicts of interest in Parliament and judiciary (19.01.2017)

The Council of Europe's Group of States against Corruption (GRECO) has published today its Fourth Round Evaluation Report on Italy. It focuses on the prevention of corruption amongst members of parliament, judges and prosecutors. ([Read more](#) - [Fourth Evaluation Round Report](#))

■ GRETA: The committee publishes an Urgent Procedure report on Italy (30.01.2017)

The GRETA has published a report on the implementation of the Convention on Action against Trafficking in Human Beings by Italy. The report assesses the specific situation of forced returns of victims of trafficking from Italy and the identification of victims of trafficking among asylum seekers and migrants. ([Read more](#) - [Read the report](#))

“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

■ FCNM: Publication of the 4th Advisory Committee Opinion (05.01.2017)

The FCNM has published its Fourth Opinion on “the former Yugoslav Republic of Macedonia” together with the government comments ([Read the Advisory Committee Opinion - Comments](#)).

Lithuania

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

CASE	DATE	RESOLUTION	CONCLUSION
ILJINA and SARULIENĖ 32293/05	15 June 2011	CM/ResDH(2017)7	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

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 the Netherlands (19.01.2016)

The CPT has published the report on its most recent visit to the Netherlands from 2 to 13 May 2016 ([Read more](#) - [Read the report](#)).

Romania

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

CASE	DATE	RESOLUTION	CONCLUSION
SICĂ 12036/05	9 October 2013	CM/ResDH(2017)8	Examination closed
BOBEȘ 29752/05	9 October 2013	CM/ResDH(2017)8	Examination closed
ȘANDRU 33882/05	15 January 2014	CM/ResDH(2017)8	Examination closed
VARARU 35842/05	3 March 2014	CM/ResDH(2017)8	Examination closed
PRĂJINĂ 5592/05	7 April 2014	CM/ResDH(2017)8	Examination closed
OFENSIVA TINERILOR 16732/05	15 March 2016	CM/ResDH(2017)9	Examination closed
TASE 29761/02	10 September 2008	CM/ResDH(2017)10	Examination closed
DEGERATU 35104/02	6 October 2010	CM/ResDH(2017)10	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

■ FCNM: Receipt of the 4th cycle State Report (04.01.2017)

The Russian Federation submitted its fourth State Report on 20 December 2016, in English and Russian, pursuant to Article 25, paragraph 2, of the Framework Convention for the Protection of National Minorities.

It is now up to the Advisory Committee to consider it and adopt an opinion intended for the Committee of Ministers. ([Read the report](#))

■ PACE Rapporteurs express deep concern at Russian Constitutional Court decision (21.01.2017)

The co-rapporteurs of the Monitoring Committee for the Russian Federation, Theodora Bakoyannis (Greece, EPP/CD) and Liliane Maury Pasquier (Switzerland, SOC), and the rapporteur of the Committee on Legal Affairs and Human Rights for the implementation of judgments of the European Court of Human Rights (ECtHR), Pierre-Yves Le Borgn' (France, SOC), have expressed their deep concern at the decision of the Constitutional Court of the Russian Federation that the payment of compensation to YUKOS shareholders ordered by the ECtHR in its 2014 judgment *OAO Neftyanaya Kompaniya YUKOS v. Russia* would violate the Russian Federation's Constitution and therefore should not be enforced. ([Read more](#))

Slovak Republic

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

PACE	26 January 2017	2148	Challenge on procedural grounds of the still unratified credentials of the parliamentary delegation of the Slovak Republic	PACE decides to ratify the credentials of the Slovak parliamentary delegation, but to suspend the voting rights of its members in the Assembly and its bodies in accordance with Rule 10.1.c of the Rules of Procedure, with effect from the beginning of the Assembly’s April 2017 part-session, if the composition of the delegation has not been brought into conformity with Rule 6.2.a of the Rules of Procedure insofar as it relates to the appointment in the delegation of, at a very minimum, one member of the under-represented sex as a representative.
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C. Other information

■ PACE: ‘All male’ Slovak delegation to PACE challenged (23.01.2017)

The credentials of the new Slovak delegation to the Parliamentary Assembly of the Council of Europe (PACE) have been challenged on the opening day of the Assembly’s winter plenary session in Strasbourg on the grounds that it does not contain at least one Representative who is a member of “the under-represented sex”, as required by the Rules. ([Read more](#) – [Credentials presented](#) – [The Assembly’s rules of procedure](#))

Slovenia

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

■ FCNM: Receipt of the 4th cycle State Report (09.01.2017)

Slovenia submitted its fourth State Report on 6 January 2017, in English and Slovenian, pursuant to Article 25, paragraph 2, of the Framework Convention for the Protection of National Minorities.

