



# REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue № 155

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Information **selected** by the « Versailles St-Quentin Institutions Publiques » research centre  
(Versailles St-Quentin-en-Yvelines University, France), under the responsibility of the  
Directorate of Human Rights (DG I) of the Council of Europe  
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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 September 2017) by the European Court of Human Rights, the European Committee of Social Rights, the Committee of Ministers, the Parliamentary Assembly and other Council of Europe monitoring mechanisms.

# PartOne

## §1 - EUROPEAN COURT OF HUMAN RIGHTS

### A. Judgments

#### 1. Judgments deemed of particular interest to the NHRs

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

Some judgments are available only in French.

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

#### Note on the Importance Level:

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

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

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

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

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

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

**RANDELOVIĆ AND OTHERS V. MONTENEGRO (No.66641/10) - Importance 3 - 19 September 2017 - Violation of Article 2 - Domestic authorities’ failure to conduct an effective investigation into deaths and dissappearances following a boat accident**

The case concerned a group of Roma who had boarded a boat on the Montenegrin coast with the intention of reaching Italy, which had sunk in August 1999. The applicants argued that the domestic authorities had failed to conduct a prompt and effective investigation into the deaths or disappearance of their family members.

Referring to its case-law, the Court first underlined that the passage of time inevitably eroded the amount and quality of evidence available and that the appearance of a lack of diligence cast doubt on the good faith of the investigative efforts. Lengthy proceedings also prolonged the ordeal for members

of the family. The Court observed that more than ten years after the new indictment had been issued, the criminal proceedings were still pending at second instance. Between the time that the new formal investigation had been opened in November 2004 and the new indictment issued two years later, only one piece of evidence had been obtained, namely an expert opinion on the capacity of the boat. During the three years following the new indictment, the authorities had not been successful in serving it on all the defendants. Furthermore, between 2009 and 2014, 15 hearings had been held while a total of 22 hearings had been adjourned for various reasons. The Court therefore considered that the authorities had failed to justify the lengthy proceedings in the period following the entry into force of the Convention in respect of Montenegro.

There had been a violation of Article 2 of the Convention.

Article 41 (Just satisfaction)

The Court held that Montenegro was to pay the applicants EUR 12,000 in respect of non-pecuniary damage and EUR 500 in respect of costs and expenses.

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

**REGNER V. THE CZECH REPUBLIC (No. 35289/11) - Importance Case Reports - 19 September 2017 - No violation of Article 6 § 1 - Withdrawal of a senior public official's security clearance on the basis of confidential information**

The case concerned the applicant's complaint that he had been unable to have sight of decisive evidence, regarded as classified information, during the proceedings he had brought to challenge the decision withdrawing his security clearance.

The Court observed that the proceedings brought by the applicant to challenge the withdrawal of his security clearance had been restricted in two ways with regard to the rules of ordinary law guaranteeing a fair trial. Firstly, the classified documents and information had not been available either to him or to his lawyer, and secondly, in so far as the decision withdrawing security clearance had been based on those documents, the grounds underlying the decision had not been disclosed to him.

Firstly, the Court found that the courts had unlimited access to all the classified documents on which the domestic authority based itself in order to justify its decision. Moreover, they had power to assess the merits of the domestic authority's decision revoking security clearance and to quash, where applicable, an arbitrary decision of the domestic authority.

Secondly, the jurisdiction of the courts examining the dispute encompassed all the facts of the case and was not limited to an examination of the grounds relied on by the applicant, who had been heard by the judges and had also been able to make submissions in writing. The applicant would thus have been able to mount a clear-sighted and focused defence and the courts dealing with the case would not have had to compensate for the lacunas of the defence.

Thirdly, the Court observed that the courts had duly exercised the powers of scrutiny available to them in this type of proceedings, both regarding the need to preserve the confidentiality of the classified documents and regarding the justification for the decision withdrawing the applicant's security clearance. The Supreme Administrative Court had explained that it was not legally possible to indicate where exactly the security risk lay or to indicate precisely which considerations underlay the conclusion that there was a security risk, the reasons and considerations underlying the domestic authority's decision originating exclusively in the classified information. The Court noted that the applicant had been prosecuted for participation in organized crime; aiding and abetting abuse of public power; complicity in illegally influencing public tendering and public procurement procedures; and aiding and abetting breaches of binding rules governing economic relations. It found it understandable that where such suspicions existed the domestic authorities considered it necessary to take rapid action without waiting for the outcome of the criminal investigation, while preventing the disclosure, at an early stage, of suspicions affecting the persons in question, which would run the risk of hindering the criminal investigation.

Fourthly, the Court observed that the intelligence service's report, which had served as a basis for the decision withdrawing the applicant's security clearance, had been classified in the lowest category of confidentiality, namely, the "restricted" category. However, it considered that that fact had not deprived the domestic authorities of the right not to disclose the contents to the applicant.

Accordingly, having regard to the proceedings as a whole, to the nature of the dispute and to the margin of appreciation enjoyed by the domestic authorities, the Court considered that there had been no violation of Article 6 § 1 of the Convention.

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

**BĂRBULESCU V. ROMANIA (No. 61496/08) - Importance 1 - 5 September 2017 - Violation of Article 8 - Domestic authorities' failure to strike a fair balance between the applicant's right to respect for his private correspondence and an employer's right to ensure the good running of his company**

The case concerned the decision of a private company to dismiss an employee after monitoring his electronic communications and accessing their contents, and the alleged failure of the domestic courts to protect his right to respect for his private life and correspondence.

The Court first confirmed that Article 8 was applicable in the applicant's case, concluding that his communications in the workplace had been covered by the concepts of "private life" and "correspondence". It also took the view that an employer's instructions could not reduce private social life in the workplace to zero. As to the question of whether the domestic courts had struck a fair balance between the interests at stake, the Court first observed that the domestic courts had expressly referred to the applicant's right to respect for his private life and to the applicable legal principles. They had also examined whether the disciplinary proceedings had been conducted in an adversarial manner. However, the Court observed that they had omitted to determine whether the applicant had been notified in advance of the possibility that his employer might introduce monitoring measures, and of the nature of such measures. Following international and European standards (namely necessity, purpose specification, transparency, legitimacy, proportionality and security), the Court considered that to qualify as prior notice, the warning from an employer had to be given before the monitoring was initiated. However, the applicant had not been informed in advance of the extent and nature of his employer's monitoring, or the possibility that the employer might have access to the actual contents of his messages.

The Court then observed that the scope of the monitoring and the degree of intrusion into the applicant's privacy had not been examined by the domestic courts. Nor had they carried out a sufficient assessment of whether there had been legitimate reasons to justify monitoring the applicant's communications. Furthermore, they had not sufficiently examined whether the aim pursued by the employer could have been achieved by less intrusive methods. Having regard to those considerations, the Court concluded that the domestic authorities had not adequately protected the applicant's right to respect for his private life and correspondence and that they had consequently failed to strike a fair balance between the interests at stake.

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

Article 41 (Just satisfaction)

The Court held that the finding of a violation constituted in itself sufficient just satisfaction for the non-pecuniary damage sustained by the applicant.

**NDIDI V. THE UNITED KINGDOM (No. 41215/14) - Importance 3 - 14 September 2017 - No violation of Article 8 - Deportation order in respect of a persistent offender and a settled migrant**

The case concerned a Nigerian national's complaint about his deportation from the United Kingdom to his home country. The applicant arrived with his mother in the UK aged two. He had an escalating history of offending from the age of 12, with periods spent in institutions for young offenders. He was released in March 2011, aged 24, and served with a deportation order. All his appeals were unsuccessful. He is currently awaiting deportation, pending an application to the Nigerian authorities for a valid travel document. The applicant alleged in particular that his deportation would constitute a disproportionate interference with his right to respect for his family and private life, notably with his son who was born in 2012 to a British national with no connection to Nigeria.

The Court considered that the case required careful scrutiny, given the length of his residence in the UK, his relationship with his son and other family members there, and his limited ties to his home country. However, the Court saw no grounds for calling into question the domestic authorities' decision to deport him. All the domestic decision-makers had given thorough and careful consideration to the requirements of Article 8 of the Convention in the case, including the requirement that the deportation order had to strike a fair balance between the applicant's right to private and family life, on the one hand, and the community's interests, on the other. The Court pointed out in particular that there would have to be strong reasons for it to carry out a fresh assessment of this balancing exercise, especially where independent and impartial domestic courts had carefully examined the facts of the case, applying the relevant human rights standards consistently with the European Convention and its case-law.

Thus, there had been no violation of Article 8 of the Convention.

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

**AXEL SPRINGER SE AND RTL TELEVISION GMBH V. GERMANY (No. 51405/12) - Importance 2 – 21 September 2017 - No violation of Article 10 - Domestic authorities's decision to ban the publication of images of a defendant in a criminal trial in order to protect his presumption of innocence and his social rehabilitation**

The case concerned the complaint by two media companies about a judicial order banning the publication of images in which the defendant in a criminal trial for murder could be identified.

The Court first observed that the domestic judge had addressed the conflict between the opposing interests and had applied the relevant provisions under national law by carefully weighing the relevant aspects of the case. Notably, the order had been proportionate to the legitimate aim pursued, namely to protect the personality rights of the defendant during his trial, in the course of which he was to be presumed innocent until proved guilty, as the order had not been a particularly severe restriction on reporting. The Court also noted that the order had only banned the publication of images in which he could be identified. Furthermore, the information on the defendant's physical appearance could not have contributed significantly to a public debate, the defendant being undoubtedly not a public figure.

As to the fact that the defendant had confessed to the crime, the Court noted that a confession in itself did not remove the protection of the presumption of innocence during a trial. Finally, it had to be taken into consideration that the publication of images in which a defendant could be identified might have negative implications on a later social rehabilitation, if convicted.

Therefore, there had not been a violation of Article 10 of the Convention.

- **Article 1 of Protocol No. 1**

**FÁBIÁN V. HUNGARY (No. 78117/13) - Importance unspecified - 05 September 2017 - No violation of Article 1 of Protocol No. 1 - Suspension of the old-age pension of a civil servant who continued to work in the public sector - No violation of Article 14 taking in conjunction with Article 1 of Protocol No. 1 - Lack of difference in treatment with pensioners working in the private and public sectors**

The case concerned the applicant's complaint about the suspension of disbursement of his pension alleging that he had been subjected to an unjustified difference in treatment compared with pension recipients working in the private sector and those working in certain categories within the public sector.

