

REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue № 151

[1 – 30 April 2017]

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

For any queries, please contact: egor.ignatiev@coe.int

Introduction

This Issue is part of the "Regular Selective Information Flow" (RSIF). Its purpose is to keep the National Human Rights Structures permanently updated on 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 (1-30 April 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 available only 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)**

GÜZELYURTLU AND OTHERS V. CYPRUS AND TURKEY (No. 36925/07) - Importance 2 - 4 April 2017 - Violation of Article 2 - Lack of cooperation in conducting effective investigations for a murder case

The case concerned the killing of three persons who were shot dead in 2005 in the Cypriot-Government controlled area of Cyprus. The killers fled back to the “Turkish Republic of Northern Cyprus” (the “TRNC”). Parallel investigations into the murders were conducted by both the Cypriot and the Turkish domestic authorities. The “TRNC” authorities insisted that the case file containing the evidence against the suspects be handed over so that they could conduct a prosecution. The Cypriot authorities refused. On the strength of the evidence gathered during their investigation, the Cypriot

authorities sought the extradition of the suspects who were still within Turkey's jurisdiction with a view to their trial. The extradition requests were returned to the Cypriot authorities without reply. The investigations of both respondent States thus reached an impasse in 2008.

The applicants, relatives of the victims, complained that both States have failed to co-operate and conduct an effective investigation into the killing of their relatives.

The Court found that, where the investigation of unlawful killings unavoidably implicated more than one State, the States concerned were obliged to cooperate effectively and take all reasonable steps necessary to facilitate and realise an effective investigation into the case overall. However, it was clear from all the material before the Court, that both Governments had not been prepared to make any compromise on their positions and find middle ground, despite various options having been put forward, including by the United Nations. That position arose from political considerations which reflected the long-standing and intense political dispute between Cyprus and Turkey. A situation thus resulted in which the respondent Governments' respective investigations – which the Court found adequate up until the impasse – remain open. Nothing has been done for more than eight years to bring to a close what is ultimately a straightforward case.

Therefore, it had been a violation of Article 2 of the Convention.

Article 41 (Just satisfaction)

The Court held that each respondent Government was to pay each applicant EUR 8,500 in respect of non-pecuniary damage.

HUSEYNOVA V. AZERBAIJAN (No. 10653/10) - Importance 2 - 13 April 2017 - Violation of Article 2 - Domestic authorities' failure to conduct an effective investigation into the applicant's husband death supposedly linked to his job as a journalist

The case concerned the applicant's allegation that domestic authorities had been behind the murder of her husband because of his work as a journalist and that they had failed to carry out an effective investigation into his death.

Although Elmar Huseynov had published numerous articles criticising various State officials, the Court could not, due to lack of evidence, conclude beyond all reasonable doubt that any official or the State had been involved in the applicant's husband's murder.

However, as concerned the investigation into the murder, the Court identified a number of shortcomings. Firstly, the Court noted that domestic authorities had denied the applicant the access to the case file. Secondly, the criminal investigation had not been carried out promptly, taking into account its overall length so far, over 12 years. Lastly, the Court found that no adequate steps had been taken to explore whether the victim's murder, apparently very carefully planned, could have been linked to his work as a journalist. Nor indeed had the investigating authorities come up with another plausible explanation for the motives behind the murder.

The Court therefore concluded that there had been a violation of Article 2 under its procedural limb.

Article 41 (Just satisfaction)

The Court held that Azerbaijan was to pay the applicant EUR 20,000 in respect of non-pecuniary damage and EUR 10,000 for costs and expenses.

TAGAYEVA AND OTHERS V. RUSSIA (Nos. 26562/07, 14755/08, 49339/08, 49380/08, 51313/08, 21294/11, 37096/11) - Importance 2 - 13 April 2017 - Violation of Article 2 - Serious failings in the response of the domestic authorities to the Beslan terrorist attack - No violation of Article 13 - Effective remedy

The case concerned the applicants' allegations of a range of failings by the domestic authorities in relation to the terrorist attack, namely, in its obligation to protect the victims from the known risk to life, to conduct effective investigation into the events.

Article 2

The Court found that, at least several days in advance, the domestic authorities had had sufficiently specific information about a planned terrorist attack. However, in general the preventive measures could be characterized as inadequate. The Court identified a number of serious shortcomings in the

investigation into the attack. Firstly, there had been no proper examination of how the victims had died. Secondly, the investigation had failed to properly secure and record other evidence before the site was irreparably altered by large machinery and the lifting of the security cordon on the day after the end of the rescue operation. Thirdly, the investigation had failed to adequately examine the use of lethal force by the authorities, despite the existence of a credible body of evidence pointing at the security forces' use of weapons capable of causing indiscriminate harm to the people inside the building, such as grenade launchers, flame-throwers, and tank cannon. Lastly, the investigating authorities and supervising courts had repeatedly refused to give the applicants access to some key expert reports concerning the use of lethal force by the security forces, and the origins of the first explosions in the gymnasium. The Court concluded that the investigation had not been effective. It also noted that the public scrutiny aspect of the investigation had been breached by the victims' restricted access to it. The Court also held that the domestic authorities had failed to plan and conduct the rescue operation so as to ensure that the risk to life was minimised. The Court could not avoid the conclusion that the lack of responsibility and coordination had contributed, to some extent, to the tragic outcome of the events. The Court concluded that the use of lethal forces had contributed, to some extent, to the casualties among the hostages. The investigation had failed to establish the circumstances of the use of lethal force and to fully assess these allegations. The Court held that the domestic authorities had failed to set up an effective legal framework of safeguards against arbitrariness and the use of force, since the applicable legislation had failed to set the most important principles and constraints of the use of force in lawful anti-terrorist operations. The Court found that the domestic authorities had not provided a "satisfactory and convincing explanation" that the lethal force, which had been justified in the circumstances, had been no more than what had been absolutely necessary.

Therefore, there had been a violation of Article 2 of the Convention.

Article 13

The Court noted that the applicants had received compensation from the domestic authorities as victims of the terrorist attack. The Court was unable to conclude that the lack of progress on some important aspects of criminal investigation had precluded the applicants from obtaining compensation. The Court observed that the victims had had access to evidence from the criminal investigation, the trial, and the two sets of criminal proceedings against police officers. The Court noted that the extensive and detailed studies had ensured access to knowledge about the aspects of the serious human rights violations that would have otherwise remained inaccessible.

Therefore, there had been no violation of Article 13 of the Convention.

Article 41 (Just satisfaction)

The Court held that Russia was to pay the applicants a total of EUR 2,955,000 in respect of non-pecuniary damage, and the applicants' representatives a total of EUR 88,000 in respect of costs. The individual awards to the applicants took account of the extent of their suffering and of the measures taken by Russia with the aim of compensating and rehabilitating the victims.

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

PODESCHI V. SAN MARINO (No. 66357/14) - Importance 2 - 13 April 2017 - No violation of Article 3 – Allegation of inhuman or degrading treatment during the pre-trial detention of a politician accused of money laundering - No violation of Article 5 § 3 - Reasonable time of the pre-trial detention - No violation of Article 5 § 4 - Lawfulness of detention decided speedily by a court

The case concerned the applicant's complaint about unjustified pre-trial detention, its duration, and its conditions: no access to a toilet for certain periods of his detention, a shower once per week.

Article 3

The Court noted that the applicant had failed to give details as to the duration or circumstances in which he had been restricted on using toilets and showers. The domestic authorities had contested any such restrictions, submitting that the applicant had been able to access the shower room freely and the toilets accompanied by a guard.

The Court noted that the restriction on his contact with the outside world had only concerned his co-accused and the fact that he could not, in practice, speak to anyone else had merely been the result of the fact that there had been no other detainees.

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

Article 5 § 3

The Court found that the various grounds given for keeping the applicant in pre-trial detention, at the different stages of the proceedings, had been “relevant” and “sufficient” to justify holding him in custody for the entire period in question, that is one year, three months and 22 days. In coming to that conclusion, the Court was mindful of the seriousness of the charges brought against the applicant and the difficulties faced in investigating the case, which was complex. The Court pointed out that the domestic authorities had handled the case with relative expedition.

Therefore, there had been no violation of Article 5 § 3 of the Convention.

Article 5 § 4

The Court noted that the applicant’s access to certain materials had been restricted. However, the Court accepted that there had been a strong public interest for that restriction. The Court also noted that there had been sufficient counterbalancing factors available in the domestic authorities system to make up for any difficulties in the applicant’s ability to challenge the lawfulness of his detention. Most importantly, it did not emerge from the facts that any of the elements not disclosed to the applicant had formed the basis of the domestic court’s decisions in relation to their reasonable suspicion or had been specifically referred to in those decisions. The applicant could therefore still challenge the existence of reasonable suspicion against him.

Therefore, there had been no violation of Article 5 § 4 of the Convention.

