

# REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue#145

[1 – 30 October 2016]

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Information **selected** by the « Versailles St-Quentin Institutions Publiques » research centre (Paris Saclay - 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 of Council of Europe norms and activities by way of regular transfer of information, which the Directorate of Human Rights carefully selects and tries to present in a user-friendly manner. The information is sent to the Contact Persons in the NHRs who are kindly asked to dispatch it within their offices.

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

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

The preparation of the RSIF has been supported as from 2013 by the "Versailles St-Quentin Institutions Publiques" research centre of the University of Versailles St-Quentin-en-Yvelines (Paris Saclay). It is entrusted to Vincent Couronne, Léa Guémené, Arina Lazareva, Pavlos Aimilios Marinatos, Clara Michel, Albane Surville and Alex Vezina, under the supervision of Laure Clément-Wilz, European Law Professor.

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# PartOne

## GENERAL INFORMATION

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

This information was issued during the period under observation (1-31 October 2016) by the European Court of Human Rights, the European Committee of Social Rights, the Committee of Ministers, the Parliamentary Assembly and other Council of Europe monitoring mechanisms.

# PartOne

## §1 - EUROPEAN COURT OF HUMAN RIGHTS

### A. Judgments

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

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

Some judgments are only available in French.

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

#### Note on the Importance Level:

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

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

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

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

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

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

**[KITANOVSKA STANOJKOVIC AND OTHERS V. THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA \(No 2319/14\) - Importance 2 - 13 October 2016 - Violation of Article 2 \(procedural\) - Unreasonable delay of sentence’s enforcement imposed on an assailant living near his victims](#)**

The case concerned the delayed enforcement of the sentence imposed on one of the assailants found guilty of seriously assaulting a couple during a robbery of their home. The first applicant was very seriously injured and her husband later died from his injuries. The assailants were convicted in a final judgment of November 2012. One of the assailants continued living in the vicinity of the applicants’ neighbourhood until July 2014 when he started serving his sentence.

#### Article 2

The Court reiterated that Article 2 imposes a duty on the State to secure the right to life by putting in place effective criminal law provisions designed to provide effective deterrence against threats to the

right to life, backed up by law enforcement machinery for the prevention, suppression and punishment of breaches of such provisions. Compliance with the State's obligations under Article 2 requires the domestic legal system to demonstrate its capacity to enforce criminal law against those who have unlawfully taken the life of another.

In this case, the procedural requirements under Article 2 had been undermined on account of the unjustified delays in enforcing the custodial sentence, irrespective of whether the assailant had, after his conviction, demonstrated any hostility against the applicants.

Therefore, there has been a procedural violation of Article 2 of the Convention.

Article 41 (Just satisfaction)

The Court has awarded each applicant the sum of EUR 5,000 in respect of non-pecuniary damage, plus any tax that may be chargeable. The Court has awarded EUR 2,420 for the costs and expenses incurred, plus any tax that may be chargeable to the applicants.

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

**T.P. and A.T. v. HUNGARY (Nos 37871/14 and 73986/1) - Importance 2 - 4 October 2016 - Violation of Article 3 - Unlawful legislation for reviewing whole life sentences**

The case concerned new legislation introduced in 2015 for reviewing whole life sentences. The legislation was introduced in order to comply with an ECtHR judgment of 2014 in which the Court found that the system for reviewing whole life sentences in Hungary should be reformed. The applicants in this case alleged that despite the new legislation, which introduced an automatic review of whole life sentences – via a mandatory pardon procedure – after 40 years, their sentences remained inhuman and degrading as they had no hope of release.

The Court considered that alone the fact that the applicants can hope to have their progress towards release reviewed only after they have served forty years of their life sentences, is sufficient to conclude that the new Hungarian legislation does not offer *de facto* reducibility of the applicants' whole life sentences. The Court concluded that making a prisoner wait 40 years before he or she could expect for the first time to be considered for clemency was too long. Indeed, such a period was significantly longer than the maximum recommended time frame – 25 years – for review of life sentences as established in a previous Court judgment. The Court was therefore not persuaded that, at the present time, the applicants' life sentences could be regarded as providing them with the prospect of release or a possibility of review. Moreover, the Court expressed a number of concerns relating to the remainder of the procedure provided by the new legislation.

Therefore, there has been a violation of Article 3 of the Convention.

Article 41 (Just satisfaction)

The Court held that the finding of a violation constituted in itself just satisfaction for any non-pecuniary damage suffered by the applicants; and that Hungary was to pay EUR 1,500 in costs and expenses.

**YAROSLAV BELOUSOV v. RUSSIA (Nos. 2653/13, 60980/14) - Importance 2 - 4 October 2016 - Violation of Article 3 - Degrading treatment during the proceedings - Violation of Article 5 - Unjustified detention - Violation of Article 6 - The glass cabin restricting the applicant's participation in proceedings - Violation of Article 11 - Disproportionate criminal sanction**

The case concerned the applicant complaint that the conditions of his pre-trial detention, his transfers to and from court, and in the courtrooms themselves had all amounted to inhuman or degrading treatment. His pre-trial detention had not been based on a reasonable suspicion that he had committed an offence.

### Article 3

The Court found that, in the case of the glass cabin in the first hearing room, the conditions had been such that degrading treatment had occurred, and Article 3 had been violated. This had been due to the overcrowding in that room (where ten defendants were held in a cabin measuring 5.4 square metres). However, the Court found no violation of Article 3 in regard to the use of the glass cabin in the second hearing room. This was due to the presence of two cabins in which to hold the defendants, the applicant had had access to 1.2 square metres of personal space, thus avoiding extreme overcrowding. The Court held that the transfers between the prison and the hearing had constituted inhuman and degrading treatment in violation of Article 3. This had been due to the cumulative effect of journeys sometimes exceeding five hours, in cramped and generally poor conditions; and which had been repeated for seven months during his trial. The conditions of the applicant's detention had been far from adequate, but not inhuman or degrading. The Court found no evidence that the urgency of the applicant's health issues had called for immediate measures.

Therefore, the Court found no violation of Article 3 in respect of the applicant's pre-trial detention, or the alleged failure to provide medical assistance

### Article 5

The applicant had been detained primarily on the grounds that he shouted slogans and throwing an object that caused no lasting harm. The Court found that detention on these grounds had been in violation of the applicant's right to liberty.

Therefore, there had been a violation of Article 5 of the Convention.

### Article 6

The Court noted that the glass cabins used in the present case had been permanent courtroom installations used in Russian courts. The Court observed that the glass barrier had to some extent limited the direct involvement of the applicant; the cabin had made it impossible to have confidential exchanges with the lawyer; and the cabin had not been equipped to enable the applicant to handle documents or take notes. Moreover, the use of the glass cabin had not been warranted by any particular security risk.