**Article 1 of Protocol No. 1**

Firstly, the Court observed that the interference in question had been prescribed by the domestic law and had pursued an aim in the general interest, that of protecting the public purse with a view to ensuring the long-term sustainability of the domestic pension system and reducing public debt.

Secondly, the Court noted that the system in question was a contributory old-age pension scheme and that such pensions were in general intended to provide compensation for reduced earning capacity as persons got older. The applicant, who had taken early retirement when he was close to 47 years old,



had become entitled to a pension on the basis of contributions made over a far shorter period of time than that for which contributions were usually paid. Thereafter he had continued to contribute to the Pension Fund as a result of his employment in the private and the public sector, after taking early retirement.

Thirdly, the Court reiterated that the funding methods of public pension schemes varied considerably from one Contracting State to another and that matters relating to social and economic policies fell in principle within the wide margin of appreciation accorded to States in this area.

Consequently, bearing in mind the State's wide margin of appreciation in the matter and the legitimate aims of protecting the public purse and ensuring the long-term sustainability of the domestic pension system, the Court found that there had been no violation of Article 1 of Protocol No. 1 to the Convention.

Article 14 taking in conjunction with Article 1 of Protocol No. 1

The Court went on to find that the applicant had not demonstrated that, as a member of the civil service whose employment, remuneration and social benefits were dependent on the domestic authorities' budget, he had been in a relevantly similar situation to pensioners employed in the private sector. Furthermore, under the domestic law, employment in the civil service and employment in the private sector were treated as distinct categories, and the applicant's specific profession within the civil service was difficult to compare with any in the private sector; moreover, no relevant comparisons had been suggested by him. Finally, with regard to his employment relationship, the domestic authorities had not functioned only as regulator and standard-setter but had also been his employer. It was therefore for the domestic authorities to lay down, in that capacity as employer, the terms of employment for its personnel and, as manager of the Pension Fund, the conditions for disbursement of pensions.

Consequently, the Court held that there had been no discrimination, and therefore no violation of Article 14 of the Convention taking in conjunction with Article 1 of Protocol No. 1 to the Convention.

# 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	14 September 2017	<a href="#">MATEVOSYAN</a> (No. 52316/09)	3	Violation of Art. 3 (procedural)	Domestic authorities’ failure to carry out an effective investigation into the applicant’s allegations of ill-treatment.
AUSTRIA	21 September 2017	<a href="#">SÉVÈRE</a> (No. 53661/15)	2	Violation of Art. 8	Domestic authorities’ failure to adopt any further coercitive measures in the first set of enforcement proceedings and to reassess in a prompt manner (5 and a half years) whether the enforcement of the children’s return order would entail a severe risk irretrievably resulted in a change of circumstances determined by the passage of time as the children had meanwhile adapted well to living in Austria with their mother.
BELGIUM	05 September 2017	TEKIN AND ARSLAN (IN FRENCH ONLY) (No. 37795/13)	2	Violation of Art. 2	Not absolutely necessary use of force.
CROATIA	07 September 2017	<a href="#">EZGETA</a> (No. 40562/12)	3	Violation of Art. 6§1	The domestic court that heard the applicant’s case cannot be regarded as a “tribunal established by law” as the proceedings were conducted by a court administrator who was not authorized under domestic law to conduct such proceedings.
ESTONIA	12 September 2017	<a href="#">ROIGAS</a> (No. 49045/13)	2	No violation of Art. 2	The domestic authorities have demonstrated that both the civil-law and criminal-law remedies exist and function in practice and the criminal-law remedy used by the applicant in the present case cannot be said to have been applied ineffectively.

FRANCE	07 September 2017	LACROIX (IN FRENCH ONLY) (No. 41519/12)	3	Violation of Art. 10	No fair balance struck between the necessity to protect the applicant's right to freedom of speech and the one to protect the rights and the reputation of the plaintiffs.
GEORGIA	07 September 2017	MIRZASHVILI (No. 26657/07)	2	Violation of Art. 3	Lack of medical treatment for the applicant's cancer in detention until March 2008.
				No violation of Art. 3	No negligence on the domestic authorities' part with respect to the applicant or his serious medical condition during the phase of the treatment after March 2008.
	21 September 2017	KUPARADZE (No. 30743/09)	3	No violation of Art. 3	Absence of evidence in order to establish the existence of the alleged poor conditions of detention
				No violation of Art. 6 § 1 taken alone or in conjunction with Art. 6 § 3 (d)	Fairness of proceedings
				No violation of Art. 6 § 1	Fairness of proceedings
GERMANY	07 September 2017	D.J. (No. 45953/10)	3	No violation of Art. 5§1	Lawful detention: sufficient causal connection between the applicant's criminal conviction and his continued deprivation of liberty in preventive detention.
		EROL (No. 68250/11)	3	No violation of Art. 5§4	Neither dismissing the offer of the applicant's family to furnish security directly with the court nor additionally basing the applicant's detention on a risk of reoffending rendered the domestic court's decision arbitrary.

<b>GERMANY (CONTINUED)</b>	07 September 2017	<a href="#"><u>STOLLENWARK</u></a> (No. 8844/12)	2	Violation of Art. 5§4	No true adversarial proceedings and violation of the principle of equality of arms.
<b>GREECE</b>	07 September 2017	<b>PIALOPOULOS AND OTHERS (No. 2)</b> ( <a href="#"><u>IN FRENCH ONLY</u></a> ) (No. 40758/09)	3	Violation of Art. 13 taken with Art. 1 of Prot. No. 1	Lack of judicial remedy available to the applicant to contest the lack of damages due to him because of the expropriation of his property causing him to be unable to make use of it.
				Violation of Art. 6§1	Excessive and unreasonable length of proceedings.
<b>ITALY</b>	14 September 2017	<b>Bozza</b> ( <a href="#"><u>IN FRENCH ONLY</u></a> ) (No.17739/09)	2	Violation of Art. 6§1	Excessive and unreasonable length of proceedings.
<b>NORWAY</b>	07 September 2017	<a href="#"><u>M.L.</u></a> (No. 43701/14)	3	No violation of Art. 8	The domestic authorities, when finding that placement in an external foster home was in the best interests of the child, did not exceed the margin of appreciation afforded to them, and the reasons for that decision were relevant and sufficient.
<b>TURKEY</b>	05 September 2017	<a href="#"><u>BAYRAM KOC</u></a> (No. 38907/09)	3	Violation of Art. 6§§1 & 3 (c)	Systemic restriction of the applicant's access to a lawyer.
		<a href="#"><u>Bozkaya</u></a> (No. 46661/09)	3	Violation of Art. 6§§1 & 3 (c)	The absence of a close scrutiny by the domestic courts of the circumstances surrounding the applicant's waiver and the fact that this flaw was not remedied by any other procedural safeguards during the proceedings rendered the trial as a whole unfair.
				Violation of Art. 6§1	Excessive and unreasonable length of proceedings.

TURKEY (CONTINUED)	05 September 2017	<a href="#">TÜRK</a> (No. 22744/07)	3	Violation of Art. 6§§1 & 3 (c)	The absence of close scrutiny by the domestic courts of the circumstances surrounding the applicant's waiver and the fact that that flaw was not remedied by any other procedural safeguards during the proceedings coupled with the use of those statements by the trial court to convict the applicant rendered the trial as a whole unfair.
	12 September 2017	<a href="#">KARATAS AND OTHERS</a> (No. 46820/09)	3	Violation of Art. 2	Impossibility to conclude that the use of force was absolutely necessary and proportionate.

## B. Decisions on admissibility

Those decisions are published with a slight delay of two to three weeks on the Court's website. Therefore the decisions listed below cover the period **from 1 July to 31 August 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
GREECE	29 August 2017	<a href="#"><u>SIOUTIS V. GREECE</u></a> (No. 16393/14)	Violation of Art. 10 of the Convention (Breach of the right to receive information by the competent authority's refusal to provide the applicant with a copy of decision of the multi-member first-instance civil court on the grounds that the applicant did not have a legitimate interest)	Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention
LITHUANIA	11 July 2017	<a href="#"><u>KAZLAUSKAS V. LITHUANIA</u></a> (No. 13394/13)	Violation of Art. 8 of the Convention (Inability to receive long-term conjugal visits from the applicant's spouse), Art. 14 taken in conjunction with Art. 8 of the Convention (Discrimination as a convict serving a sentence in prison as opposed to a person serving a sentence in a correctional facility because he was not entitled to long-term conjugal visits)	Rejected as incompatible <i>ratione personae</i> with the provisions of the Convention
	4 July 2017	<a href="#"><u>ČIAPAS V. LITHUANIA</u></a> (No. 62564/13)	Violation of Art. 8 of the Convention (Refusal of the applicant's request for conjugal visits from his former wife while detained in the prison), Art. 14 in conjunction with Art. 8 of the Convention (Discrimination as a convict serving a sentence in prison as opposed to a person serving a sentence in a correctional facility because he was not entitled to long-term conjugal visits)	<i>Rejected as incompatible ratione personae with the provisions of the Convention</i>

MALTA	4 July 2017	<a href="#"><u>GALEA AND PAVIA V. MALTA</u></a> (Nos. 77209/16, 77225/16)	Violation of Art. 6 of the Convention (Violation of the right to a fair trial by an independent and impartial tribunal, and about the length of the criminal proceedings brought before the applicants), Art. 3 of the Convention (Inhuman and degrading treatment due to the length of the proceedings and the lack of a fair trial that had resulted in physical and psychological suffering), Art. 13 in conjunction with Art. 6 and Art. 3 of the Convention (Lack of an effective remedy for the violation of the applicants' rights)	Partly inadmissible as manifestly ill-founded (fairness under Article 6) and incompatible <i>ratione materiae</i> (complaint under Article 3) with the provisions of the Convention
NETHERLANDS	11 July 2017	<a href="#"><u>E.P. AND A.R. V. THE NETHERLANDS</u></a> (Nos. 43538/11, 63104/11)	Violation of Art. 3 of the Convention (Risk being subjected to inhuman and degrading treatment if the applicant would be removed to Afghanistan), Art. 6 of the Convention ("Knowing and personal participation" test carried out in the proceedings on the applicants' asylum application breach the right to a fair and public hearing), Art. 8 of the Convention (Violation of the right to respect the applicants' family life by the refusal by the domestic authorities to grant the applicants a residence permit), Art. 13 of the Convention (Lack of an effective remedy).	Rejected as manifestly ill-founded (under Article 3 and Article 8) and incompatible <i>ratione materiae</i> (under Article 6) with the provisions of the Convention
		<a href="#"><u>S.M.A V. THE NETHERLANDS</u></a> (No. 46051/13)	Violation of Art. 1, 3, 5, 6, 7, 8, 13 and 14 of the Convention (The applicant's removal to Afghanistan was contrary with his right not to be subjected to inhuman and degrading treatment that awaited him there for having worked as a teacher for the former communist regime. Lack of effective remedy.)	Rejected as manifestly ill-founded (under Article 3 and Article 8) and incompatible <i>ratione materiae</i> (under Article 13) with the provisions of the Convention