REZMIVEŞ AND OTHERS V. ROMANIA ([IN FRENCH ONLY](#)) - Nos. 61467/12, 39516/13, 48213/13, 68191/13 - Importance 2 - 25 April 2017 - Violation of Article 3 - Ill-treatment (conditions of detention)

The applicants complained of overcrowding in their cells, lack of space, poor hygiene conditions in their cells (presence of rats, mould on the walls, and insects), inadequate access to showers and toilets, a lack of natural light, poor ventilation, and the unsatisfactory quality of the equipment and food provided in the prisons in which they had been or were still detained.

Article 3

Accordingly, the Court considered that the conditions of the applicants’ detention, also taking into account the duration of their incarceration, had subjected them to hardship going beyond the unavoidable level of suffering inherent in detention.

Therefore, it held that there had been a violation of Article 3 of the Convention.

Article 46

The Court decided to apply the pilot-judgment procedure, finding that the applicants’ situation was part of a general problem originating in a structural dysfunction specific to the Romanian prison system; this state of affairs had persisted despite having been identified by the Court in 2012 (in its judgment in *Iacov Stanciu v. Romania*, no. 35972/05, 24 July 2012).

Article 41 (Just satisfaction)

The Court held that Romania was to pay two applicants EUR 3,000 each and the other two applicants EUR 5,000 each in respect of non-pecuniary damage. Romania was also required to pay one of them EUR 1,850 in respect of costs and expenses.

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

[MATANOVIĆ V. CROATIA](#) (No. 2742/12) - Importance 2 - 4 April 2017 – No violation of Article 6 § 1 – Complaint of entrapment; Violation of Article 6 § 1 - Domestic authorities’ failure to ensure the applicant a fair trial; Violation of Article 8 - Unlawfulness of the procedure for ordering and supervising the tapping of the applicant’s phone

The case concerned a complaint about entrapment, secret surveillance measures and the non-disclosure and use of the evidence thus obtained. The applicant, a vice-president of a private fund, was convicted of corruption in 2009 for accepting and facilitating bribes in exchange for support of investment projects and privatizations. His conviction was essentially based on evidence obtained via telephone tapping following a covert operation involving an informant.

Article 6 § 1

The Court found in particular that, on balance, the prosecuting authorities' investigation had essentially been passive and remained within the bounds of undercover work, rather than inciting the applicant to commit offences he would not have otherwise committed. Accordingly, there had been no violation of Article 6 § 1 as concerned the plea of entrapment.

However, due to a lack of procedural safeguards, the applicant had been prevented from establishing whether recordings in the prosecution's possession, excluded from the case file because they had concerned individuals who were not eventually accused in the proceedings, could have reduced his sentence or put into doubt the scope of his alleged criminal activity. In view of this deficient procedure for the disclosure of evidence and the resulting restrictions on the defense rights, the Court concluded that the latter proceedings, taken as a whole, had been unfair.

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

Article 8

The procedure for ordering and supervising the tapping of the applicant's telephone had not been lawful: the relevant law had not been sufficiently clear as to the authorities' discretion to order surveillance measures

Therefore, there had accordingly been a violation of Article 8 of the Convention.

Article 41 (Just satisfaction)

The Court held that Croatia was to pay the applicant EUR 1,500 in respect of non-pecuniary damage and EUR 2,500 for costs and expenses.

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

SOMMER V. GERMANY (No. 73607/13) - Importance 3 - 27 April 2017 - Violation of Article 8 - Domestic authorities' failure to strike a fair balance between the lawyer-client privilege and the need of prosecution in a criminal investigation

The case concerned a complaint brought by a criminal defence lawyer about an inspection of his professional bank account by the public prosecution office. Indeed, this inspection was made in the context of a criminal investigation into organised fraud, one of the suspects being an applicant's client.

First, the Court noted that collecting, storing and making available the applicant's professional bank transactions had interfered with his right to respect for professional confidentiality and his private life. It further held that the interference had been prescribed by domestic law. The justification for that interference, namely to prevent crime and to protect the rights and freedoms of others as well as the economic well-being of the country, had been legitimate. However, the Court found that the scope of the prosecuting authorities' requests for information had been very wide. The requests, only limited in time, covered all information concerning the applicant's bank account. Furthermore, the legal foundation for the requests and for the subsequent collection as well as storage of the information had not provided any particular safeguards. The inspection had not been ordered by a judicial authority and no specific procedural guarantees had been applied to protect legal professional privilege. The Court also noted that the applicant had not been informed and only learnt of the measures against him by coincidence, reducing his chances for a judicial review. Given the above, the Court concluded that the inspection of the applicant's bank account had not been proportionate and had not been necessary in a democratic society.

There had therefore been a violation of Article 8.

Article 41 (Just satisfaction)

The Court held that Germany was to pay the applicant EUR 4,000 in respect of non-pecuniary damage.

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

MILISAVLJEVIĆ V. SERBIA (No. 50123/06) - Importance 2 - 4 April 2017 - Violation of Article 10 - Domestic courts' failure to strike a fair balance between a human rights activist's reputation and a journalist's duty to impart information of general interest

The case concerned a journalist's complaint about her conviction for insult following an article she had written about a well-known human rights activist. Furthermore, by failing to put one particular sentence – "She been called a witch and a prostitute" – in quotation marks, the journalist had tacitly endorsed the words as her own.

The Court first held that the applicant's conviction amounted to interference by public authority with her right to freedom of expression. It noted that the interference had been prescribed by the domestic Criminal Code and had the legitimate aim of protection of the reputation of others. The Court then had to determine whether the domestic courts had struck a fair balance between the applicant's right to freedom of expression and the human rights activist's protection of reputation. It noted that domestic courts had limited their findings to the fact that the sentence had not been put in quotation marks, but that they had not referred at all to the overall context of the article or the circumstances in which it had been written. The Court took the view that the applicant had presented the positive and negative in her article, making it clear that opinions on the subject were divided. Lastly, the Court also bore in mind that the human rights activist was a public figure. Therefore, she had inevitably and knowingly exposed herself to public scrutiny and had to display a greater degree of tolerance. Therefore, there had been a violation of Article 10 of the Convention.

Article 41 (Just satisfaction)

The Court held that Serbia was to pay the applicant EUR 500 in respect of non-pecuniary damage and EUR 386 for costs and expenses.

2. Other judgments delivered in the period under observation

You will find in the column "Key Words" of the table below a short description of the topics dealt with in the judgment.

For more detailed information, please refer to the cases.

STATE	DATE	CASE TITLE	IMP.	CONCLUSION	KEY WORDS
ARMENIA	27 April 2017	ASATRYAN (No. 3571/09)	3	Violation of Art. 6 §§1 and 3(d)	Unfairness of proceedings on account of the applicant's inability to examine the witnesses while the court of appeal relied on the statements in question which had not been examined by the first instance court
AUSTRIA	25 April 2017	KRASNIQI (No. 41697/12)	3	No violation of Art. 8	Domestic authorities' decision to expel the applicant cannot be said to have overstepped the margin of appreciation in immigration matters given the repeated and violent nature of the applicant's criminal offences, the fact that he came to the relevant state as an adult and still has cultural and linguistic ties with his country of origin, the possibility of his family to stay in contact with him while the applicant is able to apply for leave to return to the relevant state in less than five years after

					his expulsion
BULGARIA	06 April 2017	<u>ANEVA AND OTHERS</u> (No. 66997/13, 77760/14 and 50240/15)	2	Violation of Art. 8§1	Domestic authorities' failure to effectively pursue adequate and timely actions to enforce the first and third applicants' right to the return of their children, and the second applicant's right to the enjoyment of a meaningful relationship with his mother.
				No violation of Art. 8§1	No domestic authorities' failure to act in a timely and appropriate manner to ensure that the fourth applicant meet with his daughter in accordance with the court judgment on his contact rights, nor insufficient action to help him rebuild his relationship with her.
CROATIA	04 April 2017	<u>BOROJEVIĆ AND OTHERS</u> (No. 70273/11)	3	No violation of Art 2§1 (procedural)	No proof either of an improper investigation carried out by the domestic authorities concerning the fate of the deceased or of a protection by the domestic authorities of those responsible. Investigation not infringing the minimum standard required.
		<u>LOVRIĆ</u> (No. 38458/15)	2	Violation of Art. 6§1	Complete denial of access to court for the applicant wishing to challenge his expulsion from an association

CYPRUS	04 April 2017	THUO (No. 3869/07)	3	Violation of Art. 3 (procedural)	Domestic authorities' failure to investigate effectively the applicant's complaints about his alleged ill-treatment during the deportation process.
				No violation of Art. 3 (substantive)	Impossibility to establish that there has been ill-treatment during the deportation process
				Violation of Art. 3 (substantive)	Conditions of the applicant's detention subjecting him to hardship going beyond the unavoidable level of suffering inherent in detention and thus amounting to degrading treatment.
GREECE	06 April 2017	VASILIADOU (In French only) (No. 32884/09)	3	Violation of Art. 6§1	No justification either for the excessive length of proceedings (5 years and 6 months) or for the reason why a decision was taken by the expropriation commission only after the decision of the Council of State's committee.
HUNGARY	11 April 2017	GÁBOR NAGY (No.2) (No. 73999/14)	3	No violation of Art. 5§3	Reasonable length of pre-trial detention and even special diligence in handling the applicant's case (1 year and 6 months)

ITALY	13 April 2017	FASAN AND OTHERS (In French only) (No. 36974/11)	3	Violation of Art. 6§1	Excessive length of proceedings (28 years for two levels of jurisdictions)
	27 April 2017	DI SANTE (In French only) (No. 32143/10)	3	Violation of Art. 6 § 1	Domestic authorities' failure to enforce the court's decision in a reasonable time
				No violation of Art. 13	Domestic authorities' failure to enforce promptly the court's decision cannot automatically call into question the effectiveness of the domestic remedy
LATVIA	27 April 2017	SCHMIDT (No. 22493/05)	2	Violation of Art. 6 § 1	Unfairness of proceedings on account of the domestic authorities' failure to inform the applicant of the divorce proceedings brought before the domestic court
LITHUANIA	11 April 2017	MAŽUKNA (No. 72092/12)	3	Violation of Art. 3 (procedural)	No effective investigation into the circumstances of the accident in which the applicant was injured.

