

DIRECTORATE OF HUMAN RIGHTS
(DIRECTORATE GENERAL OF HUMAN RIGHTS AND RULE OF LAW)
&
DIRECTORATE OF HUMAN RIGHTS AND ANTI-DISCRIMINATION
(DIRECTORATE GENERAL OF DEMOCRACY)



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**REGULAR SELECTIVE INFORMATION FLOW
(RSIF)
FOR THE ATTENTION OF THE NATIONAL HUMAN RIGHTS STRUCTURES (NHRSS)**

**Issue n° 97
covering the period from 30 July to 13 August 2012**

*The **selection** of the information contained in this Issue and deemed relevant to NHRSS is made under the responsibility of the Directorate of Human Rights (DG I)*

For any queries, please contact:
eugen.cibotaru@coe.int

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Introduction

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

Each Issue covers two weeks 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 two and four weeks old.

The selection of the information included in the Issues is made by 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 feed-back that may allow for the improvement of the format and the contents of this tool.

The preparation of the RSIF is funded jointly by the Directorate of Human Rights (Directorate General of Human Rights and Rule of Law - DG I) and the Directorate of Human Rights and Anti-Discrimination (Directorate General of Democracy - DG II). It is entrusted to Mr Thibaut Fleury, Ph.D, Associate Professor at Versailles University (France).

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 Directorate of Human Rights, is based on the [press releases of the Registry of the Court](#).

Some judgments are only available in French.

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

Note on the Importance Level:

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

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

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

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

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

- **Right to life**

[Er and Others v. Turkey](#) (no. 23016/04) – Importance 2 – 31 July 2012 – Two violations of Article 2 (substantive and procedural) – (i) disappearance and presumed death of the applicants’ relative after his arrest; and (ii) lack of an effective investigation in that respect – Violation of Article 3 – Mental suffering of the applicants following the disappearance of their relative and the domestic authorities’ failure to investigate properly into it – Violation of Article 5 – Unacknowledged detention of the applicants’ relative – Violation of Article 13 – Lack of an effective remedy in respect of the violation of Article 2

The applicants are the sons, brother and sister of a Turkish man who disappeared after a military operation in their village. They complained that the domestic armed forces had been responsible for their father and brother unacknowledged detention, subsequent disappearance and presumed death and that the authorities had failed to carry out any meaningful investigation into their allegations. They also complained about the suffering caused by their inability to find out what had happened to their relative. Lastly, they alleged that they have had no means available to them to obtain either an investigation into their relative’s disappearance and death or compensation.

Article 2 (admissibility)

The Court confirmed that a less rigid approach was justified when examining the issue of compliance with its six-month time limit in disappearance cases, which by their very nature were less clear-cut than cases concerning killings. This approach was to be taken not only in the context of an international armed conflict (as the Court had previously found in the case [Varnava and Others v. Turkey](#) concerning disappearances during the 1974 conflict in Northern Cyprus) but also in the national context, with stricter conditions nevertheless applying as direct access is possible to the

investigating authorities. The Court found that the applicants had met these stricter expectations, having immediately informed the authorities of their relative's disappearance and subsequently having cooperated both with the civilian and military prosecutors.

Article 2 (substantive)

The Court observed that it had been acknowledged that the applicants' relative had been present at the gendarmerie station. However, no documents had been drawn up concerning his detention or alleged release. Moreover, the prosecutor investigating the disappearance had been given confusing and contradictory information by the commando major. The authorities had not accounted for what had happened during the applicants' relative's detention or given any other reason for his disappearance, such as the gendarmerie officers having had to resort to the use of lethal force. Turkey was therefore liable for his death, in violation of Article 2.

Article 2 (procedural)

The Court noted in particular that although the disappearance had immediately been brought to the attention of the authorities, it was not until two days later that the civilian prosecutor contacted the commando major by telephone. Even though the major confirmed that the applicants' relative had been taken to the gendarmerie station and his family insisted that he had still not returned, members of the security forces were not questioned until some five months later. There had therefore been a violation of Article 2 in its procedural limb.

