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DIRECTION GENERALE DES DROITS DE L'HOMME
ET DES AFFAIRES JURIDIQUES

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National Human Rights Structures Unit



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Directorate General of Human Rights and Legal Affairs (DG-HL),
Legal and Human Rights Capacity Building Division

and the **Office of the Commissioner for Human Rights**

*The selection of the information contained on this Issue and deemed relevant to NHRs
is made under the joint responsibility of the NHRS Unit
and the Office of the Commissioner for Human Rights*

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Introduction

This issue is part of the "Regular Selective Information Flow" (RSIF). Its purpose is to keep the National Human Rights Structures permanently updated of Council of Europe norms and activities by way of regular transfer of information, which the National Human Rights Structures Unit of the DG-HL (NHRs Unit) and the Office of the Commissioner for Human Rights carefully select and try 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 two weeks and is sent by the NHRs Unit 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 two and four weeks old.

Unfortunately, the issues are available in English only for the time being due to the limited means. However, the majority of the documents referred to exists in English and French and can be consulted on the web sites that are indicated in the issues.

The selection of the information included in the issues is made by the NHRs Unit and the Office of the Commissioner for Human Rights. It is based on what is deemed relevant to the work of the NHRs. A particular effort is made to render the selection as targeted and short as possible.

Readers are expressly encouraged to give any feed-back that may allow for the improvement of the format and the contents of this tool.

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Auswärtiges Amt

Part I : The activities of the European Court of Human Rights

A. Judgments

1. Judgments deemed of particular interest to 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 NHR Unit and the Office of the Commissioner for Human Rights, is based on the [press releases of the Registry of the Court](#).

Some judgments are only available in French.

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

Note on the Importance Level:

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

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

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

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

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

- **Right to legal assistance and right to access to court**

[Kulikowski v. Poland](#) (no. 18353/03) (Importance 1) and [Antonicelli v. Poland](#) (no. 2815/05) (Importance 3) – 19 May 2009 – Violation of Article 6 § 1 (access to court) in conjunction with Article 6 § 3 – Failure to inform the applicants about the time-limit to lodge their cassation appeals – Refusal of the applicants’ lawyers to prepare and lodge their cassation appeals – Violation of Article 5 § 3 (right to liberty and security) in the Kulikowski case on account of excessive length of pre-trial detention

The applicants are two Polish nationals and are currently serving prison sentences: Mr. Kulikowski for killing his mother, and Mr. Antonicelli for manslaughter.

Under a legal-aid scheme, both applicants had lawyers appointed by the domestic courts to represent them in the criminal proceedings. They were both convicted at first instance, and had their convictions upheld on appeal, following which their lawyers refused to prepare and lodge cassation appeals before the final judicial instance, the Supreme Court. The lawyers based their refusal on the fact that such appeals had, allegedly, no prospect of success. The Supreme Court informed Mr. Kulikowski and Mr. Antonicelli of the situation and did not appoint other lawyers to assist them further. The applicants were not informed of how much time they had available to lodge cassation appeals.

Relying on Article 6 § 1 in conjunction with Article 6 § 3, both Mr. Kulikowski and Mr. Antonicelli complained that, as a result of their lawyers' refusal to prepare cassation appeals in their cases, they had been denied effective access to the Supreme Court. In addition, Mr. Kulikowski complained that he had been detained for too long pending trial.

Article 6 § 1 in conjunction with Article 6 § 3 in both cases

The Court first noted that Polish criminal procedural law required a lawyer to assist individuals whose conviction had been upheld by an appellate court in the preparation of their cassation appeals. This requirement had been interpreted by the Polish Supreme Court as obliging lawyers to provide comprehensive legal advice to convicted individuals, which included giving an opinion on what prospects of success they had before the final judicial instance. The Supreme Court had also concluded that a legal-aid lawyer, assigned to individuals who were criminally prosecuted and convicted at first and second instance, could refuse to prepare a cassation appeal and that the domestic court was not bound to assign those individuals another lawyer. The Court agreed with this conclusion but also emphasised that the State nonetheless had the responsibility of ensuring a balance between effective access to justice for convicted individuals and the independence of the legal profession.

The Supreme Court had recognised that difficulties might arise for convicted individuals to have access to the cassation court in cases in which their legal-aid lawyers had withdrawn from assisting them and had therefore set a longer time-limit for lodging a cassation appeal in those cases. Thus this period had been set to only start running on the date on which the defendants had been informed of their lawyer's refusal to assist them further, and not, as in the cases of lawyers of one's choice, from the moment the lawyers had been informed of the judgment of the second instance court.

The Court considered that this interpretation by the Supreme Court had allowed sufficient time to both Mr. Kulikowski and Mr. Antonicelli to find new lawyers to represent them. The fact that neither of them had been financially able to hire a lawyer of their own choice did not raise an issue under Article 6 of the Convention, as that Article does not oblige a State to ensure assistance by successive legal-aid lawyers for the purposes of pursuing legal remedies already found not to offer reasonable prospects of success.

However, according to the case law of the Supreme Court, the court of appeal should have instructed Mr. Kulikowski and Mr. Antonicelli, who were without legal representation at the time, on how much time they had to lodge a cassation appeal, something which it had failed to do. The Court concluded that, to that limited but crucial extent, the relevant procedures under Polish law at the time had been deficient and had deprived the applicants of effective access to the Supreme Court. There had therefore been a violation of Article 6 § 1 in conjunction with Article 6 § 3.

Article 5 § 3 in the Kulikowski case

In justifying Mr. Kulikowski's pre-trial detention throughout its duration, the authorities had relied on the possibility that he could be given a severe sentence. The Court recalled that the gravity of the charges alone could not justify long periods of detention pending trial. It further noted that the authorities had not considered any other possibility of securing Mr. Kulikowski's appearance at trial. In addition, as he had been detained on charges of murder committed in a family setting, his case could not have presented particular difficulties for the investigation. Accordingly, the overall period of detention – two years, four months and six days – had been excessively long and in violation of Article 5 § 3.

Judges Bonello and Mijovic expressed joint concurring opinions in both cases, which are annexed to the judgments.

