

REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue № 153

[1 – 30 June 2017]

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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 on Council of Europe norms and activities by way of regular transfer of information, which the Directorate of Human Rights carefully selects and tries to present in a user-friendly manner. The information is sent to the Contact Persons in the NHRs who are kindly asked to dispatch it within their offices.

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

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

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PartOne

GENERAL INFORMATION

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

This information was issued during the period under observation (1-30 June 2017) by the European Court of Human Rights, the European Committee of Social Rights, the Committee of Ministers, the Parliamentary Assembly and other Council of Europe monitoring mechanisms.

PartOne

§1 - EUROPEAN COURT OF HUMAN RIGHTS

A. Judgments

1. Judgments deemed of particular interest to the NHRs

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

Some judgments are available only in French.

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

Note on the Importance Level:

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

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

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

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

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

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

M.O. V. SWITZERLAND (No. 41282/16) - Importance 3 - 20 June 2017 - No violation of Article 3 - Domestic authorities’ legitimate decision to deport an Eritrean asylum seeker

The case concerned the complaint brought by an Eritrean asylum seeker that he would be at risk of ill-treatment if deported to his country of origin.

The Court first noted that the applicant relied on general information about his country showing that the illegal exit of a person of draft age was sufficient for that person to be perceived as a draft evader or deserter, and consequently to be at risk of ill-treatment if forcibly returned. The Court recalled that the existence of a risk of ill-treatment must be assessed with reference to facts which were known or ought to have been known to the Contracting State at the time of expulsion. It then observed that the human rights situation in Eritrea was currently of grave concern. However, none of the reports

submitted concluded that the general situation in this country was such that an Eritrean national would be put at risk of ill-treatment if simply returned there. Therefore, the Court found that the general human rights situation in Eritrea did not prevent the applicant's removal per se and that the applicant's personal circumstances were decisive in this case. Nevertheless, the applicant had failed to substantiate his claim that he would face a real risk of being subjected to inhuman and degrading treatment if forced to return to Eritrea.

Consequently, the implementation of the expulsion order against the applicant would not give rise to a violation of Article 3 of the Convention. The Court decided to continue to indicate to the domestic authorities under Rule 39 of the Rules of Court not to expel the applicant until this judgment becomes final, or until further order.

BARTESAGHI GALLO AND OTHERS V. ITALY ([IN FRENCH ONLY](#)) - NOS. 12131/13 AND 43390/13 - Importance 2 - 22 June 2017 - Violation of Article 3 - Domestic authorities' failure to prevent the applicants from being tortured by policemen and to guarantee adequate and effective criminal legislation

The case concerned the ill-treatment to which 42 demonstrators were subjected by police officers inside a school, in the context of an anti-globalisation demonstration organised during the G8 summit. They also complained about the lack of an effective investigation.

The Court first noted that domestic courts have thoroughly established the facts. It observed that the police had been armed and had made indiscriminate, systematic and disproportionate use of force. The applicants had been both victims of and witnesses to the use of uncontrolled violence, with officers systematically beating each of the school's occupants, including those who were lying down or sitting with their hands up, despite the fact that the occupants had not committed any act of violence or resistance. Consequently, the Court considered that the violence perpetrated against the applicants had caused severe physical and psychological suffering and had amounted to torture within the meaning of Article 3 of the Convention. Moreover, the Court took the view that they had not been faced with an urgent situation or an imminent threat preventing them from planning an appropriate intervention.

Therefore, there had been a violation of the substantive limb of Article 3 of the Convention.

Regarding the procedural limb of Article 3 of the Convention, the Court observed that the domestic procedure in the present case was the same procedure that had led to a finding of a violation in the previous case of *Cestaro v. Italy*. It therefore saw no reason to depart from its findings in that judgment, including with regard to the shortcomings of the Italian legal system concerning the punishment of torture.

Accordingly, it found a violation of the procedural limb of Article 3.

Article 41 (Just satisfaction)

The Court held that Italy was to pay the following amounts in respect of non-pecuniary damage: EUR 45,000 to each applicant in application no. 12131/13; EUR 45,000 to each applicant in application no. 43390/13; EUR 55,000 each to the last two applicants. The Court also held that Italy was to pay a joint sum of EUR 59 750 in respect of costs and expenses, to some of the applicants in application no. 43390/13.

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

[J.M. AND OTHERS V. AUSTRIA](#) (Nos. 61503/14, 61673/14, 64583/14) - Importance 2 - 1st June 2017 - No violation of Article 6 §§ 1 and 3 (d) – No breach of the principle of the equality of arms in the criminal proceedings brought against the applicants

The case concerned the sale of shares of an Austrian bank and the subsequent proceedings brought against a politician and two managers of the bank (the applicants) for breach of trust. The applicants essentially argued that the proceedings leading to their convictions had been unfair. They submitted in particular that the only official expert who had given evidence at their trial had been biased because of his involvement in the preliminary investigation against them, meaning that he had effectively been a witness for the prosecution and that they had been placed at a disadvantage during the proceedings (in breach of the principle of equality of arms).

The Court found that the applicants' doubts as to the impartiality of the official expert had not been justified. Any risk of a breach of the principle of equality of arms had been counterbalanced by specific procedural safeguards. In particular, the applicants had had the possibility to challenge the expert for bias and have their allegations examined in substance, even if they had ultimately been dismissed as unfounded. Moreover, the defence had been able to rely on the assistance of privately commissioned experts when questioning the expert during the applicants' trial or formulating requests for the taking of evidence. Thus, the applicants had had a reasonable opportunity to present their case and had not been placed at substantial disadvantage vis-à-vis the prosecution. As concerned the expert himself, he was a professor of law who was not employed by the public prosecutor's office and who had had no active role in the trial. Finally, it had not been his evidence that had been decisive for the applicants' conviction, but a confession by the financial consultant.

There had thus been no violation of Article 6 §§ 1 and 3 (d) of the Convention.

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

[BOGOMOLOVA V. RUSSIA](#) (No. 13812/09) - Importance 2 - 20 June 2017 - Violation of Article 8 - Publication of a photograph representing the applicant's son without her authorisation

The case concerned the use of a minor's image without parental authorisation. The child's photo was featured on the cover of a regional booklet meant to inform the public about the local authorities' efforts to protect orphans and the assistance available for families looking to adopt.

The Court first recalled that a person's image constituted one of the chief attributes of his or her personality, as it reveals the person's unique characteristics and distinguishes the person from his or her peers. In the present case, the Court accepted that the publication of the photograph came within the scope of the applicant's and her son's "private life" within the meaning of Article 8. In the Court's view, Article 8 presupposed the right to control the use of one's image, including the right to refuse its publication. The Court observed that, in taking their decision to dismiss the applicant's claims, the domestic courts had failed to examine whether the applicant had given her consent for the publication of the photograph, focusing instead on the authorisation she had given that her son be photographed. The Court also highlighted the false impressions and inferences which could be drawn from the context of the photograph, namely that the child pictured had been abandoned by his parents and the effect that that could have on public perception of the applicant's relationship with her son.

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

Article 41 (Just satisfaction)

The Court held that Russia was to pay the applicant EUR 130 in respect of pecuniary damage, EUR 7,500 in respect of non-pecuniary damage and EUR 100 for costs and expenses.

[AYCAGUER V. FRANCE](#) ([IN FRENCH ONLY](#)) - No. 8806/12 - Importance 2 - 22 June 2017 - Violation of Article 8 - Violation of the applicant's right to respect for private life by using his refusal to be included in the national computerized DNA database as a reason for his conviction

The case concerned the applicant's refusal to undergo biological testing, the result of which was to be included in the national computerised DNA database (FNAEG).

The Court firstly observed that on 16 September 2010 the Constitutional Council had given a decision to the effect that the provisions on the FNAEG were in conformity with the Constitution, subject *inter alia* to "determining the duration of storage of such personal data depending on the purpose of the file stored and the nature and/or seriousness of the offences in question". The Court noted that, to date, no appropriate action had been taken on that reservation and that there was currently no provision for differentiating the period of storage depending on the nature and gravity of the offences committed. Secondly, the Court ruled that the regulations on the storage of DNA profiles in the FNAEG did not provide the data subjects with sufficient protection, owing to its duration and the fact that the data could not be deleted. The regulations therefore failed to strike a fair balance between the competing public and private interests.

There had thus been a violation of Article 8 of the Convention.

Article 41 (Just satisfaction)

The Court held that France was to pay the applicant EUR 3,000 in respect of non-pecuniary damage and EUR 3, 000 in respect of costs and expenses.

Barnea and Caldararu v. ITALY ([IN FRENCH ONLY](#)) - No. 37931/15 - Importance 3 - 22 June 2017 - Violation of article 8 - Violation of the right to respect for family life by removing a 28-months-old girl from her family for seven years without good reasons

The case concerned the removal of a 28-months-old girl from her birth family for a period of seven years and her placement in a foster family with a view to her adoption.

The Court found, in particular, that the domestic authorities had failed to undertake appropriate and sufficient efforts to secure the applicants' right to live with their daughter between June 2009 and November 2016. The Court found, firstly, that the reasons given by the court for refusing to return the child to her family and for declaring her available for adoption did not amount to "very exceptional" circumstances that would justify a severing of the family ties. The Court found, secondly, that the domestic authorities had incorrectly executed the Court of Appeal's 2012 judgment, which provided for the child's return to her birth family. Thus, the passage of time – a consequence of the social services' inertia in putting in place a programme for reuniting the family – and the grounds put forward by the court for extending the child's temporary placement had been decisive factors in preventing the applicants' reunion with her, which ought to have occurred in 2012.

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

Article 41 (Just satisfaction)

The Court held that Italy was to pay the applicants, jointly, EUR 40,000 in respect of non-pecuniary damage and EUR 15,175 for costs and expenses.

[JANKAUSKAS V. LITHUANIA](#) AND [LEKAVIČIENĖ V. LITHUANIA](#) - Nos. 50446/09, 48427/09 - Importance 2 - 27 June 2017 - No violation of Article 8 - Refusal to include two lawyers in the Bar Association's list of advocates because of their lack of sufficiently high moral character

The cases concerned the refusal by the Lithuanian Bar Association to include the two applicants in its list of advocates.

Mr Jankauskas was struck off the list of trainee advocates, after it emerged that he had failed to declare a previous conviction in his application to be included in the list. Ms Lekavičienė was refused re-admittance to the list of practicing advocates, on the grounds that she had previously been convicted of defrauding the publicly-funded legal aid system. Both applicants complained that the

prohibition on their practicing law had violated their right to private life. The Court examined the exclusion of the applicants from the list of advocates as an interference with their right to respect for private life, as it must have affected their professional reputation and relationships. However, the findings of the domestic authorities – that the applicants had not possessed a sufficiently high moral character - had been consistent with domestic law and had not been unreasonable in the circumstances. The interference with the applicants' private lives had therefore been justifiable, in order to protect the rights of others by ensuring the good and proper functioning of the justice system. There had thus been no violation of Article 8 of the Convention.

TERRAZZONI V. FRANCE ([IN FRENCH ONLY](#)) - No. 33242/12 - Importance 3 - 29 June 2017 - No violation of Article 8 - No failure on the part of the domestic authorities to strike a fair balance between the prevention of disorder and the applicant's right to respect for correspondence

The case concerned the use, in the context of disciplinary proceedings against a judge, of the transcript of a telephone conversation that had been intercepted by chance in criminal proceedings in which the judge had not been involved.

The Court first took the view that there had been an interference with the applicant's right to respect for correspondence. It observed that this interference had been in accordance with domestic law, namely the Code of Criminal Procedure. Moreover, The Court found that it had been aimed at establishing the truth both in relation to the initial criminal proceedings and in relation to the ancillary criminal proceedings concerning the applicant. The interference had therefore pursued the aim of preventing disorder. The Court observed that in the present case the interception complained of had resulted from the tapping of the other person's telephone line rather than that of the applicant's. It had been ordered by a judge and carried out under his supervision. The fact that the applicant was also a judge had not been known at the time. The special procedural safeguards to which she claimed entitlement had subsequently been applied as soon as her status had been discovered. The Court also noted that the applicant had been given an opportunity to present her account of the telephone conversation. She also had been notified of the letters rogatory ordering the tapping of the other person's telephone. Lastly, domestic courts had examined the applicant's ground of appeal concerning the lawfulness of the telephone tapping and had considered that it was not such as to warrant admitting the appeal.

The Court therefore held that there had been no violation of Article 8.

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

METODIEV AND OTHERS V. BULGARIA ([IN FRENCH ONLY](#)) (No. 58088/08) - Importance 2 - 15 June 2017 - Violation of Article 9 - Refusal by authorities to register a Muslim Community as a religious association

The case concerned the applicant's complaint that the courts had refused to register their association under the Religions Act.

The Court noted that the domestic courts had based their decisions on the relevant provisions of the Religions Act and that their interpretation of it was consistent with the dominant case-law in such matters. Therefore, the interference was "prescribed by law". However, the Court noted that the reasons given by the domestic courts had somewhat varied. The domestic courts had taken the view that this description of Community was insufficient. The Court noted that the Religions Act did not contain any specific indication as to the degree of precision required for that description or as to what specific information should be given in the "statement of beliefs and rites" accompanying the registration request.