	18 April 2017	<u>VALANCIENE</u> (No. 2657/10)	3	No violation of Art. 1 of Prot. No. 1	Delay in the restitution process due to the applicant's own inactivity
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	06 April 2017	<u>KARAJANOV</u> (No. 2229/15)	2	Violation of Art. 6§1	State of affairs detrimental to the exercise of the applicant's right to effectively present his case combined with the lack of exceptional circumstances that justified dispensing with an oral hearing, and the domestic courts' failure to give adequate reasons for their decisions.
				Violation of Art. 8§1	Lack of a legitimate aim sufficing to constitute a violation without the need to determine whether the impugned measure was "necessary in a democratic society".
RUSSIA	04 April 2017	<u>V.K.</u> (No. 9139/08)	3	Violation of Art. 5§1	In view of the flagrant defect in the applicant's legal representation and manifest failure of the domestic courts to consider that defect worthy of consideration, the proceedings leading to the applicant's involuntary admission to hospital were not fair and proper as required by Article 5.
	11 April 2017	<u>MORGUNOV</u> (No. 32546/08)	3	Violation of Art. 3 (substantive)	Acts of violence to which the applicant was subjected at a police station amounting to inhuman and degrading treatment.

				Violation of Art. 3 (procedural)	Domestic investigating authorities' failure to carry out an effective investigation into the applicant's allegations of the police ill-treatment.
	25 April 2017	OOO IZDATELSKIY TSENTR KVARTIRNYY RYAD (No. 39748/05)	2	Violation of Art. 10	Domestic courts' failure to give relevant and sufficient reasons to justify the interference with the applicant company's right to freedom of expression
SLOVENIA	25 April 2017	VASKRSIC (No. 31371/12)	2	Violation of Art. 1 of Prot. No. 1	Failure to strike a fair balance between the aim sought, the effective enforcement proceedings for creditors, and the measure employed against the applicant, the judicial sale of the applicant's house in particular given the low value of the debt that was enforced through the judicial sale while the domestic authorities failed to consider other suitable and less onerous measures
TURKEY	04 April 2017	TEK GIDA İŞ SENDİKASI (In French only) (No. 35009/05)	2	No violation of Art. 11§1	Point contested by the applicant union not at the centre of the union activity but rather pertaining to a secondary aspect thus the decision of the domestic authorities being within its margin of appreciation.

				Violation of Art. 11§1	Failure of domestic lawmakers and courts to fulfil a positive obligation to secure to the applicant union an effective enjoyment of its right to seek to persuade the employer to listen to what it has to say in the name of its members and its right to collective bargaining with him.
		YAŞAR HOLDİNG A.Ş (In French only) (No. 48642/07)	3	Violation of Art. 1 of Prot. No. 1	Lack of foreseeability of a law allowing a transfer of property of the applicant's shares that had come into effect two days before the transfer.
UKRAINE	27 April 2017	ZHERDEV (No. 34015/07)	2	Violation of Art. 3 (substantive)	Ill-treatment of the applicant, a minor at the time, at the hands of the police

				Violation of Art. 3 (procedural)	Domestic authorities' failure to conduct an effective investigation into the applicant's allegations of police ill-treatment
				Violation of Art. 5 § 1	Unlawful detention of the applicant (legal lacuna)
				Violation of Art. 5 § 3	Domestic courts' failure to justify their decisions to extend the applicant's detention
				No violation of Art. 6 §§ 1 and 3 (c)	Fairness of the proceedings in spite of the absence of the applicant's lawyer during the early state of the investigation

B. Decisions on admissibility

Those decisions are published with a slight delay of two to three weeks on the Court's website. Therefore the decisions listed below cover the period **from 1 to 31 January 2017**. Those decisions are selected to provide the NHRs with potentially useful information on the reasons for the inadmissibility of certain applications addressed to the Court and/or on the friendly settlements reached.

STATE	DATE	CASE TITLE	ALLEGED VIOLATION	DECISION
BOSNIA AND HERZEGOVINA	10 January 2017	Vidović v. Bosnia and Herzegovina (No. 40139/16)	Violation of Art. 6 § 1 of the Convention (Violation of the applicant's right to a fair hearing by the seizure of her investigator's computer) and Art. 6 § 3 (c) of the Convention (Violation of the right to a defence of one's own choosing)	Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention
IRELAND	31 January 2017	Adigun v. Ireland (No. 19673/16)	Violation of Art. 6 of the Convention (Excessive delay in the consideration of the applicant's case by the Tribunal, violation of the applicant's right to a fair trial), Art. 13 and 14 of the Convention (Failure of the Irish courts to remedy the shortcomings of procedure before the Tribunal, failure of the Tribunal and the courts to determine the merits of the applicant's claim) and Art. 14 of the Convention (Lack of impartiality in the examination of the applicant's case)	Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention
POLAND	17 January 2017	Molga v. Poland (No. 78388/12)	Violation of Art. 2 of the Convention (Responsibility of the authorities for the death of the applicant's father, insufficient amount of compensation awarded by the Court of Appeal, lack of elucidation of the circumstances of his father's death and thus unjustified discontinuation of the investigation)	Partly incompatible <i>ratione materiae</i> with the provision of the Convention, partly rejected as ill-founded (the procedural obligation under Article 2 to carry out an effective investigation into the death of the applicant's father was complied with)
TURKEY	24 January 2017	Yıldız v. Turkey (No. 65182/10)	Violation of Art. 6 § 2 of the Convention (Breach of the applicant's right to the presumption of innocence by the administrative courts) and Art. 6 § 1 of the Convention (The appraisers and the administrative courts had been biased and inconsistent in their approach)	Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention
UKRAINE	31 January 2017	Mindrova v. Ukraine (No. 32454/06)	Violation of Art. 2 of the Convention (Death of the applicant's nephew as a result of negligent actions on the part of State agents, insufficiency of the compensation in connection with his death) and Art. 6 and 14 of the Convention	Rejected as ill-founded (The State agents responsible for the death of the applicant's nephew had been identified, convicted and sentenced to terms of imprisonment and the applicant had received equitable compensatory redress, comparable to the

			(Insufficiency of the level of compensation for the death of the applicant's nephew, significant difference between this amount and the amounts paid to the relatives of the victims of the TU-154M crash)	amounts awarded in other cases against Ukraine which concerned failure of the State authorities to protect the right to life)
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C. 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 28 February** 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	10 February 2017	GHARIBYAN (No. 37981/12)	The applicant complains that the retrieval of information from her seized mobile phone and personal computer without a judicial warrant was a breach of her right to respect her private life and correspondence.
AZERBAIJAN	9 February 2017	MIRZAYEV (No. 41792/15)	The applicant complains that his criminal conviction for refusing to serve in the army constituted a violation of his freedom of thought, conscience and religion.
CROATIA	7 February 2017	JURCIC (No. 54711/15)	The applicant complains that she was discriminated against as a pregnant woman who had undergone <i>in vitro</i> fertilisation, in obtaining the relevant sick leave allowance
	8 February 2017	ŽAGAR (No. 9286/16)	The applicant complains about the alleged unjustified violent entry and search of her home.
RUSSIA	9 February 2017	Y.P. (No. 43399/13)	The applicant complains about being sterilised without her consent and of the lack of an adequate response at the domestic level to her complaints in that regard.
	23 February 2017	SADULAYEVA AND SADULAYEV (No. 42976/15)	The applicants complain of a violation of the victim's right to life, and submit that the circumstances of his abduction indicate that the perpetrators were State agents. They further complain that no effective investigation into the matter has been conducted.

RUSSIA (CONTINUED)	23 February 2017	X (No. 60796/16)	The applicant complains of a violation of her right to respect for her private life on account of the authorities' refusal to change her name without a change of gender.
		Y.P. (No. 8650/12)	The applicant complains that the State failed to discharge its positive obligation to recognise not only his gender transition, but also his civil status and parental ties without being required continuously to disclose that he had undergone transition.
UKRAINE	18 February 2017	KASHUBA (No. 54754/10)	The applicant complains that he had contracted tuberculosis while in pre-trial detention and that he was not given access to appropriate medical assistance while detained.
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	24 February 2017	NAJDOVSKI (No. 17893/15)	The applicant complains that the confiscation of his truck and lumber, taken together with the fine to which he was sentenced, imposed an excessive burden on him.