- **Police misconduct**

Alibekov v. Russia (no. 8413/02) (Importance 3) – 14 May 2009 – No violation of Article 3 (treatment) – Lack of evidence – Violation of Article 3: ineffective investigation

The applicant complained that he had been subjected to ill-treatment in August 2002 by a special police unit in a correctional colony in the Tyumen Region where he was serving two sentences for manslaughter and a grave traffic offence. He also alleged that the investigation into the incident had been ineffective. The Court first noted that there had been a discrepancy between the description of the events provided by Mr. Alibekov and that provided by the authorities. While the medical report made in the immediate aftermath of the events had not recorded any injuries on the body of Mr. Alibekov, his version of the facts had not been backed up by persuasive evidence or reliable witness testimonies. The Court itself was therefore unable, in view of the deficient information in its possession, to establish beyond reasonable doubt that Mr. Alibekov had been the victim of a beating, and held, by six votes to one, that there had been no violation of Article 3 as regards his allegation of

ill-treatment. On the other hand, the Court noted that, despite having been opened in 2002, the investigation was still pending and had essential omissions which called into question its reliability and effectiveness. Accordingly, the Court found unanimously that there had been a violation of Article 3 on account of the lack of an effective investigation into Mr. Alibekov's complaints of ill-treatment. The Court further held unanimously that it was not necessary to examine separately the complaint under Article 13.

Mrozowski v. Poland (no. 9258/04) (Importance 2) – 12 May 2009 – Violations of Article 3 (treatment and investigation) – Excessive employment of physical force by the police – Ineffective investigation

On 28 April 2002, the applicant was on his way home from work by train when football hooligans started to vandalise the carriage and its windows; the police intervened. Caught up in the incident, the applicant alleged that a policeman hit him in the face with a truncheon; he lost several teeth. He complained about the excessive use of force used against him by the police and that the Polish authorities failed to carry out an effective investigation into his allegations. The Court considered that the Polish Government had not provided any argument to prove that Mr. Mrozowski's conduct had been such as to justify recourse to the considerable physical force that, judging by the seriousness of his injuries, had to have been employed by the police. The Court could therefore only conclude that he had been violently assaulted by the police without any justification, and contrary to the domestic law, causing him serious injury. Furthermore, the investigation into his allegations had been superficial, lacked objectivity and ended in decisions containing conclusions unsupported by a careful analysis of the facts. Accordingly, the Court held unanimously that there had been a violation of Article 3 of the Convention both on account of Mr. Mrozowski's ill-treatment by police officers and the absence of an effective investigation into his allegations of ill-treatment.

- **Conditions of detention and right to liberty and security**

Tănase v. Romania (no. 5269/02) (Importance 3) – 12 May 2009 – Two violations of Article 3 (treatment) – Lack of medical care during detention – Violation of Article 5 § 3 – Excessive length of pre-trial detention – No violation of Article 6 § 1

In February 2001, the applicant Mr. Tănase, who was a director of a company selling petroleum products, was placed under investigation and detained on suspicion, among other things, of incitement to deceit, tax evasion, forgery of documents and embezzlement. He was held in Ploiești Prison. Relying on Article 3, he alleged, with regard to his detention, that his state of health had been incompatible with imprisonment, that he had not received appropriate medical treatment for his cancer and diabetes and that he had been subjected to degrading treatment while in hospital. He also relied on Article 5 § 3 (right to liberty and security) and Article 6 § 1 (right to a fair trial within a reasonable time), complaining of the failure to justify his pre-trial detention – which ended with his final criminal conviction in 2006 – and of the length of the criminal proceedings against him. The Court held unanimously that there had been a violation of Article 3 on account of the incompatibility of Mr. Tănase's state of health with pre-trial detention and of the fact that he had been handcuffed to his bed while in hospital. It further held that there had been a violation of Article 5 § 3 on account of the excessive length of his pre-trial detention (approximately two years), and found that there had been no violation of Article 6 § 1.

- **Length of proceedings**

Vervesos v. Greece (no. 14721/06) (Importance 3) – 14 May 2009 – Violation of Article 6 § 1 (length) – Overall length of proceedings (6 years and 8 months at two levels of jurisdiction)

In December 1998, while the applicant, Dimitrios Vervesos was taking part in a rafting trip, the applicant's rubber raft capsized. Mr. Vervesos was thrown into the water and remained trapped against a rock for several hours. Criminal proceedings were brought against the trip leader, M.T., for having placed Mr. Vervesos at immediate risk of death or serious injury. Mr. Vervesos was awarded compensation in the civil courts. In January 1999 he joined the criminal proceedings against M.T. as a civil party seeking damages. M.T. was sentenced to two years' imprisonment in May 2003 and was subsequently acquitted on appeal in May 2005. On 6 October 2005 Mr. Vervesos was refused leave to appeal on points of law. Relying on Article 6 § 1 (right to a fair hearing) of the European Convention on Human Rights, Mr. Vervesos complained, among other things, of the overall length of the proceedings, and in particular of the proceedings before the Criminal Court, which had lasted from January 1999 to May 2003. The European Court of Human Rights held unanimously that there had

been a violation of Article 6 § 1, as the proceedings had lasted for six years and eight months at two levels of jurisdiction.

- **Right to succeed to a tenancy on the basis of a cohabitation based on economic community**

[Korelc v. Slovenia](#) (no. 28456/03) (Importance 2) – 12 May 2009 – Violation of Article 6 (right to a fair hearing) – Excessive length of proceedings concerning tenancy rights to the flat – Violation of Article 13 (right to an effective remedy against excessive length of proceedings) – Complaints on Article 14 in conjunction with Article 8 manifestly ill-founded – No discriminatory treatment between an economic community and a long lasting life community

In 1990 having divorced his wife a few years earlier, the applicant Mr. Korelc moved in with an 86-year-old man, A. Z., who was renting a one-room flat from Ljubljana Municipality. In 1992, Mr. Korelc registered his permanent residence at A.Z.'s address; A.Z. concluded a new lease contract with the Municipality which mentioned Mr. Korelc as a person who could use the flat and who was providing him with daily care.

In April 1993 A.Z. died. In February 1995, Ljubljana Municipality informed Mr. Korelc that he was not entitled to take over the flat's tenancy and was required to vacate it within three months. Later that month Mr. Korelc brought proceedings against the Municipality seeking the right to succeed to the tenancy following A.Z.'s death. While the proceedings were ongoing, Mr. Korelc continued to live in the flat, paid monthly rent and, in 1999, had the flat refurbished.