Therefore, the Court found that there had been a violation of Article 6 of the Convention.

### Article 11

The Court found that the applicant's prosecution and conviction had amounted to an interference with the exercise of his right to freedom of assembly. Furthermore, that interference had not been necessary, justified or proportionate. The applicant's participation in the mass disorder had been insignificant, and the risks referred to by the domestic authorities had no personal relation to the applicant.

Therefore, the Court held that the prosecution and conviction had violated the applicant's right to freedom of assembly under Article 11 of the Convention.

### Article 41 (Just satisfaction)

The Court held that Russia was to pay the applicant EUR 12,500 in respect of non-pecuniary damage.

### **G.U. v. TURKEY (In French only) - No. 16143/10 - Importance 3 - 18 October 2016 - Violation of Article 3 and Article 8 - Domestic authorities' failure to ensure a rape victim with effective investigation**

The case concerned a complaint by a young woman alleging that she had been raped and sexually assaulted by her step-father when she was a minor.

The Court held that it was required to examine whether the State had fulfilled its obligation, under Articles 3 and 8 of the Convention, to ensure an effective investigation and procedure. It first noted that the domestic judges had merely taken statements from the protagonists and did not organise a face-to-face confrontation. Furthermore, the Court observed that the domestic courts had not taken the applicant's particular vulnerability into consideration. Indeed, she was a minor at the time, and she had been heard in open court, which was traumatic and likely undermine her dignity and her private life. The Court then noted that the physical build of the step-father and the applicant had been one of the arguments used to reject the rape allegations, although domestic law did not contain a requirement that a rape victim had to have put up physical resistance. Moreover, domestic courts had examined solely the charge of rape and had completely failed to consider the applicant's allegation about indecent assault. Lastly, there had been considerable delays in the proceedings. Those several years had led to the charge of indecent assault becoming time-barred. Thus, the competent authorities had failed to explore the available possibilities for establishing all the surrounding circumstances.

In consequence, it held that there had been violations of Articles 3 and 8 of the Convention.

Article 41 (Just satisfaction)

The Court held that Turkey was to pay the applicant EUR 15,000 in respect of non-pecuniary damage, and EUR 2,000 in respect of costs and expenses.

**MURŠIĆ V. CROATIA (No. 7334/13) - Importance 1 - 20 October 2016 - Violation of Article 3 - Inhuman detention for 27 days in personal space of less than 3 square metres**

The case concerned the applicant complaint he had been held in poor conditions at the prison.

The Court confirmed that 3 sq. m of floor surface area per detainee in a multi-occupancy cell being the applicable minimum standard for the purposes of Article 3. The Court observed at the outset that it had not so far considered that conditions of detention by the domestic authorities disclosed a structural problem from the standpoint of Article 3 of the Convention. The Court found that during 27 consecutive days when the applicant disposed of less than 3 sq. m of personal space, he had been subjected to conditions of detention going beyond the unavoidable level of suffering inherent in detention. Also, the Court noted that in the ordinary daily regime the applicant had been allowed the possibility of two hours of outdoor exercise, which was a standard under the relevant domestic law. The conditions of the applicant's detention, although not completely adequate as regards personal space, had not reached the threshold of severity required for the treatment to be regarded as inhuman. However, the Court found that there had been a violation of Article 3 of the Convention with regard to the consecutive period of 27 days in which the applicant disposed of less than 3 sq. m of personal space. The Court thus considered that the conditions of the applicant's detention during the other periods in which he disposed of less than 3 sq. m of personal space did not amount to degrading treatment prohibited by Article 3 of the Convention.

Finally, the Court considered that there had been a violation of Article 3 of the Convention.

Article 41 (Just satisfaction)

The Court held that Croatia was to pay the applicant EUR 1,000 in respect of non-pecuniary damage and EUR 3,091.5 in respect of costs and expenses.

- **Right to liberty and security (Art. 5)**

**KASPAROV V. RUSSIA (No. 53659/07) - Importance 2 - 11 October 2016 - Violation of Article 5 § 1 - Unlawful extended questioning at airport - Violation of Article 11 - Unlawful interference with the right to freedom of assembly**

The case concerned the domestic authorities' detention of the applicant at the airport, which had prevented him from attending an opposition political demonstration.



### Article 5 § 1

The Court considered that the fact that the applicant had been under the control of the police had gone beyond a formality ordinarily associated with airport travel and had amounted to a deprivation of liberty. The applicant had little practical choice but to obey the police officer who had asked him to move to an office for questioning. The applicant had effectively been prevented from leaving the office by the constant presence of an armed guard by the door. Moreover, the applicant had not been formally arrested. And, his treatment had gone beyond a mere inspection of his ticket, which a traveller might reasonably expect. Therefore, the Court held that this deprivation of liberty had not been justified.

Moreover, the domestic authorities had not provided any written evidence to show that any crime might have been committed at all. Finally, the Court noted that the domestic authorities had not formally recorded the applicant's detention.

The Court therefore concluded that the applicant's arrest and detention had not had any legitimate purpose and had not been lawful, in violation of Article 5 § 1 of the Convention.

### Article 11

There was no doubt that if the applicant had attended the political demonstration, he would have exercised his right to freedom of assembly. Therefore, the Court held that the interference with his right to freedom of assembly had also been unlawful, in violation of Article 11 of the Convention.

### Article 41 (Just satisfaction)

The Court held that no just satisfaction was to be awarded to the applicant as he had not submitted any such claim.

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

### **BEAUSOLEIL V. FRANCE ([IN FRENCH ONLY](#)) (No. 63979/11) - Importance 2 - 06 October 2016 - Violation of Article 6 § 1 - Lack of impartiality of the Court of Audit when determining the balance on an account**

The case concerned the applicant's allegation that the Court of Audit had not been impartial, on account of the references in a public report prejudging the issue it was called upon to assess when determining the balance on the accounts in question.

The Court observed that in its decision the domestic court, while acknowledging that Article 6 § 1 was applicable at each stage of the de facto management procedure, had held that the stage of determining the outstanding balance could not, in principle, be rendered void by a prejudgment stemming from a prior public report. Nevertheless, the Court considered that the terms used in the public report might have given rise to the Court of Audit's lack of impartiality when determining the balance on the accounts. The Court observed that the public report had discussed the case as a whole and had not made any distinction between the declaration of de facto management and the calculation of the unlawfully disbursed amounts. The expenditure had been identified in precise detail. Although the applicant had not been mentioned by name in the report, he had been described in a manner which made him identifiable by anyone familiar with how the committee functioned and anyone wishing to investigate its operations. The Court considered that at the stage of determining the outstanding balance on the accounts, the Court of Audit had not provided the guarantees of impartiality.