RUSSIA	4 July 2017	<a href="#"><u>BAYDIN V. RUSSIA</u></a> (No. 33027/05)	Violation of Art. 6 § 3 (b) and (c) of the Convention (Lack of legal assistance on appeal and lack of an opportunity to study the prosecutor's written submissions), Art. 6 § 3 (b), (c) and (d) of the Convention (Various procedural violations: lack of effective legal services at the trial due to the counsel's failure to choose the correct legal tactic, lack of records of victims' and witnesses' statements)	Rejected as incompatible <i>ratione personae</i> with the provisions of the Convention
UKRAINE	29 August 2017	<a href="#"><u>MAKAROVY AND OTHERS V. UKRAINE</u></a> (No. 32545/12)	Violation of Art. 2 of the Convention (The domestic authorities failure to take reasonable measures to protect the applicants' relatives' lives during the air show; the ineffective investigation), Art. 6 § 1 of the Convention (Inordinately lengthy and unfair criminal proceedings), Art. 13 of the Convention (Lack of any means to speed up the consideration of the applicants' compensation claims), Art. 3 and 14 of the Convention and Art. 1 of Protocol No.1 to the Convention (Refusal of the domestic authorities to conclude a friendly settlement agreement with the applicants; underestimation of the compensation awarded to the applicants)	Rejected as incompatible <i>ratione personae</i> (substantive limb of Article 2) with the provisions of the Convention and manifestly ill-founded (the remaining complaints)



<p><b>UKRAINE</b> <b>(CONTINUED)</b></p>	<p>29 August 2017</p>	<p><a href="#"><u>KHRAMKOVY AND OTHERS V. UKRAINE</u></a> <b>(No. 32604/12)</b></p>	<p>Violation of Art. 2 of the Convention (The domestic authorities failure to take reasonable measures to protect the applicants' and their relatives' lives during the air show; the ineffective investigation), Art. 6 § 1 of the Convention (Inordinately lengthy and unfair criminal proceedings), Art. 13 of the Convention (Lack of any means to speed up the consideration of the applicants' compensation claims), Art. 3 and 14 of the Convention and Art. 1 of Protocol No.1 to the Convention (Refusal of the domestic authorities to conclude a friendly settlement agreement with the applicants; underestimation of the compensation awarded to the applicants)</p>	<p>Rejected as incompatible <i>ratione personae</i> (substantive limb of Article 2) with the provisions of the Convention and manifestly ill-founded (the remaining complaints)</p>
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### C. Communicated cases

The European Court of Human Rights publishes on a weekly basis a list of the communicated cases on its website. These are cases concerning individual applications which are pending before the Court. They are communicated by the Court to the respondent State's Government with a statement of facts, the applicant's complaints and the questions put by the Court to the Government concerned. The decision to communicate a case lies with one of the Court's Chamber which is in charge of the case. A **selection** of those cases **covering the period from 1 to 30 June** 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
AZERBAIJAN	8 June 2017	<a href="#">BABAYEVA</a> (No. 33184/16)	The applicant complains that her brother was murdered by prison guards and that the State failed to protect the life of her brother in prison.
LITHUANIA	29 June 2017	<a href="#">D.R.</a> (No. 691/15)	The applicant complains that she was taken against her will for a psychiatric examination without being informed of the reasons for her apprehension, and that a record of provisional arrest was not drawn up.
POLAND	22 June 2017	<a href="#">MICHALSKI</a> (No. 78851/16)	The applicant complains that it took eight years for the prison authorities to ensure the removal of the foreign object from his eye.
RUSSIA	27 June 2017	<a href="#">SATYBALOVA AND OTHERS</a> (No. 79947/12)	The applicants complain that their relative was subjected to severe beatings by the police officers and died as a result.

## 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	27 September 2017	<u>Rec(2017)7</u>	On the contribution of the European Landscape Convention to the exercise of human rights and democracy with a view to sustainable development	CM recommends that the governments of States Parties to the European Landscape Convention, take, among others, measures and policies in the long term and throughout the entire territory with a view to sustainable development. They should apply the principles of human rights and democracy in landscape policies, and guarantee the right to participation. They should also implement the principle of non-regression.
CM	27 September 2017	<u>Rec(2017)8</u>	On Big Data for culture, literacy and democracy	CM recommends that governments of the member States take positive steps, and support programmes towards providing critical digital media and information literacy in society. They should also support the development of a multistakeholder policy exchange on the future of culture.
CM	27 September 2017	<u>Rec(2017)9</u>	On gender equality in the audiovisual sector	CM recommends that the governments of member States adopt policies to promote gender equality in the audiovisual sector and encourage actors of this sector to monitor the situation with regards to gender equality. Member States are also recommended to monitor and evaluate progress in achieving gender equality in the audiovisual sector.
CM	27 September 2017	<u>RecChL(2017)3</u>	On the application of the European Charter for Regional or Minority Languages by Montenegro	CM recommends that the Montenegrin authorities develop a structured policy ensuring the application of the Charter in all areas where there are sufficient numbers of speakers of regional or minority languages ; and recommends to take all necessary measures to ensure the use of Romani in education.

## B. Resolutions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
CM	6 September 2017	<u>Res(2017)4</u>	On the consolidated financial statements of the Council of Europe for the year ended 31 December 2016	CM approved the consolidated financial statements of the Council of Europe for the year ended 31 December 2016 are approved and discharged the Secretary General in respect of his financial management for the year 2016.
CM	6 September 2017	<u>Res(2017)5</u>	On the budgetary management accounts of the General Budget of the Council of Europe for the year ended 31 December 2016	CM approved the budgetary management accounts of the General Budget of the Council of Europe for the year ended 31 December 2016, canceled the unexpended appropriations and agreed that the credit balance of the 2016 Ordinary Budget for the financial year 2016 will be credited to member States. CM approved carry over of budget and remaining balance. Finally CM discharged the Secretary General from financial responsibility in respect of the financial year 2016.
CM	6 September 2017	<u>Res(2017)6</u>	On the budgetary management accounts of the European Pharmacopoeia for the year ended 31 December 2016	CM approved the budgetary management accounts of the European Pharmacopoeia for the year ended 31 December 2016, canceled the unexpended appropriations for the financial year 2016 and allocated the credit balance between the States Parties and the Budget of the European Pharmacopoeia. Finally CM discharged the Secretary General from financial responsibility in respect of the financial year 2016.
CM	6 September 2017	<u>Res(2017)7</u>	On the budgetary management accounts of the Partial Agreement on the Council of Europe Development Bank for the year ended 31 December 2016	CM approved the budgetary management accounts of the Partial Agreement on the Council of Europe Development Bank for the year ended 31 December 2016, canceled the unexpended appropriations for the financial year 2016 and approved the apportionment of the 2016 financial year net surplus among members. Finally CM discharged the Secretary General from financial responsibility in respect of the financial year 2016.

<b>CM</b>	6 September 2017	<u>Res(2017)8</u>	On the budgetary management accounts of the Enlarged Partial Agreement on the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group) for the year ended 31 December 2016	CM approved the budgetary management accounts of the Pompidou Group for the year ended 31 December 2016, canceled the unexpended appropriations for the financial year 2016 and approved the apportionment of the 2016 financial year net surplus among members. Finally CM discharged the Secretary General from financial responsibility in respect of the financial year 2016.
<b>CM</b>	6 September 2017	<u>Res(2017)9</u>	On the budgetary management accounts of the Partial Agreement on the Co-operation Group for the Prevention of, Protection Against, and Organisation of Relief in Major Natural and Technological Disasters (EUR-OPA) for the year ended 31 December 2016	CM approved the budgetary management accounts of the EUR-OPA for the year ended 31 December 2016, canceled the unexpended appropriations for the financial year 2016 and approved the apportionment of the 2016 financial year net surplus among members. Finally CM discharged the Secretary General from financial responsibility in respect of the financial year 2016.
<b>CM</b>	6 September 2017	<u>Res(2017)10</u>	On the budgetary management accounts of the Enlarged Agreement on the European Commission for Democracy through Law (Venice Commission) for the year ended 31 December 2016	CM approved the budgetary management accounts of the Venice Commission for the year ended 31 December 2016, canceled the unexpended appropriations for the financial year 2016 and approved the apportionment of the 2016 financial year net surplus among the members. Finally CM discharged the Secretary General from financial responsibility in respect of the financial year 2016.
<b>CM</b>	6 September 2017	<u>Res(2017)11</u>	On the budgetary management accounts of the Enlarged Partial Agreement on Youth Mobility through the Youth Card for the year ended 31 December 2016	CM approved the budgetary management accounts for the year ended 31 December 2016, canceled the unexpended appropriations for the financial year 2016. CM approve the apportionment of the 2016 financial year net surplus among the members. Finally CM discharged the Secretary General from financial responsibility in respect of the financial year 2016.
<b>CM</b>	6 September 2017	<u>Res(2017)12</u>	On the budgetary management accounts of the Enlarged Partial Agreement establishing the European Centre for Modern Languages (Graz) for the year ended 31 December 2016	CM approved the budgetary management accounts of the Graz for the year ended 31 December 2016, canceled the unexpended appropriations for the financial year 2016 and the balance of the 2016 Budget for the financial year 2016 is transferred to the programme account of the Centre. Finally, CM decided to discharge the Secretary General from financial responsibility in respect of the financial year 2016.