The Court observed that the approach adopted by the Court of Cassation required the religious association, as a prerequisite for registration, to show how it was different from denominations already registered and, in particular, from the mainstream Muslim faith. Such an approach would lead in practice to the refusal of registration of any new religious association with the same doctrine as an

existing religion. The Court pointed out that even where a community was divided, the State had a duty to remain neutral and could not take measures in favour of one leader rather than another, or seek to oblige the religious community to be governed by a single administration. The domestic authorities' role was not to take measures capable of giving priority to one religious denomination over another, or to remove the cause of tension by eliminating pluralism, but consisted in ensuring that opposing groups tolerated each other. The Court concluded that the alleged lack of precision in the description of the beliefs and rites of the religious association in its constitution was not capable of justifying the refusal of registration, which was therefore not "necessary in a democratic society". Therefore, there had been a violation of Article 9 of the Convention.

Article 41 (Just satisfaction)

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

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

GIESBERT AND OTHERS V. FRANCE ([IN FRENCH ONLY](#)) - No. 68974/11 - Importance 2 - 1st June 2017 - No violation of Article 10 - No failure on the part of the domestic courts to strike a fair balance between freedom of the press and the presumption of innocence

The case concerned the conviction of a magazine, its editor-in-chief and a journalist, for publishing documents from a set of criminal proceedings before it was to be read out at a public hearing, in the high-profile Mrs. Bettencourt / Mr. Banier case.

The Court first recognized that the impugned conviction had amounted to an interference with the freedom of the press. It observed that it was prescribed by domestic law, which punished not the conditions under which a procedural document had been obtained, but the fact that it had been published. The Court considered that this interference had had several legitimate aims, namely the protection of the proper administration of justice and the protection of Mr. Banier's right to a fair trial and to the presumption of innocence. The Court also took the view that the applicants had been unaware of the origin of the documents reproduced in their articles or of the confidentiality of the information published. The article had provided several quotations to highlight the contradictions and weaknesses of Mrs Bettencourt's statements and to provide the public with biased information. Furthermore, it observed that the article had not been neutral in its treatment of Mr. Banier, practically accusing him of manipulation, in breach of the presumption of innocence. The Court also observed that the publication took place one day before his appearance before the domestic courts and that it was liable to heavily influence the conduct of the proceedings and affect potential witnesses, and indeed the judges. As regards whether the articles had contributed to the public interest, the Court considered that the impugned statements, which had concerned public figures and the functioning of the judiciary, had been part of a public-interest. Nevertheless, the Court did not agree with the applicants that the extensive media coverage of the case had vindicated the verbatim publication of numerous lengthy excerpts from procedural documents. It took the view that the fact that the domestic courts had not emphasised the potential influence of the articles on the public debate and the public interest fell within their legitimate margin of appreciation.

The Court found that the domestic findings had met a sufficiently compelling social need to take precedence over the public interest in the freedom of the press, and that those findings could not be deemed disproportionate to the legitimate aims pursued.

There had therefore been no violation of Article 10.

Y V. SWITZERLAND ([IN FRENCH ONLY](#)) - No. 22998/13 - Importance 3 - 6 June 2017 - No violation of Article 10 - A journalist fined for breaching secrecy of the criminal investigation into a case of alleged paedophilia

The case concerned the finding of a journalist for reporting information covered by the secrecy of a judicial investigation. The magazine article in question concerned criminal proceedings against a "leading property manager" on charges of paedophilia. The applicant criticised the fact that the accused had been released, citing extracts from the prosecution's appeal against the decision of the investigating judge to end the pre-trial detention. The article went on to describe the alleged facts in detail. Like the domestic courts, the Court took the view that while the protection of the accused's

private life had not played a decisive role in the weighing up of the various interests, the fact that the article had contained a considerable amount of detailed information and extracts from the complainant's statement to the police had constituted a breach of the privacy of those concerned and did not contribute to a public debate on the functioning of the justice system. The Court lastly found that the fine was a sanction for breaching the secrecy of the criminal investigation and protected the administration of justice, the rights of the accused to a fair trial and the rights of the complainant and presumed victims to respect for their private life. Sanctions for breaches of the secrecy of a criminal investigation were general in scope and were not intended solely for persons actually under investigation. The matter fell within the State's margin of appreciation. There hadn't been a violation of Article 10 of the Convention.

INDEPENDENT NEWSPAPERS (IRELAND) LIMITED V. IRELAND (No. 28199/15) - Importance 2 - 15 June 2017 - Violation of Article 10 - Freedom of expression not properly protected under the domestic court procedure

The case concerned the applicant's complaint that the award of damages had been disproportionately high, reflecting the inadequacy of domestic safeguards designed to prevent unreasonable awards for defamation.

The Court held that the interference with the freedom of expression of the applicant had been carried out with the legitimate aim of protecting the applicant's reputation and her right to private and family life; and that it had been consistent with the domestic authorities' law. The Court accepted that the defamation of the applicant, which had formed part of a sustained and unusually salacious campaign in the newspaper, had been a very serious one. The Court noted that the judge had given directions to the jury to assist it with the calculation of damages. The Court observed that the use of juries to decide defamation cases is entirely legitimate. Nevertheless, while the jury's assessment of damages for defamation may be inherently complex and uncertain, that uncertainty must be kept to a minimum. Due to the restrictions imposed by the Supreme Court's case law, the trial judge's directions had remained inevitably quite generic. The Court held that the safeguard at first instance had proved ineffective. The Court pointed out that though a jury's assessment of damages in libel cases may be inherently complex and uncertain, judicial control exercised at appellate level should, through the statement of reasons for an award, reduce uncertainty to the extent possible. However, further clarification was lacking regarding why, in particular, the highest ever award was required in a case that the Supreme Court had not categorised as one of the gravest and most serious of libels. Furthermore, the Supreme Court had not addressed the ineffectiveness of the safeguard which had meant to prevent a disproportionate award being made at first instance – namely, the judge's directions to the jury. The Court also found that, despite the reduction in the award of damages at appellate level, the lack of relevant and sufficient reasons meant the safeguard at appellate level had also proved partially ineffective. The Court stressed that jury trials are an entirely legitimate way to assess defamation cases, and that it was not the Court's task to call into question that legislative choice or take the place of the national court. Rather, the issues were the nature and extent of the directions given to juries to protect against disproportionate awards, and, in the event that an appellate court engages in a fresh assessment, the need for relevant and sufficient reasons for the substituted award.

Therefore, there had been a violation of Article 10 of the Convention.

Article 41 (Just satisfaction)

The Court held that Ireland was to pay the applicant EUR 20,000 in respect of costs and expenses.

ALI ÇETIN V. TURKEY (IN FRENCH ONLY) (No. 30905/09) - Importance 3 - 19 June 2017 - Violation of Article 10 - Conviction of a private citizen for criticizing a civil servant in a letter amounted to a violation of the right to freedom of expression

The case concerned the applicant's complaint about his criminal conviction for insult and the fact that the criminal court had delivered a final judgment which was not open to re-examination by a higher court.

The Court noted that the applicant was seeking to express his personal opinions and that his statements were akin to value judgments. The impugned comments were made in the particular context of a professional conflict between the applicant and an inspector over a report prepared by the latter individual in his capacity as a civil servant, certain passages of which had resulted in the termination of the applicant's contract. In his appeal, the applicant was asking for the deletion of certain passages in the report, which, in his opinion, were likely to jeopardise his career. He compared the mentality of the report's author to that of a fictional character from Turkish literature. The Court accepted that the fact of comparing the inspector to a fictional character of this type could be perceived as vexatious. The Court noted that the comments had been made in a letter attached to an appeal, the purpose of which was to challenge a report which had had serious professional repercussions for the applicant. They were not therefore intended to be accessible to the general public, but solely to the relevant authorities at the domestic level. The Court also reiterated that even when the sanction was the lightest possible, it nevertheless constituted a criminal sanction and, in any event, that fact could not suffice, in itself, to justify the interference with the applicant's freedom of expression. Consequently, the Court considered that that this interference was not "necessary in a democratic society".

Therefore, there had been a violation of Article 10 of the Convention.

Article 41 (Just satisfaction)

The applicant had not submitted a claim for just satisfaction during the communication stage of the proceedings, the Court did not award him any sum on that account.

BAYEV AND OTHERS V. RUSSIA (Nos. 67667/09, 44092/12, 56717/12) - Importance 1 - 20 June 2017 - Violation of Article 10 - Legislation banning the promotion of homosexuality among minors incompatible with freedom of expression - Violation of Article 14 in conjunction with Article 10 - Discriminatory legislation banning the promotion of homosexuality among minors

The case concerned the applicants' complaint about the discriminatory ban on public statements concerning the identity, rights and social status of sexual minorities.

Article 10

As admitted by the domestic authorities, the administrative proceedings against the applicants had constituted an interference with their freedom of expression.

The Court noted the domestic authorities' assertion that the majority of Russians disapproved of homosexuality, which was generally seen as contradicting traditional family values. However, the domestic authorities had failed to demonstrate how freedom of expression on LGBT issues would devalue or otherwise adversely affect actual and existing "traditional families" or would compromise their future. In contrast, there was a clear European consensus about the recognition of individuals' right to openly identify themselves as gay, lesbian or any other sexual minority, and to promote their own rights and freedoms. Nor did the Court accept the other arguments put forward by the domestic authorities, namely the protection of health and of the rights of others, to justify restricting freedom of speech on same-sex relationships. As concerned the risk of minors being "converted" to homosexuality, the Court found that the domestic authorities had been unable to provide any explanation of the mechanism by which a minor could be enticed into "[a] homosexual lifestyle". Moreover, in staging their demonstrations, the applicants had not sought to interact with minors, nor intrude into their private space. The Court also pointed out the vagueness of the terminology used in the legal provisions concerned and the potentially unlimited scope of their application. Above all, by adopting such laws the Court found that the domestic authorities had reinforced stigma and prejudice and encouraged homophobia, which was incompatible with the values – of equality, pluralism and tolerance – of a democratic society.

Therefore, there had been a violation of Article 10 of the Convention.

Article 14 in conjunction with Article 10

The Court has previously stressed that differences based solely on considerations of sexual orientation were unacceptable under the European Convention. The wording of the Code of Administrative Offences, in concert with the Constitutional Court's position, specifically states that same-sex relationships are inferior to opposite-sex relationships. This embodied a predisposed bias on the part of the heterosexual majority against the homosexual minority.

Therefore, there had been a violation of Article 14 taken in conjunction with Article 10 of the Convention.

Article 41 (Just satisfaction)

The Court held that Russia was to pay EUR 8,000 to the first applicant, EUR 15,000 to the second applicant and EUR 20,000 to the third applicant in respect of non-pecuniary damage. The second and the third applicants were also awarded EUR 45 and EUR 180, respectively, in respect of pecuniary damage. A total of EUR 5,963 was awarded for costs and expenses.

SATAKUNNAN MARKKINAPÖRSSI OY AND SATAMEDIA OY V. FINLAND (No. 931/13) - Importance 1 - 27 June 2017 - No violation of Article 10 – Ban on the mass publication of personal tax data

The case concerned the applicants' allegation that the ban on processing and publishing taxation data had amounted to censorship as well as discrimination vis-à-vis other newspapers which were able to continue publishing such information.

The Court held that there had been an interference with the applicant companies' right to impart information under Article 10, arising from the prohibition to process and publish taxation data. However, the Court held that there had been no violation of Article 10, because the interference had been "in accordance with the law", it had pursued a legitimate aim, and it had been "necessary in a democratic society". The Court held that the interference had a legal basis in sections 2(5), 32 and 44(1) of the Personal Data Act. The Court held that the interference had pursued a legitimate aim to protect "the reputation or rights of others". The Court concluded that a fair balance between the right to respect for private life and the right to freedom of expression had been struck, and that the domestic authorities had given due consideration to the relevant principles and criteria set down in the Court's case law. The Court agreed with the conclusion of the Supreme Administrative Court, that the publication of the taxation data in the manner and to the extent described did not contribute to a debate of public interest, and that the applicants could not in substance claim that the publication had been carried out for a solely journalistic purpose within the meaning of the relevant law. Furthermore, the Court noted that the applicants' collection, processing and dissemination of data had been conducted on a bulk basis, in a way that impacted on the entire adult population. The Court also took into consideration the fact that most countries in Europe do not grant public access to personal tax information and the domestic authorities legislation is somewhat exceptional in this regard. Furthermore, the decisions of the domestic authorities had not put a total ban on the applicant companies' publication of taxation data, but had merely required them to make such publications in a manner consistent with the domestic authorities and EU data protection laws.

Therefore, there had been no violation of Article 10 of the Convention.

Article 41 (Just satisfaction)

The Court found no evidence of any pecuniary or non-pecuniary damage resulting from the violation, but held that Finland was to pay the applicant companies EUR 9,500 in respect of costs and expenses.