Therefore, there had been a violation of Article 6 § 1 of the Convention.

### Article 41 (Just satisfaction)

The Court held that France was to pay the applicant EUR 2,392 in respect of costs and expenses.

**Chakalova-Ilieva v. BULGARIA (No 53071/08) - Importance 3 - 6 October 2016 - Violation of Article 6 § 1 - Domestic authorities' failure to ensure a head teacher an access to a court in order to challenge her dismissal**

The case concerned the applicant's claim that she had been denied access to a court in order to challenge her dismissal from her head-teaching position. After her first dismissal, she won a three-year legal battle to obtain reinstatement. However, she was dismissed again. Her second claim was also dismissed, on the grounds that she had issued it against the wrong defendant: she had sued the Regional Education Inspectorate ("REI"), but the court found that she should have issued her claim against her former school. By this time however the two-month time limit for issuing proceedings had passed, and any potential claim against the school was time-barred.

**Article 6 § 1**

The Court considered that the applicant was placed in a situation of being unable to obtain the judicial examination of her second dismissal through no fault of her own. The Court is not convinced that she could be held responsible for that situation on account of the fact that she did not address the school in the dismissal appeal proceedings. This was rather the result of a combination of factors, such as the divergent practice of the national courts, which started developing at the relevant time and the expiry of the statutory time-limits for bringing a case against the school before the latter was formally identified as the proper defendant by the first court decision on the REI objection of 12 April 2006. No justification has been offered for this situation.

Therefore, there has been a violation of Article 6 § 1 of the Convention.

**Article 41 (Just satisfaction)**

The Court held that Bulgaria was to pay the applicant EUR 4,000 euros in damages and EUR 2,000 in respect of costs and expenses.

**Constantinides v. GREECE (In French only) - (No 76438/12) - Importance 2 - 6 October 2016 - No violation of Article 6 § 1 or of Article 6 § 3 - No failure of domestic authorities to ensure the applicant with a fair trial**

The case concerned an individual who had been convicted in criminal proceedings complained of the admission in evidence at his trial of a graphologist's report prepared by an expert who did not attend the hearings.

With regard to the non-attendance of the expert at the hearings, the Court was not convinced that the domestic courts had done everything that could reasonably be expected of them to secure his attendance. Nevertheless, the Court observed that the applicant had not disputed the expert's professional competence at any stage before the lower courts and that he had had the opportunity to dispute the conclusions of the expert's report. The Court found that the applicant's defence rights had not been restricted in a manner incompatible with the requirements of a fair trial, and that there had been no violation of Article 6 §§1 and 3 (d) of the Convention.

Therefore, there has been no violation of Article 6 § 1.

**JEMELJANOV V. LATVIA (No. 37364/05) - Importance 3 - 06 October 2016 - No violation of Article 6 § 1 and 3 (c) - Not undermined defence rights when refusing domestic authorities lawyer**

The case concerned a complaint of the applicant accused of murder that he had not had legal assistance in the first-instance criminal proceedings against him because of the poor quality of the domestic authorities' appointed lawyers.

The Court found that the second domestic authorities' appointed lawyer had not been passive. Furthermore, the applicant's complaint about the quality of the services had been duly assessed by the court and dismissed as unfounded. Moreover, when the applicant was not represented by a lawyer, he had been provided with an effective right to defend himself in person before the trial court. In particular, the legal issues of the case had not been particularly complex. Nor had the appellate proceedings undermined the applicant's defence rights. The applicant had benefitted from free legal assistance of two different court-appointed lawyers, and he had not raised any complaints. In conclusion, the applicant's right to defend himself in person or through legal assistance had not been restricted in a manner which undermined the overall fairness of the criminal proceedings against him.

Therefore, there had been no violation of Article 6.

**ZUBAC V. CROATIA (No. 40160/12) - Importance 3 - 11 October 2016 - Violation of Article 6 § 1 – Excessively formalistic refusal to consider an appeal in a property claim**

The case concerned the applicant's allegation that she had been prevented from having access to the Supreme Court of the domestic authorities.

The Court noted that the original value of the claim was HRK 10,000; that the applicant had applied to change this value to HRK 105,000; that the first instance court had adopted it; and that the second-instance court had also upheld this value. The Supreme Court declared the appeal on points of law lodged by the applicant's legal predecessor inadmissible *ratione valoris*. It held that the relevant value of the subject matter of the dispute was the one indicated in the claimant's civil action, namely HRK 10,000, which was below the statutory threshold of HRK 100,000, and that the procedural rules had not permitted claimants to alter the value of their claim upon their own motion. The Court found that the Supreme Court had applied the rules in an excessively formalistic manner.

Therefore, there had been a violation of Article 6 § 1 of the Convention.

Article 41 (Just satisfaction)

The Court held that Croatia was to pay the applicant EUR 2,500 in respect of non-pecuniary damage, and EUR 3,450 in respect of costs and expenses.

**LES AUTHENTIKS AND SUPRAS AUTEUIL 91 V. FRANCE (IN FRENCH ONLY) (No. 4696/11) - Importance 2 - 27 October 2016 - No violation of Article 6 - Justified change of the grounds by the domestic court - No violation of Article 11 – Justified dissolution orders**

The case concerned the applicants' complaint that the use of different grounds by the judge to uphold the dissolutions had violated the principle of adversarial proceedings, and that the dissolution amounted to a disproportionate interference with their rights of freedom of assembly and association.

Article 6

The Court noted that the domestic court had only used some of the grounds on which the dissolution orders had been based. And those orders had been issued on the basis of recurrent offences. Nevertheless, the parties had been able to discuss the different grounds. The Court concluded that the change of grounds had not infringed the applicants' right to a fair trial.

Therefore, there had been no violation of Article 6 of the Convention.

Article 11

The Court noted at the outset that the parties agreed that the impugned measure amounted to an interference with the right to freedom of association and that they did not deny that the interference had a legal basis. The Court accepted that the domestic authorities had justifiably considered that there was a "pressing social need" to impose drastic restrictions. The dissolution orders had therefore been necessary, in a democratic society, for the prevention of disorder and crime.

Therefore, there had been no violation of Article 11 of the Convention.

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

**K.S. AND M.S. V. GERMANY (No. 33696/11) - Importance 2 - 06 October 2016 - No violation of Article 8 - Lawful and proportionate search of home on the basis of information bought by the domestic authorities secret services**

The case concerned the applicants' complaint that their home had been searched on the basis of a warrant issued on the strength of evidence which had been obtained in breach of the domestic and international law.

