



REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue#116

[1 - 31 January 2014]

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Introduction

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

Each Issue covers one month and is sent by the Directorate of Human Rights (DG I) to the Contact Persons a fortnight after the end of each observation period. This means that all information contained in any given issue is between four to eight weeks old.

The selection of the information included in the Issues is made by the "Versailles-St-Quentin Institutions Publiques" research centre (VIP – University of Versailles-St-Quentin-en-Yvelines, France) under the responsibility of the Directorate of Human Rights. It is based on what is deemed relevant to the work of the NHRs (including Ombudsman Institutions, National Human Rights Commissions and Institutes, Anti-discrimination Bodies). A particular effort is made to render the selection as targeted and short as possible. Readers are expressly encouraged to give any feedback that may allow for the improvement of the format and the contents of this tool.

The preparation of the RSIF has been supported as from 2013 by the "Versailles St-Quentin Institutions Publiques" research centre of the University of Versailles St-Quentin-en-Yvelines. It is entrusted to Alix Motais de Narbonne, Barbara Sanchez-Cadinot, Mariella Sognigbé, Pavlos Aimilios Marinatos, Guillaume Verdier and Mahaliana Ravaloson, with the technical help of Quentin Michael and under the supervision of Thibaut Fleury Graff, Ph.D, Associate Professor at Versailles St-Quentin-en-Yvelines University.

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PartOne

GENERAL INFORMATION

This part presents a selection of information of general importance for the National Human Rights Structures.

This information was issued during the period under observation (1-31 January 2014) by the European Court of Human Rights, the European Committee of Social Rights, the Committee of Ministers, the Parliamentary Assembly and other Council of Europe monitoring mechanisms.

PartOne

§1 - EUROPEAN COURT OF HUMAN RIGHTS

A. Judgments

1. Judgments deemed of particular interest to the NHRs

The judgments presented under this heading are the ones for which a separate press release is issued by the Registry of the Court as well as other judgments considered relevant for the work of the NHRs. They correspond also to the themes addressed in the Peer-to-Peer Workshops. The judgments are thematically grouped. The information, except for the comments drafted by the Directorate of Human Rights, is based on the [press releases of the Registry of the Court](#).

Some judgments are only available in French.

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

Note on the Importance Level:

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

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

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

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

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

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

PITSAYEVA AND OTHERS V. RUSSIA (Nos. 53036/08 AND 19 OTHERS) - Importance 1 - 9 January 2014 - Violations of Article 2 (substantive and procedural) – (i) Domestic authorities' failure to justify the disappearances and deaths of the applicants' relatives; (ii) Domestic authorities' failure to carry out effective criminal investigations into the circumstances of their disappearances and death - Violation of Article 3 - Distress of the applicants on account of their inability to find out about the fate of their relatives - Violation of Article 5 - Illegal detention - Violation of Article 13 - Domestic authorities' failure to listen effectively to the applicants' complaints under Articles 2, 3 and 5 of the Convention

The case concerned the disappearances of thirty-six men after they were abducted in Chechnya by groups of unidentified armed men, wearing camouflage uniforms, in military vehicles, between 2000 and 2006. Since their disappearances, none of the applicants have had any news of their missing relative.

Violations of Article 2 (substantive and procedural)

The Court found that, in view of the detention of the applicant's relatives in life-threatening circumstances and given the long periods without any news of them, they should be presumed dead.

It therefore observed that relatives' deaths had to be attributed to domestic authorities, as the latter had not given any justification for the situation. There had therefore been a violation of Article 2 in its substantive aspect.

Then, the Court reiterated that a criminal investigation did not constitute an effective remedy in respect of disappearances and that this situation constituted a systemic problem. Indeed, the investigations had been pending for many years without any significant result. It therefore found that the domestic authorities had failed to carry out effective criminal investigations into the circumstances of the disappearance and death of the applicants' relatives. There had therefore been a violation of Article 2 in its procedural aspect.

Violation of Article 3

The Court took note of the distress of the applicant. They were unable to find out about the fate of their close family members and suffered on account of the manner in which their complaints had been dealt with. The Court therefore found a violation of Article 3.

Violation of Article 5

The Court also found that detention of the applicants' relative by domestic authorities was unacknowledged and without any legal ground. The Court therefore concluded to a violation of Article 5.

Violation of Article 13

The Court observed that the applicants did not have an effective remedy at national level in respect of their complaints under Articles 2 and 3, in breach of Article 13.

Article 41 (Just satisfaction)

The Court held that Russia was to pay the applicants amounts between EUR 23,000 and EUR 300,000 per application (to the applicant family or the individual applicant, respectively) in respect of non-pecuniary damage and between EUR 2,500 and EUR 7,000 per application in respect of costs and expenses.

CAMEKAN V. TURKEY (IN FRENCH ONLY) (No. 54241/08) - Importance 2 - 28 January 2014 - No violation of Article 2 (substantive) - Proportionality of the use of force - Violation of Article 2 (procedural) - Domestic authorities' failure to act quickly concerning the investigation

The case concerned an incident that occurred during the applicant's arrest, involving a shootout with the police, in which a person was killed and two others, including the applicant, were injured.

No violation of Article 2 (substantive)

The Court found that the applicant had not provided any evidence that may run counter to the domestic court's finding that the police had reacted in self-defence. It held that the use of force, whilst regrettable, had not been excessive. So, there had been no substantive violation of Article 2.

Violation of Article 2 (procedural)

The Court noted that domestic authorities had opened an investigation immediately after the incident. Criminal proceedings had been brought against the officers involved. However, these proceedings were still pending and were excessively long. In fact, domestic court had delivered its judgment eleven and a half years after the events and thirteen years later the proceedings were still pending before the Court of Cassation.

The Court therefore held that domestic authorities had not acted sufficiently quickly or with reasonable diligence. Then, there had been a violation of Article 2 as concerned the investigation.

Article 41 (Just satisfaction)

The Court held that Turkey was to pay the applicant EUR 6,000 in respect of non-pecuniary damage and EUR 2,000 in respect of costs and expenses.

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

JONES AND OTHERS V. THE UNITED KINGDOM (Nos. 34356/06 AND 40528/06) - Importance 1 - 14 January 2014 - No violation of Article 6 §1 – Legitimate restrictions to access to court on account of state immunity

The case concerned four British nationals who alleged that they had been tortured in Saudi Arabia by Saudi state officials. However, domestic courts dismissed their claims for compensation against Saudi Arabia and its official because of state immunity.

The Court reiterated that the right of access to court was not absolute. However, the restrictions imposed by domestic authorities had to be reasonable and to pursue a legitimate aim. It referred to a similar case in 2001, *Al-Adsani v. the United Kingdom* (No. 35763/97), in which the Grand Chamber had explained the concept of international law under which one state should not be subjected to the jurisdiction of another one; and that granting immunity in civil proceedings pursued the legitimate aim of complying with international law in order to promote comity and good relations between states through the respect of sovereignty.