<b>CM</b>	6 September 2017	<u>Res(2017)13</u>	On the budgetary management accounts of the Enlarged Agreement on the "Group of States against Corruption – GRECO" for the year ended 31 December 2016	CM decided to discharge the Secretary General from financial responsibility in respect of the financial year 2016.
<b>CM</b>	6 September 2017	<u>Res(2017)14</u>	On the budgetary management accounts of the Enlarged Partial Agreement on Sport (EPAS) for the year ended 31 December 2016	CM decided to discharge the Secretary General from responsibility for the management of the financial year 2016.
<b>CM</b>	6 September 2017	<u>Res(2017)15</u>	On the budgetary management accounts of the Enlarged Partial Agreement on Cultural Routes for the year ended 31 December 2016	CM decided to discharge the Secretary General from responsibility for the management of the financial year 2016.
<b>CM</b>	6 September 2017	<u>Res(2017)16</u>	On the financial statements and the budgetary management accounts of the Enlarged Partial Agreement establishing the European Centre for Global Interdependence and Solidarity (North-South Centre) for the year ended 31 December 2016	CM decided to discharge the Secretary General in respect of his management of the Enlarged Partial Agreement establishing the European Centre for Global Interdependence and Solidarity (North-South Centre) for the year from 1 January to 31 December 2016.
<b>CM</b>	6 September 2017	<u>Res(2017)17</u>	On the financial statements and the budgetary management accounts of the Partial Agreement of the European Support Fund for the Co-production and Distribution of Creative Cinematographic and Audiovisual Works "Eurimages" for the year ended 31 December 2016	CM decided to discharge the Secretary General for the financial year from 1 January to 31 December 2016, and canceled the unexpended appropriations for the financial year 2016 ; the cumulative surplus is carried over to the financial year 2017.
<b>CM</b>	13 September 2017	<u>ResCPT(2017)3</u>	On the election of members of the CPT in respect of Croatia, Georgia, the Netherlands, Slovenia and Sweden	CM elected as member of the CPT, from 20 December 2017 to 19 December 2021: Mr Davor Strinović in respect of Croatia (re-elected), Ms Tinatin Uplisashvili in respect of Georgia, Ms Chila Van Der Bas in respect of the Netherlands, Ms Slava Novak in respect of Slovenia and Mr Per Magnus Granström in respect of Sweden.

<b>CM</b>	27 September 2017	<a href="#"><u>Res(2017)18</u></a>	On the Landscape Award Alliance of the Council of Europe	The exemplary achievements presented by the States Parties to the European Landscape Convention, acknowledged by the Committee of Ministers of the Council of Europe, are part of the “Landscape Award Alliance of the Council of Europe”. The Parties are invited to encourage media coverage of the Council of Europe Landscape Award Alliance to raise public awareness of the importance of landscape.
<b>CM</b>	27 September 2017	<a href="#"><u>Res(2017)19</u></a>	On the statute of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)	CM decides to amend <a href="#"><u>CM/Res(2013)13</u></a> . The ninth paragraph of Article 5 shall be amended as well as the first paragraph of Article 6 of the resolution.



## PartOne

### §4 - OTHER INFORMATION OF GENERAL IMPORTANCE

#### A. Information from the Committee of Ministers

##### ■ CM: 1292nd meeting of the Ministers' Deputies (06.09.2017)

At the start of the meeting, the Chairman expressed the Committee's condolences and solidarity after the terrorist attacks in Spain and other member States in August and the Deputies observed a minute's silence. Among others they then held exchanges of views and agreed to renew, until 31 December 2021, the terms of reference of the Council of Europe offices and its liaison offices. ([Read more](#) - [Agenda](#) - [meeting file](#))

##### ■ CM: 1293rd meeting of the Ministers' Deputies (13.09.2017)

At their meeting on 13 September, the Ministers' Deputies, among others, adopted a Declaration of the Committee of Ministers on the need to intensify the efforts to prevent combat female genital mutilation and forced marriage in Europe. They also took note of documents and held an exchange of views with Mr Nils Muižnieks, the Council of Europe Commissioner for Human Rights. ([Read more](#) - [Agenda](#) - [meeting file](#))

##### ■ CM calls for effectively preventing and combating female genital mutilation and forced marriage (13.09.2017)

CM called on member states to step up efforts to prevent and combat female genital mutilation and forced marriage across Europe, which violate fundamental rights, as it adopted a guide on good practice. The Committee is encouraging governments to implement or adopt legislation and policies, improve the reporting of cases and promote prevention and protection measures. ([Read more](#) - [Committee of Ministers' declaration](#))

##### ■ CM: Civil participation in decision-making in the spotlight (27.09.2017)

CM adopted guidelines aimed at promoting civil participation in political decision-making in the Council of Europe 47 member states. It considers that one of the prerequisites for guaranteeing democratic security is to ensure the participation of all individuals and societal groups in political processes and decision-making. ([Read more](#))

##### ■ CM: 1295th meeting of the Ministers' Deputies (27.09.2017)

At their meeting on 27 September, among others, the Ministers' Deputies adopted guidelines, recommendations, a resolution and a declaration. The Deputies also held an exchange of views. ([Read more](#) - [Agenda](#) - [meeting file](#))

## **B. Information from the Parliamentary Assembly**

### **■ PACE: The Free Democrats Group, a new political group within PACE (05.09.2017)**

At its meeting on 4 September 2017, in Paris, the PACE Bureau acknowledged the formation of the Free Democrats Group (FDG), in line with Rule 19 of the Assembly's Rules of Procedure. There are now six political groups in the Assembly. ([Read more](#))

### **■ PACE: The genocide committed by Daesh must be prosecuted and punished (05.09.2017)**

The Committee on Legal Affairs today called on Council of Europe member and observer states, as well as parliaments with partner for democracy status, to formally recognise that "Daesh has committed genocide, notably against the Yazidi people, Christian minorities and non-Sunni Muslim minorities". ([Read more](#) - [Adopted report](#))

### **■ PACE: Committee concerned about threats to rule of law in Bulgaria, Poland, the Republic of Moldova, Romania and Turkey (06.09.2017)**

The Legal Affairs Committee expressed concern about some recent developments which put at risk respect for the rule of law, and, in particular, the independence of the judiciary and the principle of the separation of powers in five member States - Bulgaria, Poland, the Republic of Moldova, Romania and Turkey. ([Read more](#) - [Adopted report](#))

### **■ PACE: Jordan 'moving in the right direction' but reforms moving more slowly than planned (06.09.2017)**

Jordan is "moving in the right direction", though reforms are advancing more slowly than planned, according to PACE's Political Affairs Committee. The committee urged the parliament to intervene with the authorities to stop executions and reinstate a moratorium pending the abolition of the death penalty in Jordan. The committee also urged, among other things, that revision of the criminal code be stepped up, notably with a view to abolishing discrimination against women. ([Read more](#) - [Adopted report](#))

### **■ PACE: Multilateralism needed to combat tax evasion and avoidance effectively**

According to the Committee on Political Affairs and Democracy, multilateralism is the only means of achieving results in the fight against international tax evasion and avoidance.

The draft resolution adopted by the committee underlines that, thanks to greater tax transparency, multilateralism is an effective means of combating base erosion and profit shifting as well as aggressive tax planning. ([Read more](#) - [Adopted report](#))

### **■ PACE welcomes all initiatives aimed at shedding light on alleged corruption (06.09.2017)**

"We warmly welcome all initiatives aimed at shedding light on alleged corruption within the Council of Europe Parliamentary Assembly," said Sir Roger Gale, the Assembly's most senior Vice-President. "We can only reiterate the call for evidence made by the independent external investigation body", "this has now commenced its work" he added. ([Read more](#))

#### ■ PACE Political Affairs Committee calls for Council of Europe Summit (06.09.2017)

The Political Affairs Committee today unanimously called for a Council of Europe Summit "to preserve and further strengthen the unique Pan-European project, currently threatened by divisions and a weakening of member States' commitment." ([Read more](#))

#### ■ PACE Vice-President: Make migration a win-win factor for host societies and countries of origin (07.09.2017)

"Migration is an opportunity for making our societies stronger and better adapting them to the challenges of the modern world," said René Rouquet, Vice-President of the PACE, in Lisbon in his opening speech at the conference to launch the Parliamentary Network on Diaspora Policies.

"We want migration to be a win-win factor for host societies and countries of origin. We want to do this together – in close co-operation between all national, local and international stakeholders as well as civil society," he said. ([Read more](#) - [A parliamentary network on diaspora policies](#))

#### ■ PACE: 'Promoting the inclusion of diasporas in host societies; protecting their right to be different' said Tomas Bocek (07.09.2017)

Policies for diasporas are sorely needed. The expertise of the Council of Europe together with national parliamentarians and diaspora associations can help ensure that new policies promote the inclusion of diasporas in host societies, while protecting their right to be different », today said Tomas Bocek, Special Representative of the Secretary General of the Council of Europe on Migration and Refugees, addressing in Lisbon the launching Conference of the Parliamentary Network on Diaspora Policies. ([Read more](#))

#### ■ PACE: 'Diasporas are much more than movements of populations' said Eduardo Ferro (07.09.2017)

"Diasporas are much more than movements of people: they are a source of cultural enrichment and pluralism in host societies and countries of origin," said Eduardo Ferro Rodrigues, Speaker of the Portuguese Parliament, in Lisbon in his opening speech at the conference to launch the Parliamentary Network on Diaspora Policies. ([Read more](#))

#### ■ PACE: First round of witness hearings by the IBAC-COE | GIAC-COE (08.09.2017)

The Investigation Body set up by the Parliamentary Assembly of the Council of Europe to look into allegations of corruption made against certain members and/or former members of the Assembly ("IBAC-COE | GIAC-COE") met in Strasbourg on 4-7 September 2017 for its first round of witness hearings. ([Read more](#))

#### ■ PACE launches Parliamentary Network on Diaspora Policies in Lisbon (08.09.2017)

PACE today in Lisbon launched the Parliamentary Network on Diaspora Policies and declared 8 September as the European Day of Diasporas. The main aim of the network is to promote policy and legislative reforms regarding the role of diasporas in countries of origin and host societies. The network will hold its first meeting in 2018. ([Read more](#) - [Final statement](#))