The Court found that the search of the applicants' home had amounted to an interference with their right to respect for their home and that that interference had been based in domestic law. Furthermore, the applicants had been able to foresee that the domestic authorities would consider basing the search warrant. Moreover, the search of the applicants' home had been proportionate to the legitimate aim pursued, namely the prevention of crime.

The Court noted that searches were generally only ordered by a judge under the limited conditions set out in the Code of Criminal Procedure. The Court observed that tax evasion is a serious offence affecting domestic authorities' resources and its capacity to act in the collective interest. Moreover, the search had been ordered to find further evidence and appeared to be the only means of establishing whether the applicants had in fact been liable for tax evasion.

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

**BAGDONAVICIUS AND OTHERS V. RUSSIA (IN FRENCH ONLY) (No. 19841/06) - Importance 2 - 11 October 2016 - Violation of Article 8 - Unlawful demolition of homes and the forced eviction of residents of Roma origin**

The case concerned the allegation of the 33 applicants with membership of the Roma community that their eviction and the demolition of their homes had infringed their right to respect for their private and family life and home.

Article 8

The Court noted that the occupation of the land through unauthorised building work had covered a sufficiently long period, and the applicants had been able to establish a community life. The Court also noted that the domestic court had ordered that the houses be demolished without invoking any reasons other than the absence of building permits and the fact that the land was occupied unlawfully. In consequence, the Court considered that the domestic authorities had not conducted genuine consultations with the applicants about possible rehousing options, on the basis of their needs and prior to their forcible eviction.

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

Article 41 (Just satisfaction)

The Court held that Russia was to pay the applicants EUR 500 in respect of pecuniary damage, and EUR 7,500 in respect of non-pecuniary damage.

**B.A.C. v. GREECE (In French only) - No. 11981/15 - Importance 2 - 13 October 2016 - Violation of Article 8 - Domestic authorities' failure to provide an asylum seeker with secure and certain situation during 14 years - Violation of Article 3 in conjunction with Article 13 - Substantive risk of ill-treatment in case of a sudden removal to the applicant's native country**

The case concerned an asylum-seeker waiting for a decision from the authorities since 2002.

Article 8 in conjunction with Article 13

The Court first observed the applicant's complaint about an interference with his private life, as he had lived in Greece for 12 years with an insecure and uncertain status. It especially noted that the applicant had worked in the construction sector without a work permit, that he had not been able to enrol at university, to obtain a driving licence or to open a bank account. The Court found that the failure by the authorities to determine the applicant's asylum application for a period of more than 14 years without any justification had breached the positive obligations inherent in his right to respect for his private life.

The Court therefore held that there had been a violation of Article 8 of the Convention in conjunction with Article 13.

Article 3 in conjunction with Article 13

The Court first observed that the applicant, a Turkish national, was a pro-Kurdish left-wing militant, was accused of being part of an armed terrorist organisation and murdering the founder of another terrorist organisation. Based on several medical reports, it noted that he had been tortured several times. Since the applicant's asylum application had yet to be determined, his legal status remained uncertain, thus putting him at risk of sudden removal to Turkey, in spite of the fact that he might be subjected to treatment breaching Article 3 of the Convention in that country.

Accordingly, the Court concluded that there would be a violation of Article 3 of the Convention in conjunction with Article 13.

Article 41 (Just satisfaction)

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

**OTGON V. THE REPUBLIC OF MOLDOVA (No. 22743/07) - Importance 3 - 25 October 2016 - Violation of Article 8 - Domestic courts' failure to ensure the applicant with an appropriate amount of damages**

The case concerned the applicant's complaint about the amount of damages awarded to her by the courts after she drank infested tap water. As a result, she had spent two weeks in hospital with dysentery.

The Court first recalled that the concept of "private life" covers the physical and psychological integrity of a person. The Court noted that the first-instance domestic court had awarded the applicant the equivalent of 648 euros in respect of non-pecuniary damage. However, the higher court had halved that amount and the Supreme Court had upheld that decision. The Court observed that no specific reasons had been given for that reduction. Indeed, the higher courts had arrived at a different conclusion concerning the amount of compensation to be awarded even though they had relied on the same degree of physical and psychological harm. Lastly, the sum awarded by the domestic courts was considerably below the minimum awarded by the European Court in similar cases.

Accordingly, the Court held that there had been a violation of Article 8 of the Convention.

Article 41 (Just satisfaction)

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

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

**PETAR MATAS V. CROATIA (No. 40581/12) - Importance 2 - 04 October 2016 - Violation of Article 1 of Protocol No. 1 - Unreasonable restrictions on the use of a car workshop pending an evaluation of the building's cultural heritage**

The case concerned the applicant's complaint that the restriction on the use of his car repair workshop had been unlawful and unreasonable.

Article 5 § 1

The Court noted that the domestic authorities had been aware that the applicant had bought the building for commercial use and that there had been nothing to indicate that measures of protection for cultural heritage purposes would be applied. Furthermore, they had entailed a number of significant restrictions on the use of his property, including its commercial use, based on the Cultural Heritage Act.

However, the Court found that such an interference with the applicant's property rights for cultural heritage reasons had fallen short of the requirements. The Court observed that no measurements, assessments or studies as to the value of its cultural heritage had apparently been taken by the domestic authorities during that time. When ordering the measures of preventive protection the domestic authorities had not informed the applicant of the necessity to order those measures, nor had they transmitted their decisions to him. Therefore, they had failed to take into account his views on the matter and the impact that those measures would have on his property rights.

Consequently, the Court concluded that there had been a violation of Article 1 of Protocol No. 1 to the Convention.

Article 41 (Just satisfaction)

The Court held that no compensation was to be awarded to the applicant as he had failed to submit and specify his just satisfaction claim within the fixed time-limit.

**Malfatto and Mieille v. FRANCE (In French only) (Nos 40886/06 AND 51946/07) - Importance 3 - 6 October 2016 - No violation of Article 1 of Protocol No 1 - No failure of domestic authorities to strike a fair balance between the applicant's rights and the general interest in protection of the coastline**

The case concerned some land on the Mediterranean coast. It was designated as building land in 1964 and a permit was issued for its subdivision into plots. Under the terms of a national planning directive in 1979, the land was made subject to an absolute prohibition on construction, owing to the fact that it was located within 100 meters of the shoreline. The applicants alleged that the refusal of their claims for compensation amounted to a violation of Article 1 of Protocol No. 1.