In July 2000 and September 2001, the domestic courts dismissed Mr. Korelc's claim finding that he was neither A.Z.'s spouse, nor a close relative or a person forming with him a long-term relationship as required by domestic law (the 1991 Housing Act) for tenancy to be transferred following a death. The courts referred to unmarried couples as being in a "long-term relationship", a situation Mr. Korelc had not claimed existed between him and A.Z. Consequently, the two men had cohabitated in an "economic community", which did not allow a tenancy transfer.

Mr. Korelc requested the Public Prosecutor to bring proceedings for legality; his request was rejected, and so was his subsequent complaint before the Constitutional Court. The Constitutional Court stated expressly that the sex of the two partners was irrelevant in the situation at stake, and it was the type of their relationship that could not allow for the tenancy transfer.

In March 2004 the Ljubljana Municipality started enforcement proceedings aiming to evict Mr. Korelc from the flat. In June 2005 he requested that the execution of the eviction order be postponed until such time as the European Court of Human Rights had delivered its judgment in his case; in March 2006 the Municipality made the same request, which was granted by the domestic court in April 2008.

Relying on Articles 8 and 14, Mr. Korelc complained that, after the death of his friend, he was denied the right to take over the tenancy of the flat they shared because they had been of the same sex. Relying also on Article 6 § 1 and Article 13 he complained about the excessive length of the proceedings against Ljubljana Municipality concerning his tenancy rights.

Article 8 and Article 14

The Court noted that, since 2005, the Registration of Same Sex Civil Partnership Act gave the right to succeed to a tenancy to a same-sex partner of a deceased tenant. Mr. Korelc, however, had not submitted that his relationship had been of a homosexual nature. Nor had he asserted that he had been discriminated against on the ground of his sexual orientation. While he maintained that he had been unable to succeed to the tenancy because he and A.Z. had been of the same sex, the Court found that Mr. Korelc's claim had been ultimately dismissed by the domestic courts because his relationship with A.Z. had represented a relationship of economic dependency rather than a long-term relationship, and not because he and A.Z. had been of the same sex. In addition, the Slovenian Constitutional Court had said that rejecting Mr. Korelc's request on the sole ground that the two men were of the same sex would have been contrary to the Slovenian Constitution; it had also stated expressly that a relationship of economic dependency could not be equated with a long-term relationship irrespective of whether it had been constituted of persons of the same or of the opposite sex. Gender had therefore not been a decisive element in the rejection of his tenancy claim. Consequently, he had not been discriminated against on the grounds of either his sexual orientation or his gender.

The Court found that Mr. Korelc's situation had not been comparable to that of a married or unmarried couple, a homosexual civil partnership or close family members, all of which enjoyed the right to take over a tenancy after the death of its holder. The Court thus held that the difference in treatment to

which Mr. Korelc had been subjected had not been discriminatory and consequently his complaint under Article 8 and 14 had to be rejected as inadmissible.

“While Slovenian law also recognises the right of close family members to take over a tenancy, the Court does not consider that the applicant's relationship with A.Z., even if it may have borne certain similarities to that between father and son and even if it involved emotional ties beyond “economic community”, was such as to give rise to discrimination on account of the refusal to allow him to succeed to the tenancy. The Court considers that similar considerations to those relied upon in Burden are applicable to the distinction made between family members on the one hand and unrelated persons on the other. Notwithstanding the potentially close nature of the relationship between two unrelated people, the Court considers that the two situations are not comparable for the purposes of Article 14 of the Convention, since ties of filiation similarly entail specific rights and obligations in law, albeit not entered into voluntarily, which is not the case with the relationship between two unrelated people, irrespective of the intimacy of that relationship.

In any event, the Court recalls that the domestic courts concluded that the applicant's cohabitation with A.Z. amounted only to an “economic community” which was not equivalent to a “long-lasting life community”. It further recalls that it is in the first place for the national authorities, notably the courts, to interpret and apply domestic law. According to Article 19 of the Convention, the Court's duty is to ensure the observance of the engagements undertaken by the Contracting Parties to the Convention. It is not its function to deal with errors of fact or law allegedly committed by a national court unless and in so far as they may have infringed rights and freedoms protected by the Convention (see Garcia Ruiz v. Spain, no. 30544/96, § 28, ECHR 1999-I). In the present case, the Court observes that the domestic courts examined the relevant facts of the case in depth and explained in detail why they considered that the applicant and A.Z. had lived in a merely “economic community”. The Court considers that the reasons on which the domestic courts based their decisions in question are sufficient to exclude the assumption that the way in which they established and evaluated the applicant's situation was unfair or arbitrary. In reaching this conclusion, the Court also takes into account that the Constitutional Court assessed the relevant facts in the light of the same criteria as the Court applies in similar cases.

In conclusion, the Court finds that the proceedings were “fair” within the meaning of Article 6 § 1 of the Convention and that the difference in treatment to which the applicant was subjected was not discriminatory within the meaning of Article 14 of the Convention in conjunction with Article 8 of the Convention.

It follows that these complaints are manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.” (§§ 92-95).

Article 6 § 1

The Court found that the proceedings, before the courts and those related to the enforcement of the judgment, which had lasted approximately nine years in all, had been excessively long, in violation of Article 6 § 1.

Article 13

The Court, in line with its earlier case law on the matter, held that domestic law did not provide for a remedy to challenge effectively excessively long court and execution proceedings, and therefore held that there had been a violation of that Article.