Article 3

The applicants have close ties to the victim. Some of them even witnessed his being taken away almost 17 years ago. As such, the Court found that the applicants had suffered and continued to suffer distress and anguish as a result of his disappearance and their inability to find out what had happened. The manner in which their complaints had been dealt with by the authorities had to be considered to constitute inhuman treatment, in violation of Article 3.

Article 5

The Court held that the applicants' relative had been held in unacknowledged detention without any of the safeguards contained in Article 5.

Article 13

The Court had already found that the Turkish authorities had been responsible for the disappearance of the applicants' relative, in violation of Article 2, and that the applicants were therefore entitled to an effective remedy to obtain either an investigation into their relative's disappearance and death or compensation. However, as found above, the authorities had failed to comply with this obligation as the investigation had been inadequate. There had therefore been a violation of Article 13.

Article 41 (just satisfaction)

The Court held that Turkey was to pay to the victim's children EUR 35,000 jointly and to his brother EUR 25,000 in respect of pecuniary damages. In respect of non-pecuniary damages, Turkey was to pay EUR 5,000 to each of the victim's brother and sister and to his children EUR 55,000 jointly. EUR 250 was also awarded for costs and expenses.

- **III-treatment / Conditions of detention / Deportation**

M. and Others v. Italy and Bulgaria (no. 40020/03) – Importance 1 – 31 July 2012 – Violation of Article 3 – Domestic authorities' failure to investigate into allegations of rape – No violation of Article 3 – No failure of domestic authorities' to release as prompt as possible one of the applicants, who was illegally confined in a villa

The applicants, a Roma family of Bulgarian nationality, went to Milan (Italy) following an alleged promise of work in the villa of a Roma man of Serbian origin. The parents alleged that six days later, beaten and threatened with death, they were forced to go back to Bulgaria, leaving their daughter – who was a minor at the time – at the villa. She was then allegedly kept under constant surveillance, forced to steal, beaten, threatened to be killed and repeatedly raped. They complained in particular that the Italian authorities had failed to ensure the daughter's swift release, which would have prevented her further ill-treatment by the Serbian family in the villa, and that the ensuing investigation both in Italy and Bulgaria into their allegations had been ineffective.

As regards the steps taken by the Italian authorities, the Court noted that the police had released the daughter from her alleged captivity within two and a half weeks. It had taken them three days to locate the villa and a further two weeks to prepare the raid. Given that the applicants had claimed that the

people in the villa were armed, the Court accepted that surveillance prior to the intervention had been necessary. Therefore, the Italian authorities had fulfilled their obligation to protect the daughter and there had been no violation of Article 3.

However, in respect of the investigation carried out by the Italian authorities into her complaints that she had been repeatedly beaten and raped, the Court found that there had been a violation of Article 3. In particular, the police had made no efforts to question individuals who could have witnessed the events. Furthermore, on the day when the daughter had been released and her complaints heard, the criminal proceedings against the assailants had been turned into criminal proceedings against her and her mother. In addition, upon her release, the daughter was not medically examined, despite her claims that she had been repeatedly beaten and raped.

Although a request for just satisfaction (EUR 200,000) had been made when the applicants brought their application, they did not submit a claim for just satisfaction when requested by the Court. Accordingly, the Court did not award them any sum on that account.

Mahmundi and Others v. Greece ([in French only](#)) (no. 14902/10) – Importance 3 – 31 July 2012 – Violation of Articles 3 and 13 – (i) Poor conditions of detention of a family, including a pregnant woman and four minors, pending their extradition and (ii) lack of an effective remedy in that respect – Violation of Article 5 § 4 – Domestic legal system’s failure to provide aliens with an effective way to challenge the lawfulness of their detention

The case concerned the detention of an Afghan family, including a woman who was eight months pregnant and four minors, in the Pagani detention centre on the island of Lesbos. The applicants complained about their conditions of detention in the centre. They also alleged that the Greek legal system did not give aliens the possibility of complaining about the conditions of their detention pending deportation, and that their detention had not been judicially reviewed.