The Court first recalled that Article 1 of Protocol No 1, which guarantees the right to property, provides that Contracting States are entitled to regulate the use of goods if there is a general interest to such a regulation. In this case, the domestic court had found that although the applicant had carried out preparation and servicing work on the land between 1965 and 1972, he had not taken any steps between 1972 and 1989 – when he had been denied planning permission – to enforce the rights he had acquired as a result of the subdivision permit issued to him in 1964. The Court therefore observed that the applicant had refrained from making use of his property for many years. It further noted that during this period, the single plot that had been sold to a third party in 1972 had been built on. The Court also found that it had been reasonable for the domestic courts to conclude that they had not personally borne the costs of the work and pointed out that a subdivision permit did not automatically entail a right to build on the land concerned. The Court considered that the decrease of the value of the land could not suffice to call those conclusions into question.

Therefore, there had been no violation of Article 1 of Protocol No 1.

**Kanaginis v. GREECE ([In French only](#)) - No. 27662/09 - Importance 2 - 27 October 2016 - Violation of Article 1 of Protocol No. 1 - Domestic authorities' failure to strike a fair balance between State financial interest and the applicant's right to respect for property**

The case concerned the re-appropriation procedure for property expropriated by the State. The applicant complained that the sum which he was required to reimburse in order to recover possession of his property was not reasonably proportionate to the sum which he had received in respect of compensation for the expropriation.

The Court first took the view that the expropriation of the applicant's land had amounted to an interference with the right to respect for property. It is not contested that such interference was prescribed by law or that it pursued a legitimate aim, namely ensuring that the land in question would not be bought back to the detriment of State financial interests. Indeed, it was not unreasonable for the domestic authorities to have readjusted the value of the compensation awarded to the applicant, on a legal basis, thirty years later. However, the Court noted that using exclusively the criterion of the average annual consumer price index was rather abstract, because that index mainly concerned the general economic situation of the country, and provided no relevant information on the evolution of the property market. The Court consequently held that there was an unreasonable difference between the sum demanded by the domestic authorities and the actual value of the land. The Court held that the criteria applied in this case upset the fair balance between the requirements of the public interest and the imperatives of protecting the applicant's right to respect for his property.

There had therefore been a violation of Article 1 of Protocol No. 1.

Article 41 (Just satisfaction)

The Court held that the question of the application of Article 41 was not ready for decision.

Consequently, it reserved the matter and would set out the subsequent procedure, having regard to the possibility that the domestic authorities and the applicant might reach an agreement, in the light of the new procedure implemented.

## 2. Other judgments issues in the period under observation

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

For more detailed information, please refer to the cases.

STATE	DATE	CASE TITLE	IMP.	CONCLUSION	KEY WORDS
ARMENIA	20 October 2016	<b><u>Ara Harutyunyan</u></b> <b>(No. 629/11)</b>	3	Violation of Art. 5 § 3	Continuation of the applicant's detention on insufficient grounds
	27 October 2016	<b><u>Ter-Sargsyan</u></b> <b>(No. 27866/10)</b>	3	Violation of Art. 6 § 1 read in conjunction with Art. 6 § 3 (d)	Unfairness of proceedings on account of the restriction of the applicant's right to examine witnesses whose testimony played a decisive role in securing his conviction
				Violation of Art. 6 § 1	Non-examination of a piece of evidence
	27 October 2016	<b><u>Vardanyan and Nanushyan</u></b> <b>(No. 8001/07)</b>	2	Violation of Art. 6 § 1	Unfairness of proceedings on account of the breach of the principle of legal certainty and of the equality of arms and lack of impartiality
Violation of Art. 1 of Prot. No. 1				Interference with the applicant's property given that the deprivation of his house had not been in compliance with the conditions provided for by the domestic law	
AUSTRIA	25 October 2016	<b><u>Verlagsgruppe News GmbH</u></b> <b>(No. 60818/10)</b>	3	Violation of Art. 10	Unnecessary interference with the applicant company's right to freedom of expression concerning the publication of an article which contributed to a debate of general interest
BELGIUM	18 October 2016	<b><u>Miessen</u></b> <b>(In French only)</b> <b>(No. 31517/12)</b>	2	Violation of Art. 6 § 1	Domestic court's excessively strict interpretation restricted disproportionately the applicant's right to access to a court
CROATIA	4 October 2016	<b><u>Antunovic</u></b> <b>(No 66553/12)</b>	3	No violation of Art. 6 § 1	Domestic court to declare administrative action inadmissible despite a wrong instruction
				No violation of Art. 1 of Prot. No. 1	Non-exhaustion of domestic remedies
		<b><u>Travaš</u></b> <b>(No 75581/13)</b>	2	No violation of Art. 8	Status of the applicant; exposure of the applicant's situation; State's responsibility as an employer; severity of the sanction; and review by the



					domestic courts
<b>CROATIA (CONTINUED)</b>		<b><u>Žaja</u> (No 37462/09)</b>	2	Violation of Art. 7	Applicant's inability to distinguish between permissible and prohibited behaviour
				No violation of Art. 1 of Prot. No. 1	Confiscation and sale of the applicant's car in the context of the administrative proceedings and not in the administrative offence proceedings
	25 October 2016	<b><u>Arps</u> (No. 23444/12)</b>	3	Violation of Art. 6 §§ 1 and 3 (c)	Unfairness of proceedings on account of the domestic court's decision not to afford the applicant an opportunity to attend the appellate court session in the criminal proceedings against her in order to be heard and defend herself in person
				<b><u>Basic</u> (No. 22251/13)</b>	3
No violation of Art. 6 § 1	Fairness of proceedings despite the use of the impugned recordings as evidence				
<b>GERMANY</b>	6 October 2016	<b><u>MOOG</u> (Nos. 23280/08 and 2334/10)</b>	3	No violation of Art. 8	No lack of special diligence in the processing of the enforcement proceedings
				Violation of Art. 8	Domestic courts not establishing that the suspension of the applicant's contact for a period of three years is justified
		<b><u>W.P.</u> (No. 55594/13)</b>	3	Violation of Art. 8	Domestic authorities failure to meet their positive obligations, as a result of which the applicant's contact with his son was curtailed for the duration of more than four years
				No violation of Art. 5 § 1	Applicant's preventive detention at issue was justified under subparagraph (e) of Article 5 § 1 as lawful detention, ordered in accordance with a procedure prescribed by law, of a person "of unsound mind"
				No violation of Art. 7 § 1	Applicant's preventive detention, extended with retrospective effect beyond the former statutory ten-year limit