#### ■ PACE: Senior Vice-President reacts to terror incident in London (15.09.2017)

"Our thoughts are with all those injured or affected by today's terror incident on the London Underground," said Sir Roger Gale, the most senior Vice-President of the PACE. "We are all relieved

that there were not more casualties, and grateful for the swift and highly professional reactions of the police and emergency services.”. “Londoners were not intimidated by this. Terror did not succeed today – which, as it happens, is Democracy Day – and it will never succeed.” ([Read more](#))

#### ■ PACE gives its backing to global call for #StrongerDemocracies (15.09.2017)

PACE Political Affairs Committee chair Mogens Jensen has today joined a host of leaders from around the world to sign a global petition in support of stronger democracies – and urged other members of the Assembly to do the same. ([Read more](#) - [IPU campaign](#) - [Get engaged now!](#) - [International Day of Democracy special Website](#))

#### ■ PACE: Empowering women in the economy to strengthen the economy itself (18.09.2017)

“Empowering women in the economy of a country is a means of both reducing intolerable discrimination and strengthening the economy itself,” said Brigitte Longuet, Honorary President of the French Federation of Women Administrators. “Parity in practice would bring real complementarity which would be a genuine asset for companies and, if rolled out on a broader scale, for the wider economy,” she concluded. ([Read more](#))

#### ■ PACE Committee on Equality and Non-Discrimination call for a ban on ‘sex-normalising’ surgery for intersex children (18.09.2017)

The Committee called for a ban on unnecessary sex-“normalising” surgeries, sterilisation and other treatments practised on intersex children without their informed consent. Any treatment that seeks to alter the sex characteristics of the child be “deferred until such time as the child is able to participate in the decision”, based on the right to self-determination and on the principle of free and informed consent. ([Read more](#) - [Adopted report](#))

#### ■ PACE: Tuberculosis, measures needed to avoid 2.1 million deaths in Europe (19.09.2017)

“Drug-resistant tuberculosis is one of the gravest risks requiring attention. Its rates in Europe are growing faster than in any other world region,” underlined Serhii Kiral, rapporteur on “Inquiry into growing antimicrobial resistance in Europe”, at the opening of a hearing on the subject organised in Paris by PACE’s Committee on Social Affairs. Presentations were followed by an exchange of views where committee members addressed several related issues. ([Read more](#))

#### ■ PACE: A call for simpler and less costly procedures for cross-border parental responsibility conflicts (19.09.2017)

The PACE Social Affairs Committee called on European governments to make the enforcement of parental responsibility decisions abroad “simpler, speedier and less costly”. ([Read more](#) - [Adopted report](#))

#### ■ PACE: Rapporteur on banning trade in torture goods encourages pan-European support for EU initiative (19.09.2017)

Vusal Huseynov, rapporteur on strengthening international regulations against trade in goods used for torture and the death penalty, welcomed the launch at the United Nations of the ‘Alliance for Torture-Free Trade’ by Cecilia Malmström, EU commissioner for trade, Jorge Faure, foreign minister of Argentina, and Tsend Munkh-Orgil, foreign minister of Mongolia. ([Read more](#))

**■ PACE: Unaccompanied migrant children, a call for child-friendly age assessment procedures (20.09.2017)**

The PACE Committee on Migration believes that the development of a child-sensitive, holistic model of age assessment, to replace inaccurate and potentially traumatising medical tests, would enable European states to meet the needs of unaccompanied and separated children. The Committee calls on the Committee of Ministers of the 47 Council of Europe member states to adopt the standards for child-friendly age assessment as soon as they have been drawn up. ([Read more](#) - [Adopted report](#))

**■ PACE: Ex-FIFA ethics chiefs call for ‘total independence’ of bodies overseeing FIFA (25.09.2017)**

Two leading officials formerly responsible for ethics at football’s governing body FIFA have made a strong appeal for its supervisory bodies to be “totally independent” of the organisation’s executive. They told a closed PACE committee hearing in Paris that their investigative work could only be done properly without internal interference or pressure. ([Read more](#))

**■ PACE: PACE to revise its Code of Conduct in response to corruption allegations (25.09.2017)**

The Rules Committee will be putting a revision of the Code of Conduct for Members to a vote of the Assembly at its forthcoming plenary sitting. The committee believes that the allegations of corruption and fostering of interests recently made against some members or former members have “called into question, as never before, the credibility of the Assembly’s actions and positions” and could entail the risk of “lasting damage” to its reputation. ([Read more](#) - [Adopted report](#) - [Statement by the PACE Bureau on 27.01.2017](#))

**■ PACE General Rapporteur calls for the conviction of Crimean journalist Mykola Semena to be annulled (26.09.2017)**

Volodymyr Arieiev, General Rapporteur of the PACE on Media Freedom and the Safety of Journalists, has expressed grave concern at the conviction by a court in occupied Crimea of the Ukrainian journalist Mykola Semena on charges of “separatism” and “the violation of Russia’s territorial integrity”. Mr Semena was handed a 2.5-year suspended sentence, and was also barred from “public activities” for three years, these activities apparently including journalism. ([Read more](#))

**■ PACE: Council of Europe urged to step up its conflict resolution role (28.09.2017)**

The Speaker of the Hellenic Parliament Nikos Voutsis, opening a hearing in Athens on 25 September of the Sub-committee on Conflicts between Council of Europe Member states, has said the Council should “not forget about” the conflicts in its geographical area and urged an approach to resolving them based on human rights and rule-of-law principles. ([Read more](#))

**■ PACE: IBAC-COE | GIAC-COE issues new call for witnesses (28.09.2017)**

The Investigation Body set up by the Parliamentary Assembly of the Council of Europe to look into allegations of corruption made against certain members and/or former members of the Assembly (“IBAC-COE | GIAC-COE”) will hold witness hearings in Strasbourg on 9-13 October, 23-25 October 2017 and 6-8 November 2017. ([Read more](#))

**C. Information from the Commissioner for Human Rights**

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

## D. Information from the monitoring mechanisms

### ■ MONEYVAL: Outcome of MONEYVAL's 54th Plenary meeting (29.09.2017)

MONEYVAL held its 54th Plenary meeting in Strasbourg from 26 to 28 September 2017. At this meeting, the Plenary, inter alia:

- discussed and adopted the 5th round MER and its executive summary on Andorra;
- adopted the compliance report of Montenegro under the Compliance Enhancing Procedures, and invited the country to submit a further report at the 56th Plenary (17 – 19 April 2018);
- adopted the follow-up report by Serbia under the 5th round of mutual evaluations;
- (...)

[\(Read more\)](#)

## 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.

# Andorra

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

CASE	DATE	RESOLUTION	CONCLUSION
GOUARRÉ PATTE <a href="#">33427/10</a>	12 April 2016	<a href="#">CM/ResDH(2017)226</a>	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]*



# Austria

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

CASE	DATE	RESOLUTION	CONCLUSION
Peter KIMESWENGER <a href="#">72905/13</a>	21 June 2016	<a href="#">CM/ResDH(2017)254</a>	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: Concerns persist regarding the human rights situation and the functioning of justice in Azerbaijan (05.09.2017)

Since the Azerbaijani Chairmanship of the Committee of Ministers of the Council of Europe (May-November 2014) and the adoption by the PACE of [Resolution 2062 \(2015\)](#), concerns persist regarding the human rights situation and the functioning of justice in Azerbaijan, according to the Legal Affairs Committee. ([Read more](#) - [Adopted report](#))

### ■ PACE call for stronger parliamentary control over the executive, plus an independent judiciary in Azerbaijan (07.09.2017)

While welcoming the ongoing dialogue with the Azerbaijani authorities in the framework of the PACE's monitoring procedure, the Monitoring Committee has expressed a number of concerns regarding, in particular, checks and balances, the functioning of the judiciary and freedom of expression and association. The committee therefore calls on the Azerbaijani to take appropriate measures. ([Read more](#))

### ■ PACE: Rapporteur welcomes release of the Director of Turan agency Mehman Aliyev in Azerbaijan (11.09.2017)

PACE General Rapporteur on Media Freedom and the Safety of Journalists, welcomed the release from custody and transfer to house arrest of the Director of Turan agency (Azerbaijan) Mehman Aliyev. Mr Aliyev was detained in the Yasamal district police department, in connection with a criminal investigation for alleged under-declaring profits of the agency. This case is being monitored by the Council of Europe Platform to promote the protection of journalism and safety of journalists. ([Read more](#))

### ■ PACE: Monitors react to release of Mehman Aliyev in Azerbaijan (13.09.2017)

Stefan Schennach and Cezar Florin Preda, co-rapporteurs of the PACE for the monitoring of Azerbaijan, ahead of their visit to Baku, have welcomed the recent release of Mehman Aliyev, director of the independent media outlet Turan. ([Read more](#))

### ■ PACE: Statement by monitors, ending their visit to Azerbaijan (19.09.2017)

Co-rapporteurs of the PACE for the monitoring of Azerbaijan made a statement at the end of their fact-finding visit to the country from 14 to 16 September 2017. Among others, they welcomed the President of the Republic's Executive Order on improvement of the operation of the prison system and humanisation of criminal policies, and welcomed the release of Faig Amirli. The co-rapporteurs urged their peers in parliament to amend the legislation on NGOs in order to allow for their functioning and funding in compliance with European standards. ([Read more](#))

■ **PACE General rapporteur: Police harassment of gay men and transgender women in Azerbaijan must stop (29.09.2017)**

“I am deeply concerned by reports that gay men and transgender women in Azerbaijan have recently been targeted by the police,” said Piet De Bruyn, General Rapporteur of the PACE on the rights of LGBTI persons. “No one should ever be targeted on the basis of their sexual orientation or gender identity“, “I call on the Azerbaijani authorities to put an end to these practices immediately and to conduct a full, effective and independent investigation into all such cases,” he concluded. ([Read more](#))

# Bosnia and Herzegovina

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

CASE	DATE	RESOLUTION	CONCLUSION
Senad DRINO AND OTHERS <a href="#">35494/15</a>	7 June 2016	<a href="#">CM/ResDH(2017)255</a>	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]*