PartOne

§2 - EUROPEAN COMMITTEE OF SOCIAL RIGHTS

A. Reclamations and Decisions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
IRISH CONGRESS OF TRADE UNIONS	23 March 2017	No. 123/2016	On the admissibility of a complaint against Ireland about article 6 of the Charter.	The Committee considers that The Irish Congress of Trade Union gathers unions and that the condition provided for in Rule 23 and article 4 of the protocol are fulfilled. Therefore, the Committee declares the complaint admissible.
MOVIMENTO PER LA LIBERTA' DELLA PSICANALISI-ASSOCIAZIONE CULTURALE ITALIANA	24 March 2017	No. 122/2016	On the admissibility of a complaint against Italy about article 1§2 of the Charter.	The Committee considers that that the complaint complies with Rule 23 and with Article 4 of the Protocol. It considers that the Movement is not an international NGO within the meaning of Article 1b. The Committee concludes that the activities carried out by the complainant organisation do not essentially involve trade union prerogatives and that the Movement cannot be considered as a trade union organisation for the purposes of the collective complaints procedure. Therefore, the Committee declares the complaint inadmissible.
MOVIMENTO PER LA LIBERTA' DELLA PSICANALISI-ASSOCIAZIONE CULTURALE ITALIANA	24 March 2017	No. 122/2016	On the admissibility of a complaint against Italy about article 1§2 of the Charter. Separate dissenting opinion of Pedro Stangos	Pedro Stangos considers that the criteria used by the Committee to assess the admissibility of complaints by trade unions are actually applicable in the instant case. Therefore he submits that the complaint should be declared admissible.

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	27 April 2017	2102	On the technological convergence, artificial intelligence and human rights.	PACE recalls the principle which affirms the primacy of the human being and proposes a common framework about the need for any machine to remain under human control. PACE calls on CM to finalise without further delay the modernisation of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, and to define the framework for the use of care robots and assistive technologies. PACE calls for close co-operation with the institutions of the European Union and the UNESCO to ensure a consistent legal framework and effective supervisory mechanisms at international level. .

B. Resolutions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
CM	5 April 2017	ResChS(2017)5	On the implementation of the European Social Charter during the period 2010-2013, provisions related to the thematic group "Children, families, migrants".	CM recommends that domestic authorities take account of all the various observations made in the Conclusions XX-4 (2015) of the European Committee of Social Rights and in the report of the Governmental Committee.
CM	5 April 2017	ResChS(2017)6	On the implementation of the European Social Charter during the period 2010-2013, provisions related to the thematic group "Children, families, migrants".	CM recommends that domestic authorities take account of all the various observations made in the Conclusions 2015 of the European Committee of Social Rights and in the report of the Governmental Committee.

PACE	25 April 2017	Res 2157 (2017)	On Human rights in the North Caucasus after Resolution 1738 (2010)	<p>PACE considers that Resolution 1738 has remained largely unimplemented. Therefore PACE reiterates its call on the Russian authorities to combat terrorism, end the climate of impunity and develop co-operation methods.</p> <p>PACE also reiterates its call on all other member and observer States to co-operate with the Russian authorities in the fight against terrorism and provide adequate protection to refugees from the North Caucasus region.</p>
PACE	25 April 2017	Res 2158 (2017)	Fighting income inequality as a means of fostering social cohesion and economic development	<p>PACE calls on member States to comply with their commitments with regard to the universal Sustainable Development Goals, and effectively protect social rights as guaranteed by the European Social Charter treaty system of the Council of Europe, not least by ratifying the European Social Charter (revised) if they have not yet done so.</p>
PACE	26 April 2017	Res 2159 (2017)	On the protection of refugee women and girls from gender-based violence	<p>PACE calls on member States to sign and ratify without further delay, for the States which have not yet done so, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, and ensure its full implementation. Finally PACE calls on member States to strongly condemn and punish any form of discrimination and violence against refugees and asylum seekers, including women.</p>
PACE	26 April 2017	Res 2160 (2017)	On the achievements and areas for improvement of the CPT after 25 years	<p>PACE calls on national delegations to ensure that applicants have the necessary qualities to work for the CPT.</p> <p>PACE invites member States, if they have not yet done so, to ratify the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment; and to facilitate the exchange of information and coordination between the CPT and the NPMs.</p>

<p>PACE</p>	<p>26 April 2017</p>	<p>Res 2161 (2017)</p>	<p>On the need for more stringent legal safeguards because of an abusive use of the Interpol system</p>	<p>PACE welcomes Interpol's reforms and calls on it to continue improving its Red Notice procedure to prevent abuses.</p> <p>Therefore, PACE calls on member States to make use of their influence within Interpol to ensure the implementation of necessary reforms so that Interpol respects human rights and the rule of law whilst remaining an effective tool for legitimate international police co-operation.</p>
<p>PACE</p>	<p>27 April 2017</p>	<p>Res 2163 (2017)</p>	<p>On the protection of the rights of parents and children belonging to religious minorities</p>	<p>PACE reminds previous resolutions, article 9 of the Convention and article 2 of protocol 1.</p> <p>Therefore PACE calls on member States to affirm the right to freedom of thought, conscience and religion and to protect the right of all not to be compelled to perform actions that go against their deeply held moral or religious beliefs. PACE also calls on member States to enable citizens to freely manifest their religion or belief in private or in public, and to repeal any law or rule which establishes a discriminatory distinction between religious minorities and majority beliefs. Finally PACE calls on member states to obtain, for children or parents, exemptions from compulsory State religious education programs.</p>

<p>PACE</p>	<p>27 April 2017</p>	<p>Res 2164 (2017)</p>	<p>On possible ways to improve the funding of emergency refugee situations</p>	<p>PACE welcomes the smaller-scale humanitarian assistance which allows rapid and concrete action to be taken.</p> <p>PACE calls on the European Union to continue its diversified funding, to accelerate asylum procedures and to encourage the integration of migrants and refugees. PACE also calls on the European Union to examine the possibility of nation debt relief in exchange for humanitarian commitments.</p> <p>PACE encourages member States to contribute to the resources of the Migrant and Refugee Fund.</p> <p>PACE urges the United Nations and its member States to do their utmost to fulfil the “Grand Bargain”.</p>
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Part One

§4 - OTHER INFORMATION OF GENERAL IMPORTANCE

A. Information from the Committee of Ministers

■ CM publishes 10th annual report on the Supervision of the execution of judgments of the Court (05.04.2017)

The Committee of Ministers published the annual report for 2016 on its supervision of the execution of judgments and decisions of the European Court of Human Rights. The report shows a yet new record number of cases closed in 2016 and a further decrease in the total number of pending cases. ([Read more](#) – [the annual report for 2016](#) – [press release](#))

■ 1283rd meeting of the Ministers' Deputies (05.04.2017)

At the start of the meeting, the Chair, on behalf of the Committee of Ministers, expressed condolences to the families of the victims of the terrorist attack which took place in Saint Petersburg on 3 April and assured the Russian authorities of the Committee's support. They then held a minute of silence in memory of the victims. The Deputies held an exchange of views on the abolition of the death penalty and they proceeded to their six-monthly review of the overall situation regarding the death penalty. Deputies also held exchanges with guest. ([Read more](#) – [Agenda](#) – [meeting file](#))

■ 1284th meeting of the Ministers' Deputies (19.04.2017)

At the start of the meeting, the Chair expressed the Committee of Minister's condolences and solidarity after the terrorist attack in Stockholm on 7 April 2017 and the Ministers' Deputies observed a minute's silence in memory of the victims. The Deputies took several decisions on the abolition of the death penalty, reaffirming their unequivocal opposition to the death penalty, including any reintroduction of it, in all places and in all circumstances. Then, they held a debate about the conflict in Georgia and also held exchanges of views with guests. ([Read more](#) – [decisions on the abolition of the death penalty](#) – [Agenda](#) – [meeting file](#))

■ CM Chair: the Committee of Ministers and the Assembly must continue to concert their efforts (24.04.2017)

"It is important that the Committee of Ministers and the Parliamentary Assembly, as well as the Secretary General, continue to concert their efforts to face up to the numerous challenges confronting Europe today" [such as terrorism and the migration crisis] said Ioannis Kasoulides, addressing the Assembly. "My country will continue to contribute to those efforts when its chairmanship is over," he stressed. In addition, Mr Kasoulides evoked the situation in Georgia, in Ukraine, in Belarus and in Turkey. ([Read more](#) – [Video of the communication](#))

B. Information from the Parliamentary Assembly

■ PACE: Rapporteur welcomes the progress made by Tunisia in its democratic transition (05.04.2017)