GREECE	6 October 2016	<b>Kalandia</b> <b>(In French only)</b> <b>(No. 48684/15)</b>	3	Violation of Art. 3	Poor conditions of detention (overcrowding)
				No violation of Art. 3	Conditions of transfer; medical treatment provided
				Violation of Art. 13	Length of the proceedings regarding the examination of the application for release
				No violation of Art. 13	Outcome of the proceedings regarding the application for release
GREECE	20 October 2016	<b>Alexopoulos and Others</b> <b>(In French only)</b> <b>(No. 41804/13)</b>	3	Violation of Art. 3 in conjunction with Art. 13	Poor conditions of detention (overcrowded prison, no ventilation nor natural light, lack of toilets and canteen)
				Violation of Art. 6 § 1	Excessive length of proceedings (12 years)
THE CZECH REPUBLIC	13 October 2016	<b>Eleftherios G. Kokkinakis - Dilos Kykloforiaki A.T.E.</b> <b>(In French only)</b> <b>(No. 45826/11)</b>	3	No violation of Art. 1 of Prot. No. 1	No failure of the domestic courts to strike a fair balance between the general and individual interest
				Violation of Art. 5 § 1	Unlawful confinement of the applicant in a social care institution given the insufficient guarantees against arbitrariness
				Violation of Art. 5 § 4	Lack of a judicial review of the lawfulness of the applicant's confinement
HUNGARY	11 October 2016	<b>Cervenka</b> <b>(No. 62507/12)</b>	2	Violation of Art. 5 § 5	Lack of an enforceable right to compensation concerning the violations under Art. 5
				Violation of Art. 1 of Prot. No. 1	Property designated as an inner water protection zone and expropriation envisaged by law, but not carried out for a period of approximately nine years
ITALY	6 October 2016	<b>Barcza and Others</b> <b>(No 50811/10)</b>	2	Violation of Art. 5 § 1 f)	Extension of detention with a view to deport the applicants
				Violation of Art. 5 § 5	No remedy available in order to sue for damages
LATVIA	13 October 2016	<b>Richmond Yaw and others</b> <b>(In French only)</b> <b>(Nos 3342/11, 3391/11, 3408/11 et 3447/11)</b>	3	No violation of Art. 6 § 1	Fairness of proceedings
LITHUANIA	4 October 2016	<b>Talmane</b> <b>(No. 47938/07)</b>	3	Violation of Art. 3	Threat by the police officers to use an electroshock device. Pre-trial investigation into the applicant's allegations of ill-treatment by police officers
	11 October 2016	<b>Yusiv</b> <b>(No 55894/13)</b>	3	No violation of Art. 1 of Prot. No. 1	Domestic authorities delaying the restoration of the applicant's property rights and the cancellation of her debt to the State, thereby causing her to incur substantial costs
		<b>Gaina</b> <b>(No 42910/08)</b>	3		

MONTENEGRO	25 October 2016	<a href="#">Radunovic and Others</a> (Nos. 45197/13, 53000/13 and 73404/13)	3	Violation of Art. 6 § 1	Domestic courts' decision to reject the applicants' claim for compensation relying on State immunity without providing relevant and sufficient reasons and notwithstanding the applicable provisions of international law impaired the very essence of the applicants' right of access to a court
POLAND	4 October 2016	<a href="#">Dorota Kania</a> (No 44436/13)	3	No violation of Art. 10	Conviction based essentially on the findings of fact to the effect that the applicant had failed to comply with her journalistic obligations of diligence. Interference complained of may be regarded as "necessary in democratic society"
PORTUGAL	4 October 2016	<a href="#">Do Carmo de Portugal e Castro Câmara</a> (No 53139/11)	3	Violation of Art. 10	Domestic courts failure to strike a fair balance between the relevant interests and to establish a "pressing social need" for putting the protection of the employer's reputation above the applicant's right to freedom of expression
RUSSIA	4 October 2016	<a href="#">Maylenskiy</a> (No 12646/15)	3	Violation of Art. 34	Interim measure aiming to obtain an independent medical assessment of the state of the applicant's health, the quality of the treatment he was receiving and the adequacy of the conditions of his detention in view of his medical needs
				Violation of Art. 3	Deficiencies on the part of the medical authorities tantamount to deprivation of the requisite medical care and amounting to inhuman and degrading treatment
		<a href="#">Klimov</a> (No 54436/14)	3	Violation of Art. 34	Interim measure aiming to obtain an independent medical assessment of the state of the applicant's health, the quality of the treatment he was receiving and the adequacy of the conditions of his detention in view of his medical needs
				Violation of Art. 3	Applicant exposed to prolonged mental and physical suffering diminishing his human dignity. Authorities' failure to provide him with the medical care needed amounting to inhuman and degrading treatment

RUSSIA (CONTINUED)	4 October 2016	<a href="#">Abdulkhadzhiyev a and Abdulkhadzhiyev</a> (No 40001/08)	3	Violation of Art. 2	State servicemen attempt to kill the applicant.	
				Violation of Art. 2 (procedural)	Failure to carry out an effective investigation into the circumstances of the applicants' wounding	
				Violation of Art. 1 of Prot. No. 1	Loss of the applicants' cattle imputable to the respondent State	
				Violation of Art. 13 in conjunction with Art. 2	Lack of an effective domestic remedy in that respect	
		<a href="#">Anna Popova</a> (No 59391/12)	2	Violation of Art. 1 of Prot. No. 1	Conditions under which the applicant was deprived of her title to the flat imposed an individual and excessive burden on her and authorities failure to strike a fair balance between the demands of the public interest on the one hand and the applicant's right to peaceful enjoyment of her possessions on the other	
	11 October 2016	<a href="#">Ruslan Makarov</a> (No 19129/13)	3	Violation of Art. 5 § 1	Applicant's involuntary hospitalisation in violation of the procedural time-limits prescribed by the domestic law	
				3	Violation of Art. 5 § 1	Applicant held at the police station and subsequently in hospital, in handcuffs and in the presence of a police officer, before his formal arrest; hence, applicant's unrecorded detention from the time of his actual arrest until his formal arrest
					Violation of Art. 3	Applicant subjected to ill- treatment by officers at the police station
					Violation of Art. 3 (procedural)	Domestic authorities' refusal to open a criminal case into the applicant's credible allegations of ill-treatment at the hands of the police amounting to a failure to carry out an effective investigation
		<a href="#">Turyev</a> (No 20758/04)	3	Violation of Art. 6 § 2	Prosecutor's words printed in a newspaper identifying the applicant by his first initial and full second name and labelling him the "murderer" of one victim and "complicit in the murder" of the other victim, being an unqualified declaration of guilt	