Articles 3 and 13

The Court referred to the reports concerning the situation in the Pagani centre around the time the applicants had been detained there. Reports from “Médecins sans frontières” and the “European Committee for the Prevention of Torture and Inhuman or Degrading Treatment” (CPT) described the conditions of detention as “abominable”. In such circumstances, a period of detention of 18 days – the shortest time spent by any of the applicants other than the women – was sufficient to attain the threshold of severity required to amount to “inhuman and degrading treatment”. That threshold had also been attained in the case of the women, who had spent 13 days in detention, in view of the fact that she had been pregnant. Accordingly, the applicants’ conditions of detention had amounted to inhuman and degrading treatment in breach of Article 3. In addition, regard being had to its findings concerning the Government’s preliminary objections as to domestic remedies (admissibility), the Court held that Greece had failed to comply with its obligations under Article 13.

Article 5 § 4

The Court had already pointed out shortcomings in Greek law regarding the effectiveness of the courts’ review of detention with a view to deportation, particularly on account of the fact that any objections that aliens in detention might raise against the decision ordering their detention did not expressly empower the court to examine the lawfulness of the deportation which, under Greek law, formed the legal basis for that detention. The legislation in Greece allowed the courts to review the detention order only from the standpoint of the risk that the person concerned might abscond or of a threat to public order. The Government had not provided any new information in that regard. The Court therefore held that there had been a violation of Article 5 § 4.

Article 41 (just satisfaction)

The Court held that Greece was to pay the applicants EUR 12,000 each in respect of non-pecuniary damage and EUR 1,000 jointly in respect of costs and expenses.

- **Right to a fair trial**

[Manushaqe Puto and Others v. Albania](#) (nos. 604/07 and 3 others) – Importance 2 – 31 July 2012 – Violation of Article 13 – Lack of an effective remedy allowing for adequate and sufficient redress in case of non-enforcement of administrative decisions – Violation of Articles 6 § 1 and 1 of Protocol No. 1 – Excessive delays in enforcement of final administrative property decisions – Application of Article 46 – Obligation made to domestic authorities to secure in an effective manner the right to compensation

The applicants complained that, despite their inherited title to plots of land having been recognised by the authorities, the final administrative decisions awarding them compensation in lieu of restitution had never been enforced. **There are currently 80 similar cases pending before the Court.**

Article 13

The Court found in particular that the authorities' award of financial compensation was not an effective means of enforcement due to a number of shortcomings. It noted in particular that if a claimant obtained partial restitution of the property or other forms of compensation, he would not be eligible to obtain financial compensation. The Court concluded that, having regard to the ineffectiveness of other forms of compensation provided for by law, such as in-kind compensation, compensation by way of State-owned shares and proceeds from the privatisation process or even State bonds, there was still no effective domestic remedy that allowed for adequate and sufficient redress on account of the prolonged non-enforcement of administrative decisions awarding compensation. There had thus been a violation of the applicants' rights under Article 13.

Articles 6 § 1 and 1 of Protocol No. 1

The Court had already found violations of Article 6 § 1 and Article 1 of Protocol No. 1 in other similar cases against Albania concerning delays in enforcing final administrative property decisions. It did not find that the Government had made relevant submissions which would have changed the Court's assessment as regards the applicants in this case. Final and enforceable decisions in their favour had remained unenforced for periods between 15 and 17 years. The Court saw no reason to depart from its findings in the previous cases. There had accordingly been a violation of Article 6 § 1 and Article 1 of Protocol No. 1 in all four applications.

Article 46

Having regard to the fact that there were currently 80 similar cases pending before it and to the risk that the number of well-founded complaints could further increase, the Court considered it necessary to apply the pilot-judgment procedure in this case. It held that Albania had to take general measures, as a matter of urgency, in order to secure in an effective manner the right to compensation. Subject to monitoring by the Council of Europe's Committee of Ministers, Albania remained free to choose the means to achieve this aim.

Article 41 (just satisfaction)

The Court held that Albania was to pay the applicants up to EUR 1,360,000 in respect of pecuniary and non-pecuniary damages.