Following a fact-finding visit to Tunis from 27 to 30 March, George Loucaides welcomed the progress made by Tunisia in its political transition and the extent of the co-operation between the Tunisian authorities and Council of Europe bodies. He added that, although security threats were currently

contained, this transition was jeopardised by the lack of improvement in the economic and social sphere. In this connection, he stressed the importance of stronger commitment by the European Union. ([Read more - Statement by the rapporteur at the press briefing at the Council of Europe Office in Tunis](#) - [Programme of the fact-finding visit](#))

■ PACE: Attacks against LGBT people in Chechnya: claims must be investigated and victims protected (05.04.2017)

"More than one hundred people are alleged to have been detained and at least three, and possibly many more, to have been killed in extrajudicial killings". "We call on the authorities immediately to launch an investigation", "No one should ever be made to feel afraid to express their sexual orientation. The authorities have a duty to protect all individuals against hate crimes." said PACE General rapporteur on the rights of LGBT persons. ([Read more](#) - ["Human rights in the North Caucasus: what follow-up to Resolution 1738 \(2010\)?"](#))

■ PACE General Rapporteur on combating racism and intolerance, on the occasion of International Roma Day : 'We must break the cycle of ignorance and anti-Gypsyism' (06.04.2017)

"Discrimination against and exclusion of Roma and Travellers must give way once and for all to recognition and inclusion", "nobody's life chances should be determined by their ethnic origin," "Integrating Roma and Travellers is in everyone's interests" said General Rapporteur on combating racism and intolerance, on the occasion of International Roma Day. ([Read more](#))

■ PACE President on majority-opposition interaction: a litmus test of the good functioning of a democracy (06.04.2017)

"The interaction between majority and opposition in parliament is the litmus test of the good functioning of a democracy," said PACE President Pedro Agramunt, at the opening of an international conference on this issue, organised in Bucharest by the Venice Commission. He highlighted "the crucial role of the parliamentary opposition" which, through its oversight, reinforces the system of checks and balances and contributes to the transparency of the political process. ([Read more](#) – [Speech](#) – [Conference programme](#))

■ PACE President condemns the terrorist attacks against the Coptic Churches in Egypt (09.04.2017)

Pedro Agramunt, PACE President, expressed his condolences to the victims of the two blasts in the Coptic Churches in Tanta and in Alexandria, Egypt. "I strongly condemn these heinous attacks against innocent people," he said. PACE had warned about the threats against humanity posed by the terrorist group known as "IS", and, namely, the violence against Christians and other religious or ethnic communities in previous resolution and recommendations.

■ PACE Rapporteur calls on Governor of Arkansas not to proceed with planned executions (12.04.2017)

"I am extremely shocked that the US Federal State of Arkansas, which has not executed any prisoners since 2005, is planning to carry out seven executions" said Yves Cruchten, PACE's general rapporteur on abolition of the death penalty. He considers it more deplorable because these executions are dictated by the close expiry date of stocks of sedative, "I call on the Governor of Arkansas not to carry out these 'executions', he calls on the United States to carefully consider the very nature of the death penalty "which in any circumstances is a cruel and inhumane sanction". ([Read more](#))

■ PACE: Only one week left to submit candidates for the 2017 Václav Havel Prize (21.04.2017)

The deadline for submission of nominations for the 2017 Václav Havel Prize - which aims to reward outstanding civil society action in defending human rights in Europe and beyond - is 30 April.

Candidates should have made a real difference to the human rights situation of a given group, been instrumental in uncovering systemic violations on a large scale, or have successfully mobilised public opinion or the international community for a given cause. ([Read more](#) – [The Václav Havel Human Rights Prize](#))

■ PACE: ‘Free debate’ on current issues not on the session agenda (24.04.2017)

PACE members took part in a “free debate” this afternoon, in which they could speak on any current topic not already included in the session agenda. Some 50 parliamentarians put their names down to speak. ([Read more](#) - [Verbatim of the debate](#) - [Video of the debate](#) - [Session page](#))

■ PACE: President agrees to take part in a hearing on his recent visit to Syria (24.04.2017)

PACE President Pedro Agramunt, in view of the request of a significant number of members, has agreed to participate in a hearing on his recent visit to Syria. The hearing will be held on 25 April at 1 p.m. in the Debating Chamber. ([Read more](#) - [Special session page](#) - [Live video stream of the debates](#) - [Opening speech by Pedro Agramunt](#))

■ PACE elects a new Vice-President in respect of Romania (24.04.2017)

PACE today elected, at the opening of its spring 2017 Session, Titus Corlatean as a new Vice-President of the Assembly in respect of Romania. ([Read more](#))

■ CM’s Chair addressing to PACE : the Committee of Ministers and the Assembly must continue to concert their efforts (24.04.2017)

“It is important that the Committee of Ministers and the Parliamentary Assembly, as well as the Secretary General, continue to concert their efforts to face up to the numerous challenges confronting Europe today” [such as terrorism and the migration crisis] said Ioannis Kasoulides, Minister for Foreign Affairs of Cyprus and Chair of the Committee of Ministers , addressing the Assembly. “My country will continue to contribute to those efforts when its chairmanship is over,” he stressed. In addition, Mr Kasoulides evoked the situation in Georgia, in Ukraine, in Belarus and in Turkey. ([Read more](#) - [Video link of the communication from Ioannis Kasoulides](#))

■ PACE: No improvement in human rights in the North Caucasus (25.04.2017)

PACE has said that the human rights situation in the North Caucasus remains “one of the most serious in the entire geographical area covered by the Council of Europe”. In a resolution, PACE said reports of large-scale abductions, secret detentions, torture and even extrajudicial killings of LGBT persons in Chechnya were “a new and particularly grave concern” and called for a special investigation into this matter. It pointed to an ongoing climate of impunity, pressure on journalists and NGOs, a deteriorating situation for women and girls, and a failure to implement Strasbourg Court rulings involving Chechnya. ([Read more](#) - [Adopted resolution](#) - [Report](#) - [Video of the debate](#))

■ Council of Europe Secretary General Thorbjørn Jagland: PACE must be seen to act with “One hundred per cent integrity” (25.04.2017)

Council of Europe Secretary General Thorbjørn Jagland replied to questions from PACE members in a question and answer session during the Assembly’s Spring part-session about: allegations of corruption inside the PACE, students dismissed from universities in the wake of the attempted coup in Turkey, the monitoring of human rights in Crimea, situation in Hungary, the trafficking of migrants across the Mediterranean and on the treatment of LGBT people in Chechnya. ([Read more](#) - [Question time to Council of Europe Secretary General Thorbjørn Jagland](#))

■ PACE: Making the fight against income inequality a ‘political priority’ (25.04.2017)

PACE expressed its concern over income inequality and its effects on social cohesion, economic development and the functioning of democratic institutions and processes, pointing out that “the richest 1% has now accumulated more wealth than the rest of the world put together”. PACE called on member States “to make the fight against income inequality a political priority” and to develop comprehensive and effective national strategies on employment and tax policies for instance. ([Read more](#) - [Session page](#) - [Video of the debate](#) - [Adopted resolution](#))

■ PACE creates independent external investigation body to look into allegations of corruption (25.04.2017)

PACE ratified the terms of reference of an independent external investigation body to carry out a detailed independent inquiry into the allegations of “corruption and fostering of interests” made against certain PACE members or former members. ([Read more](#) - [Terms of reference of the independent external investigation body](#) - [Allegation of corruption in the Assembly \(10/3/2017\)](#))

■ PACE: European values under threat: addressing rising xenophobia, antisemitism and Islamophobia (26.04.2017)

The Parliamentary Assembly today held a current affairs debate on European values under threat: addressing rising xenophobia, antisemitism and Islamophobia in Europe. Twenty-one members took the floor on the debate. ([Read more](#) - [Video of the debate](#) - [Session page](#) - [Speakers list](#))

■ PACE commends CPT on its ‘outstanding work’ and makes proposals for reinforcing its impact (26.05.2017)

PACE congratulated the European Committee for the Prevention of Torture for its “outstanding work” over the past 25 years, which has led to significant improvements in the States Parties. The parliamentarians also emphasised that notable progress has been made in terms of “improving selection procedures, both at national level and before the Assembly”. PACE believes, however, that “there is still room for improving the efficiency, authority and impact of the work of the CPT”. ([Read more](#) - [Adopted resolution](#) - [Vote on resolution](#) - [Vote on recommendation](#) - [Video of the debate](#))

■ Council of Europe Commissioner for Human Rights, Nils Muižnieks: '2016 a critical turning point for human rights in Europe' (26.04.2017)

“2016 will likely be remembered as a critical turning point for human rights in Europe” said the Council of Europe Commissioner for Human Rights, Nils Muižnieks today while presenting his annual activity report for 2016. “We will either see it as a low point from which European countries, individually and collectively, bounced back to reaffirm their commitment to human rights, or it will mark the beginning of the end of the European human rights system and European integration.” ([Read more](#) - [Video of the address by Nils Muižnieks](#) - [Annual activity report for 2016](#))

■ PACE Equality Committee members name their ‘inspiring women’ (26.04.2017)