RUSSIA (CONTINUED)	25 October 2016	<a href="#">Chaushev and Others</a> (Nos. 37037, 39053/03 and 2469/04)	3	Violation of Art. 6 § 1	Lack of a public hearing
		<a href="#">Dzhurayev and Shalkova</a> (No. 1056/15)	3	Violation of Art. 8	Domestic court's decision to exclude the first applicant from the relevant State without convincingly establishing the threat to domestic security, without adequate procedural safeguards and despite his strong family ties had not been a measure proportionate to the legitimate aims pursued
SLOVENIA	6 October 2016	<a href="#">Smaigl</a> (No 29187/10)	3	No violation of Art. 6 §§ 1 and 3 (d)	Sufficient counterbalancing factors in place to ensure that the limitations which were imposed on the rights of the defence were not such as to deprive the applicant of a fair trial
SPAIN	11 October 2016	<a href="#">Iglesias Casarrubios and Cantalapiedra Iglesias</a> (In French only) (No 23298/12)	3	Violation of Art. 6 § 1	Refusal of a judge to interview the children, who were minors at the relevant time, during the proceedings for their parents' divorce
		<a href="#">Cano Moya</a> (No 3142/11)	2	Violation of Art. 34	Refusal of the post-sentencing judge to provide the applicant with photocopies of the complete case file amounted to a hindrance of the exercise of his right of individual petition
TURKEY	4 October 2016	<a href="#">Ürün</a> (In French only) (No 36618/06)	3	Violation of Art. 6 § 1	Excessively long proceedings before the administrative courts
				No violation of Art. 5	Deprivation of liberty compatible with Art. 5 § 1 requirements
		<a href="#">Cevrioğlu</a> (No 69546/12)	2	Violation of Art. 2	Absence of an adequate inspection mechanism that was enforced effectively by the relevant State authorities
				No violation of Art. 13	Absence of any apparent failure on the part of the State authorities in relation to the execution of the judgment in question

<b>TURKEY</b> <i>(CONTINUED)</i>	6 October 2016	<a href="#"><u>Pivovarnik</u></a> <b>(No 29070/15)</b>	3	Violation of Art. 3	Prison authorities' failure to ensure regular and systematic medical supervision of the applicant's condition and to put in place a comprehensive treatment strategy in respect of his hepatitis
				Violation of Art. 34	Domestic authorities' failure to ensure that the applicant received appropriate medical assistance in detention while his case was pending before the Court
	11 October 2016	<b>Hasan Yaşar and Others</b> <a href="#"><u>(In French only)</u></a> <b>(No 50059/11)</b>	3	No violation of Art. 2	Person allegedly killed by Statesmen only an hypothesis
				Violation of Art. 2 (procedural)	Authorities' failure to conduct an effective instruction
		<b>Sayan</b> <a href="#"><u>(In French only)</u></a> <b>(No 81277/12)</b>	3	Violation of Art. 2 (procédural)	Hospital's failure to treat the patient in order to protect its physical integrity
	18 October 2016	<b>Ali Aba Talipoglu</b> <a href="#"><u>(In French only)</u></a> <b>(No. 16408/10)</b>	3	Violation of Art. 3 (substantive, procedural)	Police ill-treatment and ineffective investigation in that respect
		<a href="#"><u>Alkasi</u></a> <b>(No. 21107/07)</b>	3	Violation of Art. 6 § 2	Breach of the applicant's presumption of innocence
		<b>Mizrak and Atay</b> <a href="#"><u>(In French only)</u></a> <b>(No. 65146/12)</b>	3	Violation of Art. 2 (substantive, procedural)	Excessive use of police lethal force and ineffective criminal investigation into the applicants' relative's death

UKRAINE	6 October 2016	<a href="#">Strogan</a> (No 30198/11)	3	No violation of Art. 3	No evidence that the applicant was under the control of the police for longer than was admitted by the Government, that subsequently he was taken to a forest, that handcuffs were used to ill-treat him or that he was given electric shocks on his body and that he was brought back to another part of the police station where the ill-treatment continued
				Violation of Art. 3 (procedural)	No effective investigation of the applicant's allegation of ill-treatment
				Violation of Art. 3	Numerous injuries on the applicant's body. State must be held responsible for the ill-treatment, which should be classified as inhuman and degrading.
				Violation of Art. 5 § 1	No grounds to arrest the applicant. The reasons given in the arrest report had not been supported by the circumstances of the case
				Violation of Art. 5 § 3	Excessive overall length of pre-trial detention
				Violation of Art. 5 § 5	No enforceable right to compensation in respect of unlawful detention
	13 October 2016	<a href="#">Irina Smirnova</a> (No. 1870/05)	3	Violation of Art. 3	Domestic authorities' failure to protect the applicant from repeated verbal harassment and physical violence by the co-owners of her flat and their acquaintances given the extreme delays in instituting and conducting criminal proceedings against them
				Violation of Art. 8	Domestic authorities' failure to provide the applicant with requisite procedural safeguards in order to protect her right to respect for home and private life

UKRAINE (CONTINUED)	13 October 2016	<a href="#">Konovalchuk</a> (No. 31928/15)	3	Violation of Art. 3 (substantive)	Inadequate medical care while in detention
				Violation of Art. 3 (substantive)	Poor conditions of the applicant's transportation between various places of detention (crowded and unsanitary carriages)
				Violation of Art. 34	Domestic authorities' failure to comply with the interim measure according to which the applicant's treatment was to be conducted immediately
	20 October 2016	<a href="#">Gukovych</a> (No. 2204/07)	3	Violation of Art. 5 § 1	Unlawful confinement of the applicant
				<a href="#">Vinniychuk</a> (No. 34000/07)	3
		Violation of Art. 13	Lack of domestic remedies in that respect		
UNITED KINGDOM	6 October 2016	<a href="#">Daniel Faulkner</a> (No 68909/13)	3	No violation of Art. 5 § 1	The nature of the delay and its overall length not such as to conclude that detention had become arbitrary, despite a delay in the holding of the applicant's Parole Board review



## B. The decision on admissibility

The decisions listed below were published with a slight delay of two to three weeks on the Court's website. Therefore they cover the period **from 1 to 31 July 2016**. These decisions are selected to provide the NHRs with potentially useful information on the reasons of the inadmissibility of certain applications addressed to the Court and/or on the friendly settlements reached.