It is now up to the Advisory Committee to consider it and adopt an opinion intended for the Committee of Ministers. ([Read the report](#))

Turkey

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

CASE	DATE	RESOLUTION	CONCLUSION
SENYÜCEL and others 37601/02	16 July 2015	CM/ResDH(2017)11	Examination closed
KÖSE 37616/02	7 March 2011	CM/ResDH(2017)11	Examination closed
MEHMET YLDIZ and others 14155/02	1st May 2011	CM/ResDH(2017)11	Examination closed
ACAR AHMET 26546/95	30 April 2003	CM/ResDH(2017)12	Examination closed
ÖZ NAILE 43883/04	20 August 2008	CM/ResDH(2017)12	Examination closed
CEVAT SOYSAL 17362/03	23 December 2014	CM/ResDH(2017)13	Examination closed
ERBEY 29188/02	11 April 2011	CM/ResDH(2017)14	Examination closed
ATICI No. 2 31540/02	12 July 2007	CM/ResDH(2017)15	Examination closed
SALİH SALMAN KILIÇ 22077/10	5 June 2013	CM/ResDH(2017)16	Examination closed
TURNALI 4914/03	6 November 2009	CM/ResDH(2017)17	Examination closed
ALFATLI and others 32984/96	24 March 2004	CM/ResDH(2017)18	Examination closed
AKAR 33722/05	13 September 2011	CM/ResDH(2017)19	Examination closed

AKBAS and others 51829/09	13 September 2011	CM/ResDH(2017)19	Examination closed
İsmail Ufuk AKKAYA 50010/10	16 September 2014	CM/ResDH(2017)19	Examination closed
ALGUL 1934/05	8 March 2011	CM/ResDH(2017)19	Examination closed
ALTINTAS and KUTLU 31866/09	15 February 2011	CM/ResDH(2017)19	Examination closed
ASLAN 18506/06	13 September 2011	CM/ResDH(2017)19	Examination closed
AYDIN and others 44963/08	8 April 2011	CM/ResDH(2017)19	Examination closed
AYTEN and AYKUT 36418/06	13 September 2011	CM/ResDH(2017)19	Examination closed
BILGEN 17362/07	8 March 2011	CM/ResDH(2017)19	Examination closed
BUNUL 27816/09	24 May 2011	CM/ResDH(2017)19	Examination closed
COKAY 33289/07	13 September 2011	CM/ResDH(2017)19	Examination closed
DEMIRKOL 4051/06	30 August 2011	CM/ResDH(2017)19	Examination closed
GORPE 16205/04	13 September 2011	CM/ResDH(2017)19	Examination closed
KALGI and others 13267/07	8 March 2011	CM/ResDH(2017)19	Examination closed
KIZANLIK and others 21269/07	24 May 2011	CM/ResDH(2017)19	Examination closed

MELEKOGLU and others 40780/07	13 September 2011	CM/ResDH(2017)19	Examination closed
OKTEM and others 19501/07	30 August 2011	CM/ResDH(2017)19	Examination closed
OZBINGOLLU 38353/06	8 March 2011	CM/ResDH(2017)19	Examination closed
OZTURK TURKER and others 61621/08	8 March 2011	CM/ResDH(2017)19	Examination closed
SAKMAK 17280/05	8 March 2011	CM/ResDH(2017)19	Examination closed
SEYHAN 13865/10	18 October 2011	CM/ResDH(2017)19	Examination closed
SOKUK 44594/08	13 September 2011	CM/ResDH(2017)19	Examination closed
TEZEL 40507/09	8 March 2011	CM/ResDH(2017)19	Examination closed
TUGAL 5438/09	8 March 2011	CM/ResDH(2017)19	Examination closed
YANMIS and ZORLU 36683/09	8 March 2011	CM/ResDH(2017)19	Examination closed
YEKSATAN and others 34350/06	13 September 2011	CM/ResDH(2017)19	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: Turkey - co-rapporteurs pledge to closely follow on-going constitutional changes (13.01.2017)