Murdered British MP Jo Cox, the wife of Turkey’s second president Mevhibe İnönü, and former US first lady Michelle Obama are among role-models chosen by the members of PACE’s Equality Committee as their #InspiringWomen in a special project to mark International Women’s Day. ([Read more](#))

■ PACE: Ban on pregnancy with germline cells or human embryos having undergone intentional genome editing (26.04.2017)

In a draft recommendation adopted unanimously, the PACE Social Affairs Committee has called on all member states which have not yet ratified the Oviedo Convention to do so without further delay, or, as a minimum, to put in place a national ban on establishing a pregnancy with germline cells or human embryos having undergone intentional genome editing. ([Read more](#) - [The Oviedo Convention](#) - [Adopted text](#))

■ PACE calls for better checks on Interpol’s ‘red notices’ to end abuse (26.04.2017)

PACE has called on Interpol to conduct better checks on the people targeted for arrest in “red notices” to prevent certain states more effectively from abusing the system in order to persecute political opponents beyond their borders. ([Read more](#) - [Adopted resolution](#) - [Vote on resolution](#) - [Report](#) - [Video of the debate](#))

■ Rules Committee: Principle of confidence in members and their duty of accountability when exercising their elective offices (27.04.2017)

In a declaration adopted unanimously, the Rules Committee underlines that the lack of written rules and of mechanisms to enable the Assembly to ensure compliance with the duty of accountability of its members holding elective offices - such as an impeachment procedure or vote-of-no-confidence - undermines the proper functioning of the Assembly. ([Read more](#) - [Principle of confidence in members and their duty of accountability](#))

■ PACE calls for improved funding for emergency situations in the migration crisis (27.04.2017)

“It is the political and moral responsibility of all European countries to contribute financially to dealing with the current migration and refugee crisis, according to the means at their disposal,” declared PACE today. The Assembly went on to say that these countries must do their utmost to allocate funds where needs are greatest, keeping administrative costs and structural obstacles to a minimum. ([Read more](#))

■ PACE seeks to protect the rights of parents and children belonging to religious minorities (27.04.2017)

PACE has called on Council of Europe member States to protect the rights of parents and children belonging to religious minorities by taking steps to “promote reasonable accommodation of the deeply-held moral or religious beliefs of all individuals in cases of serious conflict”. ([Read more](#) - [Report](#) - [Resolution](#) - [Recommendation](#))

■ PACE proposes to complete the provisions of the draft Convention on Offences relating to Cultural Property (28.04.2017)

In an opinion adopted today on the basis of a report by Stefan Schennach (Austria, SOC), PACE welcomed the Committee of Ministers’ initiative in drawing up a Convention on Offences relating to Cultural Property and stressed that the new convention of such “broad scope” would enhance law-enforcement efforts by requiring States Parties “to criminalise certain conduct relating to trafficking and destruction of cultural property”. The Assembly nevertheless proposed some amendments to strengthen the current provisions in the draft text. ([Read more](#) - [Adopted opinion](#))

■ PACE: Intelligent artefacts should not challenge different dimensions of human rights (28.04.2017)

The pervasiveness of new technologies and their application is blurring the boundaries between human and machine, between reality and virtual reality, and it is “increasingly difficult for law-makers to adapt to the speed at which science and technologies evolve” and to draw up the required regulations and standards, the Assembly said. ([Read more](#) - [Recommendation](#))

■ PACE Committee on Equality and Non-Discrimination expresses deep concern on current threats to women’s rights in Europe (28.04.2017)

PACE Committee on Equality and Non-Discrimination adopted a declaration on current threats to women’s rights in Europe in which it expressed its deep concern at the growing trend in European countries and beyond to challenge the achievements made in the field of women’s rights over recent

decades. Sexist hate speech flourishes online and offline, sexual and reproductive rights are being questioned and violence against women remains high. ([Read more](#) - [Statement adopted by the committee](#))

■ PACE gives two extra months to submit nominations to the Václav Havel Human Rights Prize (28.04.2017)

The deadline for the submission of nominations for the Vaclav Havel Human Rights Prize 2017, has been extended by two months. The new deadline has been fixed on 30 June 2017, instead of the original deadline of 30 April. Prize regulations and the nomination form can be found on the PACE's website. ([Read more](#) - [Václav Havel Human Rights Prize website](#))

■ PACE Bureau declares 'no confidence' in Pedro Agramunt as President (28.04.2017)

The Bureau of PACE, meeting in Strasbourg today, resolved that it has no confidence in Pedro Agramunt as President of the Assembly. It further resolved that Mr Agramunt is not authorised to undertake any official visits, attend any meetings or make any public statements on behalf of the Assembly in his capacity as President. ([Read more](#))

C. Information from the Commissioner for Human Rights

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

D. Information from the monitoring mechanisms

■ CPT: President of the Committee met Frontex Director (03.03.2017)

On Friday 31 March, the President of the CPT, Mr Mykola Gnatovskyy, and the CPT's Executive Secretary, Mr Jeroen Schokkenbroek, met the Executive Director of Frontex (the European Border and Coast Guard Agency), Mr Fabrice Leggeri, to discuss cooperation between the two bodies. The meeting took place at Frontex Headquarters in Warsaw. The CPT delegation also held discussions with the Fundamental Rights Officer of Frontex, Ms Inmaculada Arnaez ([Read more](#)).

■ CPT: Council of Europe anti-torture Committee announces visits to eight states in 2018 (04.04.2017)

The Committee intends to examine the treatment of persons deprived of their liberty in the following countries:

- Albania
- Andorra
- Czech Republic
- Georgia
- Hungary
- Norway
- Romania
- Slovak Republic

([Read more](#)).

■ **CPT: The Committee holds high-level talk in Lithuania (06.04.2017)**

Representatives of the CPT have recently returned from high-level talks in Vilnius, Lithuania ([Read more](#)).

■ **CPT: The Committee urges European states to hold persons in remand detention only as a measure of last resort and in adequate conditions (20.04.2017)**

The CPT urges the 47 Council of Europe member states to use remand detention only as a measure of last resort and to provide remand prisoners with adequate detention conditions. During visits to prisons throughout Europe, the CPT has often found that remand prisoners are held under very poor conditions and an impoverished regime ([Read more](#)).

■ **CPT: The Committee holds high-level talk in London (27.04.2017)**

Representatives of the CPT, held high-level talks with the United Kingdom authorities in London on 26 April 2017 ([Read more](#)).

■ **GRECO: Evaluator's Training Seminar, Strasbourg, 3-5 May 2017 (28.04.2017)**

A Training Seminar was held in Strasbourg, on 3-5 May 2017, to prepare evaluators for the Fifth Evaluation Round. This hands-on practical Seminar included case studies and mock evaluations to enable participants to become familiar with GRECO evaluation procedures (and the requirements thereof) and the substance of the topics to be discussed during evaluation visits ([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.

Armenia

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: Armenian elections well administered, but process tainted by credible information of vote-buying (03.04.2017)

The 2 April parliamentary elections in Armenia were well administered and fundamental freedoms were generally respected. Despite welcome reforms of the legal framework and the introduction of new technologies to reduce electoral irregularities, the elections were tainted by credible information about vote-buying, and pressure on civil servants and employees of private companies, international observers concluded in a preliminary statement released today. This contributed to an overall lack of public confidence and trust in the elections, the statement says. ([Read more](#))

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

■ CPT: Publication of a report on Azerbaijan (25.04.2017)

The CPT has published two reports on its visits to Azerbaijan. The first report concerns the CPT's ad hoc visit in May 2005, the second the periodic visit in November 2006. Both reports have been made public at the request of the Azerbaijani authorities ([Read the report on the 2005 visit](#) - [Read the report on the 2006 visit](#)).

Belgium

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ CPT: Visit of the Committee (10.04.2017)

A delegation of the Council of Europe's Committee for the CPT carried out a periodic visit to Belgium from 27 March to 6 April 2017. This was the CPT's seventh visit of this nature to that country ([Read more](#)).

Bulgaria

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

CASE	DATE	RESOLUTION	CONCLUSION
NACHOVA AND OTHERS 43577/98+	6 July 2005	CM/ResDH(2017)97	Examination closed
DEBELIANOVI 61951/00	27 February 2009	CM/ResDH(2017)98	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]

France

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

CASE	DATE	RESOLUTION	CONCLUSION
VIARD 71658/10	9 April 2014	CM/ResDH(2017)99	Examination closed
ABDELALI 43353/07	11 January 2013	CM/ResDH(2017)100	Examination closed
MATELLY 10609/10	2 January 2015	CM/ResDH(2017)117	Examination closed
ADEFDROMIL 32191/09	2 January 2015	CM/ResDH(2017)117	Examination closed

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 France (07.04.2017)

The CPT published the report on its most recent visit to France from 15 to 27 November 2015, together with the response of the French authorities ([Read more](#) - [Read the report](#)).