# Bulgaria

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

CASE	DATE	RESOLUTION	CONCLUSION
DIMITROVI <a href="#">12655/09</a>	21 October 2016	<a href="#">CM/ResDH(2017)227</a>	Examination closed
RADKOV AND SABEV <a href="#">18938/07</a>	27 August 2014	<a href="#">CM/ResDH(2017)228</a>	Examination closed
DJALTI <a href="#">31206/05</a>	12 June 2013	<a href="#">CM/ResDH(2017)229</a>	Examination closed
YORDANOVA AND TOSHEV <a href="#">5126/05</a>	2 January 2013	<a href="#">CM/ResDH(2017)230</a>	Examination closed
Kancho Asenov TACHEV <a href="#">1523/09</a>	14 June 2016	<a href="#">CM/ResDH(2017)231</a>	Examination closed
SHAHANOV AND PALFREEMAN <a href="#">35365/12+</a>	21 October 2016	<a href="#">CM/ResDH(2017)256</a>	Examination closed
PETYO PETKOV <a href="#">32130/03</a>	7 April 2010	<a href="#">CM/ResDH(2017)257</a>	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]*

# Czech Republic

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

CASE	DATE	RESOLUTION	CONCLUSION
HANZELKOVI <a href="#">43643/10</a>	11 March 2015	<a href="#">CM/ResDH(2017)258</a>	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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# France

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

CASE	DATE	RESOLUTION	CONCLUSION
BERASATEGI <a href="#">29095/09</a>	26 April 2012	<a href="#">CM/ResDH(2017)232</a>	Examination closed
GUIMON ESPARZA <a href="#">29116/09</a>	26 April 2012	<a href="#">CM/ResDH(2017)232</a>	Examination closed
ESPARZA LURI <a href="#">29119/09</a>	26 April 2012	<a href="#">CM/ResDH(2017)232</a>	Examination closed
SORIA VALDERRAMA <a href="#">29101/09</a>	26 April 2012	<a href="#">CM/ResDH(2017)232</a>	Examination closed
SAGARAZU <a href="#">29109/09</a>	26 April 2012	<a href="#">CM/ResDH(2017)232</a>	Examination closed
ALMANDOZ ERVITI <a href="#">45077/10</a>	26 September 2013	<a href="#">CM/ResDH(2017)232</a>	Examination closed
ABAD URKIXO <a href="#">45087/10</a>	26 September 2013	<a href="#">CM/ResDH(2017)232</a>	Examination closed
VINCI CONSTRUCTION AND GTM GÉNIE CIVIL ET SERVICES <a href="#">63629/10+</a>	2 July 2015	<a href="#">CM/ResDH(2017)259</a>	Examination closed
HELHAL <a href="#">10401/12</a>	19 May 2015	<a href="#">CM/ResDH(2017)260</a>	Examination closed
M.E. <a href="#">50094/10</a>	6 September 2013	<a href="#">CM/ResDH(2017)261</a>	Examination closed

RAFAA <a href="#">25393/10</a>	4 December 2013	<a href="#">CM/ResDH(2017)261</a>	Examination closed
N.K. <a href="#">7974/11</a>	19 March 2014	<a href="#">CM/ResDH(2017)261</a>	Examination closed
M.V. AND M.T. <a href="#">17897/09</a>	4 December 2014	<a href="#">CM/ResDH(2017)261</a>	Examination closed
A.A. <a href="#">18039/11</a>	15 April 2015	<a href="#">CM/ResDH(2017)261</a>	Examination closed
A.F. <a href="#">80086/13</a>	15 April 2015	<a href="#">CM/ResDH(2017)261</a>	Examination closed
R.K. <a href="#">61264/11</a>	9 October 2015	<a href="#">CM/ResDH(2017)261</a>	Examination closed
R.D. <a href="#">34648/14</a>	16 September 2016	<a href="#">CM/ResDH(2017)261</a>	Examination closed
R.V. <a href="#">78514/14</a>	7 October 2016	<a href="#">CM/ResDH(2017)261</a>	Examination closed
HASSAN AND OTHERS <a href="#">46695/10+</a>	4 March 2015	<a href="#">CM/ResDH(2017)262</a>	Examination closed
ISENC <a href="#">58828/13</a>	4 May 2016	<a href="#">CM/ResDH(2017)263</a>	Examination closed
SUD EST REALISATIONS <a href="#">6722/05</a>	2 March 2011	<a href="#">CM/ResDH(2017)264</a>	Examination closed
MENNESSON <a href="#">65192/11</a>	26 September 2014	<a href="#">CM/ResDH(2017)286</a>	Examination closed
LABASSEE <a href="#">65941/11</a>	26 September 2014	<a href="#">CM/ResDH(2017)286</a>	Examination closed



FOULON AND BOUVET <a href="#">9063/14+</a>	21 October 2016	<a href="#">CM/ResDH(2017)286</a>	Examination closed
LABORIE <a href="#">44024/13</a>	19 January 2017	<a href="#">CM/ResDH(2017)286</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ GRECO: Publication of the Addendum to the Second Compliance Report of 3rd Evaluation Round (28.09.2017)

GRECO has published its Addendum to the Second Compliance Report of Third Evaluation Round on France("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 Addendum](#))

# Georgia

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

CASE	DATE	RESOLUTION	CONCLUSION
APOSTOL <a href="#">40765/02</a>	28 February 2007	<a href="#">CM/ResDH(2017)233</a>	Examination closed
GHARIBASHVILI <a href="#">11830/03</a>	29 October 2008	<a href="#">CM/ResDH(2017)287</a>	Examination closed
KHAINDRAVA AND DZAMASHVILI <a href="#">18183/05</a>	8 September 2010	<a href="#">CM/ResDH(2017)287</a>	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]*

## Germany

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

CASE	DATE	RESOLUTION	CONCLUSION
Sandro SCHNEIDER <a href="#">18807/14</a>	18 October 2016	<a href="#">CM/ResDH(2017)265</a>	Examination closed

### B. Resolutions, signatures and ratifications

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

### C. Other information

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

# Greece

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

CASE	DATE	RESOLUTION	CONCLUSION
ANAGNOSTOU-DEDOULI <a href="#">24779/08</a>	16 December 2010	<a href="#">CM/ResDH(2017)288</a>	Examination closed
BUYAN AND OTHERS <a href="#">28644/08</a>	3 October 2012	<a href="#">CM/ResDH(2017)288</a>	Examination closed
CLINIQUE PSYCHIATRIQUE "ATHINA" VRILISSON SARL AND CLINIQUE LYRAKOU SA <a href="#">32838/07</a>	2 October 2009	<a href="#">CM/ResDH(2017)288</a>	Examination closed
MATTHAIOU AND OTHERS <a href="#">17556/08</a>	18 May 2010	<a href="#">CM/ResDH(2017)288</a>	Examination closed
MILIONIS AND OTHERS <a href="#">41898/04</a>	29 September 2008	<a href="#">CM/ResDH(2017)288</a>	Examination closed
PANTALEON <a href="#">6571/05</a>	10 August 2007	<a href="#">CM/ResDH(2017)288</a>	Examination closed
UNION DES CLINIQUES PRIVÉES DE GRÈCE AND OTHERS <a href="#">6036/07</a>	1 March 2010	<a href="#">CM/ResDH(2017)288</a>	Examination closed
VLASTOS AND OTHERS <a href="#">36218/08</a>	28 January 2011	<a href="#">CM/ResDH(2017)288</a>	Examination closed
VOGIATZIS AND OTHERS <a href="#">17588/08</a>	1 October 2010	<a href="#">CM/ResDH(2017)288</a>	Examination closed

XYNOS <a href="#">30226/09</a>	9 January 2015	<a href="#">CM/ResDH(2017)288</a>	Examination closed
KANTARELIS <a href="#">6314/12</a>	5 May 2016	<a href="#">CM/ResDH(2017)288</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ CPT: The Committee criticises treatment of irregular migrants and the continued detention of migrant children (26.09.2017)

In a report on its April and July 2016 visits to Greece, the CPT raises concerns over the situation in the “hotspots” on the Aegean islands and is highly critical of the continued immigration detention of unaccompanied children ([Read more](#)).

# 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

### ■ CPT: The Committee visited Northern Ireland for the first time since 2008 (08.09.2017)

A delegation of the CPT visited Northern Ireland from 29 August to 6 September 2017 ([Read more](#)).

### ■ GRETA: Publication of the GRETA's second report on Ireland (20.09.2017)

The GRETA has published its second evaluation report on Ireland. The report assesses developments since the publication of GRETA's first evaluation report on Ireland in September 2013 as regards the implementation of the Council of Europe's Convention on Action against Trafficking in Human Beings ([Read more](#) - [Read the report](#)).

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

CASE	DATE	RESOLUTION	CONCLUSION
MOSTACCI UOLO GIUSEPPE No. 1 + 118 affaires <a href="#">64705/01</a>	29 March 2006	<a href="#">CM/ResDH(2017)289</a>	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 Italy (08.09.2017)

In a report on its periodic visit to Italy (8-21 April 2016), the CPT raises its concerns over allegations of physical ill-treatment of persons deprived of their liberty by law enforcement agencies or in prisons. Moreover, persons in police custody do not always benefit from the safeguards afforded them by law ([Read more](#) - [Read the report](#)).