So, when examining the proportionality of the measure, it wondered if the immunity rule that have been applied by domestic courts had reflected generally recognised rules of public international law on state immunity.

In this case, the Court applied the approach to proportionality set out in *Al-Adsani*. In fact, it accepted that the restriction on access to courts had pursued the legitimate aim of promoting good relations between nations. The main issue was therefore whether the restrictions on access to court arising from state immunity had been in conformity with generally recognised rules of public international law.

As concerned the claim against the Kingdom of Saudi Arabia, the Court followed the judgement of the International Court of Justice in February 2012 in the case of *Germany v. Italy*, where the ICJ had rejected the argument that torture had become an exception to state immunity. So, the Court concluded that there had been no violation of Article 6 §1 as regards the applicants' claims against the Kingdom of Saudi Arabia because the restriction was justified.

As concerned the claim against the state officials, the Court was of the view that in principle state immunity offered state officials protection for acts undertaken on behalf of the state in the same way as it protected the state itself. Then, it had to examine whether there was an exception to this general rule in cases where torture was alleged. It concluded that the weight of authority was still to the effect that the state's right to immunity could not be circumvented by pursuing named officials instead.

Again, the Court concluded that the restriction had been justified because the granting of immunity to state officials in the applicants' civil cases had reflected generally recognised current rules of public international law. So, there had been no violation of Article 6 § 1 as regards the applicants' claims against state officials.

However, it added that this was a matter which needed to be kept under review by Contracting States.

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

RINGIER AXEL SPRINGER SLOVAKIA, A.S. V. SLOVAKIA (NO. 2) (No. 21666/09) - Importance 3 - 7 January 2014 - Violation of Article 10 - Domestic authorities' failure to examine every elements assessing the respect of the Article

The case concerned the applicant's liability for libel, following the publication of an article by a daily newspaper, showing the identities of the victim of a car accident and the victim's father.

The Court observed that domestic authorities found against the company on the basis of the family's suffering after the disclosure of the victim and his father's identity. It noted that this reasoning had not taken into account the whole context of the Article. Domestic courts did not pay attention to the public interest at stake concerning the disclosure of the identities. They did not examine neither the good faith of the applicant nor the reason and the necessity of the publication. The Court therefore concluded that Article 10 had been breached.

Under Article 41 (Just satisfaction), the Court held that Slovakia was to pay the applicant EUR 6,191.76 in respect of pecuniary damage, EUR 5,850 in respect of non-pecuniary damage and EUR 2,000 in respect of costs and expenses.

RINGIER AXEL SPRINGER SLOVAKIA, A.S. V. SLOVAKIA (NO. 3) (No. 37986/09) - Importance 3 - 7 January 2014 - Violation of Article 10 - Domestic authorities' failure to examine every element assessing the respect of the Article

The case concerned the applicant's liability for libel, following a separate series of articles, reporting that a contestant on the quiz show "Who Wants To Be A Millionaire?" was suspected of having cheated.

The Court observed that domestic courts, when deciding the applicant's liability, did not pay attention to the aim of the publication. They did not examine the matter of genuine public interest and did not observe the publisher's good faith. The Court therefore noted that, by failing to do so, domestic authorities did not apply the consistent standards with the principles in the Convention.

Furthermore, the Court noted that domestic authorities had rejected the applicant's complaint on the basis that no remedy was available because no violation of the applicable rules of procedure had been established.

So, the Court held that the legal protection of the company under Article 10 was not compatible with the requirements of the Convention.

Article 41 (Just satisfaction)

The court held that Slovakia was to pay the applicant EUR 4,431.35 in respect of pecuniary damage, EUR 9,750 in respect of non-pecuniary damage and EUR 1,536.89 in respect of costs and expenses.

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

CUSAN AND FAZZO V. ITALY (IN FRENCH ONLY) (No. 77/07) - Importance 2 - 7 January 2014 - Violation of Article 14 taken together with Article 8 - Domestic authorities' failure to provide exceptions to the rule imposing transmission of a father's family name to his child at birth

The case concerned a challenge to transmission of a father's family name to his daughter. Indeed, both parents agreed to give their daughter the mother's family name but their request was dismissed.

The Court reiterated that discrimination exists where there is a difference in the treatment of persons in analogous situations, without an objective and reasonable justification. It had stated that the tradition conferring the father's surname to all the members of a family could not justify discrimination against women. In its previous case law, the Court already observed the importance of moving towards gender equality and eradicating all discrimination on grounds of sex in the choice of surname.

The Court found that domestic legislation had provided no exception about the rule by which legitimate children were given their father's family name at birth.

Even domestic authorities, by their constitutional court, admitted this patriarchal concept as incompatible with the constitutional principle of equality between men and women.

The Court therefore stated that the impossibility to derogate from this rule had been excessively rigid and discriminatory towards women. There had therefore been a violation of Article 14 taken together with Article 8.

Article 41 (Just satisfaction)

The applicants were not asking for any amount, neither for costs and expenses, nor concerning non-pecuniary damage. The finding of a breach of Article 14 therefore constitutes a just and sufficient satisfaction.

2. Other judgments issues in the period under observation

You will find in the column “Key Words” of the table below a short description of the topics dealt with in the judgment¹.

For more detailed information, please refer to the cases.

STATE	DATE	CASE TITLE	IM P.	CONCLUSION	KEY WORDS
BELGIUM	9 January 2014	VAN MEROYE (IN FRENCH ONLY) (No. 330/09)	3	Violation of Art. 5 § 1 (in all 8 cases)	Applicants’ detention in prison’s psychiatric wards had been inappropriate for their mental disorders
		OUKILI (IN FRENCH ONLY) (No. 43663/09)			
		CARYN (IN FRENCH ONLY) (No. 43687/09)		MOREELS (IN FRENCH ONLY) (No. 43717/09)	Violation of Art. 5 § 4 (concerning the first, second, fourth, fifth and sixth applicant)
		GELAUDE (IN FRENCH ONLY) (No. 43733/09)			
		SAADOUNI (IN FRENCH ONLY) (No. 50658/09)			
		PLAISIER (IN FRENCH ONLY) (No. 28785/11)		Violation of Art. 3 (substantive) (concerning the eighth applicant)	Applicant’s continuous detention in a prison psychiatric ward without adequate medical treatment for a significant period of time had caused him suffering severe enough to be categorized as degrading treatment
		LANKESTER (IN FRENCH ONLY) (No. 22283/10)			
BOSNIA AND HERZEGOVINA	14 January 2014	MUSLIJA (No. 32042/11)	3	Violation of Art. 4 of Prot. No. 7	Proceedings had been brought against the applicant for the same offence as that of which he had already been convicted
CROATIA	9 January 2014	MARAVIC MARKES (No. 70923/11)	3	Violation of Art. 6 § 1	Unfairness of proceedings due to the domestic administrative court’s failure to forward the observations made by the domestic municipal office to the applicant, thus depriving her of the possibility to comment on them