- **Right to correspondence with the Court**

Stojanovic v. Serbia (no. 34425/04) (Importance 2) – 19 May 2009 – Violation of Article 8 – Interference with the applicant's correspondence with the Court

The case concerned Mr. Stojanović's complaint that, while serving a prison sentence, the authorities refused to provide him with free dentures. He also complained that the prison authorities opened his correspondence with domestic bodies and the European Court of Human Rights. He relied on Articles 3 (prohibition of inhuman or degrading treatment), 8 (right to respect for correspondence) and Article 1 of Protocol No. 12 (general prohibition of discrimination) to the European Convention on Human Rights. The Court noted that Mr. Stojanovic had in fact been provided with dentures free of charge in June 2007. It therefore found that that part of the applicant's complaint could now be considered resolved and decided unanimously to strike it out of the case. The Court also held unanimously that there had been a violation of Article 8 as it considered that the prison authorities' interference with the applicant's correspondence had not been in accordance with domestic law at the relevant time. As regards the present case, the Court observes that Article 19 of the Serbian Constitution 1990 and Article 24 §§ 1 and 3 of the Charter on Human and Minority Rights and Civic

Freedoms, which were in force at the relevant time, both provided that no one's correspondence could be interfered with in the absence of a specific court decision to this effect. Since no such decision was ever issued in respect of the applicant and the applicable prison rules and regulations were themselves vague in this regard, it follows that the interference complained of was not "in accordance with the law" at the material time.

- **Freedom of conscience and religion**

Masaev v. Moldova (no. 6303/05) (Importance 2) – 12 May 2009 – Violation of Article 9 – Right of the members of unregistered religious denominations to manifest their religious beliefs – Violation of Article 6 § 1 (fair hearing)

The applicant, Talgat Masaev, is a Moldovan national and he is a Muslim. On 30 January 2004, he, together with a group of other Muslims, was praying on private premises, in particular in a house rented by a non-governmental organisation whose leader he was. The gathering was dispersed by the police and Mr. Masaev was subsequently charged with the offence of practicing a religion not recognised by the State.

In February 2004 Mr. Masaev was found guilty as charged by a domestic court which ordered him to pay a fine. Mr. Masaev contested this decision before the appellate court, but his application was dismissed without reasons and without inviting him to attend the hearing.

Relying on Article 6 §§ 1 and 3, and on Articles 9 and 13, Mr. Masaev complained of having been fined for practicing Muslim rituals, of not having had an effective remedy to challenge this, and of not having been invited to appear at the court hearing of his appeal.

Article 9

The Court noted that any person manifesting a religion, which had not been recognised in accordance with the relevant domestic law - the Religious Denominations Act -, had been automatically liable to sanctions in accordance with the Code of Administrative Offences. The Court noted that any person manifesting a religion which is not recognised in accordance with the Religious Denominations Act is automatically liable to being punished under the provisions of Article 200 § 3 of the Code of Administrative Offences. The Government contended that since it was not disproportionate for a State to impose compulsory State registration for religious denominations it must also not be disproportionate for the State to impose sanctions against those who manifest religious beliefs which are not formally constituted and registered as religious denominations. The Court did not contest the State's power to put in place a requirement for the registration of religious denominations in a manner compatible with Articles 9 and 11 of the Convention. However, it does not follow, as the Government appears to argue, that it is compatible with the Convention to sanction the individual members of an unregistered religious denomination for praying or otherwise manifesting their religious beliefs. To admit the contrary would amount to the exclusion of minority religious beliefs which are not formally registered with the State and, consequently, would amount to admitting that a State can dictate what a person must believe. The Court considered that the limitation on the right to freedom of religion provided by Article 200 § 3 of the Code of Administrative Offences constituted an interference which did not correspond to a pressing social need and was therefore not necessary in a democratic society. Accordingly, there has been a violation of Article 9 of the Convention.

The Court held that it was not necessary to examine this complaint separately in view of its finding under Article 9.

Article 6 §§ 1 and 3

The Court noted that Mr. Masaev had not received in time the summons inviting him to attend the court hearing of his appeal. Further, the Moldovan Government had acknowledged explicitly that this had breached his right to a fair trial. In the light of the latter, and of its earlier case law, the Court held that there had been a violation of Article 6 § 1, and it was not necessary to examine separately his complaint under Article 6 § 3.

- **Judgments concerning Chechnya**

Turluyeva and Khamidova v. Russia (no. 12417/05) (Importance 3) – Violation of Article 2 (right to life) on account of the death of Aslanbek Khamidov and ineffective investigation into his disappearance – Violation of Article 3 (prohibition of inhuman treatment) on account of the mental suffering endured by the applicants – Violation of Article 5 (right to liberty and security) on account of the unacknowledged detention of Aslanbek Khamidov - Violation of Article 13 (right to an effective remedy) taken in conjunction with Article 2

[Taysumov and Others v. Russia](#) (no. 21810/03) (Importance 3) – Violations of Article 2 (right to life) on account of the deaths of Ayshat Eskirkhanova, Zulpat Eskirkhanova and Kazbek Taysumov and the lack of an effective investigation in that regard – No violation of Article 3 (prohibition of inhuman treatment) – Violation of Article 13 (right to an effective remedy) taken in conjunction with Article 2

2. Repetitive cases

The judgments listed below are based on a classification which figures in the Registry's press release: *"In which the Court has reached the same findings as in similar cases raising the same issues under the Convention"*.

The role of the NHRs may be of particular importance in this respect: they could check whether the circumstances which led to the said repetitive cases have changed or whether the necessary execution measures have been adopted.

<u>State</u>	<u>Date</u>	<u>Case Title</u>	<u>Conclusion</u>	<u>Key words</u>
Romania	12 May 2009	Elias (no. 32800/02) link	Violation of Article 1 of Protocol No. 1	The Court found a violation concerning the applicants' complaint of an infringement of their property rights

3. Length of proceedings cases

The judgments listed below are based on a classification which figures in the Registry's press release.

The role of the NHRs may be of particular relevance in that respect as well, as these judgments often reveal systemic defects, which the NHRs may be able to fix with the competent national authorities.

With respect to the length of non criminal proceedings cases, the reasonableness of the length of proceedings is assessed in the light of the circumstances of the case and with reference to the following criteria: the complexity of the case, the conduct of the applicant and the relevant authorities and what was at stake for the applicant in the dispute (See for instance [Cochiarella v. Italy](#) [GC], no. 64886/01, § 68, published in ECHR 2006, and [Frydlender v. France](#) [GC], no. 30979/96, § 43, ECHR 2000-VII).

<u>State</u>	<u>Date</u>	<u>Case Title</u>	<u>Link to the judgment</u>
Poland	12 May 2009	Ziętal (no. 64972/01)	Link
Slovakia	12 May 2009	Buľková (no. 35017/03)	Link

B. The decisions on admissibility / inadmissibility / striking out of the list including due to friendly settlements

From 20 April 2009 to 3 May 2009, no decisions on admissibility or inadmissibility were published on the website.