MEDŽLIS ISLAMSKJE ZAJEDNICE BRČKO AND OTHERS V. BOSNIA AND HERZEGOVINA (No. 17224/11) - Importance 1 - 27 June 2017 - No violation of Article 10 - Civil proceedings for defamation against four organisations for untrue allegations made in private correspondence

The case concerned a finding of defamation in civil proceedings against four organisations following the publication of a letter they had written to the highest authorities of their district complaining about a person's application for the post of director of Brčko District's multi-ethnic radio and television station. Relying on their right to freedom of expression, the applicants complained about the order to pay damages imposed on them in the context of civil proceedings for defamation.

The Court found that four statements in the letter contained allegations portraying the candidate in question as a person who was disrespectful and contemptuous in her opinions and sentiments about Muslims and ethnic Bosniacs. The nature of the accusations had been such as to seriously call into question the candidate's suitability for the post of director of the radio and her role as editor of the entertainment programme of a multi-ethnic public radio station. However, the applicants had not

established before the domestic courts the “truthfulness of these statements which they knew or ought to have known were false” despite being bound by the requirement to verify the veracity of their allegations even if these had been disclosed to the authorities by means of private correspondence. The Court therefore held that the applicants had not had a sufficient factual basis to support their allegations and that the interference with their freedom of expression had been supported by relevant and sufficient reasons and had been proportionate to the legitimate aim pursued (protection of the candidate’s reputation). The Court also held that the domestic authorities had struck a fair balance between the applicants’ freedom of expression and the candidate’s interest in the protection of her reputation, thus acting within their margin of appreciation.

Therefore, there hadn’t been a violation of Article 10 of the Convention.

- **Freedom of expression (Art. 11)**

NATIONAL TURKISH UNION AND KUNGYUN V. BULGARIA ([IN FRENCH ONLY](#)) - No. 4776/08 - Importance 2 - 8 June 2017 – Violation of Article 11 – Refusal to register the applicant’s association

The case concerned the refusal of the domestic authorities to register an association promoting the rights of the Muslim minority.

The Court first recalled that the possibility for citizens to form a legal person to act collectively in an area of common interest is one of the most important aspects of the right to freedom of association, without which this right would be insignificant. This interference was prescribed by domestic law. The Court also observed that, in refusing registration of the association, the highest domestic court had based its judgment on two grounds: the fact that the purpose of the association was political and the fact that the aims and name of the association presented a danger to national security. As regards the political nature of the association’s aims, the Court had already taken the view in its case-law that such a ground could not justify a refusal to register an association. Furthermore, the Court found that the association’s declared aim to “contribute to the development of political pluralism in the country” did not seem to imply that the association wished to take part in elections or in the exercise of power. It also decided that there was no “pressing social need” to require any association wishing to pursue political aims to set up a political party if it was not the intention of its founders to take part in elections. Concerning the possibility of danger to national security, the Court took the view that the use of the words “National Turkish” in the name of the association did not appear capable of undermining the territorial integrity or unity of Bulgaria. Moreover, it found that the expression of separatist views did not in itself imply a threat to national security and did not as such justify a restriction of the rights secured by Article 11 of the Convention.

The Court thus concluded that the refusal to register the applicant association was not “necessary in a democratic society” and constituted a violation of Article 11.

Article 41 (Just satisfaction)

The Court held that Bulgaria was to pay the applicants EUR 5,000 in respect of non-pecuniary damage and EUR 2,000 in respect of costs and expenses.

1. Other judgments delivered in the period under observation

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

For more detailed information, please refer to the cases.

| STATE | DATE | CASE TITLE | IMP. | CONCLUSION | KEY WORDS |
|---------|--------------|---|------|--------------------------------------|---|
| ARMENIA | 01 June 2017 | AYVAZIAN (No.56717/08) | 3 | Violation of Art. 2 (procedural) | Domestic authorities' failure to secure a timely, proper and objective collection and assessment of evidence vital for the establishment of the circumstances of the case and the effective outcome of the investigation, therefore failure to comply with their obligation to carry out an adequate and effective investigation. |
| | | | | No violation of Art. 2 (substantive) | Lack of sufficient material to conclude that the victim was in reality executed by police officers as alleged by the applicant, thus to make a reliable assessment of the question of whether the actions of the police officers were in compliance with the guarantees of Article 2. |
| | | | | Violation of Art. 2 (substantive) | Domestic authorities' failure to comply with their obligation to minimise the risk of loss of life and to demonstrate sufficient consideration for the pre-eminence of the right to life as regards the planning and control of the operation. |
| AUSTRIA | 01 June 2017 | KÜLEKCI (No. 30441/09) | 3 | No violation of Art. 8 | The domestic authorities did not overstep their margin of appreciation when issuing the exclusion order against the applicant and subsequently expelling him. Fair balance between the competing interests struck. |

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| AZERBAIJAN | 01 June 2017 | MALIK BABAYEV (No. 30500/11) | 3 | No violation of Art. 2 (substantive) | No appearance of a failure on behalf of the respondent State to protect the right to life of the applicant's son as required by Article 2 of the Convention. |
| | | | | Violation of Art. 2 (procedural) | Domestic authorities' failure to carry out an adequate and effective investigation into the circumstances surrounding the death of the applicant's son. |
| BULGARIA | 01 June 2017 | KRASTEVA AND OTHERS (No. 5334/11) | 3 | Violation of Art. 1 of Prot. No. 1 | Domestic authorities' measure to deprive the applicants of their property, taken in breach of the principle of legal certainty and without any possibility of compensation, was clearly disproportionate. |
| | 08 June 2017 | M.M. (IN FRENCH ONLY) (No. 75832/13) | 3 | Violation of Art. 5§4 | Domestic authorities' failure to guarantee the applicant's right to a speedy decision by a court on the lawfulness of his detention and to his release order if his detention is not lawful. |
| | 15 June 2017 | SHALYAVSKI AND OTHERS (No. 67608/11) | 3 | Violation of Art.3 | The Treatment complained of caused the applicant suffering of an intensity sufficient to qualify it as degrading treatment within the meaning of Article 3 of the Convention. |
| | | | | Violation of Art. 13 taken in conjunction with Art. 3 | Lack of effective remedy for the applicant's complaint under Article 3 of the Convention. |
| 29 June 2017 | DIMCHO DIMOV (No. 2) (No. 77248/12) | 3 | No violation of Art. 3 | No breach by the domestic authorities of their obligation to take measures which could have reasonably been expected to protect the applicant from the inmate who had assaulted him | |
| CROATIA | 27 June 2017 | RAMLJAK (No. 5856/13) | 2 | Violation of Art. 6 § 1 | Lack of impartiality on account of the domestic court's composition |

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| ICELAND | 13 June 2017 | Arnarson (No. 58781/13) | 3 | No violation of Art. 10 | Right to freedom of expression sufficiently balanced with the right to respect for private life. |
| GEORGIA | 01 June 2017 | MINDADZE AND NEMSITSVERIDZE (No. 21571/05) | 3 | Violation of Art. 3 (procedural) | Domestic authorities' failure to conduct a thorough and prompt investigation of the applicant's complaints. |
| | | | | Violation of Art. 3 (substantive) | Serious abuse of the applicant's physical integrity and dignity (administration of electric shocks and beating with an iron padlock by trained police officers), falling to be characterised as torture within the meaning of Article 3 of the Convention. |
| | | | | Violation of Art. 5§1 | Lack of judicial decision for 4 months and 25 days that could have rendered the applicant's period of detention lawful. |
| | | | | No violation of Art. 5§3 | No sufficient grounds, even if relevant, provided by domestic authorities to maintain the applicant's pre-trial detention. |
| | | | | Violation of Art. 6§1 | Serious procedural irregularities rendered the trial against the applicants unfair as a whole. |
| GREECE | 29 June 2017 | KOSMAS AND OTHERS (IN FRENCH ONLY) (No. 20086/13) | 2 | Violation of Art. 1 of Prot. No. 1 | Domestic authorities' failure to strike a fair balance between the interests at stake given the excessive burden imposed on the applicant which couldn't be justified by the legitimate public interest pursued |
| LATVIA | 15 June 2017 | FROLOVS (No. 13289/06) | 3 | Violation of Art. 6§§ 1 & 3(c) | The domestic court's refusal to examine the appeal lodged by the applicant's lawyer against the first-instance judgment was not compatible with the applicant's right to a fair hearing under Article 6 of the Convention. |

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| LITHUANIA | 13 June 2017 | KOSTECKAS (No. 960/13) | 3 | Violation of Art. 3 (procedural) | The examination of the criminal case against the alleged perpetrators of the assault on the applicant before the domestic courts was not consistent with the State's positive obligations under Article 3 of the Convention and the compensation awarded was not sufficient for the fulfilment of the State's positive obligations. |
| | | ŠIMKUS (No. 41788/11) | 3 | Violation of Art. 4§1 of Prot. No. 7 | Unjustified duplication of proceedings against the applicant for the same offence resulting in the applicant being tried twice for the same offence. |
| LUXEMBOURG | 27 June 2017 | STURM (IN FRENCH ONLY) (No. 55291/15) | 2 | No violation of Art. 6 § 1 | Dismissal of the applicant's appeal on points of law given that he had not expressed his arguments in accordance with the relevant legal requirements on cassation proceedings |
| THE FORMER REPUBLIC OF MACEDONIA | 15 June 2017 | CENTER FOR THE DEVELOPMENT OF ANALYTICAL PSYCHOLOGY (Nos. 29545/10 AND 32961/10) | 3 | Violation of Art. 6§1 | Unjustifiable procedural obstacle imposed by domestic courts on the applicant company by adopting an excessively formalistic approach and dismissing its claims for lack of standing impaired the very essence of the applicant company's right of access to a court and left it no opportunity to have its claims examined on the merits. |
| | 22 June 2017 | PETROVIC (No. 30721/15) | 3 | Violation of Art. 6 § 1 | Excessive length of restitution proceedings still ongoing |

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| POLAND | 01 June 2017 | DEJNEK (No. 9635/13) | 3 | No violation of Art. 3 | No evidence suggesting that the authorities' treatment of the applicant during the strip searches attained the minimum level of severity necessary to bring Article 3 of the Convention into play. |
| | | | | Violation of Art. 8 | Domestic authorities' failure to provide sufficient and relevant reasons justifying the strip searches of the applicant. |
| | | KOSC (No. 34598/12) | 3 | Violation of Art. 10 | The interference with the applicant's exercise of his freedom of expression was not supported by relevant and sufficient reasons in terms of Article 10 and was disproportionate to the legitimate aim of protecting the victim's reputation. |
| ROMANIA | 27 June 2017 | CHIPER (IN FRENCH ONLY) (No. 22036/10) | 3 | No violation of Art. 6 § 1 | Fairness of proceedings |
| | | GHIULFER PREDESCU (No. 29751/09) | 3 | Violation of Art. 10 | Unnecessary interference with the applicant's right to freedom of expression in a democratic society given the nature of her allegations made in good faith and in pursuit of the legitimate aim of debating a matter of public interest while the sanction imposed on her could not be regarded as proportionate to the impugned acts and lacked appropriate justification |
| | | VALDHUTER (IN FRENCH ONLY) (No. 70792/10) | 3 | Violation of Art. 6 §§ 1 and 3(d) | Unfairness of proceedings on account of the applicant's impossibility to question a witness whose statements had been used for his conviction |
| | | | | Violation of Art. 6 § 1 | Excessive length of criminal proceedings (10 years and 2 months) |
| RUSSIA | 13 June 2017 | CHELTSOVA (No. 44294/06) | 3 | Violation of Art. 10 | Domestic courts' failure to give relevant and sufficient reasons to justify the instances of interference making interference with the applicant's right to freedom of expression not "necessary in a democratic society". |

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| RUSSIA (CONTINUED) | 13 June 2017 | KOSEVOY (No. 70440/10) | 3 | Violation of Art. 5§1 | Domestic authorities' failure to specify the period of the applicant's pre-trial detention |
| | | | | No violation of Art. 5§1 | No evidence suggesting that the domestic courts disregarded or misapplied the relevant legislation or that the applicant's detention during the relevant period was not in accordance with the law. |
| | | | | No violation of Art. 34 | No evidence suggesting that the respondent state had failed to comply with its obligations under Article 34 by hindering the applicant's right to apply to the Court. |
| | 27 June 2017 | BIGASHEV (No. 71444/13) | 3 | Violation of Art. 6 § 1 | Delay in the enforcement of the binding judgment in the applicant's favour |
| | | | | Violation of Art. 1 of Prot. No. 1 | Unjustified interference with the applicant's property rights on account of the delay in the enforcement of the judgment in his favour |
| | SERBIA | 27 June 2017 | KRNDIJA AND OTHERS (Nos. 30723/09, 9370/13, 32658/12 AND 2632/09) | 3 | Violation of Art. 6 § 1 |
| Violation of Art. 1 of Prot. No. 1 | | | | | Domestic authorities' failure to enforce the final judgment in the applicants' favour also prevented them from being paid the money they could reasonably have expected to receive |
| SPAIN | 13 June 2017 | ATUTXA MENDIOLA AND OTHERS (IN FRENCH ONLY) (No. 41427/14) | 3 | Violation of Art. 6§1 | Applicants were deprived of their right to reply as part of an open debate thus were deprived of their right to a fair trial. |
| TURKEY | 06 June 2017 | SINIM (No. 9441/10) | 3 | Violation of Art. 2 | Lack of an adequate judicial response by the domestic authorities to establish the circumstances of the death of the applicant's husband and to avert similar life endangering conduct in the future. |