- **Right to respect for private and family life**

Drakšas v. Lithuania (no. 36662/04) – Importance 2 – 31 July 2012 – Violation of Article 8 – Unlawful disclosure of private telephone conversations, tapped upon domestic authorities' authorization, to the public – No violation of Article 8 – Lawful disclosure of another set of private telephone conversation, disclosed in the framework of Constitutional Court proceedings – Violation of Article 13 – Lack of an effective remedy to contest the Court order to start monitoring the applicant's conversation

The applicant is a politician whose telephone was tapped upon authorization by domestic authorities. He complained that the recorded conversations had been leaked to the media and later revealed on national television during the constitutional proceedings on President Paksas' impeachment case.

Article 8

The Court observed that different conversations had been disclosed: firstly, a conversation with one of the major contributors to the then President Paksas electoral campaign; secondly, conversations between the applicant and his business partners and President Paksas.

As to the first conversation, the Court noted that despite legal provisions designed to ensure that the surveillance is carried out in strict accordance with the law in order to protect a person's privacy against abuse, the actual practice followed in the applicant's case had been different. While the public had had a right to information about civil servants, the SSD had been responsible for keeping the information confidential. The Court furthermore noted that the source of the leak had still not been identified by the authorities. Accordingly, the lack of protection exercised in respect of the applicant's telephone conversation with the contributor to the then President electoral campaign had not been in accordance with the law, in breach of Article 8.

As to the second set of conversations, the Court observed that their content had been disclosed in the framework of Constitutional Court proceedings. It further recalled the media's task of imparting

information/ideas and the public's right to receive them, all the more so where public figures, the head of State in this case, were involved. Such persons indeed lay themselves inevitably and knowingly open to close scrutiny by both journalists and the public. Accordingly, the disclosure of the applicant's telephone conversations during the Constitutional Court proceedings had been in accordance with the law and necessary in a democratic society. There had therefore been no violation of Article 8 in that respect.

Article 13

The Court found a violation of Article 13 concerning the unsuccessful subsequent attempts by the applicant to challenge the court order to start monitoring his telephone conversations, as no institution could effectively scrutinise the implementation of the operational measure.

Article 41 (just satisfaction)

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

Judge Pinto de Albuquerque expressed a partly concurring and partly dissenting opinion, Judge Sajó expressed a partly dissenting opinion and Judge Jočienė expressed a partly dissenting opinion.

- **Cases concerning Chechnya**

[Makhashev v. Russia](#) (no. 20546/07) – Importance 2 – 31 July 2012 – Two violations of Article 3 (substantive and procedural) taken together with Article 14 – (i) Detention and torture of the applicants in a police station on account of their origin and (ii) lack of an effective investigation into the allegations of ill-treatment

[Umarova and Others v. Russia](#) (no. 25654/08) – Importance 3 – 31 July 2012 – Two violations of Article 2 (substantive and procedural) – Unexplained disappearance of the applicants' relative and (ii) lack of an effective investigation in that respect – Violation of Article 3 – Mental suffering endured by the applicants as a result of the disappearance of their relative and domestic authorities' failure to investigate it properly – Violation of Article 5 – Unacknowledged detention of the applicants' relative – Violation of Article 13 in conjunction with Article 2 – Lack of an effective remedy in respect of the alleged violation of Article 2