C. The communicated cases

The European Court of Human Rights publishes on a weekly basis a list of the communicated cases on its Website. These are cases concerning individual applications which are pending before the Court. They are communicated by the Court to the respondent State's Government with a statement of facts, the applicant's complaints and the questions put by the Court to the Government concerned. The decision to communicate a case lies with one of the Court's Chamber which is in charge of the case.

There is in general a gap of three weeks between the date of the communication and the date of the publication of the batch on the Website. Below you will find the links to the lists of the weekly communicated cases which were published on the Court's Website:

- on 18 May 2009 : [link](#)

The list itself contains links to the statement of facts and the questions to the parties. This is a tool for NHRs to be aware of issues involving their countries but also of other issues brought before the Court which may reveal structural problems. Below you will find a list of cases of particular interest identified by the NHR Unit and the Office of the Commissioner for Human Rights.

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.

Please note that the Irish Human Rights Commission (IHRC) issues a monthly table on priority cases before the European Court of Human Rights with a focus on asylum/ immigration, data protection, anti-terrorism/ rule of law and disability cases for the attention of the European Group of NHRs with a view to suggesting possible amicus curiae cases to the members of the Group. Des Hogan from the IHRC can provide you with these tables (dhogan@ihrc.ie).

Only one case was communicated on 18 May.

<u>State</u>	<u>Date of communication</u>	<u>Case Title</u>	<u>Key Words</u>
Italy	30 Apr. 2009	Arnoldi (no 35637/04)	Alleged violation of Art. 6 § 1 – Excessive length of criminal proceedings

D. Miscellaneous (Referral to grand chamber, hearings and other activities)

Hearings

On 3 June 2009 the Court held a Grand Chamber hearing in the case of Sejdić and Finci v. Bosnia and Herzegovina.

[Original language version](#), [English](#), [French Press releases](#), [Facts and Complaints](#)

On 9 June the Court also held a hearing in three cases concerning Moldova and Russia. Each application concerns a Romanian-language school located within the "Moldavian Republic of Transdnistria" (MRT) and is brought by a group of parents, children and teachers. The applicants complain that they have been subjected to harassment by the MRT authorities because of their desire for the schools to continue providing an education in the Romanian language, using the Latin script, and in accordance with the Moldovan curriculum.

[Press release](#), [webcast of the hearing](#)

Part II : The execution of the judgments of the Court

A. New information

2–4 June 2009: Committee of Ministers to supervise the execution of European Court of Human Rights judgments

The Committee of Ministers of the Council of Europe concluded on 5 June 2009 its second special human rights meeting (the 1059th meeting of the Ministers' deputies) devoted to the supervision of the execution of the judgments of the European Court of Human Rights.

The Committee supervises the adoption of individual measures needed to erase the consequences for applicants of violations established by the Court (including the payment of any just satisfaction awarded) and/or general measures (legislative or other changes) aimed at preventing new similar violations.

You may already consult the following documents:

- The list of decisions adopted at the meeting:

[Link to the decisions](#)

Decisions in the other cases will be published on 19 June 2009. The annotated agenda of the 1059th meeting will be provided in the next issue of the RSIF.

- The following information documents :

[CM/Inf/DH\(2009\)31E / 28 May 2009](#)

Moldovan and others (No. 1 and No. 2) and other similar cases against Romania – Examination of the state of execution of general measures – Memorandum prepared by the Department for the Execution of Judgments of the European Court of Human Rights in the light of the information provided by the Romanian authorities up to 15/04/2009

[CM/Inf/DH\(2009\)29revE / 03 June 2009](#)

Action Plans – Action Reports – Definitions and objectives – Memorandum prepared by the Department for the Execution of Judgments of the European Court of Human Rights

B. General and consolidated information

Please note that useful and updated information (including developments occurred between the various Human Rights meetings) on the state of execution of the cases classified by country is provided:

<http://www.coe.int/t/e/human%5Frights/execution/03%5FCases/>

For more information on the specific question of the execution of judgments including [the Committee of Ministers' annual report for 2008](#) on its supervision of judgments, please refer to the Council of Europe's web site dedicated to the execution of judgments of the European Court of Human Rights: http://www.coe.int/T/E/Human_Rights/execution/

The [simplified global database](#) with all pending cases for execution control (Excel document containing all the basic information on all the cases currently pending before the Committee of Ministers) can be consulted at the following address:

http://www.coe.int/t/e/human_rights/execution/02_Documents/PPIndex.asp#TopOfPage

Part III : The work of other Council of Europe monitoring mechanisms

A. European Social Charter (ESC)

Two new collective complaints against France registered (20.05.09)

In the complaint *Confédération Française de l'Encadrement (CFE-CGC) v. France*, no. 56/2009, registered on 4 May 2009, the complainant organisation alleges that France is in breach of Articles 1 (the right to work), 2 (the right to just conditions of work), 3 (the right to safe and healthy working conditions), 4 (the right to a fair remuneration), 20 (the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex), 27 (the right of workers with family responsibilities to equal opportunities and equal treatment), read alone or in conjunction with Article E (non-discrimination) of the Revised Charter.

In the complaint *European Council of Police Trade Unions (CESP) v. France*, no. 57/2009, registered on 7 May 2009, the CESP alleges that France is in breach of Article 4§2 (right to a fair remuneration) of the Revised Charter.

For further information you may consult the page on [Collective Complaints](#).