# Lithuania

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

CASE	DATE	RESOLUTION	CONCLUSION
BANEL <a href="#">14326/11</a>	18 September 2013	<a href="#">CM/ResDH(2017)266</a>	Examination closed
JOKŠAS <a href="#">25330/07</a>	12 February 2014	<a href="#">CM/ResDH(2017)267</a>	Examination closed
A.N. <a href="#">17280/08</a>	31 August 2016	<a href="#">CM/ResDH(2017)268</a>	Examination closed
NOREIKIENĖ AND NOREIKA <a href="#">17285/08</a>	4 October 2016	<a href="#">CM/ResDH(2017)269</a>	Examination closed
PAUKŠTIS <a href="#">17467/07</a>	24 February 2016	<a href="#">CM/ResDH(2017)269</a>	Examination closed
GRIGALIŪNIENĖ <a href="#">42322/09</a>	4 October 2016	<a href="#">CM/ResDH(2017)269</a>	Examination closed
TUNAITIS <a href="#">42927/08</a>	4 October 2016	<a href="#">CM/ResDH(2017)269</a>	Examination closed
ŽILINSKIENĖ <a href="#">57675/09</a>	1 March 2016	<a href="#">CM/ResDH(2017)269</a>	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]*



# Luxembourg

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

CASE	DATE	RESOLUTION	CONCLUSION
A.T. <a href="#">30460/13</a>	14 September 2015	<a href="#">CM/ResDH(2017)234</a>	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]*

# Republic of Moldova

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

CASE	DATE	RESOLUTION	CONCLUSION
Ana LARI <a href="#">23589/14</a>	11 October 2016	<a href="#">CM/ResDH(2017)235</a>	Examination closed
Tamara SCODINA <a href="#">65849/14</a>	30 August 2016	<a href="#">CM/ResDH(2017)235</a>	Examination closed
Alexandr NAVROTKI <a href="#">65953/11</a>	28 June 2016	<a href="#">CM/ResDH(2017)235</a>	Examination closed
Tatiana MOLDOVANU <a href="#">81072/12</a>	11 October 2016	<a href="#">CM/ResDH(2017)235</a>	Examination closed
DANALACHI (Sarban group) <a href="#">25664/09</a>	17 December 2013	<a href="#">CM/ResDH(2017)290</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

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

# Montenegro

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

*[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

### ■ ECRI: progress on situation of Roma and fighting hate crimes, but further steps needed to protect LGBT and boost social inclusion (19.09.2017)

A new 2012-2017 report on Montenegro published by the ECRI commends the authorities for strengthening protection against hate crimes, empowering the Ombudsman and improving the situation of Roma. Yet, LGBT persons are still targets of violence, Roma remain at risk of social exclusion and segregation, and no reliable data on hate crimes exists ([Read more](#)).

# Netherlands

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ CPT: The Committee publishes response of the Dutch authorities (21.09.2017)

The CPT has published the response of the authorities of the Netherlands to the report on the CPT's most recent visit to that country, in May 2016 ([Read more](#)).

# Poland

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

CASE	DATE	RESOLUTION	CONCLUSION
Dariusz PUKACZ <a href="#">28978/15</a>	30 August 2016	<a href="#">CM/ResDH(2017)236</a>	Examination closed
Jarosław STECKI <a href="#">30738/15</a>	26 April 2016	<a href="#">CM/ResDH(2017)236</a>	Examination closed
Marek ŚLIWKA <a href="#">37508/13</a>	31 May 2016	<a href="#">CM/ResDH(2017)236</a>	Examination closed
Łukasz TOMCZAK <a href="#">80690/12</a>	17 May 2016	<a href="#">CM/ResDH(2017)236</a>	Examination closed
KURSKI <a href="#">26115/10</a>	5 October 2016	<a href="#">CM/ResDH(2017)270</a>	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
Fernando Avelino ANJOS ANTÃO <a href="#">29504/13</a>	9 December 2014	<a href="#">CM/ResDH(2017)271</a>	Examination closed
Trinidad BALTASAR FLORES <a href="#">66468/12</a>	7 October 2014	<a href="#">CM/ResDH(2017)271</a>	Examination closed
José Augusto PINTO GUEDES AND Felisbela Adelina CONFRARIA GUEDES <a href="#">63984/12</a>	7 October 2014	<a href="#">CM/ResDH(2017)271</a>	Examination closed
Rui Miguel MARQUES JEREMIAS DOS SANTOS <a href="#">72151/12</a>	7 October 2014	<a href="#">CM/ResDH(2017)271</a>	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
HARALAMBIE <a href="#">21737/03</a>	27 January 2010	<a href="#">CM/ResDH(2017)237</a>	Examination closed
JARNEA <a href="#">41838/05</a>	19 October 2011	<a href="#">CM/ResDH(2017)237</a>	Examination closed
ANTONETA TUDOR <a href="#">23445/04</a>	20 January 2014	<a href="#">CM/ResDH(2017)237</a>	Examination closed
GUȚĂ TUDOR TEODORESCU <a href="#">33751/05</a>	5 July 2016	<a href="#">CM/ResDH(2017)238</a>	Examination closed
ALEXE <a href="#">66522/09</a>	3 August 2016	<a href="#">CM/ResDH(2017)239</a>	Examination closed
RĂCHITĂ <a href="#">15987/09</a>	17 August 2016	<a href="#">CM/ResDH(2017)240</a>	Examination closed
MARTOCIAN <a href="#">18183/09</a>	4 October 2016	<a href="#">CM/ResDH(2017)241</a>	Examination closed
MATEESCU <a href="#">1944/10</a>	14 April 2014	<a href="#">CM/ResDH(2017)242</a>	Examination closed
VERGU <a href="#">8209/06</a>	9 July 2013	<a href="#">CM/ResDH(2017)243</a>	Examination closed
PLEȘ <a href="#">37213/06</a>	12 April 2016	<a href="#">CM/ResDH(2017)244</a>	Examination closed

LOGHIN <a href="#">1468/08</a>	26 June 2016	<a href="#">CM/ResDH(2017)245</a>	Examination closed
IGNAT <a href="#">58613/08</a>	26 June 2016	<a href="#">CM/ResDH(2017)245</a>	Examination closed
Daniel CIUCIU AND Bogdan-Mihai ȘOFINET <a href="#">15512/15+</a>	1st September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Ștefan DIMIERU AND 2 OTHER APPLICATIONS <a href="#">17369/14+</a>	29 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Pompiliu RISTIN <a href="#">22314/14</a>	15 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Teodor DREGAN AND Nicoleta DREGAN <a href="#">30996/10</a>	29 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Sabin VIERU AND 6 OTHER APPLICATIONS <a href="#">31083/14</a>	15 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Cătălin-Ionuț HOAMEA AND Albert TOTH <a href="#">31936/15+</a>	15 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Cristian ANGHEL AND 2 OTHER APPLICATIONS <a href="#">36194/15</a>	1st September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Alexandru Marius RADU AND 3 OTHER APPLICATIONS <a href="#">36614/13</a>	15 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Samir-Viorel TOCOIAN AND 8 OTHER APPLICATIONS <a href="#">3799/14+</a>	29 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed



Bogdan Ionuț CERCHEZ AND 13 OTHER APPLICATIONS <a href="#">39518/13</a>	3 March 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Clementin COSTACHE and Gheorghe ALBERT <a href="#">45353/15+</a>	13 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Vlad Mihai MĂCĂREL AND 2 OTHER APPLICATIONS <a href="#">50454/14</a>	15 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Árpád-Mihály KISS AND 5 OTHER APPLICATIONS <a href="#">47019/14</a>	1st September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Andrei-Ilie PRIAN and Gabriel-Ioan FARCAȘ <a href="#">53409/14+</a>	3 november 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Ion-Fănică CORLAN AND 6 OTHER APPLICATIONS <a href="#">53416/14</a>	15 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
OTTO WOLFF HANDELGESELLSCHAFT GMBH AND 9 OTHER APPLICATIONS <a href="#">53877/10</a>	18 June 2015	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Vasilică MOCANU AND Zoltan HENDRE <a href="#">54136/14+</a>	29 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Flavius Dumitru FEDEREAC AND 2 OTHER APPLICATIONS <a href="#">60494/14+</a>	29 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Ștefan POSTELNICU AND 7 OTHER APPLICATIONS <a href="#">72300/13+</a>	19 November 2015	<a href="#">CM/ResDH(2017)246</a>	Examination closed
Valentin LUCA AND 36 OTHER APPLICATIONS <a href="#">72582/13+</a>	29 September 2016	<a href="#">CM/ResDH(2017)246</a>	Examination closed

PLECHKOV <a href="#">1660/03</a>	16 February 2015	<a href="#">CM/ResDH(2017)247</a>	Examination closed
S.C. RAISA M. SHIPPING S.R.L <a href="#">37576/05</a>	8 July 2013	<a href="#">CM/ResDH(2017)248</a>	Examination closed
OSTACE <a href="#">12547/06</a>	25 May 2014	<a href="#">CM/ResDH(2017)249</a>	Examination closed
VELCEA AND MAZĂRE <a href="#">64301/01</a>	1 March 2010	<a href="#">CM/ResDH(2017)272</a>	Examination closed
CAZAN <a href="#">30050/12</a>	5 July 2016	<a href="#">CM/ResDH(2017)273</a>	Examination closed
CRĂIȚĂ <a href="#">41773/09</a>	17 January 2017	<a href="#">CM/ResDH(2017)274</a>	Examination closed
GHEORGHÎȚĂ AND ALEXE <a href="#">32163/13</a>	31 August 2016	<a href="#">CM/ResDH(2017)275</a>	Examination closed
ARION <a href="#">50443/14</a>	8 November 2016	<a href="#">CM/ResDH(2017)275</a>	Examination closed
COSTEL POPA <a href="#">47558/10</a>	26 July 2016	<a href="#">CM/ResDH(2017)276</a>	Examination closed
MAZILU <a href="#">23338/13</a>	17 January 2017	<a href="#">CM/ResDH(2017)277</a>	Examination closed
TUDOROAIE <a href="#">37665/12</a>	15 February 2017	<a href="#">CM/ResDH(2017)277</a>	Examination closed
PREDICĂ <a href="#">42344/07</a>	7 September 2011	<a href="#">CM/ResDH(2017)291</a>	Examination closed
CUCU <a href="#">22362/06</a>	13 February 2013	<a href="#">CM/ResDH(2017)291</a>	Examination closed
AUSTRIANU <a href="#">16117/02</a>	12 May 2013	<a href="#">CM/ResDH(2017)291</a>	Examination closed
GHEORGHE DIMA <a href="#">2770/09</a>	19 July 2016	<a href="#">CM/ResDH(2017)291</a>	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]*

# Russia

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

CASE	DATE	RESOLUTION	CONCLUSION
MARGUSHIN <a href="#">11989/03</a>	1 July 2010	<a href="#">CM/ResDH(2017)278</a>	Examination closed
Leonid Fedorovich LYUBOSHENKO <a href="#">10247/12</a>	15 March 2016	<a href="#">CM/ResDH(2017)279</a>	Examination closed
Shirin Shabanovich SULIYEV <a href="#">10503/09</a>	26 April 2016	<a href="#">CM/ResDH(2017)279</a>	Examination closed
Valeriy Yefimovich YEGOROV <a href="#">30136/11</a>	28 June 2016	<a href="#">CM/ResDH(2017)279</a>	Examination closed
Nikolay Anatolyevich TALALAYEV <a href="#">45710/09</a>	21 June 2016	<a href="#">CM/ResDH(2017)279</a>	Examination closed
Igor Aleksandrovich ANTUFYEV <a href="#">54929/08</a>	15 March 2016	<a href="#">CM/ResDH(2017)279</a>	Examination closed