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| TURKEY | 13 June 2017 | DASLIK (IN FRENCH ONLY) (No. 38305/07) | 3 | No violation of Art. 3 (substantive) | No evidence in support of the allegation that the police officers in charge of the applicant's custody ill-treated her as the applicant's complained. |
| | | | | Violation of Art. 3 (procedural) | Domestic authorities' failure to conduct an effective investigation following the applicant's complaints. |
| | | R.M. (No. 81681/12) | 3 | Violation of Art. 5§1 | Excessive length of the applicant's detention (3 years) |
| UKRAINE | 01 June 2017 | SHABELNIK (No.2) (No. 15685/11) | 3 | Violation of Art. 6§1 | Domestic court's reasoning and procedure followed did not meet the requirement of fairness inherent in Article 6§1. |
| | | TONYUK (No. 6948/07) | 3 | Violation of Art. 6 | Non-enforcement by domestic courts of judgments given in favour of the applicant. |
| | 27 June 2017 | LAZARENKO AND OTHERS (Nos. 70329/12, 9041/13, 9755/13, 15901/13, 27320/13 AND 61147/14) | 3 | Violation of Art. 6 § 1 | Unfairness of proceedings on account of the applicants' inability to comment on the appeals lodged in their cases |
| UNITED KINGDOM | 22 June 2017 | S.M.M (No. 77450/12) | 3 | Violation of Art. 5 § 1 | Domestic authorities' failure to act with sufficient due diligence in order to ensure that the applicant was detained for the shortest time possible while deciding on his asylum claim |

B. Decisions on admissibility

Those decisions are published with a slight delay of two to three weeks on the Court's website. Therefore the decisions listed below cover the period **from 1st of March to the 30th April 2017**. Those decisions are selected to provide the NHRs with potentially useful information on the reasons for the inadmissibility of certain applications addressed to the Court and/or on the friendly settlements reached.

| STATE | DATE | CASE TITLE | ALLEGED VIOLATION | DECISION |
|-----------|---------------|--|---|--|
| ITALY | 25 April 2017 | Scozzafava and Others v. Italy (20014/13) | Violation of Art. 10 of the Convention (Violation of the right to receive information and ideas), Art. 13 of the Convention (Lack of an effective domestic remedy) | Rejected as incompatible <i>ratione personae</i> with the provisions of the Convention |
| LITHUANIA | 4 April 2017 | Bilinskas v. Lithuania (40091/13) | Violation of Art. 3 of the Convention (Inhuman conditions of the detention) | <i>Rejected as incompatible ratione personae with the provisions of the Convention</i> |
| POLAND | 7 March 2017 | Brońska and Others v. Poland (3229/15) | Violation of Art. 8 in conjunction with Art. 2 of the Convention (Inappropriate medical treatment and ineffective criminal investigation), Art. 6 § 1 of the Convention (Unreasonable length of the criminal investigation) | Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention |
| ROMANIA | 4 April 2017 | Cazacliu and Others v. Romania (63945/09) | Violation of Art. 3 and Art. 8 of the Convention (Failure of the local authorities to provide adequate housing), Art. 6 of the Convention (Breach of the applicants' right to a fair trial), Art. 13 of the Convention (Lack of an effective remedy), Art. 2 of Protocol No. 1 to the Convention (Children's inability to attend school), and Art. 14 taken in conjunction with Art. 3, 6, 8 and 2 of Protocol No. 1 to the Convention and Art. 1 of Protocol No. 12 to the Convention (Discrimination by local and judicial bodies on account of the authorities' biased attitude towards applicants' ethnic origin) | Rejected as incompatible <i>ratione personae</i> with the provisions of the Convention and for non-exhaustion of domestic remedies |

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| ROMANIA <i>(CONTINUED)</i> | 7 March 2017 | <u>Radley v. Romania</u> (13122/03) | Violation of Art. 6 of the Convention and Art. 1 of Protocol No. 1 to the Convention (Breach of the principle of legal certainty and the right to the peaceful enjoyment of the possessions) | Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention |
| | 28 March 2017 | <u>Vannucci v. San Marino</u> (33898/15) | Violation of Art. 7 of the Convention (Unlawful payment), Art. 6 § 2 of the Convention (Violation of the right to a fair trial and the presumption of innocence) and Art. 4 of Protocol No. 7 to the Convention (Double punishment for the same offence) | Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention |
| TURKEY | 25 April 2017 | <u>Çakar v. Turkey</u> (47136/06) | Violation of Art. 6 § 1 of the Convention (Unreasonable time of the domestic proceedings) and Art. 1 of Protocol No. 1 to the Convention (Breach the right to the peaceful enjoyment of the possessions) | Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention and for non-exhaustion of domestic remedies |
| UNITED KINGDOM | 28 March 2017 | <u>Smith v. The United Kingdom</u> (54357/15) | Violation of Art. 8 of the Convention (Unjustified collection and use of the confidential data), Art. 11 of the Convention (Lack of protection of the applicant as an agency worker and lack of any remedy against of that violation) and Art. 14 of the Convention (Failure of the State to protect the applicant from discriminatory treatment) | No significant disadvantage (Article 35 § 3 (b) of the Convention) |

C. Communicated cases

The European Court of Human Rights publishes on a weekly basis a list of the communicated cases on its website. These are cases concerning individual applications which are pending before the Court. They are communicated by the Court to the respondent State's Government with a statement of facts, the applicant's complaints and the questions put by the Court to the Government concerned. The decision to communicate a case lies with one of the Court's Chamber which is in charge of the case. A **selection** of those cases **covering the period from 1 to 30 April** is proposed below.

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

| STATE | DATE OF DECISION TO COMMUNICATE | CASE TITLE | KEY WORDS OF QUESTIONS SUBMITTED TO THE PARTIES |
|--------|---------------------------------|---|--|
| GREECE | 26 April 2017 | PARASKEVOPOULOS (No. 64184/11) | The applicant complains that his criminal conviction on account of his remarks concerning a local politician included in an article published in a local magazine violated his right to freedom of expression. |
| RUSSIA | 6 April 2017 | YUDIN (No. 34963/12) | The applicants claim that the statutory restrictions on family visits, outside calls and the number of parcels allowed during the first ten years of their detention are incompatible with his right to respect for private and family life. |
| | 27 April 2017 | KHARITONOV (No. 10795/14) | The applicant complains that the blocking of a third-party's website by its IP address had the disproportionate effect of blocking access to his website. |

PartOne

§2 - EUROPEAN COMMITTEE OF SOCIAL RIGHTS

A. Reclamations and Decisions

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

B. Other information

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

PartOne

§3 - RECOMMENDATIONS & RESOLUTIONS

A. Recommendations

| AUTHOR | DATE | TEXT NUMBER | SUBJECT MATTER | DECISION |
|--------|--------------|----------------------------|---------------------------|--|
| CM | 14 June 2017 | Rec(2017)5 | On standards for e-voting | CM recommends that domestic authorities: respect all the principles of democratic elections and referendums ; assess and counter risks by appropriate measures ; be guided by the standards included in Appendix I ; keep under review their policy ; disseminate this recommendation as widely as possible. CM also recommends that domestic authorities agree to regularly update the provisions of the Guidelines accompanying this recommendation. |

B. Resolutions

| AUTHOR | DATE | TEXT NUMBER | SUBJECT MATTER | DECISION |
|--------|--------------|----------------------------|--|---|
| CM | 14 June 2017 | Res(2017)1 | On principles for the selection, evaluation, donation and follow-up of the non-resident living organ donors | CM recommends that domestic authorities of States Parties to the Convention on the Elaboration of a European Pharmacopoeia take the necessary measures for the care and safeguard of the non-resident living donor. These measures should be put in place in conjunction with the existing national provisions to ensure the safety and well-being of living donors. |
| CM | 14 June 2017 | Res(2017)2 | On establishing procedures for the management of patients having received an organ transplant abroad upon return to their home country to receive follow-up care | CM recommends to domestic authorities of States Parties to the Convention on the Elaboration of a European Pharmacopoeia ensure that these patients are promptly referred for evaluation at a transplant centre, receive the necessary medical care upon their return to their home country, and are registered the same way by healthcare professionals and recorded in national transplant registries. They have to take measures related to organ trafficking and/or human trafficking for the purpose of organ removal. They also have to regularly report anonymised activity data on these patients to the Secretariat of the European Committee on Organ Transplantation of the Council of Europe. |

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| CM | 14 June 2017 | ResChS(2017)7 | On Finnish Society of Social Rights v. Finland (Complaint No. 106/2014) | CM takes note of the statement by the Finnish Government and the information it has provided on the follow-up to the decision of the European Committee of Social Rights and looks forward to Finland reporting on any new developments regarding the implementation of the Revised European Social Charter. |
| CM | 14 June 2017 | ResChS(2017)8 | On Finnish Society of Social Rights v. Finland (Complaint No. 108/2014) | CM takes note of the statement made by the respondent government and the information it has communicated on the follow-up to the report of the European Committee of Social Rights, and looks forward to Finland reporting on any new developments regarding their implementation of the Revised European Social Charter. |
| PACE | 27 June 2017 | Res 2169 | On recognition and implementation of the principle of accountability in the Parliamentary Assembly | PACE amends its Rules of Procedure and inserts a procedure to bring into play the institutional accountability of the President and Vice-Presidents of the PACE, and the chairpersons and vice-chairpersons of the committees by making it possible “to dismiss them during their term of office” on the ground that “they no longer enjoy the confidence of the Assembly”. |
| PACE | 27 June 2017 | Res 2170 | On promoting integrity in governance to tackle political corruption | PACE invites member States to strengthen their legislation on the fight against corruption and to promote integrity and transparency in public life at all levels. They should sign or ratify without delay the Criminal Law Convention on Corruption, its additional protocol, the Civil Law Convention on Corruption; and to ensure full co-operation with the GRECO and the MONEYVAL. PACE should take appropriate measures after allegations of corruption within it. |
| PACE | 27 June 2017 | Res 2171 | Parliamentary scrutiny over corruption: parliamentary cooperation with the investigative media | PACE recommends that member States do more to include the role of investigative journalism in their anti-corruption strategies and, to this end: enact laws that ensure the widest possible access to information; put in place financial mechanisms to support investigative journalism without compromising its independence; provide adequate protection to whistle-blowers. National parliaments should ensure that the Council of Europe Convention on Access to Official Documents is ratified as soon as possible. |

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| PACE | 27 June 2017 | Res 2172 | On the situation in Belarus | <p>Despite many improvements, PACE regrets the lack of political will and calls on the Government of Belarus to ensure: freedom of association and assembly; freedom of expression and of the media ; genuine political pluralism and free and fair elections ; show genuine political will on the issue of the death penalty and the administration of justice ; implement United Nations bodies recommendations; and suspend the construction of the Astravets Nuclear Power Plant. PACE resolves to take measures and calls on the European Union to do so, but it is not in a position to call on its Bureau to lift the suspension of the special guest status for the Parliament of Belarus.</p> |
| PACE | 28 June 2018 | Res 2173 | On a comprehensive humanitarian and political response to the migration and refugee crisis and the continuing flows into Europe | <p>PACE calls on member States to fully implement, or ratify, the provisions of relevant international treaties and to co-operate in developing transnational information systems and databases on asylum applications. States should respect the rights and dignity of all refugees and asylum seekers and work hand-in-hand with non-governmental organisations. PACE asks the European Union and/or its member States to fully implement the relocation and resettlement decisions already taken; and to speed up the work on the adoption of the new Regulation on a common asylum procedure and the reform of the Common European Asylum System.</p> |
| PACE | 28 June 2018 | Res 2174 | On human rights implications of the European response to transit migration across the Mediterranean | <p>PACE calls on the EU to take measures on asylum procedures ; to reduce the number of crossings and saving lives ; to enhance the fight against smugglers and traffickers ; to step up its co-operation with the Libyan authorities and Coast Guard ; to increase support to improve reception and living conditions. PACE called on the Greek authorities to continue increasing reception capacities and to speed up the processing of asylum applications. Italy, should increase the number of adequate facilities and review asylum procedures in order to increase their efficiency. Turkey should comply with international human rights standards.</p> |