You may find relevant information on the implementation of the Charter in States Parties using the following country factsheets:

http://www.coe.int/t/dghl/monitoring/socialcharter/CountryFactsheets/CountryTable_en.asp

B. European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

[Council of Europe anti-torture Committee visits Bosnia and Herzegovina \(19.05.09\)](#)

A delegation of the CPT carried out a five-day visit to Bosnia and Herzegovina. The visit, which began on 11 May 2009, was the CPT's fourth visit to Bosnia and Herzegovina. The visit provided an opportunity to assess the progress made since the periodic visit in March/April 2007. The CPT's delegation examined in detail various issues related to Sarajevo and Zenica Prisons, including the regime and treatment of remand prisoners and of those prisoners placed in administrative and disciplinary isolation and in the high-security unit. The delegation also focused its attention on the situation of forensic psychiatric patients held in Zenica Prison and at Sokolac Psychiatric Hospital, and reviewed progress towards the establishment of a new forensic psychiatric unit for the whole country. A brief visit was paid to the recently opened juvenile unit in East Sarajevo Prison. In the course of the visit, the CPT's delegation held consultations, at State level, with Safet HALILOVIĆ, Minister of Human Rights and Refugees, and Srđjan ARNAUT, Deputy Minister of Justice, as well as with senior officials from these ministries. At Entity level, the delegation met Nedžad BRANKOVIĆ, Prime Minister, Safet OMEROVIĆ, Minister of Health, and Feliks VIDOVIĆ, Minister of Justice, from the Federation Government of Bosnia and Herzegovina, as well as senior officials from the Ministry of Health and Social Welfare of the Republika Srpska. Discussions were also held with the State Ombudsmen, Jasminka DŽUMHUR and Ljubomir SANDIĆ, and the High Representative and European Union Special Representative, Valentin INZKO.

At the end of the visit, the delegation presented its preliminary observations to the authorities of Bosnia and Herzegovina.

[Council of Europe anti-torture Committee publishes report on Ukraine \(19.05.09\)](#)

The CPT has published the [report](#) on its ad hoc visit to Ukraine in December 2007, together with the Ukrainian authorities' [response](#). These documents have been made public at the request of the Ukrainian Government.

The main purpose of the 2007 visit was to examine the situation of foreign nationals detained under aliens legislation, and to review progress made in this area in the light of the recommendations contained in the CPT's report on its previous visit to Ukraine in 2005. Particular attention was paid to the Temporary holding centre in Pavshino, an establishment about which the Committee had expressed serious concerns in the past. In their response, the Ukrainian authorities refer to a decision to close down the Pavshino Centre by the end of 2008. This step has been made possible by the opening in 2008 of two new centres (in Chernigin and Volyn regions) designed for the detention of foreigners under aliens legislation.

The CPT's report also contains recommendations aimed at strengthening the safeguards for persons detained under aliens legislation and developing specialised training for staff working in detention facilities for foreign nationals.

The authorities' response provides information on various measures being taken to implement the Committee's recommendations.

As part of its programme of periodic visits in 2009, the CPT has already indicated its intention to carry out a new visit to Ukraine.

C. European Commission against Racism and Intolerance (ECRI)

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D. Framework Convention for the Protection of National Minorities (FCNM)

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E. Group of States against Corruption (GRECO)

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F. Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)

Serbia: On-site evaluation visit (10-16.05.09)

A MONEYVAL team of evaluators visited Serbia from 10 to 16 May 2009 under the third evaluation round.

The team met with Mr Miodrag Didic, State Secretary of the Ministry of Finance, and representatives from the following institutions and organisations: Administration for the Prevention of Money Laundering, National Bank of Serbia, Securities Commission, Foreign Currency Inspectorate, Administration of Games of Chance, Customs Administration, Ministry of Justice, Ministry of Interior, Security Information Agency, District Court of Belgrade, State Prosecutor's Office, Ministry of Public Administration and Local Self-Government, Ministry of Foreign Affairs. The team also held meetings with representatives of the Post Office, Association of Serbian Insurers, Association of accountants and Auditors, Bar Association, Association of Serbian Banks, banks, insurance companies, pension funds, broker and leasing companies, casino, foreign exchange offices.

A key findings document was discussed with the Serbian authorities and left with them at the conclusion of the mission. The draft report will be prepared for review and adoption by MONEYVAL at its 31st Plenary meeting (7-11 December 2009).

This evaluation is based on the Forty Recommendations 2003 and the Nine Special Recommendations on Terrorist Financing 2001 of the Financial Action Task Force (FATF), complemented by issues linked to the Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing in accordance with MONEYVAL's terms of reference.

G. Group of Experts on Action against Trafficking in Human Beings (GRETA)

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¹No work deemed relevant for the NHRs for the period under observation.

Part IV : The intergovernmental work

A. The new signatures and ratifications of the Treaties of the Council of Europe

Moldova ratified on 12 May 2009 the Convention on Cybercrime ([ETS No.185](#)).

Estonia ratified on 15 May 2009 the Council of Europe Convention on the Prevention of Terrorism ([CETS No.196](#)).

Georgia signed on 18 May 2009 the Convention on the Conservation of European Wildlife and Natural Habitats ([ETS No.104](#)).

B. Recommendations and Resolutions adopted by the Committee of Ministers

[CM/Rec\(2009\)3E / 20 May 2009](#)

Recommendation of the Committee of Ministers to member states on monitoring the protection of human rights and dignity of persons with mental disorder.

C. Other news of the Committee of Ministers

[Ministers for Foreign Affairs from 47 Council of Europe member states meeting in Madrid \(11.05.09\)](#)

The 119th session of the Committee of Ministers of the Council of Europe in Madrid brought together, in Madrid (Spain), Ministers of Foreign Affairs and representatives of the 47 member states of the organisation.

Guaranteeing the long-term effectiveness of the control system of the European Convention on Human Rights was one of the main items on the agenda.

At the close of the session, which commemorated the Council of Europe's 60th anniversary, Spain transferred the chairmanship of the Committee of Ministers to Slovenia for the next six months.

The meeting was opened by the Spanish Minister and Chair of the Committee of Ministers, Miguel Angel Moratinos, Council Secretary General Terry Davis and HRH the Prince of the Asturias.

In order to increase the European Court of Human Rights' short-term capacity to process applications, the ministers adopted Protocol No 14*bis* to the European Convention on Human Rights, which will allow the immediate application of two procedural elements of Protocol No 14, pending its entry into force.

The ministers had the opportunity to discuss "The state of democracy in Europe: Belarus" and the conflict in Georgia.

A press conference was held with the Spanish and Slovenian Ministers for Foreign Affairs and Council of Europe Secretary General Terry Davis.