2. Other judgments issued 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 AND MOLDOVA	31 July 2012	SHOLOKHOV (No. 40358/05)	2	Violation of Art. 6 § 1	Domestic authorities' failure to enforce judgment in the applicant's favour
LITHUANIA	31 July 2012	LIUZA (No. 13472/06)	2	No violation of Art. 5 § 1	Lawfulness of the applicant's placement in a psychiatric institution following his arrest on suspicion of theft
RUSSIA	31 July 2012	ALIKHONOV (No. 35692/11)	2	No violation of Art. 5 § 1	Lawful extension of the applicant's detention with a view to his extradition
				Violation of Art. 5 § 4	Domestic authorities' failure to speedily review the lawfulness of the applicant's detention
		MIKRYUKOV AND OTHERS (IN FRENCH ONLY) (No. 34841/06)	3	Two violations of Art. 6 § 1	(1) Domestic authorities' failure to summon the applicants to the appeal hearings and (2) breach of the principle of equality of arms on account of the fact that the public prosecutors made submissions on behalf of the respondents
	TYAGUNOVA (No. 19433/07)	3	Violation of Articles 3 and 8	Domestic authorities' failure to investigate into the applicant's allegations of rape by a group of men	
THE NETHERLANDS	31 July 2012	VAN DER VELDEN (No. 21203/10)	3	Violation of Art. 5 § 1	Unlawful extension of the applicant's detention in a custodial clinic
TURKEY	31 July 2012	DURMUS AND TANSANCIK (IN FRENCH ONLY) (No. 54625/09)	2	Violation of Art. 5 § 3	Excessive length of pre-trial detention (almost 10 years)
				Violation of Art. 6 § 1	Excessive length of criminal proceedings (more than 12 years and still pending)
UKRAINE	31 July 2012	MUTA (No. 37246/06)	3	Violation of Art. 3	Lack of an effective investigation into the applicant's allegations that he went blind when he was 11 years old as a result of having a stone thrown at him by a youth during a dispute
		PRYNDA (No. 10904/05)	2	Violation of Art. 2	Ineffectiveness and excessive length (almost 7 years) of investigations into the death of the applicants' son who had been hit and killed by a car
		SHAPOVALOV (No. 45835/05)	2	Violation of Art. 6 § 1	Domestic courts' refusal to examine the complaint of the applicant, a journalist, about a refusal to give him copies of the electoral commission's decision and minutes as well as voting results for each polling station
	No violation of Art. 10	No interference with the applicant's right to freedom of expression on account of domestic authorities' decision to exclude him from a meeting of the Territorial Election Commission			

* The “Key Words” in the various tables of the RSIF are elaborated under the sole responsibility of the Directorate of Human Rights

3. 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.

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

4. 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 [Cocchiarella v. Italy](#) [GC], no. 64886/01, § 68, published in ECHR 2006, and [Frydlender v. France](#) [GC], no. 30979/96, § 43, ECHR 2000-VII).

STATE	DATE	CASE TITLE
TURKEY	31 July 2012	NEZIHE KAYMAZ (No. 12021/06)
UKRAINE	31 July 2012	YURYEVA AND YURYEV (No. 3431/03)

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

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

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.

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 NHRIs 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).

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

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

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

Part II: The execution of the judgments of the Court

Decisions on execution of European Court of Human Rights judgments

The Committee of Ministers of the Council of Europe published the [decisions](#) and [resolutions](#) adopted at its second special human rights meeting for 2012 (4-6 June), as well as [the action plans presented](#).

Part III: General Agenda

The “General Agenda” presents events that either took place or were announced* during the period under observation (30.07 – 13.08.2012) for this RSIF.

September 2012

➤ 28 September :

Deadline to apply for the secondment of an official to MONEYVAL ([read the call for candidates \[PDF\]](#))

* These are subsequently due to take place.

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

A. European Social Charter (ESC)

Publication of the decision on the merits with regard to the International Federation of Human Rights (FIDH) v. Belgium (31.07.2012)

The decision on the merits of the European Committee of Social Rights with regard to the International Federation of Human Rights (FIDH) v. Belgium, Complaint No. 62/2010 is public. In this case, registered on 30 September 2010, FIDH alleges a violation of rights related to housing for Travellers under the European Social Charter. The complaint concerns, in particular, the insufficiency of stopping places, problems stemming from non recognition of caravans as a home, failure to respect required conditions when carrying out evictions, and the lack of a global and coordinated policy to combat poverty and social exclusion of Travellers. These allegations concern the right of the family to social, legal and economic protection (Article 16), and the right to protection against poverty and social exclusion (Article 30) of the Revised European Social Charter, as well as the non discrimination clause (Article E) ([Read the decision](#)).

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

CPT published the Norwegian Government's response to the report on the 2011 visit (25.07.2012)

The CPT has published on 25 July 2012 the response of the Government of Norway to the report on the CPT's most recent visit to that country, in May 2011. The response has been made public at the request of the Norwegian authorities. The CPT's report on the May 2011 visit was published in December 2011. The [response](#) of the Norwegian Government is available in English on the Committee's website: <http://www.cpt.coe.int>.