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| PACE | 28 June 2017 | Res 2175 | On migration as an opportunity for European development | PACE considers that migration benefits to European societies, on economic and cultural issues. Member States should improve national legislation related to migrants, facilitate the access of migrants to the labour market and promote inclusive societies by enabling the full and active participation of migrants in all aspects of life. They should co-operate to create a European system to facilitate social security protection for all working migrants and their families. |
| PACE | 28 June 2017 | Res 2176 | On integration of refugees in times of critical pressure: learning from recent experience and examples of best practice | Member States should modify their national legislation to provide to all refugees and asylum seekers the access to all means which can allow a successful integration, for instance: education, health, security or simplified and accelerated administrative procedures. It is also necessary to allow children to be schooled. PACE also wants to optimize the territorial distribution of asylum seekers and make use of platforms for international dialogue and co-operation with a view to taking advantage of best practices and models. |
| PACE | 29 June 2017 | Res 2177 | On putting an end to sexual violence and harassment of women in public space | PACE calls on Council of Europe member and observer States to: sign and ratify without delay the "Istanbul Convention" and to ensure its full implementation; put an end to impunity by prosecuting perpetrators of sexual violence and harassment in public space (zero-tolerance policy); conduct inquiries and launch awareness-raising campaigns; develop teaching methods to avoid violence and gender-based stereotypes; and launch a dialogue with the media on their responsibility. |
| PACE | 29 June 2017 | Res 2178 | On the implementation of judgments of the European Court of Human Rights | PACE recalls on the States Parties to fully and swiftly implement the judgments and the terms of friendly settlements handed down by the Court and to co-operate with Council of Europe organs and bodies. PACE calls on national parliaments to establish parliamentary structures guaranteeing follow-up to and monitoring of international obligations in the human rights field and demand that they present annual reports on the subject. |

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|------|--------------|--------------------------|---|---|
| PACE | 29 June 2017 | Res 2179 | On political influence over independent media and journalists | PACE calls for stronger engagement in safeguarding journalists' security and freedom, as well as in upholding media pluralism and independence. It member States should implement effectively Recommendation CM/Rec(2016)4, and to improve the legal provisions concerning transparency of formal and beneficial ownership and funding mechanisms of the media. They should also take appropriate measures related to PSM and design public support schemes for private and non-profit media. |
| PACE | 30 June 2017 | Res 2180 | On the "Turin process": reinforcing social rights in Europe | PACE calls on Council of Europe member States to support debates and co-operation launched under the "Turin process" by: contributing to strengthening the European Social Charter as a normative system; strengthening the pan-European dialogue on social rights and the co-ordination of legal and political action with other European institutions; and improving compliance with the highest social rights standards at the national level. |

PartOne

§4 - OTHER INFORMATION OF GENERAL IMPORTANCE

A. Information from the Committee of Ministers

■ CM: Quality youth work key to preventing a “lost generation” in Europe (01.06.2017)

The underlying idea of the new Recommendation to the Council of Europe member states on youth work, adopted by the CM on 31 May 2017, is that young people are a key resource for building a social and just Europe, and providing them with structured support is an important investment Europe has to make for its present and future. ([Read more](#) - [Recommendation to the Council of Europe member states on youth work](#))

■ CM's Chairperson's (Lubomír Zaorálek, Minister for Foreign Affairs of the Czech Republic) statement on London terrorist attack (04.06.2017)

Lubomír Zaorálek expressed his solidarity with the victims, their families and the United Kingdom. He condemns this attack and reiterates CM determination to fight against terrorism in all its forms, to defend and promote the common values of freedom, human rights, democracy and the rule of law. ([Read more](#))

■ CM reviews the implementation of the European Court of Human Rights' judgments (09.06.2017)

Representatives of the 47 member States of the CM held their second “Human Rights” meeting of 2017, during which they examined the implementation of judgments of the European Court of Human Rights. CM adopted: decision in cases subject to more detailed examination, Final Resolutions putting an end to its examination of some cases and made public the list of cases proposed for more detailed examination at its next “Human Rights” meeting. ([Read more](#) – [Press release](#))

■ CM: 1289th meeting of the Ministers' Deputies (14.06.2017)

The Deputies adopted a recommendation and two resolutions, they also held an exchange of views with Ms Päivi Kaukoranta, Chair of the Committee of Legal Advisers on Public International Law, following her presentation of the CAHDI's recent and future activities. ([Read more](#) - [Agenda](#))

■ CM: Council of Europe adopts new Recommendation on Standards for E-Voting (19.06.2017)

The Ministers' Deputies adopted at their 1289th meeting on 14 June a new Recommendation on Standards for E-Voting. The new recommendation CM/Rec (2017)5, which follows the previous Rec(2004)11, was developed to ensure that electronic voting complies with principles of democratic elections and is the only existing international standard on e-voting so far. ([Read more](#) - [CM/Rec\(2017\)5](#))

■ CM: 1290th meeting of the Ministers' Deputies (21.06.2017)

At their meeting on 21 June, the Ministers' Deputies held exchanges of views with: Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, on the preparation of the 3rd part of the 2017 Session and other Assembly activities; Mr Christian Ahlund, Chair of the European Commission against Racism and Intolerance (ECRI); and Mr Gianni Buquicchio, President of the European Commission for Democracy through Law (Venice Commission). ([Read more](#) – [Agenda](#))

■ CM's Chairperson: Czech chairmanship to focus on the protection of vulnerable and disadvantaged groups (27.06.2017)

Lubomír Zaorálek, Minister for Foreign Affairs of the Czech Republic and Chair of the Committee of Ministers, addressing the Assembly, said that their priority line of action will focus on the protection of rights of persons belonging to vulnerable or disadvantaged groups. He identified other chairmanship priorities such as the support of local and regional democracy and public administration and strengthening the rule of law. He also called for deepening the co-operation which the Council of Europe maintains with the European Union. ([Read more](#))

B. Information from the Parliamentary Assembly

■ PACE: States must do more to uphold social rights (01.06.2017)

PACE's Social Affairs Committee said that member States need to do more to support the European Social Charter and ensuring that it is better integrated with similar initiatives in other European bodies. It called on states which have not yet done so to sign or ratify the revised European Social Charter and key protocols, and to work towards a pan-European "strategy for social rights". ([Read more](#) - [Report adopted](#))

■ PACE: Three weeks left to submit nominations to the Václav Havel Human Rights Prize (01.06.2017)

The deadline for the submission of nominations for the Vaclav Havel Human Rights Prize 2017, has been extended. The new deadline has been fixed on 30 June 2017, instead of the original deadline of 30 April. ([Read more](#))

■ PACE: pledge to push for laws to protect children online (01.06.2017)

On International Children's Day (1 June), at a meeting in Baku, the members of PACE's Social Affairs Committee said they would also push for policies which helped kids to become more aware of online risks, and encourage them to report risky behaviour. PACE members have pledged to do all they can to promote laws protecting children from cyber-bullying and harmful online content or abuse. ([Read more](#) - [Full declaration](#))

■ PACE: Immigration is both instrumental for modernisation of societies and for Europe's survival (02.06.2017)

PACE Committee on migration declared that European states should acknowledge that immigration into Europe is both instrumental for "renewed dynamic and modernisation of societies" and for Europe's survival of the 'demographic winter' which the continent is entering. The parliamentarians adopted a draft resolution, the Council of Europe member states should respect the rights and dignity of all refugees and asylum-seekers by ensuring them access to legal protection and assistance. ([Read more](#) - [Report adopted](#))

■ PACE: Tangible improvements but additional efforts are needed in the migration crisis in the Mediterranean (02.06.2017)

One year after the adoption of the EU-Turkey Statement, the implemented measures have delivered some tangible results. While the situation in Greece has largely improved in terms of reception, registration and asylum processing, some outstanding concerns still persist and require further efforts and improvements, PACE Committee on Migration said today. The draft resolution identifies and recommends to the countries concerned the introduction of a number of measures and actions which could contribute to the improvement of the situation in the short and long terms, moreover the parliamentarians made recommendations to the Greek, Italian and Turkey authorities. ([Read more](#) - [Report adopted](#))

■ PACE: The Chairperson of the Political Committee condemns the London attack (04.06.2017)

Mogens Jensen (Denmark, SOC), Chairperson of the Committee on Political Affairs and Democracy of the PACE condemned the attack, he thought s to the victims and stressed that "The perpetrators of this attack have shown no respect for human life and dignity". "More than ever, we must stand together to oppose hatred," concluded Mr Jensen. ([Read more](#))

■ PACE: Committee proposes procedure allowing for the dismissal of Assembly members holding high elective office (08.06.2017)

PACE's Committee on Rules of Procedure, Immunities and Institutional Affairs made public a draft resolution on the "Recognition and implementation of the principle of accountability in the Parliamentary Assembly", adopted at its meeting in Paris on 2 June. The report proposes amending the Assembly's Rules of Procedure and instituting "a procedure to bring into play the institutional accountability of holders of elective offices within the Assembly and to dismiss them during their term of office". ([Read more](#) - [Report adopted](#))

■ PACE: Promoting integrity in governance to tackle political corruption (15.06.2017)

"A strong democracy is the best anti-corruption tool" said Michele Nicoletti, presenting to PACE Political Affairs Committee members his report on "Promoting integrity in governance to tackle political corruption". The committee adopted a draft resolution, the adopted text invites governments to step up the fight against corruption by promoting integrity and transparency in public life at all levels. The role of the media in denouncing corruption should be acknowledged, while ensuring that media regulation respects media freedom and responsibility. ([Read more](#) - [Report](#))

■ PACE: Death of Helmut Kohl, loss of a great European leader (17.06.2017)

"I am deeply saddened to learn of the death of former German Chancellor Helmut Kohl," declared Mogens Jensen, Chairperson of the Political Affairs Committee of the PACE. "Helmut Kohl was not only a firm believer in a strong, free and united Europe but a champion of European construction" ; "He will also be remembered as a strong supporter of the Council of Europe and its Parliamentary Assembly, as the democratic conscience of Europe" he added. ([Read more](#))

■ PACE: Political Committee head said that London terror attack was a heinous hate crime (19.06.2017)

Mogens Jensen, Chairperson of the Political Affairs Committee of the PACE condemned what he described as a "heinous hate crime". PACE "has consistently drawn attention to the importance of upholding freedom of conscience and of religion" (art 9 of the Convention) he pointed out, "we must encourage fair and equitable treatment for all citizens, irrespective of their religious or ethnic origin, and to refrain from inciting hatred of any kind". ([Read more](#))

■ PACE: World Refugee Day, European countries should host people in need of protection (20.06.2017)

“On this particular day devoted to refugees, we should draw public attention to their plight but also recall the responsibility and solidarity which lies upon those more fortunate,” said Sahiba Gafarova, Chair of the Committee on Migration, Refugees and Displaced Persons, speaking on the occasion of World Refugee Day. “European countries should make more of an effort to receive and host people in need of international protection in a dignified way“ she added. ([Read more](#))

■ PACE: Allegations of corruption within PACE, composition of the independent external investigation body ratified (26.06.2017)

Parliamentarians have ratified the decision adopted by the PACE Bureau on 29 May 2017 to appoint Sir Nicolas Bratza (United Kingdom), Jean-Louis Bruguière (France) and Elisabeth Fura (Sweden) as members of the independent external investigation body to look into allegations of corruption within the Assembly. The investigation body will now start its work. ([Read more](#) - [Progress report](#) - [Video of the debate](#))

■ PACE: ‘Free debate’ on current issues not on the session agenda (26.06.2017)

Members of the PACE took part in a “free debate” this afternoon, in which they could speak on any current topic not already included in the session agenda.