[Council of Europe adopts new decisions to improve the effectiveness of the European Court of Human Rights \(12.05.09\)](#)

Ministers for Foreign Affairs and representatives of the 47 Council of Europe member states adopted on 12 May 2009 [Protocol No. 14*bis* to the European Convention on Human Rights](#), which will increase the European Court of Human Rights' short-term capacity to process applications. This new protocol will allow, pending entry into force of Protocol No. 14, the immediate and provisional application of two procedural elements of Protocol No. 14 with respect to those states that express their consent: a single judge will be able to reject plainly inadmissible applications, whereas now this requires a decision by a committee of three judges; the competence of three-judge committees will be extended

to declare applications admissible and decide on their merits in well-founded and repetitive cases, where there already is a well-established case law of the Court. Currently, these cases are handled by chambers of seven judges.

A special file on Protocol No. 14 bis will be included in RSIF No. 18.

Adoption of a Declaration on Gender Equality: Making Gender Equality a reality (12.05.09)

The Committee of Ministers urges member states through this declaration to commit themselves fully to bridging the gap between equality in fact and in law.

Chairmanship of Committee of Ministers: Slovenia presents its priorities (12.05.09)

The new Council of Europe Chairman-in-Office, Slovene Foreign Minister Samuel Žbogar, announced in his speech at the Ministerial Session in Madrid commemorating the Organisation's 60th anniversary that the priorities of the Chairmanship have been defined in accordance with the commitments made at the Third Council of Europe Summit held in Warsaw in 2005. Slovenia's priorities are based around four broad themes such as promoting the common values of the Council of Europe, strengthening the security of European citizens, building a more humane and inclusive Europe and fostering co-operation with other international and European organisations and institutions.

The Slovenian Chairmanship will promote the continuation of the reform process of the European Court of Human Rights and strive for the promotion of rule of law at national and international levels.

The programme will also place special emphasis on children and education on children's rights, Roma, bioethics and biomedicine, and the promotion of democracy, the rule of law and human rights in South-East Europe, the Caucasus and Belarus.

It will also take an active part in other regular Council of Europe activities and ceremonies marking the 60th anniversary of the organisation.

Slovenia will chair the Committee of Ministers of the Council of Europe from 12 May to 18 November 2009 when it will hand it over to Switzerland.

During its presidency, Slovenia will organise a number of conferences and seminars, in Ljubljana and elsewhere. The integral text of the priorities of the Slovenian chairmanship and a calendar of major events can be consulted at [Programme of the Slovene chairmanship](#).

Russia: Concern over Moscow Pride Parade (17.05.09)

The Chairman of the Committee of Ministers of the Council of Europe, Samuel Žbogar, Minister for Foreign Affairs of Slovenia, expresses his concern about the action taken against the organisers of the Moscow Pride Parade. People belonging to sexual minorities enjoy the same right to freedom of expression and to freedom of assembly as any other individual within the jurisdiction of a member state of the Council of Europe.

According to the established case law of the European Court of Human Rights, peaceful demonstrations cannot be banned simply because of the existence of attitudes hostile to the demonstrators or to the causes they advocate.

The fact that this is not the first year such a situation has developed is of concern to the Chairman of the Committee of Ministers of the Council of Europe.

Part V : The parliamentary work

A. Resolutions and Recommendations of the Parliamentary Assembly of the Council of Europe

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B. Other news of the Parliamentary Assembly of the Council of Europe

➤ *Countries*

[PACE to debate challenge to Ukrainian parliamentary delegation's credentials \(20.05.09\)](#)

A group of 20 members of PACE has challenged the credentials of the Ukrainian delegation to the Assembly on the substantial grounds of "a serious violation of the basic principles of the Council of Europe". In a motion submitted yesterday, the signatories said the Ukrainian government persistently refuses to replace a missing third candidate on the list of candidates for election of a judge to the European Court of Human Rights, which "undermines the credibility of the Court". Under the rules, a report is automatically prepared on a challenge of credentials, which is likely to be debated by the Assembly during its forthcoming session (22-26 June 2009).

Read the [Motion for a Resolution](#); [Link to the Assembly's Rules of Procedure](#)

➤ *Themes*

[Internally displaced persons are 'Europe's forgotten people' says PACE rapporteur \(11.05.09\)](#)

"It is a shame for Europe that 15 to 20 years after the conflicts which ravaged the South Caucasus region in the early 1990s, hundreds of thousands of people displaced by these conflicts continue to live in shabby and marginalised conditions with little prospect of return or restitution of their property," said John Greenway (United Kingdom, EDG), Rapporteur on protecting the human rights of long-term displaced persons, at the close of his four-day fact-finding mission to Yerevan and Baku. "The international community must reinvigorate its efforts to find new political impetus to create durable solutions for these people. We should avoid them becoming Europe's forgotten people." Elaborating on his impressions after meetings with Azerbaijani authorities and representatives of the civil society and after having visited a temporary collective accommodation centre as well as a new residential settlement for internally displaced persons (IDPs) in Baku, the rapporteur recognised the substantial progress that the Government of Azerbaijan was making in terms of improving the living conditions of IDPs.

[PACE rapporteur condemns dangerous flare-up of anti-Gypsyism \(18.05.09\)](#)

József Berényi (Slovak Republic, EPP/CD), the rapporteur on the situation of Roma for the Parliamentary Assembly of the Council of Europe (PACE) and Chair of the Assembly's Sub-Committee on Rights of Minorities, made the following statement, speaking after a hearing on the subject in Târgu Mures, Romania: "It is with a feeling of revolt and shame that I note that in recent times the Roma minority has been the victim of attacks of a rare violence in several Council of Europe member states. In Italy, Roma camp sites have been burnt down, in Hungary two members of a Roma family – including one child – were killed in an attack on their home, in Slovakia Roma children have been sadistically ill-treated and humiliated by members of the security forces, in Serbia entire Roma families have been made homeless following summary evictions, in the Czech Republic members of a Roma family were seriously injured in a house fire set off by Molotov cocktails.

These are only a handful of shocking examples, reflecting an increasingly widespread trend in Europe towards anti-Gypsyism of the worst kind".

* No work deemed relevant for the NHRs for the period under observation.

[No religion advocates so-called 'honour crimes', according to PACE rapporteur \(14.05.09\)](#)

"No religion advocates so-called 'honour crimes', and there is no honour in these crimes," said John Austin (United Kingdom, SOC), at a meeting of the Equality Committee of the Parliamentary Assembly of the Council of Europe (PACE) in Istanbul on 14 May 2009. "All forms of violence against women in the name of traditional codes of honour must be considered to be crimes, unacceptable in any culture, and be harshly punished by the courts. We should not concede any form of social and cultural relativism," said Mr. Austin, the author of a report on the urgent need to combat these crimes, which was approved the same day by the Equality Committee.