“Turkey is going through a crucial moment in its political history, reshaping its constitution while coping with the consequences of the on-going state of emergency”, declared Ingebjørg Godskesen (Norway, EC) and Marianne Mikko (Estonia, SOC), co-rapporteurs for PACE, ending a fact-finding visit to the country from 9 to 13 January 2017. ([Read more](#) – [Turkey: monitoring visit by co-rapporteurs](#))

■ PACE: Situation in Turkey - statement by PACE Committee on Political Affairs (24.01.2017)

Following an exchange of views on the situation in Turkey with representatives of both majority and opposition political forces from Turkey, the Political Affairs Committee recalled the concerns expressed in the report published by its ad hoc Sub-Committee which visited Ankara in November 2016. ([Read more](#) – [Interview by Mogens Jensen, Chairperson of the ad hoc Sub-Committee](#))

■ PACE: Statement on the proposed constitutional reform in Turkey by the Monitoring Committee (26.01.2017)

The Monitoring Committee of the Council of Europe Parliamentary Assembly (PACE) today adopted a statement on the proposed constitutional reform in Turkey. ([Read more](#) – [Interview by Marianne Mikko](#))

■ CM: New Year’s Eve terrorist attack in Istanbul (02.01.2017)

In a statement, the Chair of the Committee of Ministers of the Council of Europe, Ioannis Kasoulides, Minister for Foreign Affairs of Cyprus, said that he was “appalled by the terrorist attack which took place in Istanbul, killing 39 people and injuring many others as they were peacefully celebrating New Year’s Eve. My deep condolences go to the victims and their families.” ([Read more](#))

Ukraine

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

CASE	DATE	RESOLUTION	CONCLUSION
KIROVOGRADO BLENERGO, PAT 35088/07	27 June 2013	CM/ResDH(2017)20	Examination closed
SERKOV 39766/05	7 July 2011	CM/ResDH(2017)21	Examination closed
SUK 10972/05	10 March 2011	CM/ResDH(2017)22	Examination closed
BASIY 20850/12	24 September 2013	CM/ResDH(2017)23	Examination closed
Dmytro Volodymyrovych GALENKO 61172/12	7 April 2015	CM/ResDH(2017)23	Examination closed
KISELEV 692/07	15 October 2013	CM/ResDH(2017)23	Examination closed
KOLESNIKOV AND KOLESNIKOVA 6161/05	7 February 2012	CM/ResDH(2017)23	Examination closed
MARTYNOVYCH 27071/08	19 November 2013	CM/ResDH(2017)23	Examination closed
MIKHALCHUK AND POLENKOVA 18620/06	19 November 2013	CM/ResDH(2017)23	Examination closed
Mayya Mikhaylivna NEDILKO and 10 other applications 77376/12+	17 September 2015	CM/ResDH(2017)23	Examination closed

PANYCH 63594/11	24 September 2013	CM/ResDH(2017)23	Examination closed
Viktor Mykolayovych PASICHNYK and 3 other applications 48791/06+	17 September 2015	CM/ResDH(2017)23	Examination closed
Valentyn Yegorovych PYATOV and Nadiya Mykolayivna TOMILINA 77234/12+	8 September 2015	CM/ResDH(2017)23	Examination closed
Vyacheslav Andriyovych SHEVCHUK 43121/09	3 March 2015	CM/ResDH(2017)23	Examination closed

B. Resolutions, signatures and ratifications

PACE	25 January 2017	2145	The functioning of democratic institutions in Ukraine	PACE reiterates the importance of comprehensive constitutional reform for the successful implementation of the overall reform of the country
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C. Other information

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

United Kingdom

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

CASE	DATE	RESOLUTION	CONCLUSION
DOHERTY 76874/11	18 May 2016	CM/ResDH(2017)24	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]