CPT published report on the Netherlands (09.08.2012)

The CPT has published on 9 August 2012 the [report](#) on its most recent visit to the Netherlands, carried out in October 2011. The visit report notes that the CPT's delegation received no allegations of physical ill-treatment of persons detained by the police, prisoners or patients in mental health institutions. On the contrary, the relations between persons deprived of their liberty and staff appeared to be generally very good. However, numerous complaints were received about the frequency of strip searches in prisons and the manner in which they were carried out; the CPT has highlighted the principles which should be applied in this regard. Some positive developments were noted as regards the right of access to a lawyer for persons detained by the police. Such persons are now entitled to consult a lawyer prior to the first interrogation on the substance of their case. Nevertheless, it is stressed in the visit report that access to a lawyer should be guaranteed as from the very outset of deprivation of liberty. Material conditions in the police stations visited were, on the whole, of a good standard. However, the delegation found that cells at the recently-built Apeldoorn Police did not comply with the relevant national regulations insofar as access to natural light is concerned ([read more](#)).

C. European Committee against Racism and Intolerance (ECRI)

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

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

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

E. Group of States against Corruption (GRECO)

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

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

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

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

Lithuania became the 37th state to ratify the Council of Europe Convention on Action against Trafficking in Human Beings (31.07.2012)

The Council of Europe Convention on Action against Trafficking in Human Beings entered into force on 1 February 2008. The Convention was ratified by Lithuania on 26 July 2012 and will enter into force as regards Lithuania on 1 November 2012.

Part V: The inter-governmental work

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

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

B. Recommendations and Resolutions adopted by the Committee of Ministers

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

C. Other news of the Committee of Ministers

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

Part VI: The parliamentary work

A. Resolutions and Recommendations of the Parliamentary Assembly of the Council of Europe (PACE)

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

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

Romania: PACE President suggested that the Constitutional Court consult the Venice Commission (06.08.2012)

PACE President conveyed a message of support to the judges of the country's Constitutional Court. "The role of the Constitutional Court is to guarantee respect for the Constitution and the laws, which is essential for the institutions to function democratically. It is thus crucial to safeguard its independence, and any political intrusion into its proceedings is unacceptable," he said. The President of the PACE also emphasised that the Venice Commission was at the disposal of the Constitutional Court, while suggesting that the Court could request support from the Venice Commission's experts in its scrutiny of the validation of the results of the referendum on 29 July 2012.

Release of Sevil Sevimli: PACE rapporteur calls on Turkish justice to secure freedom of expression and demonstration (07.08.2012)

Josette Durrieu (France, SOC), PACE rapporteur on the post-monitoring dialogue with Turkey, welcomed the release of the Franco-Turkish student Sevil Sevimli. "We were gravely concerned over Ms Sevimli's arrest and imprisonment. We have followed developments in this case, in liaison with the family. Moreover, under my terms of reference as rapporteur to the Parliamentary Assembly, I have set up a contact with the Turkish Minister of Justice," explained Ms Durrieu who in a recent letter to the Minister had asked that the case of Sevil Sevimli be examined very closely and rapidly resolved, and that the revised provisions of the Penal Code allow a favourable outcome to be achieved in this matter ([Read more](#)).

Corciano to receive 2012 Europe Prize during ceremony (07.08.2012)

The Italian town of Corciano (province of Perugia) received the 2012 Europe Prize at a ceremony on Sunday 12 August. On this occasion, a delegation of parliamentarians, led by the Vice-Chairperson of the Sub-Committee on the Europe Prize of the Parliamentary Assembly of the Council of Europe (PACE), Axel Fischer (Germany, EPP/CD), presented the prize to Corciano's Mayor, Nadia Ginetti. The 2012 Europe Prize has been awarded jointly to the town of Corciano and the Romanian town of Sighisoara, for which the award ceremony took place on 21 July. This annually awarded prize honours towns and cities for their active promotion of the European ideal, such as twinning, European events and exchange visits. It consists of a trophy, a medal, a diploma and a scholarship to be spent on a study visit within Europe for young people from the winning town. Corciano and Sighisoara are the recipients of the 58th prize since its creation in 1955.

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

➤ *Countries*

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

➤ *Themes*

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

Part VIII: Activities and news of the Peer-to-Peer Network (under the auspices of the Directorate of Human Rights)

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

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