Georgia

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

CASE	DATE	RESOLUTION	CONCLUSION
Vladimer SHARASHENIDZE 5842/11	8 November 2016	CM/ResDH(2017)118	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE rapporteurs welcome progress made by Georgia and hope the authorities will soon address outstanding issues (03.04.2017)

At the end of their visit to Tbilisi from 28 to 30 March 2017, the co-rapporteurs, welcomed the consistent progress made by the country in the honouring of its accession commitments and membership obligations and the excellent co-operation between the country and the Council of Europe in doing so. ([Read more](#))

Germany

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

CASE	DATE	RESOLUTION	CONCLUSION
KHAN 38030/12	21 September 2016	CM/ResDH(2017)101	Examination closed
BUIJEN 27804/05	1 July 2010	CM/ResDH(2017)119	Examination closed
SMITH 27801/05	1 July 2010	CM/ResDH(2017)119	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
CHITOS 51637/12	19 October 2015	CM/ResDH(2017)102	Examination closed
NIKOLITSAS 63117/09	3 October 2014	CM/ResDH(2017)120	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ Prokopios Pavlopoulos, President of the Hellenic Republic: representative democracy, the most effective system in protecting human rights (26.04.2017)

Representative democracy is a system of governance that is the most effective in protecting human rights, said Prokopios Pavlopoulos, President of the Hellenic Republic, addressing the Parliamentary Assembly. The organisation of representative democracy is linked to the institutional checks and balances, which guarantee the rule of law, he added. ([Read more](#) - [Speech \(video\) - English](#))

Hungary

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

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
PACE	27 April 2017	2162	On the drafting of NGO law restricting civil society and possible closure of the European Central University in Hungary	PACE requests the opinion of the Venice Commission on the compatibility with Council of Europe Standards of the Hungarian draft law. PACE calls on Hungarian authorities to co-operate with the Venice Commission and to suspend the parliamentary debate. Finally PACE calls on the Hungarian Government to engage in an open dialogue with civil society, NGO and the Council of Europe.

C. Other information

■ GRETA: Round-Table meeting in Hungary (21.04.2017)

A round-table meeting on the implementation of the recommendations made by GRETA in its first report on Hungary took place in Budapest on 10 April 2017 ([Read more](#)).

■ PACE calls on Hungary to stop work on NGO funding and university laws (27.04.2017)

PACE has called on Hungary to suspend the parliamentary debate on the draft law on the “Transparency of Organisations receiving Foreign Funding” and the implementation of the Act amending the National Higher Education Act, pending the opinion of experts from the Council of Europe’s Venice Commission. ([Read more](#) - [Adopted resolution](#))

Italy

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

CASE	DATE	RESOLUTION	CONCLUSION
MAIORANO AND OTHERS 28634/06	15 March 2010	CM/ResDH(2017)103	Examination closed
CENTRO EUROPA 7 S.R.L. AND DI STEFANO 38433/09	7 June 2012	CM/ResDH(2017)104	Examination closed
ANGHEL 5968/09	4 November 2013	CM/ResDH(2017)121	Examination closed

B. Resolutions, signatures and ratifications

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
CM	5 April 2017	ResChS(2017)3	On a decision of the European Committee of Social Rights, <u>Associazione Nazionale Giudici di Pace v. Italy</u>	CM notes the statement by domestic authorities and welcomes the measures they envisaged. CM looks forward to Italy reporting on the implementation of the measures announced and the progress made.
CM	5 April 2017	ResChS(2017)4	On a decision of the European Committee of Social Rights, <u>Associazione sindacale « La Voce dei Giusti » v. Italy</u>	CM takes note of the statement by domestic authorities and the information it has provided on the follow-up to the decision. CM also looks forward to Italy reporting on any new developments regarding the implementation of the European Social Charter.

C. Other information

■ GRETA: Round-Table meeting in Italy (12.04.2017)

A round-table meeting on the implementation of the recommendations made by GRETA in its first report on Italy and the urgent procedure report published in January 2017 took place in Rome on 6 April 2017 ([Read more](#)).

Latvia

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

CASE	DATE	RESOLUTION	CONCLUSION
KORNAKOV 61005/00	15 September 2006	CM/ResDH(2017)122	Examination closed
MOISEJEVS 64846/01	23 October 2006	CM/ResDH(2017)122	Examination closed
IGORS DMITRIJEVS 61638/00	28 February 2007	CM/ResDH(2017)122	Examination closed
ESTRIKH 73819/01	18 April 2007	CM/ResDH(2017)122	Examination closed
ČISTIJKOV 67275/01	8 May 2007	CM/ResDH(2017)122	Examination closed
LEJA 71072/01	14 September 2011	CM/ResDH(2017)122	Examination closed
SVIPSTA 66820/01	9 June 2006	CM/ResDH(2017)123	Examination closed
GASINS 69458/01	19 July 2011	CM/ResDH(2017)123	Examination closed
CERNIKOV 71071/01	31 May 2011	CM/ResDH(2017)123	Examination closed

BIRZNIEKS 65025/01	31 August 2011	CM/ResDH(2017)123	Examination closed
KARNEJEVS 14749/03	5 October 2011	CM/ResDH(2017)123	Examination closed
ZANDBERGS 71092/01	20 March 2011	CM/ResDH(2017)123	Examination closed
MIKELSONS 46413/10	3 February 2016	CM/ResDH(2017)123	Examination closed
KIRŠTEINS 36064/07	20 October 2016	CM/ResDH(2017)123	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]

Lithuania

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: Publication of a report on the prevention of corruption (24.04.2017)

In a published report, the GRECO welcomes the reforms undertaken by Lithuania to prevent corruption among members of parliament, judges and prosecutors, but calls on the authorities to step up efforts especially in the judiciary and in the prosecution service. GRECO concludes that the country has implemented satisfactorily only three of the eleven recommendations contained in its 2014 evaluation report ([Read more](#)).

Republic of Moldova

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

CASE	DATE	RESOLUTION	CONCLUSION
SAVCA 17963/08	15 June 2016	CM/ResDH(2017)124	Examination closed
Lilia CONEV 28431/08	7 October 2014	CM/ResDH(2017)125	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]

Montenegro

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

CASE	DATE	RESOLUTION	CONCLUSION
Nedeljko ĆOSOVIĆ AND 5 OTHER APPLICATIONS 38584/10	27 September 2016	CM/ResDH(2017)126	Examination closed
Igor ŠUKOVIĆ 63520/12	27 September 2016	CM/ResDH(2017)126	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

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

Norway

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ FCNM: Publication of the 4th Advisory Committee Opinion (10.04.2017)

The Norwegian authorities took the initiative to publish the 4th Opinion of the Advisory Committee on the FCNM on 22 February 2017. Should they choose to submit comments on the opinion, the deadline foreseen is 25 May 2017 ([Read more](#) - [Read the 4th Advisory Committee Opinion](#)).

Poland

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

CASE	DATE	RESOLUTION	CONCLUSION
KARWOWSKI 29869/13	19 July 2016	CM/ResDH(2017)127	Examination closed
PRUS 5136/11	12 April 2016	CM/ResDH(2017)127	Examination closed
ŚWIDERSKI 5532/10	16 May 2016	CM/ResDH(2017)127	Examination closed
PALUCH 57292/12	16 May 2016	CM/ResDH(2017)127	Examination closed
ROMANIUK 59285/12	12 April 2016	CM/ResDH(2017)127	Examination closed
KARYKOWSKI 653/12	12 April 2016	CM/ResDH(2017)127	Examination closed
CHYŁA 8384/08	3 February 2016	CM/ResDH(2017)127	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: Lublin in Poland wins the 2017 Europe Prize (27.04.2017)

The 2017 Europe Prize – the highest level of the Prize which is awarded each year by the Parliamentary Assembly of the Council of Europe to the town most active in promoting the European ideal – has been awarded to Lublin in Poland. ([Read more](#) - [The Europe Prize](#) - [Full details](#))

Portugal

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

CASE	DATE	RESOLUTION	CONCLUSION
PINTO COELHO No. 2 48718/11	22 June 2016	CM/ResDH(2017)105	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: Publication of the Addendum to the Second Compliance Report on Portugal (Third Evaluation Round) (13.04.2017)

Following the authorisation by the authorities of Portugal, GRECO publishes the Addendum to the Second Compliance Report on Portugal, relating to "Incriminations (ETS 173 and 191, GPC 2)" and "Transparency of Party Funding" ([Read more](#) - [Read the report](#)).

Romania

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

CASE	DATE	RESOLUTION	CONCLUSION
POPOVICIU 52942/09	1 June 2016	CM/ResDH(2017)106	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: The Committee expresses concern about the use of emergency procedures to amend legislation in Romania (18.04.2017)

In a published report published, the GRECO expresses concern about the use of emergency procedures to amend legislation in Romania instead of using proper parliamentary process ([Read more](#)).

■ FCNM: Visit of the Advisory Committee on the FCNM (03.04.2017)

A delegation of the Advisory Committee on the FCNM visited Cluj, Suceava, Constanța and Bucharest from 3 to 7 April 2017 to evaluate the progress made in the monitoring of the protection of national minorities in Romania ([Read more](#)).