¹ The “Key Words” in the various tables of the RSIF are elaborated under the sole responsibility of the Directorate of Human Rights

FINLAND	14 January 2014	LINDSTROM AND MASSELI (No. 24630/10)	2	No violation of Art. 3	Justified use of closed overalls during a relatively short period of isolation, while there were convincing security needs; Applicants' inability to produce evidence concerning their allegations of humiliating treatment
				Violation of Art. 8	Unlawful use of closed overalls (the interference had no legal basis in the domestic law but was a practice adopted in several prisons which was solely based on guidelines and orders given)
	OJALA AND ETUKENO OY (No. 69939/10) RUUSUNEN (No. 73579/10)	2	No violation of Art. 10	Necessary interference with the applicant's right to freedom of expression in order to protect the former domestic prime minister's private life	
FRANCE	9 January 2014	VIARD (IN FRENCH ONLY) (No. 71658/10)	3	Violation of Art. 6 § 1	Domestic court's refusal to examine the applicant's appeal as being time-barred by considering the date indicated on the judgment and not the actual sending of the notification thus reducing the particularly short period (5 full days or 6 days) available to applicants to form their appeal
	30 January 2014	DE LESQUEN DU PLESSIS-CASSO (No. 2) (IN FRENCH ONLY) (No. 34400/10)	3	No violation of Art. 10	Justified interference with the applicant's right to freedom of expression as he had exceeded the permitted limits even in the sphere of a political debate

ITALY	21 January 2014	PLACI (No. 48754/11)	2	Violation of Art. 3	Domestic authorities' failure to detect the applicant's mental health condition before his conscription into military service and his subjection to several punishments for inappropriate behaviour, including 24 days of confinement, due to his vulnerability had constituted an onerous burden on an individual lacking the requisite mental strength, thus causing him mental distress
				Violation of Art. 6 § 1	Unfairness of proceedings on account of the impartiality of the medical board which, as dependent to the domestic ministry of defence, had not acted with the appropriate neutrality when drafting the expert report which had served as the sole and uncontested evidence on which the domestic court had relied
		ZHOU (IN FRENCH ONLY) (No. 33773/11)	2	Violation of Art. 8	Domestic authorities' failure to consider different measures in order to preserve the family ties between the applicant and her son before placing him in a foster family and opening an adoption procedure and to take into account the improvement of the capacity of the applicant to take care of her child
LATVIA	28 January 2014	VEISS (No. 15152/12)	3	Violation of Art. 6 § 1	Excessive length of proceedings (5 years and three months)
PORTUGAL	21 January 2014	GRAMAXO ROZEIRA (IN FRENCH ONLY) (No. 21976/09)	3	Violation of Art. 6 § 1	Unfairness of proceedings on account of the applicant's impossibility to respond to the letter sent by the domestic prime minister's private office to the domestic constitutional court which had not been disclosed
REPUBLIC OF MOLDOVA	28 January 2014	BUHANIUC (No. 56074/10)	3	Violation of Art. 3 (substantive and procedural)	Ill-treatment of the applicant during his arrest and detention by police officers, poor conditions of detention and ineffective investigation into his allegations of ill-treatment

REPUBLIC OF MOLDOVA (CONTINUED)	28 January 2014	T.M. AND C.M. (No. 26608/11)	2	Violation of Art. 3 (positive obligations)	Domestic authorities' failure to protect the applicants against further domestic violence		
				Violation of Art. 14 taken in conjunction with Art. 3	Domestic authorities' failure to promptly enforce the binding court order to protect the applicant against domestic violence on the grounds of preconceived and discriminatory ideas concerning the role of women in society		
ROMANIA	7 January 2014	REFORMED CHURCH FOUNDATION FOR STUDENT HOUSING AND STANOMIRESCU (IN FRENCH ONLY) (Nos. 2699/03 AND 43597/07)	2	Violation of Art. 6 § 1	Domestic authorities' failure to execute a binding and enforceable judicial decision in the applicants' favour		
				Violation of Art. 1 of Prot. No. 1	Domestic authorities' failure to enforce the judgments in favour of the applicants had prevented them from having their property rights restored		
	14 January 2014	ASSOCIATION OF VICTIMS OF ROMANIAN JUDGES AND OTHERS (No. 47732/06)	2	Violation of Art. 11	Domestic authorities' refusal to register the applicant's association had not been determined by any social need thus rendering the interference disproportionate		
				Violation of Art. 3 (procedural)	Ineffective investigation into the applicant's allegations of ill-treatment		
					No violation of Art. 3 (substantive)	Absence of sufficient evidence to confirm the applicant's allegations of ill-treatment, largely due to the lack of an effective investigation by domestic authorities	
				3	BIRGEAN (IN FRENCH ONLY) (No. 3626/10)	Violation of Art. 3	Poor conditions of detention
						Violation of Art. 3	Poor conditions of detention
3	CIPLEU (No. 36470/08)	3	Violation of Art. 6 § 1	Domestic high court's failure to properly assess the evidence that convicted the applicant after giving a fresh interpretation of the evidence, without hearing him or any witnesses			

ROMANIA (CONTINUED)	14 January 2014	LAVRIC (No. 22231/05)	3	Violation of Art. 8	Domestic court's failure to protect the reputation of the applicant on account of the dismissal of her defamation complaint
		MATEESCU (No. 1944/10)	2	Violation of Art. 8	Applicant's impossibility to foresee that he would be unable to exercise the profession of lawyer while also exercising a medical profession as the interference had not been in accordance with the domestic law
		SANCRAIAN (IN FRENCH ONLY) (No. 71723/10)	3	Violation of Art. 5 § 1	Unlawful detention of the applicant
				Violation of Art. 5 § 4	Lack of a prompt judicial review concerning the lawfulness of the applicant's detention
				Violation of Art. 5 § 5	Applicant's inability, under domestic legislation, to obtain compensation
TOTOLICI (IN FRENCH ONLY) (No. 26576/10)	3	Violation of Art. 3	Poor conditions of detention		
RUSSIA	9 January 2014	BUDANOV (No. 66583/11)	3	Violation of Art. 3 (substantive)	Lack of adequate medical treatment during applicant's detention
		GORELOV (No. 49072/11)	2	No violation of Art. 2 (substantive)	Absence of sufficient evidence suggesting that the domestic authorities had been responsible for the applicant's contraction of the HIV infection
Violation of Art. 2 (procedural)	Domestic authorities' failure to carry out a prompt and effective investigation concerning the applicant's infection with HIV				