Vinera Gadiyevna AKHMADULLINA <a href="#">56398/08</a>	26 April 2016	<a href="#">CM/ResDH(2017)279</a>	Examination closed
ROMENSKIY <a href="#">22875/02</a>	13 September 2013	<a href="#">CM/ResDH(2017)280</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: Failings highlighted by ECHR in Pichugin and Navalnyy cases still not remedied by Russian authorities (27.09.2017)

PACE rapporteur on the implementation of judgments of the European Court of Human Rights, expressed concern over the situation of Alexei Pichugin and Alexei Navalnyy, applicants in two cases lodged with the Court against the Russian Federation. ([Read more](#))

### ■ PACE Rapporteur strongly condemns prison sentence for Deputy Chairman of the Crimean Tatar Mejlis (28.09.2017)

Axel Fischer, the rapporteur for the Monitoring Committee in respect of Ukraine, strongly condemned the sentencing to two years in prison of Ilmi Umerov, Deputy Chairman of the Crimean Tatar Mejlis, for "separatism", by Russian appointed judges in Simferopol. ([Read more](#))

# San Marino

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

CASE	DATE	RESOLUTION	CONCLUSION
M.N. AND OTHERS <a href="#">28005/12</a>	7 October 2015	<a href="#">CM/ResDH(2017)250</a>	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]*

## Serbia

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

CASE	DATE	RESOLUTION	CONCLUSION
ZORICA JOVANOVIĆ <a href="#">21794/08</a>	9 September 2013	<a href="#">CM/ResDH(2017)292</a>	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]*

# Slovak Republic

## 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

### ■ ECRI: Combating racial discrimination and intolerance in the Slovak Republic: a Round Table of the Anti-racism Commission of the Council of Europe in Bratislava (20.09.2017)

In co-operation with the Slovak National Centre for Human Rights (SNCHR), the ECRI organised a round table in Bratislava on 28 September 2017 to discuss the follow-up to the recommendations of its 2014 report on Slovakia and its 2017 Conclusions ([Read more](#)).



# Slovenia

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ CPT: The Committee publishes report on Slovenia (20.09.2017)

The CPT publishes the report on its most recent visit to Slovenia from 28 March to 4 April 2017, together with the response of the Slovenian authorities ([Read more](#) - [Read the report](#)).

### ■ ECRI: Council of Europe says two priority recommendations on fighting discrimination were implemented, only one remains (19.09.2017)

The ECRI in a new report concludes that Slovenia satisfactorily implemented two out of three recommendations made in its last country monitoring report for priority implementation within two years ([Read more](#)).

# Spain

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

CASE	DATE	RESOLUTION	CONCLUSION
OTEGI MONDRAGON <a href="#">2034/07</a>	15 September 2011	<a href="#">CM/ResDH(2017)251</a>	Examination closed
SAN ARGIMIRO ISASA <a href="#">2507/07</a>	28 December 2010	<a href="#">CM/ResDH(2017)281</a>	Examination closed
ETXEBARRIA CABALLERO <a href="#">74016/12</a>	7 January 2015	<a href="#">CM/ResDH(2017)281</a>	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
ASSOCIATION OF CITIZENS “RADKO” AND PAUNKOVSKI  <a href="#">74651/01</a>	15 April 2009	<a href="#">CM/ResDH(2017)293</a>	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]*

# Turkey

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

CASE	DATE	RESOLUTION	CONCLUSION
Inmane LEMGHARI AND Fatima Zohra HAJJAJ <a href="#">10641/12</a>	13 September 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
Zana Ali MUHAMMED <a href="#">12778/12</a>	13 September 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
Marinica CRISTINA <a href="#">13907/13</a>	13 September 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
Ömer AKÇINAR and 11 OTHER APPLICATIONS <a href="#">24849/07+</a>	22 November 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
ARSLAN AND OTHERS <a href="#">35880/05</a>	24 May 2011	<a href="#">CM/ResDH(2017)282</a>	Examination closed
S.B. <a href="#">38287/11</a>	13 September 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
Murat GENÇ AND 6 OTHER APPLICATIONS <a href="#">38890/10</a>	1 September 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
GUNAY <a href="#">44705/09</a>	12 April 2011	<a href="#">CM/ResDH(2017)282</a>	Examination closed
Abdurrahman ÇAĞİL AND 3 OTHER APPLICATIONS <a href="#">45122/12</a>	22 November 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed

Cengiz İNANÇ <a href="#">51723/12</a>	11 October 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
Yılmaz YAVUZ AND 20 OTHER APPLICATIONS <a href="#">53830/11</a>	13 October 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
GÜR AND SELAHATTİN ASLAN AND 10 OTHER APPLICATIONS <a href="#">55463/10+</a>	27 September 2016	<a href="#">CM/ResDH(2017)282</a>	Examination closed
Hamit KİYE AND OTHERS <a href="#">77666/12</a>	8 November 2016	<a href="#">CM/ResDH(2017)282</a>	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]*

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

CASE	DATE	RESOLUTION	CONCLUSION
MATSYUK <a href="#">1751/03</a>	10 December 2009	<a href="#">CM/ResDH(2017)283</a>	Examination closed
Viktor Khasyanovych BOGDALOV AND 2 OTHER APPLICATIONS <a href="#">30400/12</a>	3 March 2016	<a href="#">CM/ResDH(2017)284</a>	Examination closed
Grygoriy Vasylyovych LOGVYNOVSKYY AND Galyna Mykhaylivna LOGVYNOVSKA <a href="#">38149/11</a>	21 June 2016	<a href="#">CM/ResDH(2017)284</a>	Examination closed
Vasyl Volodymyrovych SHPYCHKA AND 5 OTHER APPLICATIONS <a href="#">3817/10</a>	16 June 2016	<a href="#">CM/ResDH(2017)284</a>	Examination closed
Oleksandr Grygorovych IVANYTSKYY AND 2 OTHER APPLICATIONS <a href="#">39521/10</a>	16 June 2016	<a href="#">CM/ResDH(2017)284</a>	Examination closed
Viktor Ivanovych NYKYFORENKO AND 3 OTHER APPLICATIONS <a href="#">40519/09</a>	28 April 2016	<a href="#">CM/ResDH(2017)284</a>	Examination closed
Fedir Fedorovych GRUSHKOVSKYY <a href="#">70744/10</a>	21 June 2016	<a href="#">CM/ResDH(2017)284</a>	Examination closed

Valentyna Petrivna RUDENKO AND 4 OTHER APPLICATIONS <a href="#">9784/09</a>	29 September 2016	<a href="#">CM/ResDH(2017)284</a>	Examination closed
Yuliya Volodymyrivna TYMOSHENKO <a href="#">65656/12</a>	16 December 2014	<a href="#">CM/ResDH(2017)284</a>	Examination closed
IGOR SHEVCHENKO (Khaylo group) <a href="#">22737/04</a>	4 June 2012	<a href="#">CM/ResDH(2017)294</a>	Examination closed
MERKULOVA <a href="#">21454/04</a>	3 June 2011	<a href="#">CM/ResDH(2017)294</a>	Examination closed
MASNEVA <a href="#">5952/07</a>	20 March 2012	<a href="#">CM/ResDH(2017)294</a>	Examination closed
PADURA <a href="#">48229/10</a>	11 December 2014	<a href="#">CM/ResDH(2017)294</a>	Examination closed
MYRONENKO <a href="#">15938/02</a>	18 May 2010	<a href="#">CM/ResDH(2017)294</a>	Examination closed

OLEYNIKOVA <a href="#">38765/05</a>	15 March 2012	<a href="#">CM/ResDH(2017)294</a>	Examination closed
TUCHIN AND TUCHINA <a href="#">40458/08</a>	26 May 2016	<a href="#">CM/ResDH(2017)294</a>	Examination closed
BOROTYUK (Balitskiy group) <a href="#">33579/04</a>	16 March 2011	<a href="#">CM/ResDH(2017)295</a>	Examination closed
BORTNIK <a href="#">39582/04</a>	27 April 2011	<a href="#">CM/ResDH(2017)295</a>	Examination closed
TODOROV <a href="#">16717/05</a>	12 April 2012	<a href="#">CM/ResDH(2017)295</a>	Examination closed
KHAYROV <a href="#">19157/06</a>	15 February 2013	<a href="#">CM/ResDH(2017)295</a>	Examination closed
YEROKHINA <a href="#">12167/04</a>	15 February 2013	<a href="#">CM/ResDH(2017)295</a>	Examination closed



A.V. <a href="#">65032/09</a>	29 April 2015	<a href="#">CM/ResDH(2017)295</a>	Examination closed
TIKHONOV <a href="#">17969/09</a>	10 March 2016	<a href="#">CM/ResDH(2017)295</a>	Examination closed
SARANCHOV <a href="#">2308/06</a>	9 September 2016	<a href="#">CM/ResDH(2017)295</a>	Examination closed
KHARCHENKO (+ 35 other cases) <a href="#">40107/02</a>	10 May 2011	<a href="#">CM/ResDH(2017)296</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ ECRI: Conflict in Ukraine has led to sharp rise in hate speech, had overall negative impact on vulnerable groups, says Council of Europe Anti-racism Commission (19.09.2017)

In its new report on Ukraine, the ECRI commended new legal provisions to combat discrimination, progress in investigating hate crimes, steps towards integrating Roma and solidarity towards internally displaced persons (IDPs). However, efforts must be stepped up to end racist violence against LGBT and Roma and hate speech dominating public discourse, and to improve conditions of IDPs ([Read more](#)).

# United Kingdom

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

CASE	DATE	RESOLUTION	CONCLUSION
J.N. <a href="#">37289/12</a>	19 August 2016	<a href="#">CM/ResDH(2017)252</a>	Examination closed
V.M. <a href="#">49734/12</a>	30 January 2017	<a href="#">CM/ResDH(2017)252</a>	Examination closed
Thomas Richard LESLIE AND Gerald MOONEY <a href="#">60105/10+</a>	7 March 2017	<a href="#">CM/ResDH(2017)25austri3</a>	Examination closed
MCNAMARA <a href="#">22510/13</a>	12 January 2017	<a href="#">CM/ResDH(2017)285</a>	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]*