The second part of this debate will take place on Friday 30 June. ([Read more](#) - [Speakers list](#) - [Video of the debate \(first part\)](#) - [Video of the debate \(second part\)](#) - [Web page of the Session](#))

■ PACE: Committee holds a parliamentary hearing on “European Court of Human Rights: the way forward, achievements and challenges” (27.06.2017)

On 27 June 2017 the committee held a parliamentary hearing on this subject with the participation of: Professor Marc Bossuyt, Professor Krzysztof Drzewicki and Dr. Peter Schneiderhan. ([Read more](#) - [Video link of the hearing](#))

■ PACE: A mixed picture, but PACE proposes ‘stepping up’ dialogue with parliament and NGOs in Belarus (27.06.2017)

While not ready to recommend restoring the Belarus Parliament’s special guest status, PACE has urged “stepping up” dialogue with the parliament, independent Belarusian NGOs and opposition forces. PACE said there is still a “lack of political will” in Belarus to bring its laws into line with international standards in the field of democracy, rule of law and human rights. The Assembly’s resolution spelled out a number of specific steps it wanted to see. The parliamentarians also called on the EU to consider the possibility of lifting all remaining sanctions against Belarus and move forward on visa liberalisation. ([Read more](#) - [Voting result](#)- [Video of the debate](#)- [Adopted text](#))

■ PACE: adoption of a procedure allowing for the dismissal of its members holding high elective office (27.06.2017)

PACE has decided to amend its Rules of Procedure and to institute a procedure to bring into play the institutional accountability of holders of elective offices within the Assembly making it possible “to dismiss them during their term of office”. The resolution adopted applies solely to high elective offices, namely the President and Vice-Presidents of the Parliamentary Assembly, and the chairpersons and

vice-chairpersons of the committees on the ground that “they no longer enjoy the confidence of the Assembly”. ([Read more](#) - [Adopted resolution](#) - [Voting result](#) - [Video of the debate](#))

■ PACE: Investigative journalism and whistleblowing are weapons against corruption (27.06.2017)

Investigative journalism is a “public asset” and a “key weapon in tackling corruption”, PACE said in a resolution. PACE encouraged national parliaments to “actively seek synergies with investigative journalists and media in promoting good governance” and to recognise “a ‘right to whistleblowing’”. In a recommendation also adopted, the PACE considered that “the Council of Europe should provide stronger support for improvements in national legislation relating to transparency and access to information as well as to the protection of whistle-blowers”. ([Read more](#) - [Adopted text](#) - [Voting result](#) - [Video of the debate](#))

■ PACE: Promoting integrity in governance to tackle political corruption (27.06.2017)

At the end of a debate on promoting integrity in governance to tackle political corruption, the Assembly said that stepping up the fight against corruption and restoring trust in the efficiency and effectiveness of democratic institutions “must be a priority” for many European democracies, including European institutions and PACE after allegations of corruption within it. PACE invited governments to step up the fight against corruption by promoting integrity and transparency in public life at all levels. The role of the media in denouncing corruption should be acknowledged. ([Read more](#) - [Adopted text](#) - [Voting result](#) - [Video of the debate](#))

■ PACE: Czech chairmanship of the CM to focus on the protection of vulnerable and disadvantaged groups (27.06.2017)

Lubomír Zaorálek, Minister for Foreign Affairs of the Czech Republic and Chair of the Committee of Ministers, addressing the Assembly, said that their priority line of action will focus on the protection of rights of persons belonging to vulnerable or disadvantaged groups. He identified other chairmanship priorities such as the support of local and regional democracy and public administration and strengthening the rule of law. He also called for deepening the co-operation which the Council of Europe maintains with the European Union. ([Read more](#) - [Video of the speech by Lubomír Zaorálek](#))

■ PACE: Second mandate as PACE General Rapporteur on Local and Regional Authorities for Luís Leite Ramos (28.06.2017)

At its meeting held on 1 June 2017 in Baku (Azerbaijan), the Committee on Social Affairs, Health and Development appointed Luís Leite Ramos (Portugal, EPP/CD) for a second mandate as General Rapporteur on Local and Regional Authorities of the Parliamentary Assembly. ([Read more](#) - [Interview by Luís Leite Ramos](#))

■ PACE: Piet de Bruyn, new General rapporteur on the rights of LGBTI people (28.06.2017)

The Committee on Equality and Non-Discrimination appointed Piet De Bruyn (Belgium, NR) as the new PACE General rapporteur on the rights of LGBTI people at its meeting in Strasbourg on 27 June 2017. He sets out his three priorities: being to draw attention to the situation of LGBTI people in Council of Europe member States, build bridges between LGBTI people and the institutions of the Council of Europe, and raise awareness about the situation and rights of intersex people. ([Read more](#) - [Interview by Piet de Bruyn](#))

■ PACE: Migration crisis in the Mediterranean, tangible improvements but additional efforts are needed (28.06.2017)

Implemented measures, from the EU-Turkey Statement, have delivered some tangible results. Adopting a resolution PACE recommends to the countries concerned measures and actions which could contribute to the improvement of the situation in the short and long terms. PACE called on the Greek authorities to continue increasing reception capacities and to speed up the processing of asylum applications. Italy, should increase the number of adequate facilities and review asylum procedures in order to increase their efficiency, while Turkey should comply with international human rights standards. ([Read more](#) - [Adopted resolution](#) - [Voting result](#) - [Video of the debate](#))

■ PACE: Immigration is instrumental both for modernisation of societies and for Europe's survival (28.06.2017)

European states should acknowledge that immigration into Europe is both instrumental for “renewed dynamic and modernisation of societies” and for Europe’s survival of the ‘demographic winter’ which the continent is entering, declared PACE. The crisis is more a political issue of migration management policy than of lack of resources or capacity. PACE adopted a resolution, which underlines that response to these challenges should be based on the principles of human dignity and solidarity and aim at improving co-operation and harmonising human rights protection. ([Read more](#) - [Adopted recommendation](#) - [Adopted resolution](#) - [Voting result](#) - [Statement by Thorbjørn Jagland](#))

■ PACE: “Migration will be a top global challenge for decades to come” said Morgan Johansson (28.06.2017)

Morgan Johansson, Minister for Justice and Migration of Sweden, addressing the Assembly in the context of a joint debate on migration, considers that Europe could do much more on resettlement and also called on European countries to increase their support to UNHCR, UNICEF and other organisations. At the same time, “we must have control over our outer borders and fight the ruthless smugglers”, “we must also have functioning systems of returns” he stressed. “Finally, we must never allow ourselves to fall back into the hate rhetoric,” he said. ([Read more](#) - [Video of the speech by Morgan Johansson](#))

■ PACE: 'European cities can play a central role in implementing integration policies' (28.06.2017)

“More than ever, European cities and local governments can play a crucial role in the protection of the rights of refugees and migrants, and their integration,” said the Mayor of Athens Georgios Kaminis, addressing the Assembly at the opening of a joint debate on migration. “The migration issue is here to stay and is far from being solved,” he warned. “Migrant and refugee presence should be seen as a unique source of wealth for European cities, as a main component of our inclusive and dynamic development,” Mr Kaminis concluded. ([Read more](#) - [Video of the statement by Georgios Kaminis](#))

■ PACE: Call for an end to ‘negative rhetoric’ on migrants (28.06.2017)

PACE has called for an end to “negative rhetoric” about migrants, pointing out that with the right policies migration can be very beneficial to Europe. Approving a resolution PACE urged more legal opportunities for migrants, and local policies to promote knowledge of different cultures and traditions, at the same time as integrating migrants into host societies. Yet the evidence showed they contributed to economic growth, demographic renewal and cultural diversity. ([Read more](#) - [Adopted recommendation](#) - [Adopted resolution](#) - [Video of the debate](#) - [Voting result](#) - [Statement by Nils Muižnieks](#))

■ PACE appeals for ‘political courage’ in integrating refugees, points to successful examples (29.06.2017)

PACE has called on European countries to show “political courage” in integrating refugees, pointing out that certain states have valuable experience in managing the integration of high numbers of refugees which they could share. In a resolution, PACE listed a number of “good practices” which had led to the successful integration of refugees. The parliamentarians spelled out the optimal conditions for integration: neither assimilation nor a multi-culturalism of native-born and refugee or migrant communities living separate existences. ([Read more](#) - [Adopted text](#) - [Voting result](#) - [Video of the debate](#))

■ PACE: European Diplomas awarded to seven municipalities in 2017 (29.06.2017)

The mayors of seven municipalities were presented with the 2017 European Diploma, honouring their work to promote the European ideal, at a ceremony at the Council of Europe headquarters in Strasbourg. The European Diploma, awarded by the Parliamentary Assembly of the Council of Europe (PACE), is the first step towards the prestigious Europe Prize. The winning towns are: Bergkamen, Denzlingen, Samos, Ponte San Nicolò, Ostrów, Wielkopolski, Morawica and Kikinda. ([Read more](#))

■ PACE: Current affairs debate, Europe’s common fight against terrorism (29.06.2017)

The Parliamentary Assembly of the Council of Europe (PACE) held a current affairs debate on “Europe’s common fight against terrorism: successes and failures”, opened by Talip Küçükcan (Turkey, EC). Seventeen members took the floor in the debate. ([Read more](#) - [Video of the debate](#))

■ PACE denounces ‘psychological’ methods used to exert political influence over the media (29.06.2017)

PACE has denounced methods used to exert political influence over journalists, more “insidious” psychological pressure aimed at inducing self-censorship, or putting critical media outlets out of business. PACE called for greater transparency of who owned media companies, a series of safeguards to preserve the independence of public service media, and a review of laws which could have a chilling effect on journalists. ([Read more](#) - [Adopted text](#) - [Video of the debate](#))

■ PACE: Concern over delays in implementing the Court’s judgments (29.06.2017)

PACE expressed deep concern about the number of Court judgments pending before the CM, nearly 10,000. The resolution adopted mentions serious structural problems in 10 states. PACE recalled on the States Parties to fully and swiftly implement the judgments. It also recommends condemning any kind of political statement aimed at discrediting the Court and calls for the establishment of parliamentary structures to ensure monitoring of the obligations stemming from the Convention. ([Read more](#) - [Adopted resolution](#) - [Voting result](#) - [Interview by Pierre-Yves Le Borgn'](#) - [Video of the debate](#))

■ PACE: Stop trivialisation and impunity of sexual violence in the public space (29.06.2017)

PACE expressed its concern at the magnitude of the phenomenon of sexual violence and harassment of women in the public space. Adopting a resolution PACE called for “an end to impunity” by prosecuting perpetrators of sexual violence and harassment in the public space. Awareness-raising campaigns should be launch and supported. The resolution proposes also to launch a dialogue with the media in order to give prominence to awareness campaigns and to associations working to combat violence against women. ([Read more](#) - [Adopted text](#) - [Voting result](#) - [Video of the debate](#))

■ PACE: Last day to submit nominations to the Vaclav Havel Human Rights Prize (29.06.2017)

The deadline for the submission of nominations for the 2017 Vaclav Havel Human Rights Prize has been extended. The new deadline has been set at 30 June 2017, instead of the original deadline of 30 April. The Václav Havel Human Rights Prize is awarded annually for outstanding civil society action in the defence of human rights in Europe and beyond. Any individual, non-governmental organisation or institution working to defend human rights can be nominated for the Prize. ([Read more](#))

■ PACE: Death of Simone Veil, an icon of French politics and a committed European (30.06.2017)

“I would like to pay tribute to Simone Veil, who dedicated her life to women’s rights and European ideals,” said Elena Centemero, Chairperson of PACE’s Committee on Equality and Non-Discrimination. A survivor of the Holocaust, Minister of Health, she changed the lives of many women. Simone Veil was also the first elected President of the European Parliament, she added. “Her courage and determination have been, and always will be, a source of inspiration for all women and for future generations.” ([Read more](#))

■ PACE: Reinforcing social rights in Europe (30.06.2017)

PACE called on member States to support, debates and co-operation launched under the “Turin process”. In a resolution adopted PACE called on the member States which have not yet done so, to ratify the European Social Charter (revised) so as to improve levels of compliance with this social rights standard. The adopted text also recommends strengthening the pan-European dialogue on social rights and the co-ordination of legal and political action with other European institutions, in particular the EU and its bodies. ([Read more](#) - [Adopted resolution](#) - [Vote on resolution](#) - [Adopted recommendation](#) - [Video of the debate](#))

■ PACE: PACE set to debate a motion for dismissal of its President at October session (30.06.2017)

A motion for dismissal of the President of the PACE, Pedro Agramunt, has just been tabled by 158 component members of the Assembly belonging to 5 political groups and 36 national delegations. In line with the Rules of Procedure, the motion shall be put to a vote of the Assembly at the opening of the part-session which immediately follows its publication (Strasbourg, 9-13 October). The voluntary resignation of the President from his office shall terminate the procedure. Until the final decision on the motion is taken, the President ceases to chair the meetings of the Assembly. ([Read more](#) – [Motion for dismissal](#))

C. Information from the Commissioner for Human Rights

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

D. Information from the monitoring mechanisms

■ GRECO: Exchange of views between the President of GRECO and the Ministers’ Deputies (01.06.2017)

On 31 May, GRECO’s President, Marin Mrčela, held his annual exchange of views with the Ministers’ Deputies. He stressed that “With the adoption of over 40 evaluation and compliance reports in 2016, GRECO continues to develop a solid experience and a thorough understanding of the main trends, challenges and good practices in the areas of the criminalisation of corruption, political funding, as well as corruption prevention in relation to members of parliament, judges and prosecutors ([Read more](#)).

■ GRECO: The Committee urges states to step up their action to prevent corruption (07.06.2017)

The GRECO has called on European governments, parliaments and judicial governing bodies to step up their efforts to create more effective preventive mechanisms against corruption ([Read more](#)).

■ GRECO: Conference on “Assessing in the Implementation and Effectiveness of Systems for Disclosing Interests and Assets by Public Officials (from 06.06.2017 to 07.06.2017)

Ms Vita Habjan Barborič, Bureau member of the Group of States against Corruption (GRECO) of the Council of Europe participated in this Conference organized by the OECD, the Regional Anti-Corruption Initiative (RAI), UNDP and other partners. She stated notably that “disclosure of interests and assets is widely regarded as a constituent element of a viable public integrity framework.” ([Read more](#)).

■ GRECO: 76th Plenary Meeting of GRECO (from 19.06.2017 to 23.06.2017)

At its plenary meeting, the GRECO will consider, for adoption, three evaluation reports on the prevention of corruption in respect of MP's, judges and prosecutors (Andorra, Monaco and Ukraine), as well as a number of compliance reports. In addition, it is expected to adopt an assessment of the Council of Europe Parliamentary Assembly's integrity framework. GRECO will also hold an exchange of views with a delegation of Tunisia in the context of the request by this country to become a member ([Read more](#)).