RUSSIA (CONTINUED)	30 January 2014	<u>MIKIYEVA AND OTHERS</u> (Nos. 61536/08, 6647/09, 6659/09, 63535/10 AND 15695) <u>Z. AND KHATUYEVA</u> (Nos. 39436/06 AND 40169/07)	3	Violation of Art. 2 (substantive) (in both cases)	Applicants' relatives may be presumed dead following their unacknowledged detention by state agents
				Violation of Art. 2 (procedural) (in both cases)	Domestic authorities' failure to carry out an effective criminal investigation into the circumstances of the disappearance of the applicants' relatives
				Violation of Art. 3 (in both cases)	Applicants' inability to ascertain the fate of their family members and the manner in which their complaints had been dealt with by the domestic authorities caused them mental distress and anguish
				Violation of Art. 5 (in both cases)	Unlawful and unacknowledged detention of the applicants' relatives by state agents
				Violation of Art. 13 in conjunction with Art. 2 and 3 (in both cases)	Lack of remedies and absence of the results of the criminal investigations into the disappearance of the applicants' relatives
		<u>VELIKANOV</u> (No. 4124/08)	3	Violation of Art. 3 (substantive)	Domestic authorities' failure to provide any explanation concerning the injuries the applicant had sustained while in detention
		Violation of Art. 3 (procedural)	Ineffective investigation in that respect		
SERBIA	7 January 2014	<u>LAKATOS AND OTHERS</u> (No. 3363/08)	3	Violation of Art. 3 (substantive)	Ill-treatment of the applicants while in police custody
				Violation of Art. 3 (procedural)	Ineffective investigation in that respect
				Violation of Art. 5 § 3	Excessive length of pre-trial detention on insufficient grounds and domestic courts' failure to consider any alternative preventive measures (more than one year and eight months)
SLOVAKIA	14 January 2014	<u>SCHVARC</u> (No. 64528/09)	3	Violation of Art. 5 § 4	Domestic constitutional court's failure to award the applicant adequate compensation for the excessive length of the judicial review of the lawfulness of his detention
	28 January 2014	<u>AKHADOV</u> (No. 43009/10)	3	Violation of Art. 5 § 4	Lack of a prompt judicial review concerning the lawfulness of the applicant's detention

SLOVAKIA (CONTINUED)	28 January 2014	BITTO AND OTHERS (No. 30255/09)	1	Violation of Art. 1 of Prot. No. 1	Disproportionate domestic rent regulations imposed on applicants' property
SLOVENIA	23 January 2014	W. (No. 24125/06)	3	Violation of Art. 3 (procedural)	Excessive length of criminal proceedings (17 years) and insufficient compensation awarded by the domestic courts for the distress the applicant had suffered as a result of the lengthy proceedings
SWITZERLAND	7 January 2014	A.A. (No. 58802/12)	3	Violation of Art. 3	Real risk of ill-treatment in case of the applicant's extradition to his country of origin
				No violation of Art. 13 in conjunction with Art. 3	No failure of the domestic authorities for not having undertaken further investigation into the applicant's origins or for having relied on the results of the first asylum proceedings
TURKEY	7 January 2014	KACAK AND EBINC (IN FRENCH ONLY) (No. 54916/08)	3	Two violation of Art. 3 (substantive and procedural)	Ill-treatment of the applicants during their arrest and ineffective investigation in that respect
	14 January 2014	KASAP AND OTHERS (No. 8656/10)	2	Violation of Art. 2 (substantive)	Domestic judges had exercised their discretion to minimize the consequences of an unlawful act, the killing of the applicants' relative by a police officer, which had little effect on deterring and preventing similar unlawful acts
	14 January 2014	YIANOPULU (IN FRENCH ONLY) (No. 12030/03)	3	Violation of Art. 1 of Prot. No. 1	Domestic courts' refusal to recognize the heir status of the applicant had deprived her from her right to peaceful enjoyment of possessions
	21 January 2014	IHSAN AY (No. 34288/04)	2	Violation of Art. 8	Domestic supreme administrative court's failure to justify the use of an erased criminal conviction for acts no longer considered to be criminal offences and committed more than twenty years earlier which had served as a basis for the applicant's dismissal
				Violation of Art. 6 § 1	Excessive length of proceedings
	PERIHAN AND MEZOPOTAMYA BASIN YAYIN A.S (No. 21377/03)	2	Violation of Art. 10	Disproportionate interference with the applicant's right of expression given that his activities had not breached the public order and taking into consideration the severe consequences of the dissolution order against his publishing company	

UKRAINE	23 January 2014	<u>EAST/WEST ALLIANCE</u> <u>LIMITED</u> (No. 19336/04)	2	Violation of Art. 1 of Prot. No. 1	Arbitrary deprivation of the applicant's property and non- enforcement of final judicial decisions ordering the return of the aeroplanes to him which, while the judicial proceedings were still pending, were getting damaged, vandalised or sold
				Violation of Art. 13	Lack of an effective remedy in that respect

B. The decision on admissibility

Those decisions are published with a slight delay of two to three weeks on the Court's website. Therefore the decisions listed below cover the period from 1 to 31 December 2013. Those decisions are selected to provide the NHRs with potentially useful information on the reasons of the inadmissibility of certain applications addressed to the Court and/or on the friendly settlements reached.

STATE	DATE	CASE TITLE	ALLEGED VIOLATION	DECISION
GERMANY	17 December 2013	GEBR. ARNHOLD OHG I.L. (No. 36294/08)	Art. 1 of Prot. No. 1 (domestic courts' refusal to give back to the applicant a plot of land he owned as the successor of a company, which had to sell real estate in 1939), Art. 14 (discrimination against the applicant on account of the fact that, unlike other categories of persons, the applicant was unable to claim a right to restitution of the property that had been unlawfully expropriated)	Incompatible <i>ratione materiae</i> with the provision of the Convention (applicant's failure to establish that it had a legitimate expectation to be granted restitution of the plot of land; inapplicability of Art. 1 of Prot. No. 1 to the case makes Art. 14 inapplicable as well, given that this article has no independent existence)
CROATIA	17 December 2013	OLUJIC (No. 9737/09)	Art. 1 of Prot. No. 1 (domestic court's provisional measure prohibiting the applicant from alienating or encumbering plots of lands owned by her until the adoption of a final judgment), Art. 13 (no domestic remedy in that respect)	Partly inadmissible as manifestly ill-founded (Art. 1 of Prot. No. 1), partly incompatible <i>ratione materiae</i> with the provisions of the Convention (a claim manifestly ill-founded cannot be said "arguable" and then protected by Art. 13)
CYPRUS	17 December 2013	DEXTER AND OTHERS (No. 63049/11 AND TWO OTHERS)	Art. 1 of Prot. No. 1 (applicants' inability to obtain title to the property they bought in Cyprus), Articles 6 and 3 (In particular, domestic authorities' failure to properly publicise the decision of a Governmental service responsible for safeguarding consumer interests, in breach of a EU Directive)	Partly inadmissible for non-exhaustion of domestic remedies (Art. 1 of Prot. No.1), partly incompatible <i>ratione materiae</i> with the provisions of the Convention (Articles 6 and 13)
ROMANIA	17 December 2013	SZILAGYI (No. 30164/04)	In particular, Art. 8 (unlawful intercepts of third parties telephone conversation in which the alleged involvement of the applicant in criminal acts was mentioned)	Incompatible <i>ratione personae</i> with the provisions of the Convention (the applicant is not a "victim" in the context of Art. 34 of the Convention given that there was no recording of the applicant's own conversations)