Russian Federation

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ **PACE President condemns the bombing on the St Petersburg metro (03.04.2017)**

Pedro Agramunt, President of the Parliamentary Assembly of the Council Europe (PACE), has strongly condemned the terrorist attack carried out today on the St Petersburg metro, said to have caused at least 10 deaths with dozens reportedly wounded. ([Read more](#))

■ **PACE: concern about recent developments in relation to the respect for human rights in the Russian Federation (21.04.2017)**

The co-rapporteurs of the PACE Monitoring Committee for the Russian Federation have expressed their serious concern regarding recent developments in relation to the respect for human rights in the Russian Federation. “The recent decision of the Supreme Court to declare the Jehovah’s Witnesses Administrative Center in the Russian Federation an extremist organisation [...], raises serious concerns regarding freedom of religion in Russia” said the co-rapporteurs. ([Read more](#))

Serbia

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

CASE	DATE	RESOLUTION	CONCLUSION
VINČIĆ AND OTHERS 44698/06+	2 March 2010	CM/ResDH(2017)107	Examination closed
RAKIĆ AND OTHERS 47460/07+	5 January 2011	CM/ResDH(2017)107	Examination closed
ŽIVIĆ 37204/08	13 December 2011	CM/ResDH(2017)107	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ Statement of the PACE observer delegation about presidential election in Serbia (03.05.2017)

On the invitation of the Serbian authorities, a multi-party delegation from the PACE observed the Presidential election in Serbia on 2 April 2017. The Assembly has observed all presidential and parliamentary elections in Serbia since 2000. ([Read more](#) - [List of delegation members](#))

Slovenia

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

CASE	DATE	RESOLUTION	CONCLUSION
ZAVODNIK 53723/13	21 August 2015	CM/ResDH(2017)108	Examination closed
AŽDAJIĆ 71872/12	1 February 2016	CM/ResDH(2017)109	Examination closed
KOROŠEC 77212/12	8 January 2016	CM/ResDH(2017)110	Examination closed
MLADINA D.D. LJUBLJANA 20981/10	17 July 2014	CM/ResDH(2017)111	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ CPT: Visit of the Committee (06.04.2017)

A delegation of the CPT carried out a periodic visit to Slovenia from 28 March to 4 April 2017. This was the CPT's fifth visit to that country ([Read more](#)).

■ GRETA: Committee's second evaluation visit to Slovenia (13.04.2017)

A delegation of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) carried out a second evaluation visit to Slovenia from 10 to 13 April 2017. The visit provided an opportunity to assess developments in the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings since the first evaluation by GRETA in 2013 ([Read more](#)).

■ FCNM: Visit of the Advisory Committee on the FCNM (10.04.2017)

A delegation of the Advisory Committee on the FCNM visited Ljubljana, Dolenjska and Lendava from 10 to 13 April 2017 to evaluate the progress made in the monitoring of the protection of national minorities in Slovenia ([Read more](#)).

Spain

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

■ **'Europe remains an inspiring project' said His Majesty the King of Spain (27.04.2017)**

"In the globalised world of the 21st century, Europe must remain the standard-bearer for freedom and integration. If we stay true to these values, Europe as a civilisation zone will continue to be a source of inspiration for other regions throughout the planet. However, if we give up these values, we will also be giving up ourselves, what we are, what defines us and all the good we can offer the world", His Majesty the King of Spain said today in an address to the Assembly. ([Read more](#) - [Video of the address by His Majesty the King of Spain \(English\)](#))

Sweden

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: Visit of the Advisory Committee on the Committee (03.04.2017)

A delegation of the Advisory Committee on the FCNM visited Kiruna, Västerås and Stockholm from 3 to 7 April 2017 to evaluate the progress made in the monitoring of the protection of national minorities in Sweden ([Read more](#)).

■ PACE President condemns heinous act after Stockholm attack (07.04.2017)

"I would like to express my shock and sadness at today's heinous attack in Stockholm, and strongly condemn those who carried this out," said Pedro Agramunt, PACE President. "Such indiscriminate violence achieves nothing, bringing only suffering and heartache," he added. "My deepest condolences to the families of the victims, as well as to the Swedish authorities and the people of Sweden," he concluded. ([Read more](#))

■ CM Chair statement after the terrorist attack in Stockholm (10.04.2017)

"In response to the terrorist attacks that have taken place in Europe these last weeks, we must stand united to combat hatred and barbarity. Our democracies will be stronger than those who seek to destroy them" said Ioannis Kasoulides after he had expressed his thought to the families of the victims, the injured and after he had assured his deepest sympathy to the people and authorities of Sweden. ([Read more](#))

Switzerland

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

CASE	DATE	RESOLUTION	CONCLUSION
DI TRIZIO 7186/09	4 July 2016	CM/ResDH(2017)128	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]

“The former Yugoslav Republic of Macedonia”

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

CASE	DATE	RESOLUTION	CONCLUSION
PETRESKA 16912/08	21 October 2016	CM/ResDH(2017)112	Examination closed
FETAOVSKI 10649/03	19 September 2008	CM/ResDH(2017)113	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE rapporteurs condemn violence in Parliament of Skopje, call on political parties to reach political agreement (28.04.2017)

“We are shocked by the storming of the Parliament in Skopje. We firmly condemn these violent and unacceptable attacks against parliamentarians. Violence has no place in a democracy,” declared PACE co-rapporteurs. “We call on all political parties and stakeholders to refrain from fuelling the tensions and to show responsibility by fostering dialogue and paving the way to a peaceful political solution.” “We expect the Macedonian authorities to take all necessary steps to overcome this crisis and to re-establish functioning democratic institutions”. ([Read more](#))

Turkey

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

CASE	DATE	RESOLUTION	CONCLUSION
ALINAK AND OTHERS 34520/97	4 August 2006	CM/ResDH(2017)114	Examination closed
ERDOĞDU 25723/94	15 June 2000	CM/ResDH(2017)114	Examination closed
GÜÇLÜ 27690/03	10 May 2009	CM/ResDH(2017)114	Examination closed
İSAK TEPE 17129/02	21 January 2009	CM/ResDH(2017)114	Examination closed
KIZILYAPRAK 27528/95	2 January 2004	CM/ResDH(2017)114	Examination closed
UNAY 5290/02	21 January 2009	CM/ResDH(2017)114	Examination closed
DAVRAN 18342/03	3 February 2010	CM/ResDH(2017)115	Examination closed
ALİCAN DEMİR 41444/09	25 May 2014	CM/ResDH(2017)116	Examination closed
VEDAT DOĞRU 2469/10	12 September 2016	CM/ResDH(2017)129	Examination closed
D.Y.S. 49640/07	16 October 2015	CM/ResDH(2017)130	Examination closed
ÇAMLAR 28226/04	10 February 2016	CM/ResDH(2017)131	Examination closed

S. S. GÖLLER BÖLGESİ KONUT YAPI KOOP 35802/02	6 March 2017	CM/ResDH(2017)132	Examination closed
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B. Resolutions, signatures and ratifications

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
PACE	25 April 2017	Res 2156 (2017)	On the functioning of democratic institutions in Turkey	PACE calls on domestic authorities to lift the state of emergency as soon as possible; to release all the detained parliamentarians, co-mayors and journalists pending trial ; to ensure fair trials with respect for due procedural guarantees; to take urgent measures to restore freedom of expression and of the media ; and finally to implement as soon as possible the recommendations of the Venice Commission concerning the constitutional amendments.

C. Other information

■ PACE: Turkey’s constitutional referendum, an unlevel playing field (17.04.2017)

The 16 April constitutional referendum in Turkey was contested on an unlevel playing field, and the two sides in the campaign did not have equal opportunities, the international observers concluded in a statement. While the technical aspects of the process were well administered, voters were not provided with impartial information about key aspects of the reform, and limitations on fundamental freedoms had a negative effect, the statement says. ([Read more](#))

■ PACE General Rapporteur on abolition of the death penalty about Turkey: reintroducing the death penalty ‘incompatible’ with Council of Europe membership (19.04.2017)

“President Erdogan is reported to be considering a referendum on the issue of bringing back the death penalty in Turkey,” said Yves Cruchten, PACE General Rapporteur on abolition of the death penalty. “Rejection of capital punishment is a basic principle of our organisation,” he pointed out. “President Erdogan should be under no illusion: reintroducing the death penalty would be simply incompatible with Turkey’s continued membership of the Council of Europe.”

■ PACE reopens monitoring procedure in respect of Turkey (25.04.2017)

PACE decided today to reopen the monitoring procedure in respect of Turkey until “serious concerns” about respect for human rights, democracy and the rule of law “are addressed in a satisfactory manner”. ([Read more](#) - [Adopted resolution](#) - [Report](#) - [Video link of the debate](#) - [Voting result](#) - [Interview with Ingebjørg Godsken et Marianne Mikko](#))

United Kingdom

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ CPT: Publication of a report on its UK visit (19.04.2017)

In a published report, the CPT raises serious concerns over the lack of safety for inmates and staff in prisons in England ([Read more](#)).