■ GRECO: The Committee issues critical assessment of the Parliamentary Assembly integrity framework (21.06.2017)

The GRECO published an assessment of the Code of Conduct for Members of the Parliamentary Assembly of the Council of Europe (PACE) in which it identifies significant shortcomings and points out the need for a number of improvements ([Read more](#)).

■ GRECO: Promoting integrity in governance to tackle political corruption (27.06.2017)

Stepping up the fight against corruption and restoring trust in the efficiency and effectiveness of democratic institutions “must be a priority” for many European democracies, including European institutions, the Assembly said today at the end of a debate on promoting integrity in governance to tackle political corruption ([Read more](#)).

■ MONEYVAL: Outcome of MONEYVAL's 53rd Plenary Meeting (02.06.2017)

MONEYVAL held its 53rd plenary meeting in Strasbourg from 30 May to 1 June 2017 ([Read more](#)).

■ ECRI: Strong surge of nationalistic populism, xenophobic hate speech were key challenges in Europe in 2016 (22.06.2017)

A strong surge of nationalistic populism, continued efforts to integrate migrants, and the response of European states to the continued Islamist terror attacks that struck Europe in 2016 were the main developments identified by the Council of Europe's anti-racism commission (ECRI) in its annual published report ([Read more](#)).

■ FCNM: Election of three experts eligible to serve on the Advisory Committee (06.06.2017)

Election of experts to the list of experts eligible to serve on the Advisory Committee in respect of Montenegro, the Russian Federation and Sweden ([Read more](#)).

■ FCNM: Advisory Committee, Adoption of three opinions (23.06.2017)

During its 59th plenary meeting this week, the Advisory Committee on the Framework Convention for the Protection of National Minorities adopted three country-specific opinions under the implementation of this convention in states parties. Fourth cycle opinions were adopted on Slovenia (21 June), Sweden and Romania (22 June). These Opinions are restricted for the time being ([Read more](#)).

PartTwo

INFORMATION BY COUNTRY

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

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

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

■ PACE: pre-electoral delegation in Albania welcomes that voters will have a variety of choices, remains concerned with strains on electoral process (02.06.2017)

A PACE pre-electoral delegation, was in Albania on 1 and 2 June. It welcomed that the voters will have a meaningful variety of choices. It noted with concern the strain put on independent institutions and on the electoral process, and concerns about the potential abuse of state resources, organised vote-buying and pressure on voters persist. The delegation hopes that the reform of electoral and political party legislation will continue and contribute to bridging the gap between politics and ordinary citizens. ([Read more](#))

■ PACE: free campaigning, basic freedoms respected, but a politicised election administration reduced trust in Albania elections (26.06.2017)

The 25 June parliamentary elections in Albania took place following a political agreement between the Socialist Party and Democratic Party that secured the participation of the opposition. Electoral contestants were able to campaign freely and fundamental freedoms of assembly and expression were respected. The implementation of the political agreement created challenges for the election administration and resulted in a selective and inconsistent application of the law, the international observers concluded in a statement. ([Read more](#))

Armenia

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|---|--------------|-----------------------------------|--------------------|
| AMIRKHANYAN 22343/08 | 3 March 2016 | CM/ResDH(2017)185 | Examination closed |
| SIMONYAN 18275/08 | 7 July 2016 | CM/ResDH(2017)185 | 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]

Azerbaijan

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: Rapporteur calls for release of Azerbaijani journalist Afqan Mukhtarli (20.06.2017)

Volodymyr Arieu, PACE General Rapporteur on Media Freedom and the Safety of Journalists, today expressed concern at the fate of independent freelance Azerbaijani journalist Afqan Mukhtarli, who was reported missing in Tbilisi, Georgia, on 29 May 2017. He deplores the intensification of repression against the independent press in Azerbaijan and calls on the Azerbaijani authorities to immediately release this detained journalist". ([Read more](#))

■ PACE: Statement by PACE monitors after their visit to Azerbaijan (21.06.2017)

The co-rapporteurs for the monitoring of Azerbaijan by the PACE, visited Baku from 12 to 14 June 2017. They discussed respect for human rights and continued their previous discussions with regard to the justice system in Azerbaijan. Discussions also focused on necessary reform concerning NGOs. The co-rapporteurs reiterated their concerns concerning freedom of expression and media freedom in the digital area and reiterated their concern at the case of Mehman Huseynov. ([Read more](#))

■ GRECO: Publication of the Second Addendum to the Second Compliance Report of Third Evaluation Round (28.06.2017)

GRECO has published its Second Addendum to the Second Compliance Report of Third Evaluation Round on Azerbaijan (on themes "Incriminations (ETS 173 and 191, GPC 2)" and "Transparency of Party Funding"), as adopted by GRECO at its 75th Plenary Meeting (Strasbourg, 20-24 March 2017) ([Read the report](#)).

Belgium

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|------------------|-----------------------------------|--------------------|
| DE CLERCK 34316/02 | 25 December 2007 | CM/ResDH(2017)149 | Examination closed |
| PANJU 18393/09 | 23 March 2015 | CM/ResDH(2017)149 | Examination closed |
| WAUTERS AND SCHOLLAERT 13414/05 | 13 August 2008 | CM/ResDH(2017)149 | Examination closed |
| BEHEYT 41881/02 | 13 August 2008 | CM/ResDH(2017)149 | Examination closed |
| RAIHANI 12019/08 | 15 March 2016 | CM/ResDH(2017)150 | 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]

Bosnia and Herzegovina

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|-----------------|-----------------------------------|--------------------|
| Šaćir HODŽIĆ 73579/11 | 11 October 2016 | CM/ResDH(2017)151 | Examination closed |
| MAKTOUF AND DAMJANOVIĆ 2312/08+ | 18 July 2013 | CM/ResDH(2017)180 | 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]

Croatia

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|------------------------------------|----------------|-----------------------------------|--------------------|
| KARDOŠ 25782/11 | 26 July 2016 | CM/ResDH(2017)186 | Examination closed |
| VUSIĆ 48101/07 | 1 October 2010 | CM/ResDH(2017)187 | 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]

Estonia

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|----------------------------------|-----------------|-----------------------------------|--------------------|
| SÕRO 22588/08 | 3 December 2015 | CM/ResDH(2017)152 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ **GRECO: The Committee issues a report on measures to prevent corruption in respect of MP's, judges and prosecutors in Estonia (23.06.2017)**

The GRECO published a report assessing measures taken by the Estonian authorities to prevent and combat corruption in respect of members of parliament, judges and prosecutors ([Read more](#)).

Finland

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 the Second Compliance Report (23.06.2017)

GRECO today made public its Second Compliance Report of Fourth Evaluation Round on Finland concerning corruption prevention in respect of members of Parliament, judges and prosecutors ([Read more - Read the report](#)).

France

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|-----------------------------------|-----------------|-----------------------------------|--------------------|
| A.M. 56324/13 | 12 October 2016 | CM/ResDH(2017)153 | 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]

Georgia

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|-----------------|-----------------------------------|--------------------|
| Kakhaber DVALI 64260/09 | 6 December 2016 | CM/ResDH(2017)154 | Examination closed |
| ALIEV 522/04 | 13 April 2009 | CM/ResDH(2017)181 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: Co-rapporteurs urge Georgian authorities to fully investigate abduction of Afqan Muxtarli (06.06.2017)

The co-rapporteurs of the PACE for Georgia, expressed their concerns regarding the alleged abduction and unlawful transfer to Azerbaijan of Azerbaijani journalist Afqan Muxtarli. They urged the Georgian authorities to fully investigate all allegations made in relation to this case and to be kept abreast of the outcome of these investigations. ([Read more](#))

Germany

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|----------------------------------|----------------|-----------------------------------|--------------------|
| W.P. 55594/13 | 6 January 2017 | CM/ResDH(2017)188 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ CPT: Uneven progress in treatment of detained persons and detention conditions, says the Committee (01.06.2017)

In the report on its most recent visit to Germany, the CPT praises progress made to improve the treatment of detained persons and detention conditions, but also found striking contrasts between establishments visited in different Federal States (Länder) ([Read more](#)).

Greece

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|--------------|-----------------------------------|--------------------|
| MYTILINAIOS AND KOSTAKIS 29389/11 | 2 Mai 2016 | CM/ResDH(2017)155 | Examination closed |
| SOCIÉTÉ ANONYME THALEIA KARYDI AXTE 44769/07 | 20 June 2011 | CM/ResDH(2017)189 | 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]

Hungary

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: rapporteur urges Hungary to work more closely with NGOs helping migrants (27.06.2017)

Duarte Marques, has urged the Hungarian authorities to co-operate more closely with non-governmental organisations assisting migrants, as well as international organisations dealing with migration issues. He also called on Hungary to “show greater transparency” in its dealings with NGOs helping migrants. He said that “these organisations are a crucial part of the ‘comprehensive response’ to the migration crisis that is urgently needed, and they help our governments to ensure the basic rights of asylum seekers and refugees on our territories are fully respected”. ([Read more - Interview by Duarte Marques - Information memorandum](#))

Ireland

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 the Fourth Round Compliance Report (29.06.2017)

GRECO has published its Fourth Round Compliance Report on Ireland which was adopted by GRECO at its 75th Plenary meeting (Strasbourg, 20-24 March 2017), after authorisation received from the authorities of Ireland ([Read the report](#) - [Read more](#)).

Italy

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|-----------------|-----------------------------------|--------------------|
| PILLA 64088/00 | 2 June 2006 | CM/ResDH(2017)156 | Examination closed |
| CENI 25376/06 | 16 March 2015 | CM/ResDH(2017)157 | Examination closed |
| OLIARI AND OTHERS 18766/11 | 21 October 2015 | CM/ResDH(2017)182 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ CPT: The Committee visited Italy to examine the situation of persons in immigration detention (15.06.2017)

A delegation of the CPT carried out an ad hoc visit to Italy from 7 to 13 June 2017 ([Read more](#)).

Latvia

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|--------------|-----------------------------------|--------------------|
| ČAMANS AND TIMOFEJEVA 42906/12 | 28 July 2016 | CM/ResDH(2017)158 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ CPT: Publication of a new report on Latvia (29.06.2017)

In a report on its most recent visit to Latvia (12-22 April 2016), the CPT calls on the Latvian authorities to take measures, among others, to prevent ill-treatment, guarantee the access to a lawyer, address inter-prisoner violence and improve access to healthcare in prisons ([Read more](#)).

Liechtenstein

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 Addendum on Liechtenstein (02.06.2017)

GRECO has published a Second Addendum to the Compliance Report of Joint First and Second evaluation rounds on Liechtenstein as adopted by the Plenary at its 75th Meeting (Strasbourg, 20-24 March 2017) ([Read more](#)).

Republic of Moldova

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: Pavel Filip hails his country's 'shared history' with the Council of Europe (26.06.2017)

Moldovan Prime Minister Pavel Filip has hailed the transformations his country is undergoing on the path of European integration, with the help of the Council of Europe – and urged Europe to stay true to its values. “The European project inspires and mobilises us,” the Prime Minister concluded. “Europe’s capacity to adapt to change – without giving up its principles – offers us a guarantee for a better future in an ever-changing world.” ([Read more](#))

Montenegro

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|---|-----------------|-----------------------------------|--------------------|
| Petko ŠČEKIĆ AND OTHERS AND 2 OTHER APPLICATIONS 24361/10 | 31 May 2016 | CM/ResDH(2017)159 | Examination closed |
| Bećo GLAVATOVIĆ 26461/07 | 8 November 2016 | CM/ResDH(2017)160 | Examination closed |
| Miličko ŠČEPOVIĆ AND 2 OTHER APPLICATIONS 14561/08+ | 8 November 2016 | CM/ResDH(2017)190 | Examination closed |
| Branislav KRSTIĆ AND 2 OTHER APPLICATIONS 43499/07 | 11 October 2016 | CM/ResDH(2017)191 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ FCNM: Receipt of the 3rd cycle State Report (19.06.2017)

Montenegro submitted its third State Report on 16 June 2017, in English, pursuant to Article 25, paragraph 2, of the Framework Convention for the Protection of National Minorities. The report is also available in Montenegrin. It is now up to the Advisory Committee to consider it and adopt an opinion intended for the Committee of Ministers ([Read the report](#) - [Read more](#)).

■ PACE: Montenegro will be a 'constructive partner' for the Council of Europe said Duško Marković (27.06.2017)

Montenegro's Prime Minister Duško Marković has reaffirmed his government's commitment to implementing Council of Europe standards and recommendations. As regards the European Convention on Human Rights, he said "it has been, and should remain, our starting point and our goal". Turning to the wider situation in the Western Balkans region, he highlighted good neighbourly relations as a key foreign policy priority. The support of the EU was vital for regional development, he

said, while NATO continued to be the best possible framework for guaranteeing Montenegro's security. ([Read more](#) - [Video of the adress by Duško Marković](#))

Norway

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

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

B. Resolutions, signatures and ratifications

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

C. Other information

■ GRETA: Publication of the Committee's second report on Norway (21.06.2017)

The GRETA published its second evaluation report on Norway. The report examines the impact of legislation, policy on trafficking, and the prosecution of traffickers. Particular attention is paid to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking ([Read more](#) - [Read the report](#)).