C. The communicated cases

The European Court of Human Rights publishes on a weekly basis a list of the communicated cases on its website. These are cases concerning individual applications which are pending before the Court. They are communicated by the Court to the respondent state's government with a statement of facts, the applicant's complaints and the questions put by the Court to the government concerned. The decision to communicate a case lies with one of the Court's Chamber, which is in charge of the case. A **selection** of those cases is proposed below. Those decisions are published with a delay on the Court's website. Therefore the decisions listed below cover only the period from 21 September 2013 to 10 October 2013.

NB: The statements of facts and complaints have been prepared by the Registry (solely in one of the official languages) on the basis of the applicant's submissions. The Court cannot be held responsible for the veracity of the information contained therein.

STATE	DATE OF DECISION TO COMMUNICATE	CASE TITLE	KEY WORDS OF QUESTIONS SUBMITTED TO THE PARTIES
AUSTRIA	2 October 2013	FÜRST-PFEIFER (No. 52340/10) FÜRST-PFEIFER (No. 33677/10)	Violation of the applicant's private life by a press article, allowed by the domestic authorities, questioning her mental health status while she is a psychological expert in court proceedings.
AZERBAIJAN	23 September 2013	JAFARZADE (No. 2515/11)	Ill-treatment of the applicant by the police in order to illicit a confession that his friend committed suicide under his influence.
BULGARIA	23 September 2013	STANEV (No. 18312/08)	Unfair criminal conviction for defaming a judge since the applicant accused him of personal bias in his former decision.
	3 October 2013	GENOV IN FRENCH ONLY (No. 40524/08)	Refusal by the domestic authorities to register the applicant's association as a cult since there is already another registered association with a similar object.
CROATIA	23 September 2013	K.B. AND OTHERS (No. 36216/13)	Domestic authorities' failure to enforce the access arrangements prevented the applicant from meeting her children, the second and third applicants, kept by their troubled father.
		MILADINOVIĆ (No. 31588/12)	Prolonged inability for the applicant to use her house since someone else occupied it with legal approval during a certain period and then without any legal authorization.

DENMARK	2 October 2013	<u>SALEM</u> (No. 77036/11)	If the applicant was expelled from Denmark, he would be separated from his wife and eight children.
ITALY	4 October 2013	<u>SMALTINI</u> (No. 43961/09)	Emissions of a factory amounting to the development of cancer (the link between the emissions and the development of cancer being proved).
GERMANY	24 September 2013	<u>LANGNER</u> (No. 14464/11)	Dismissal of the applicant from office after having accused a superior of perversion of justice during a staff meeting.
LATVIA	23 September 2013	<u>ČALOVSKIS</u> (No. 22205/13)	If extradited to the United States and since cybercrime is perceived to be a threat there, the applicant would face a disproportionate prison sentence, served far from his place of residence.
	5 October 2013	<u>RUBINS</u> (No. 79040/12)	Unfair dismissal of the applicant since he had been punished for expressing a legitimate opinion about problems prevailing in the university and for attempting to resolve his employment situation.
THE REPUBLIC OF MOLDOVA	7 October 2013	<u>MUNTEANU</u> (No. 63067/12)	Ineffective investigation by the domestic authorities of the applicant's case, who became disabled after having been beaten by several individuals.
MONTENEGRO	24 September 2013	<u>PEJOVIĆ</u> (No. 22668/08)	Criminal action lodged against the applicant for defamation because he filed a complaint against the President of the Court of Instance in an article, which implied his abuse of office.

POLAND	2 October 2013	N. (No. 68221/12)	Denied access of the applicant to a civil court whereas she complained about allegedly inappropriate treatment and unlawful hospitalisations without her consent since she was diagnosed mentally ill.
	10 October 2013	PACHNICZ (No.29754/11)	Denied access to court with the refusal of the civil courts to grant the applicant a total exemption from the obligation to pay the court fee whereas he has no money left after years of detention.
ROMANIA	7 October 2013	RĂILEANU (No. 67304/12)	Failure of the domestic authorities to help the applicant maintain contact with his daughter.
		SERCE (No. 35049/08)	Bad conditions of detention with language difficulties as the applicant, who is Turkish, does not speak nor understand Romanian and no possibility to maintain contacts with his family due to the refusal of domestic authorities to allow his transfer in a Turkish prison.
RUSSIA	26 September 2013	BLYUDIK (No. 46401/08)	Unfair placement of the applicant's daughter in a closed educational institution and difficulties to maintain family ties due to the administration of the institution.
	8 October 2013	NOVRUK (No. 31039/11)	Discrimination on account of the health status of the applicants in the determination of their applications for residence permits.
TURKEY	24 September 2013	KILIÇ (No. 63034/11)	Failure of the domestic authorities to protect the life of the applicant's daughter, killed by her husband, since, according to the applicant, domestic violence is tolerated by the authorities and they rejected the daughter's request for women's shelter because she had seven children.

<p>TURKEY (CONTINUED)</p>	<p>6 October 2013</p>	<p><u>KARAKUS</u> (No. 58429/12)</p>	<p>The applicant was wounded by the security forces, which started firing and bombarding without any warning the area where he was.</p>
<p>UKRAINE</p>	<p>7 October 2013</p>	<p><u>KASHCHUK</u> (No. 5407/06)</p>	<p>Failure of the domestic authorities, for over sixteen years, to provide the applicant's family with free accommodation since their village suffered considerable groundwater flooding and they were supposed to be resettled according to a decision of the authorities.</p>
		<p><u>NALGIEV</u> (No. 44344/12)</p>	<p>Serious risk of a flagrant denial of justice and inhuman and degrading treatments with the applicant's extradition to Russia.</p>
		<p><u>VINNIYCHUK</u> (No. 34000/07)</p>	<p>The applicant was unlawfully and unfairly deprived of her flat by the domestic authorities which considered she had abandoned the flat whereas she had been absent from it because she had been serving a prison sentence.</p>
	<p>8 October 2013</p>	<p><u>ZHURAVLEVA</u> (No. 45526/08)</p>	<p>Unlawful and unfair selling of the half of the applicant's home at a public auction and failure of the domestic authorities to protect her from harassment and undue pressure by the co-owner of her residence, aiming at acquiring the remaining half of her flat.</p>
<p>THE UNITED KINGDOM</p>	<p>2 October 2013</p>	<p><u>SHER AND OTHERS</u> (No. 5201/11)</p>	<p>The applicants were not informed promptly of the reasons for their arrest and detention and their premises were disproportionately searched and, sometimes, seized.</p>

PartOne

§2 - EUROPEAN COMMITTEE OF SOCIAL RIGHTS

A. Resolutions and Decisions

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

B. Other information

■ The Secretary General of the Council of Europe calls for better protection of social rights in times of austerity (28.01.2014)

The Council of Europe's Secretary General underlined the need to protect everyday rights for workers and non-working people, which is "all the more important when times are tough", and urged European governments and international organisations to pay greater attention to social and economic rights when implementing austerity measures ([Read more](#)).