Read the [Draft resolution and recommendation](#)

Stopping sexual violence against women in armed conflict (15.05.09)

Supporting a report by Miet Smet (Belgium, EPP/CD) on sexual violence against women in armed conflict, the PACE Equal Opportunities Committee has approved a series of measures to ensure that justice is done whenever a women is raped during an armed conflict. The committee considers that in order to put a stop to sexual violence against women in armed conflict, it is vital to include this crime against humanity in the future Council of Europe Convention on the severest and most widespread forms of violence against women.

Read the [Report on sexual violence against women in armed conflict](#)

[PACE proposal to make 'a right to a healthy environment' enforceable under European human rights law \(15.05.09\)](#)

A concrete proposal to inscribe "the right to a healthy environment" into the European system of human rights protection is to be debated in September by the PACE, its President announced on 14 May 2009.

Addressing the Nevsky International Ecological Congress in St Petersburg, jointly organised by PACE and the Interparliamentary Assembly of the Commonwealth of Independent States (CIS), Lluís Maria de Puig said: "We believe that living in a healthy environment is a basic right that every human being should have."

➤ *Speeches*

[The Council of Europe at sixty: PACE President points to an 'extremely positive' record of achievement \(13.05.09\)](#)

PACE President Lluís Maria de Puig has said that the Council of Europe can point to "an extremely positive" record of achievement in the last sixty years. Addressing the organisation's Foreign Ministers in Madrid at a meeting to mark the 60th anniversary, the President said the Council's moral force flowed from "a unique combination of diplomatic subtlety and rigour in defending our values". Concerning the Ministers' decision to forward a list containing two candidates for the election to the post of Secretary General, the President said that although he was not yet in a position to present the Assembly's reaction, he thought that the parliamentarians "are not going to like this decision".

[Protecting human dignity is an unfinished task, says Alan Meale at the CIS Interparliamentary Assembly \(14.05.09\)](#)

Speaking at the plenary meeting of the CIS Interparliamentary Assembly in St Petersburg on 14 May 2009, Alan Meale (United Kingdom, SOC) recalled that whilst the Council of Europe was celebrating its 60th anniversary this year, its work was not finished. "Our values are potent but vulnerable. Just as "Rome was not built in one night", we keep on building Greater Europe every day. Rooting our values in daily life, protecting human dignity is an unfinished task and a mission that should guide our efforts. We have to seek to embed these values and rights in the culture of our citizens through coherent (social) policies by our countries and organisations. As our society evolves with the globalisation, we must be prepared to preserve our acquis while embracing change and the challenges of new reality. Turning to the future, we should transcend our differences and assert political will to work for progress in our society, with a sense of responsibility for the future generations."

PACE President calls for 'extended protection of human rights' in the member states (18.05.09)

Beyond the creation of a common democratic and legal area, one of the Council of Europe's major achievements, "we should think about new ways that will enable the Organisation to assert itself more in the member countries and on the international scene," said PACE President Lluís Maria de Puig in Helsinki at the ceremony commemorating the 60th anniversary of the Council of Europe and the 20th anniversary of Finland's accession to the Organisation.

"I therefore welcome the reflection launched in our Assembly concerning a need for a broader interpretation of human rights. In addition to fundamental civil and political rights, these also comprise economic, social, environmental and cultural rights that are essential to human development and meaningful life in dignity".

[Read the Speech by PACE President Lluís Maria de Puig](#); [Read the Speech by President of Finland Tarja Halonen](#); [Read the Speech by EU Commissioner Olli Rehn](#)

Part VI : The work of the Office of the Commissioner for Human Rights

A. Country work

Georgia: “Continued international presence and further human rights efforts are needed in the areas affected by the August 2008 conflict” says Commissioner Hammarberg releasing his report (15.05.09)

“All parties involved should ensure a faster improvement of the human rights situation following last year’s armed conflict” said the Commissioner releasing on 15 May 2009 a report based on the findings of his fourth visit to the region since August 2008. “The population must be provided with all the necessary humanitarian assistance and human rights support and the work of confidence building must proceed.”

The Commissioner underlined the need to implement in full the six principles for urgent human rights and humanitarian protection which he formulated in the aftermath of the active hostilities. They cover the right to return, the provision of care and support for displaced persons, de-mining, restoring a sense of security among the population, protection and exchanges of detainees and prevention of hostage-taking, and unhindered humanitarian access to the conflict-affected areas.

The report also focuses on specific human rights issues in Abkhazia, including freedom of movement and the right to return, passports and identity documents, and the status of the Georgian language in the schools in the Gali district. The need for a continued international presence with a clear mandate which can provide security and protect the population was underlined by all of the Commissioner’s interlocutors. The UN presence in the region should be extended beyond 15 June 2009.

“People must not be made hostages to political processes”, the Commissioner emphasised. “The region and its people are part of Europe and are bound to have a European future once an appropriate settlement is reached.”

[Read the Report](#)

B. Thematic work

“The response to the economic crisis should lead to more equality” says Commissioner Hammarberg (11.05.09)

“A serious attempt to address the enormous gaps between the wealthy and the destitute is long overdue” commented the Council of Europe Commissioner for Human Rights, Thomas Hammarberg, today in his latest Viewpoint. The Commissioner points out inequalities and injustices which afflict European societies and calls for better protection of vulnerable groups. “Measures against the economic crisis should not only focus on restoring the banking system and encouraging investment and more spending” he says. “There is also an urgent need to protect the marginalised and restore social justice.”

[Read the Viewpoint](#)

[Read the Viewpoint in Russian \(.pdf or .doc\)](#)

C. Miscellaneous (newsletter, agenda...)

Contribution of the Commissioner for Human Rights to the work of the European Committee on Legal Co-operation (CDCJ) (11.05.09)

[Read the contribution](#)

Intervention of the Council of Europe Commissioner Hammarberg, 119th Session of the Committee of Ministers, Madrid: "Ensuring human rights protection for everybody in Europe" (12.05.09)

[Read the speech](#)