Poland

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--------------------------------------|------------------|-----------------------------------|--------------------|
| STETTNER 38510/06 | 24 June 2015 | CM/ResDH(2017)161 | Examination closed |
| OJCZYK 66850/12 | 17 May 2016 | CM/ResDH(2017)162 | Examination closed |
| MATCZAK 26649/12 | 23 February 2016 | CM/ResDH(2017)163 | 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]

Portugal

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|-----------------|-----------------------------------|--------------------|
| Augusto de JESUS MENDES 13460/13 | 9 December 2014 | CM/ResDH(2017)192 | Examination closed |
| António Luis DOS SANTOS AND 9 OTHER APPLICATIONS 18608/14 | 28 June 2016 | CM/ResDH(2017)192 | Examination closed |
| Maria Alzira da Cunha ALVIM PINHEIRO and others 55399/12 | 9 December 2014 | CM/ResDH(2017)192 | Examination closed |
| Maria José PEREIRA DOS REIS NABAIS MARTINS 63601/13 | 19 April 2016 | CM/ResDH(2017)192 | Examination closed |
| Emília DAS NEVES ARAÚJO 70481/12 | 7 October 2014 | CM/ResDH(2017)192 | 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]

Romania

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|---|-------------------|-----------------------------------|--------------------|
| PANTEA 33343/96 | 3 September 2003 | CM/ResDH(2017)164 | Examination closed |
| L.Z. 22383/03 | 3 May 2009 | CM/ResDH(2017)164 | Examination closed |
| RADU ALEXANDRU MARIUS 34022/05 | 21 October 2009 | CM/ResDH(2017)164 | Examination closed |
| BOROANCA 38511/03 | 22 September 2010 | CM/ResDH(2017)164 | Examination closed |
| ANTOCHI 36632/04 | 28 November 2011 | CM/ResDH(2017)164 | Examination closed |
| FILIP 41124/02 | 14 March 2007 | CM/ResDH(2017)165 | Examination closed |
| C.B. 21207/03 | 20 July 2010 | CM/ResDH(2017)165 | Examination closed |
| COLAC 26504/06 | 10 May 2015 | CM/ResDH(2017)166 | Examination closed |
| ȘERBAN 29453/07 | 5 July 2016 | CM/ResDH(2017)166 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

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

Russian Federation

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|----------------------|-----------------------------------|--------------------|
| FEDOTOVA 73225/01 | 13 September 2006 | CM/ResDH(2017)167 | Examination closed |
| BARASHKOVA 26716/03 | 29 July 2008 | CM/ResDH(2017)167 | Examination closed |
| ILATOVSKIY 6945/04 | 9 October 2009 | CM/ResDH(2017)167 | Examination closed |
| KUPTSOV AND KUPTSOVA 6110/03 | 3 June 2011 | CM/ResDH(2017)167 | Examination closed |
| LARYAGIN AND ARISTOV 38697/02+ | 8 April 2009 | CM/ResDH(2017)167 | Examination closed |
| MOSKOVETS 14370/03 | 23 July 2009 | CM/ResDH(2017)167 | Examination closed |
| PETR SEVASTYANOV 75911/01 | 14 September 2011 | CM/ResDH(2017)167 | Examination closed |
| SHABANOV AND TREN 5433/02 | 14 March 2007 | CM/ResDH(2017)167 | Examination closed |
| YEGORYCHEV 8026/04 | 17 August 2016 | CM/ResDH(2017)167 | Examination closed |
| KORMACHEVA AND 105 OTHER CASES 53084/99 | 14 June 2004 | CM/ResDH(2017)168 | 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]

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Serbia

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|-------------------|-----------------------------------|--------------------|
| Zoran DRAŠKOVIĆ 38341/06 | 18 October 2016 | CM/ResDH(2017)169 | Examination closed |
| EVT COMPANY 3102/05 | 21 September 2007 | CM/ResDH(2017)183 | Examination closed |
| EVT COMPANY 8024/08 | 13 January 2015 | CM/ResDH(2017)183 | Examination closed |
| RAGUŽ 8182/07 | 7 July 2015 | CM/ResDH(2017)183 | Examination closed |
| PAUNOVIĆ AND MILIVOJEVIĆ 41683/06 | 24 August 2016 | CM/ResDH(2017)193 | Examination closed |
| ISAKOVIĆ VIDOVIĆ 41694/07 | 1 October 2014 | CM/ResDH(2017)194 | Examination closed |
| ŠORGIĆ 34973/06 | 3 February 2012 | CM/ResDH(2017)195 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ CPT: The Committee visited Serbia to look into policing matters and the situation in remand detention (09.06.2017)

A delegation of the CPT carried out an ad hoc visit to Serbia from 31 May to 7 June 2017 ([Read more](#)).

Slovak Republic

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|-------------------------------------|---------------|-----------------------------------|--------------------|
| ČERNÁK 36997/08 | 14 April 2014 | CM/ResDH(2017)170 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

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

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

■ GRETA: Second evaluation visit to Spain (12.06.2017)

A delegation of the GRETA carried out a visit to Spain from 5 to 9 June 2017. The visit provided an opportunity to assess progress in the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Spain since GRETA's first evaluation of this country four years previously ([Read more](#)).

Sweden

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|---|----------------|-----------------------------------|--------------------|
| J.K. AND OTHERS 59166/12 | 23 August 2016 | CM/ResDH(2017)171 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

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

“The former Yugoslav Republic of Macedonia”

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|----------------|-----------------------------------|--------------------|
| Gorgija SAZDOVSKI 26970/13 | 4 October 2016 | CM/ResDH(2017)172 | Examination closed |
| Risto NOVOSELSKI 32327/13 | 4 October 2016 | CM/ResDH(2017)172 | Examination closed |
| Lidija DOROLOJKOVA 416/10 | 7 April 2015 | CM/ResDH(2017)172 | Examination closed |
| Valentina DUKOSKA and Liljana NEDELKOSKA 47274/07 | 17 June 2014 | CM/ResDH(2017)172 | Examination closed |
| Liljana KOČKOVSKA and others / et autres 50070/11 | 6 May 2014 | CM/ResDH(2017)172 | Examination closed |
| Vlado VELIČKOV 52184/13 | 4 October 2016 | CM/ResDH(2017)172 | Examination closed |
| Aleksandar NAKOVSKI 52235/09 | 26 August 2014 | CM/ResDH(2017)172 | Examination closed |
| Cvetan KRSTEVSKI AND 7 OTHER APPLICATIONS 18630/08+ | 1 April 2014 | CM/ResDH(2017)173 | Examination closed |

| | | | |
|--|---------------------|-----------------------------------|--------------------|
| Dimko KOČESKI AND 5 OTHER APPLICATIONS 20418/07+ | 1 April 2014 | CM/ResDH(2017)173 | Examination closed |
| Kiro DOČEVSKI AND 6 OTHER APPLICATIONS 46025/10+ | 26 August 2014 | CM/ResDH(2017)173 | Examination closed |
| Roza DELEVA 30458/13 | 15 November 2016 | CM/ResDH(2017)174 | Examination closed |
| Voislav DIMITRIEVSKI 24791/15 | 15 November 2016 | CM/ResDH(2017)174 | Examination closed |
| Marjan MICEVSKI 75245/12 | 15 November 2016 | CM/ResDH(2017)174 | Examination closed |
| Ljupčo LAZARESKI AND 2 OTHER APPLICATIONS 30762/15 | 13 December 2016 | CM/ResDH(2017)196 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: co-rapporteurs welcome new government and express hopes for sustainable and inclusive reforms by the “former Yugoslav Republic of Macedonia”

Co-rapporteurs of the PACE for post-monitoring dialogue with “the former Yugoslav Republic of Macedonia” welcome the formation of a new government, the wish of the new Prime Minister to promote inclusive governance and to work for the benefit of all citizens. They encourage the ruling coalition to build bridges and hear the concerns of the society. They also considered illegal wiretapping, the updating of the voters’ list and previous violent attacks against Members of Parliament. ([Read more](#))

Turkey

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|------------------|-----------------------------------|--------------------|
| ÜRÜN 36618/06 | 4 October 2016 | CM/ResDH(2017)175 | Examination closed |
| CASE OF THE INSTITUTE OF FRENCH PRIESTS AND OTHERS 26308/95 | 14 December 2000 | CM/ResDH(2017)176 | Examination closed |
| GÜNAYDIN TURİZM VE İNŞAAT TİCARET ANONİM ŞİRKETİ 71831/01 | 21 June 2011 | CM/ResDH(2017)197 | Examination closed |

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: PACE rapporteur expresses deep concern about the arrest of Taner Kiliç (08.06.2017)

Rapporteur of the PACE on "Ensuring the protection of human rights defenders in the member States of the Council of Europe" said that he is deeply concerned at the arrest of Taner Kiliç (and 22 other lawyers on 6 June because of the purges), a lawyer and head of Amnesty International in Turkey, suspected of belonging to the Gülen movement. He calls on the Turkish authorities to examine the charges against him in accordance with the standards of the European Convention on Human Rights (right to a fair trial and the principle of the presumption of innocence). ([Read more](#))

■ PACE: Secretary General Jagland says justice must start to work in Turkey now (26.06.2017)

Council of Europe Secretary General Thorbjørn Jagland, is concerned by the current situation regarding fundamental rights in Turkey because of the decision to charge Taner Kiliç with "membership of a terrorist organisation". According to him, the death penalty could have no place in the ECHR system. Moreover Mr Jagland would support investigations on allegations of corruption within the PACE. He told parliamentarians he was confident that the European Union would accede to

the ECHR, despite being stalled by a decision of the European Court of Justice in December 2015. ([Read more](#))

■ **GRECO: Compliance Report on Turkey (12.06.2017)**

GRECO has published its Third Interim Compliance Report of Third Evaluation Round on Turkey, as adopted by GRECO at its 74th Plenary Meeting (Strasbourg, 28 November - 2 December 2016) ([Read more](#)).

Ukraine

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|-------------------|-----------------------------------|--------------------|
| SOKURENKO AND STRYGUN 29458/04+ | 11 December 2006 | CM/ResDH(2017)177 | Examination closed |
| VERITAS 39157/02 | 13 February 2009 | CM/ResDH(2017)177 | Examination closed |
| BAZALT IMPEKS, TOV 39051/07 | 1 March 2012 | CM/ResDH(2017)177 | Examination closed |
| FIRMA VERITAS, TOV 2217/07 | 15 May 2012 | CM/ResDH(2017)177 | Examination closed |
| YURIY NIKOLAYEVI CH IVANOV 40450/04 | 15 January 2010 | CM/ResDH(2017)184 | Temporary decision |
| ZHOVNER GROUP 56848/00 | 29 September 2004 | CM/ResDH(2017)184 | Temporary decision |
| ALIEV 41220/98 | 29 July 2003 | CM/ResDH(2017)198 | Examination closed |
| DANKEVICH 40679/98 | 29 July 2003 | CM/ResDH(2017)198 | Examination closed |
| KHOKHLICH 41707/98 | 29 July 2003 | CM/ResDH(2017)198 | Examination closed |

| | | | |
|---------------------------------------|--------------|-----------------------------------|--------------------|
| NAZARENKO 39483/98 | 29 July 2003 | CM/ResDH(2017)198 | Examination closed |
|---------------------------------------|--------------|-----------------------------------|--------------------|

B. Resolutions, signatures and ratifications

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

C. Other information

■ PACE: How PACE supports the Ukrainian parliament to implement Council of Europe standards (13.06.2017)

The ability of Ukraine's parliament to pass laws that are in line with Council of Europe standards has been given a major boost in recent months with a series of three "capacity-building" events organised by PACE – focusing in particular on the standards of the European Convention of Human Rights. ([Read more](#))

■ CPT: The Committee concerned about police ill-treatment and poor conditions of detention of remand and life-sentenced prisoners (19.06.2017)

In the report on its November 2016 visit to Ukraine, the CPT expresses serious concern about the frequency of allegations of ill-treatment by police officers (such as slaps, punches, kicks or blows with a truncheon or a plastic bottle filled with water). In most cases, the ill-treatment was allegedly inflicted by operational police officers attempting to obtain confessions or other information. In a number of cases, the CPT's delegation also gathered medical evidence consistent with the allegations made. The CPT calls upon the Ukrainian authorities to pursue a policy of "zero tolerance" of police ill-treatment ([Read more](#)).

United Kingdom

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

| CASE | DATE | RESOLUTION | CONCLUSION |
|--|-------------------|-----------------------------------|--------------------|
| VINTER AND OTHERS 66069/09 ± | 9 July 2013 | CM/ResDH(2017)178 | Examination closed |
| IBRAHIM AND OTHERS 50541/08 | 13 September 2016 | CM/ResDH(2017)179 | 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]