■ Conclusions 2013 of the ECSR are public (29.01.2014)

The ECSR published its conclusions 2013 and conclusions XX-2 (2013) on the implementation of the Social Charter, showing some 180 violations of the Charter. These conclusions cover notably the rights to protection of health, to social security, or to social and medical assistance ([Read more](#) - [Press Review](#) - [General introductions to conclusions](#) - [Conclusions of the ECSR](#)).

■ Publication of a report on Switzerland (31.01.2014)

The ECSR made public the report on a bilateral meeting between the Bureau of the Committee and a Swiss Delegation, which took place on 9 September 2013 in Bern, Switzerland. The report reiterates that the Social Charter is a human rights treaty, its purpose being to apply the Universal Declaration of Human Rights within Europe, as a supplement to the European Convention on Human Rights ([Read the report](#)).

PartOne

§3 - RECOMMENDATIONS & RESOLUTIONS

A. Recommendations

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

B. Resolutions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
PACE	28 January 2014	1966	Refusing impunity for the killers of Sergei Magnitsky	The PACE reiterated its call on Russia to fully investigate the circumstances and background of Mr Magnitsky's death and the possible criminal responsibility of all officials involved, but also invited all other member states to consider ways and means of encouraging Russia to hold to account those responsible for this death, in the interest of the Russian Federation and of all her citizens (Read more - Voting Results)
		1967	A strategy to prevent racism and intolerance in Europe	The PACE believed that it has become urgent to address racism, hatred and intolerance through a strategic rather than a piecemeal approach, and called on member states to cooperate more closely with the ECRI (Read more - Voting Results)
		1968	Tackling racism in the police	The PACE is particularly concerned about the practice of racial profiling and encouraged member states to establish independent police complaints mechanisms. It also recalled the work of the ECRI which provides guidelines on ways to prohibit racial profiling (Read more - Voting Results)
	29 January 2014	1970	Internet and politics: the impact of new information and communication technology on democracy	The PACE underlined that member states must take concerted action and adopt common rules to protect the Internet as an area of freedom, while ensuring that the supervisory mechanisms themselves do not threaten fundamental freedoms (Read more - Voting Results)
		1971	Syrian refugees: how to organise and support international assistance?	The PACE reiterated its call on member states to put humanitarian aid in place and asked the parties to the conflict to authorise the humanitarian workers to have access to displaced persons in Syria (Read more - Voting Results)

PACE	29 January 2014	1972	Migrants: ensuring they are a benefit for European host societies	The PACE called on member states to help Southern Mediterranean states, which lack necessary infrastructure or economic resources to effectively deal with migrants, to meet their human rights obligations, and called on the member states to prevent misconceptions about migrants (Read more - Voting Results)
		1973	Integration tests: helping or hindering integration?	The PACE expressed its concern about the possibility that the high standards of attainment of integration tests would lead to the exclusion of many people, which may raise human rights issues
	30 January 2014	1976	Climate change: a framework for a global agreement in 2015	The PACE expressed its concern that climate change will affect the enjoyment of universally recognised fundamental rights (Read more - Voting Results)
	31 January 2014	1978	Revision of the European Convention on Transfrontier Television	The PACE recalled that media regulation, closely linked to the right to freedom of expression, has been a priority of the Council of Europe, which has set relevant standards in this field (Read more - Voting Results)
		1979	Accountability of international organisations for human rights violations	The PACE recognised that international organisations are subject to human rights obligations and highlighted the importance of ensuring that they refrain from violating the human rights of individuals and, if needed, of holding them accountable for any such violations (Read more - Voting Results)

PartOne

§4 - OTHER INFORMATION OF GENERAL IMPORTANCE

A. Information from the Committee of Ministers

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

B. Information from the Parliamentary Assembly

■ Secretary General warned of growing social injustice in Europe (28.01.2014)

The Secretary General of the Council of Europe gladly announced that only two states still need to ratify the Istanbul Convention for it to enter into force. He also called on member states to ratify the revised Social Charter and step up efforts to reduce social inequalities. Moreover, he stressed the Council of Europe's role in promoting freedom of expression, privacy and global governance of the Internet ([Read more](#) - [Secretary's speech](#)).

■ Nearly 300 persons debated circumcision at packed hearing (28.01.2014)

Nearly 300 parliamentarians, religious leaders, medical doctors and civil society activists attended a major hearing, streamed live over the web, on the question of circumcision of young boys, following the adoption of Resolution 1952 and Recommendation 2023. The former rapporteur stated that the Council of Europe role is to deal with the maintaining and the respecting of human rights, and added that the Council decided that physical integrity does not only cover outside interventions but also medical interventions insofar as it may durably change the body of the child ([Read more](#) - [Video of the hearing](#) - [Interview with Victor Schonfeld, producer of the film "It's a boy"](#)).

■ Protect journalists and fight human trafficking (28.01.2014)

In a speech to the PACE, the Austrian Foreign Minister underlined the need to defend freedom of expression and freedom of the press, as a free press is a "basic condition for democracy". He also stressed free access to the Internet and protection of private data, highlighting an important conference on those themes to be held on 13-14 March in Graz ([Read more](#) - [Austrian Foreign Minister's speech](#)).

■ Committee to invite Edward Snowden to debate mass surveillance with US officials (29.01.2014)

A committee of the PACE is to invite whistle-blower Edward Snowden and US officials to Strasbourg to debate the two themes of mass surveillance and whistleblowing at linked public hearings in April ([Read more](#) - [Introductory memorandum](#)).

■ Martin Schulz: "The European Parliament and the PACE are natural partners" (29.01.2014)

The President of the European Parliament, in an address to the PACE, has mentioned synergies in the framework of respect for human rights, stating that in many areas the PACE's expertise is already flowing into the European Parliament's work, including the reports of the Venice Commission and the judgments of the ECHR ([Read more](#) - [European Parliament's President speech](#) - [Press stand up](#)).

■ Austrian Chancellor sounds alarm on youth unemployment (30.01.2014)

The Austrian chancellor condemned in his speech discrimination against homosexuals "in some Council of Europe member states", since that "legal de facto discrimination" violates the European Convention of Human Rights ([Read more](#) - [Chancellor's address](#)).

C. Information for the Commissioner for Human Rights

■ Sex-selective abortions are discriminatory and should be banned (15.01.2014)

The Commissioner pointed out that sex-selective abortions do not only take place in China or India, but are also common in some parts of Europe, notably Armenia, Azerbaijan, Georgia and in some countries in the Balkans. Even if the ECHR does not provide yet guidance on this issue, some international bodies have already done so. For example, the PACE in its 2011 resolution on prenatal sex selection condemned sex-selective abortion, adopting an approach which frames this practice as a form of psychological violence against the woman bearing the foetus, rather than as violence against the unborn child ([Read more](#)).

■ Europe still haunted by anti-Semitism (23.01.2014)

In one of his Human Rights Comment, the Commissioner pointed out the trivialisation of anti-Semitism, which finds its way into “traditional” as well as modern venues, such as anti-Semitic messages on line, or the use of anti-Semitic chants or salutes at football games. He emphasized the need of vigorous action by states to combat the prejudice, discrimination and violence affecting Jewish people ([Read more - Human Rights Comment “Europe still haunted by anti-Semitism”](#)).

D. Information from the monitoring mechanisms

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

PartTwo

INFORMATION BY COUNTRY

This part presents a selection of information, which is deemed to be mainly relevant for only one country.

Please, refer to the index above (p.3) to find the country you are interested in. Only countries concerned by at least one piece of information issued during the period under observation are listed below.

Albania

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ Commissioner for Human Rights: Corruption and political interference burden Albania's judicial system (16.01.2014)

Following his visit to Albania, the Commissioner said to be concerned by the high level of corruption in the judiciary, which seriously impede its proper functioning. He especially pointed out an additional factor, which weakens the rule of law in the state: the slow pace at which Albania implements judgements of the ECHR. Moreover, the problems of ill-treatment and of impunity for serious human rights violations committed by law enforcement officers continue to be an issue of serious concern ([Read more](#) - [Report following the Commissioner's visit \[in English and Albanian\]](#) - [state's comments on the report](#)).

■ GRETA: Government reply to recommendation (29.01.2014)

([Read more](#)).

Bosnia and Herzegovina

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: Publication of a compliance report (07.01.2014)

([Read more](#)).

Bulgaria

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ MONEYVAL: Report on the 4th round assessment visit in Bulgaria (22.01.2014)

[\(Read more\)](#).

■ GRETA: Government reply to recommendation (27.01. 2014)

[\(Read more\)](#).

Croatia

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ **MONEYVAL: Report on the 4th round assessment visit in Croatia (20.01.2014)**

([Read more](#)).

■ **GRETA: Government reply to recommendation (29.01.2014)**

([Read more](#)).

Cyprus

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: Robert Biedron welcomed Turkish Cypriot community's decision to abolish the criminalization of homosexuality (30.01.2014)

The General Rapporteur on LGBT issues for the PACE has welcomed with satisfaction news that the *de facto* authorities in the northern part of Cyprus decided on 27 January 2014 to abolish the criminalization of same-sex consensual relations ([Read more](#)).

Denmark

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■FCNM: receipt of the 4th cycle state Report (29.01.2014)

Denmark submitted today its fourth state Report in English (and Danish), pursuant to Article 25, paragraph 2, of the Framework Convention for the Protection of National Minorities. It is now up to the Advisory Committee to consider it and adopt an opinion intended for the Committee of Ministers ([Read more](#)).

■GRECO: Publication of a compliance report (13.01.2014)

([Read the interim compliance report](#); [Read the second interim compliance report](#)).

Estonia

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ CPT: Publication of a report on Estonia (21.01.2014)

The CPT has published the report on its most recent visit to Estonia, which took place from 30 May to 6 June 2012, together with the response of the Estonian Government ([Read more](#)).

France

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: Council of Europe invited France to intensify reforms promoting integrity within parliament and the justice system (27.01.2014)

In a report, GRECO welcomed a series of recent reforms in the prevention of corruption in France, but noted that important gaps remain in the rules and regulations applicable to parliamentarians, judges and prosecutors ([Read the report](#)).

Georgia

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

CASE	DATE	RESOLUTION	CONCLUSION
Khardziani (No. 4584/11)	4 June 2013	CM/ResDH(2014)1	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ Commissioner for Human Rights: Greater efforts are needed to improve the administration of justice and promote tolerance (27.01.2014)

During his visit to Georgia, the Commissioner was pleased to observe that serious efforts have been made to address the long-standing problems of ill-treatment and impunity, particularly in the prison system, and welcomed steps taken to adopt a National Human Rights Action Plan. However, he was concerned to note reports about intolerant rhetoric, including hate speech, against certain communities. Moreover, in some cases, violent incidents have been reported. He urged the authorities to deploy greater efforts to teach Georgian to minority communities ([Read more](#)).

■ PACE: Rapporteurs welcomed improved political climate but stressed that challenges remain (20.01.2014)

Following their visit to Georgia, the co-rapporteurs stressed that the numerous complaints about alleged wrongdoings and violation of rights during the previous government, as well as counter allegations that most of these complaints are unfounded, need to be investigated and where necessary addressed. Moreover, they underlined that all political and societal forces should call upon all their supporters to respect the principle of freedom of expression and to be tolerant of opinions different from their own ([Read more](#)).

■ Rapporteur Pieter Omtzigt reacted to the prosecution of Georgian opposition leaders (31.01.2014)

The PACE rapporteur on “Keeping criminal and political responsibility separate” is concerned about some allegations notably that the former Prime Minister may have been “kidnapped” from his cell by the former Prosecutor General in order to make him testify in other high-profile cases ([Read more](#)).

Greece

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ Commissioner for Human Rights: Greece must end collective expulsions (14.01.2014)

Releasing a letter sent to Greek authorities, the Commissioner pointed out that a large number of collective expulsions of migrants were reported, violating international and European human rights law. Thus, he called on the Greek authorities to carry out effective investigations into all recorded incidents ([Read more](#) - [Letter to Greek Ministers](#) - [state's reply](#)).

Ireland

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

CASE	DATE	RESOLUTION	CONCLUSION
J.B. (No. 9519/07)	21 June 2011	CM/ResDH(2014)6	Examination closed
Enright (No. 61138/08)	21 June 2011	CM/ResDH(2014)6	Examination closed
Mary Kieran (No. 73886/11)	28 May 2013	CM/ResDH(2014)6	Examination closed
M.D. (No. 40619/12)	11 June 2013	CM/ResDH(2014)6	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

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

Italy

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

CASE	DATE	RESOLUTION	CONCLUSION
Udorovic (No. 38532/02)	18 August 2010	CM/ResDH(2014)2	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRETA: Reply to questionnaire (30.01.2014)

([Read more](#))

Latvia

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ FCNM: publication of the 2nd ACFC Opinion and of the government comments (03.01.2014)

The Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities has published its second Opinion on Latvia together with the government comments ([Read the second opinion](#)).

Luxembourg

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRETA: Publication of an evaluation report and government's comments (15.01.2014)

[\(Read more\)](#).

Malta

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ FCNM: publication of the 3rd ACFC Opinion (20.01.2014)

The Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities has published its third Opinion on Malta ([Read more](#)).

Netherlands

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ FCNM: publication of the 2nd ACFC Opinion and the government comments (10.01.2014)

The Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities has published its second Opinion on the Netherlands together with the government comments ([Read the second opinion](#)).

Romania

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ FCNM: publication of Committee of Ministers' resolutions (16.01.2014)

([Read more](#)).

Serbia

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRETA: Publication of an evaluation report and government's comments (16.01.2014)

([Read more](#)).

Slovak Republic

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

CASE	DATE	RESOLUTION	CONCLUSION
Gerschdorf (No. 14454/09)	14 May 2013	CM/ResDH(2014)3	Examination closed
Chyly and Others (No. 6301/11)	19 February 2013	CM/ResDH(2014)3	Examination closed
Krajcovic (No. 23092/11)	14 May 2013	CM/ResDH(2014)3	Examination closed
Vargova and Others (No. 62626/11)	14 May 2013	CM/ResDH(2014)3	Examination closed
Realinvest, S.R.O. (No. 3505/12)	14 May 2013	CM/ResDH(2014)3	Examination closed
Tözsér and Töszérova (No. 59715/12)	19 February 2013	CM/ResDH(2014)3	Examination closed
Idesova (No. 66257/12)	19 February 2013	CM/ResDH(2014)3	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

■ FCNM: receipt of the 4th cycle state Report (28.01.2014)

The Slovak Republic submitted on 28 January 2014 its fourth state Report in English (and Slovak), pursuant to Article 25, paragraph 2, of the Framework Convention for the Protection of National Minorities. This is the fourth cycle state Report received by the Secretariat and thus commences the fourth monitoring cycle. It is now up to the Advisory Committee to consider it and adopt an opinion intended for the Committee of Ministers ([Read more](#)).

Slovenia

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: Publication of an interim compliance report (07.01.2014)

[\(Read more\)](#).

■ GRETA: Publication of an evaluation report and government's comments (17.01.2014)

[\(Read more\)](#).

Spain

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRECO: Council of Europe anti-corruption group urged Spain to recast public trust in political and judicial institutions (15.01.2014)

In a report, GRECO expressed concern about the proliferation of corruption scandals tainting the credibility of political institutions in Spain. It advised that the central Parliament lead by example by putting in place a comprehensive integrity package with clear ethical standards, matched with greater transparency of MPs' financial interests and a robust enforcement mechanism to sanction wrongdoing ([Read the report](#)).

“The former Yugoslav Republic of Macedonia”

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ **GRETA: Reply to questionnaire (13.01.2014)**

[\(Read more\)](#).

Turkey

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

CASE	DATE	RESOLUTION	CONCLUSION
Bekir Erkal Koyuncular and others (No. 38666/07)	9 April 2013	CM/ResDH(2014)7	Examination closed
Ünsal (No. 51672/07)	26 March 2013	CM/ResDH(2014)7	Examination closed
Ali Celik (No. 9971/8)	9 April 2013	CM/ResDH(2014)7	Examination closed
Halil Üstundag (No. 14803/08)	12 March 2013	CM/ResDH(2014)7	Examination closed
Tas (No. 51479/08)	9 April 2013	CM/ResDH(2014)7	Examination closed
Muharrem Süren (No. 36495/10)	9 April 2013	CM/ResDH(2014)7	Examination closed
Can (No. 55374/10)	12 March 2013	CM/ResDH(2014)7	Examination closed
Sürmeli Memet Sezgin and Others (No. 43112/11)	12 March 2013	CM/ResDH(2014)7	Examination closed
Kilic (No. 52994/11)	19 February 2013	CM/ResDH(2014)7	Examination closed
Erdem (No. 61225/11)	19 February 2013	CM/ResDH(2014)7	Examination closed
Ugur Silbiyik (No. 70869/11)	9 April 2013	CM/ResDH(2014)7	Examination closed
Osman Acar (No. 72731/11)	9 April 2013	CM/ResDH(2014)7	Examination closed
Ünver Kartal (No. 78434/11)	9 April 2013	CM/ResDH(2014)7	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

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

Ukraine

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

CASE	DATE	RESOLUTION	CONCLUSION
Galinsky and two others applications (No. 25726/07+)	19 November 2011	CM/ResDH(2014)4	Examination closed
Kmyuchka and 2 other applications (No. 10397/06)	14 December 2010	CM/ResDH(2014)4	Examination closed

B. Resolutions, signatures and ratifications

Nature	Date	Title
PACE Resolution 1974	30.01.2014	The functioning of democratic institutions in Ukraine The PACE is concerned about credible reports of torture and maltreatments of protesters by the police and security forces (Read more - Voting Result)

C. Other information

■ Commissioner for Human Rights: Commissioner to assess legislative changes (17.01.2014)

The Commissioner declared his intention to undertake a detailed analysis of several legislative amendments, adopted by Ukraine on 16 January with unusual haste, in light of Council of Europe standards. This analysis will be shared with all the relevant actors and the public in general. He asserted that these amendments raise serious human rights concerns, since many of them run counter to state's obligations under the European Convention on Human Rights and other international human rights standards ([Read more](#)).

■ PACE: Deep concern about adoption of "Anti-Maidan" laws by the Parliament (17.01.2014)

In parallel to the Commissioner for Human Rights, the PACE co-rapporteurs for Ukraine expressed their concern about the anti-protest laws and laws in particular restricting the work of civil society organisations and free flow of information that were adopted by the state under reportedly very questionable procedures ([Read more](#)).

■ Co-rapporteurs strongly condemned violence and fatalities at the Euro-Maidan protests (23.01.2014)

The co-rapporteurs for the monitoring of Ukraine by the PACE strongly condemned the escalating violence at the Euro-Maidan protest and called on the state not to break up the protest by force, as it would result in a restriction of freedom of association and a violation of the human rights of peaceful protesters, which is unacceptable. They urged all sides to refrain from violence ([Read more](#)).

■ FCNM: publication of Committee of Ministers' resolutions (16.01.2014) ([Read more](#)).

United Kingdom

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

CASE	DATE	RESOLUTION	CONCLUSION
Hode and Abdi (No. 22341/09)	6 February 2013	CM/ResDH(2014)5	Examination closed

B. Resolutions, signatures and ratifications

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

C. Other information

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