STATE	DATE	CASE TITLE	ALLEGED VIOLATION	DECISION
GERMANY	5 July 2016	<a href="#">Strack and Richter v. Germany</a> (Nos. 28811/12 and 50303/12)	Violation of Art.3 of Protocol 1, and Art. 13 of the Convention (Ineffectiveness of the applicants' electoral complaint due to the refusal of the Federal Constitutional Court to invalidate the election results or reallocate seats won)	Rejected as ill-founded (The Federal Constitutional Court pursued the legitimate aim of preserving parliamentary stability, certain types of electoral thresholds are legitimate and fell within the margin of appreciation of the Contracting States)
THE NETHERLANDS	5 July 2016	<a href="#">A and B v. The Netherlands</a> (No. 10827/12)	Violation of Art. 3 and 13 of the Convention (The applicants' removal would expose them to ill-treatment)	Rejected as ill-founded (There is no evidence that their rights under Art. 3 of the Convention would be violated by their deportation)
RUSSIA	5 July 2016	<a href="#">Isakov v. Russia</a> (No. 52286/14)	Violation of Art. 3 of the Convention (The alleged transfer of the applicant led to a violation of his rights guaranteed by this article) and Art. 34 of the Convention (The Government failed to comply with the Court's indication made under Rule 39 of the Rules of the Court).	Rejected as incompatible <i>ratione personae</i> with the provisions of the Convention
UKRAINE AND RUSSIA	5 July 2016	<a href="#">Lisnyy and others v. Ukraine and Russia</a> (Nos. 5355/15, 44913/15 and 50853/15)	Violation of Art. 2, 6 § 1, 8, 10 and 13 of the Convention (Impossibility to have their Convention rights guaranteed by these provisions effectively due to the situation in eastern Ukraine) and Art. 1 of Protocol 1 (Hindrance of the peaceful enjoyment of their property and dwelling places)	Rejected as ill-founded (The complaints have not been sufficiently substantiated)

### C. The communicated cases

The European Court of Human Rights publishes on a weekly basis a list of the communicated cases on its website. These are cases concerning individual applications which are pending before the Court. They are communicated by the Court to the respondent State's Government with a statement of facts, the applicant's complaints and the questions put by the Court to the Government concerned. The decision to communicate a case lies with one of the Court's Chamber which is in charge of the case. A **selection** of those cases **covering the period from 1 to 30 august 2016** 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
ARMENIA	30 August 2016	<a href="#">HAMBARDZUMYAN</a> (No. 43478/11)	The applicant complains that the recording of her conversation with another prisoner was unlawful, since the court warrant was too vague and did not meet the requirements established by law.
LATVIA	22 August 2016	<a href="#">NAUMENKO AND SIA RIX SHIPPING</a> (No. 50805/14)	The applicants complain that the search of their business premises and the inspection and seizure of their documents and electronic files had lacked any necessity and justification and that the scope of the authorisation in that regard had been excessively wide.
FORMER YUGOSLAV REPUBLIC OF MACEDONIA	22 August 2016	<a href="#">L.R.</a> (No. 38067/15)	The Helsinki Committee for Human Rights complains that the applicant was subjected to inhuman and degrading treatment as he has being placed in an inappropriate institution where he did not receive adequate care and treatment and which culminated in his being tied to his bed.
NETHERLANDS	30 August 2016	<a href="#">L.</a> (No. 68613/13)	The applicant complains that the full body search which she was forced to undergo had been unnecessary and amounted to inhuman and degrading treatment.
NORWAY	22 August 2016	<a href="#">PEDERSEN AND OTHERS</a> (No. 39710/15)	The applicants complains that their right to respect for their family life has been infringed through the domestic authorities' decisions to deprive the applicants of their parental responsibility, to allow the adoption of the child and to restrict the applicants' contact rights.
RUSSIA	30 August 2016	<a href="#">SHAPOVALOV</a> (No. 13385/16)	The applicant complains that the decision ordering his administrative removal was taken without an examination of his family life and that it therefore violated his right to respect for his family life

TURKEY	26 August 2016	<a href="#"><u>POLAT AND TALI</u></a> <b>(No. 5782/10)</b>	The applicants complain that the institution of criminal proceedings against them on account of a number of photographs displayed in an exhibition constituted an unjustified interference with their right to freedom of expression.
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## PartOne

### §2 - RECOMMENDATIONS & RESOLUTIONS

#### A. Recommendations

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
CM	26 October 2016	<a href="#">(2016)8</a>	The Committee of Ministers to the member States on the processing of personal health-related data for insurance purposes, including data resulting from genetic tests	Member States should take appropriate measures to ensure respect for the fundamental rights of persons, without discrimination, in the context of the insurance contracts covered by this recommendation.

#### B. Resolutions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
PACE	11 October 2016	<a href="#">2130</a>	Lessons from the “Panama Papers” to ensure fiscal and social justice	Demanding for new laws – and better application of existing ones – to crack down on tax havens and money laundering
PACE	12 October 2016	<a href="#">2131</a>	Sport for all: a bridge to equality, integration and social inclusion	Calling for a more integrated approach to promoting access to sport through increased co-operation between stakeholders and through establishing effective monitoring mechanisms of any form of discrimination
PACE	12 October 2016	<a href="#">2134</a>	Co-operation with the International Criminal Court: towards a concrete and expanded commitment	Full support for the International Criminal Court (ICC), the first ever permanent independent judicial institution with jurisdiction over individuals accused of the most serious crimes affecting the whole international community: genocide, crimes against humanity and war crimes

<p><b>PACE</b></p>	<p>13 October 2016</p>	<p><a href="#">2135</a></p>	<p>Female genital mutilation in Europe</p>	<p>Calling for female genital mutilation to be recognised as violence against women and children, extraterritorial jurisdiction for domestic courts so that criminal prosecutions can be initiated when mutilation has been committed abroad, and public awareness-raising and information campaigns to combat this phenomenon</p>
<p><b>PACE</b></p>	<p>13 October 2016</p>	<p><a href="#">2136</a></p>	<p>Harmonising the protection of unaccompanied minors in Europe</p>	<p>Calling on member States to improve the protection of unaccompanied migrant minors and to avoid them going missing; calling for closer co-operation, including with the countries of origin and transit as well as Europol and Frontex, in order to protect children from trafficking</p>
<p><b>PACE</b></p>	<p>14 October 2016</p>	<p><a href="#">2137</a></p>	<p>The impact of European population dynamics on migration policies</p>	<p>Policies to develop to address the current decline in fertility, known as the “European demographic winter”, and curb the negative effects of population ageing</p>

## PartOne

### §4 - OTHER INFORMATION OF GENERAL IMPORTANCE

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

##### ■ '1267th meeting of the Ministers' Deputies' (5.10.2016)

The Ministers' Deputies adopted several resolutions in the context of the collective complaints procedure of the European Social Charter, as well as a recommendation on the application of the European Charter for Regional or Minority Languages by Bosnia and Herzegovina. They also adopted a declaration deploring the confirmation of the death sentence against Mr Siarhei Vostrykau by the Supreme Court of Belarus ([Read more](#)).

##### ■ '1268th meeting of the Ministers' Deputies' (18.10.2016)

At their meeting on 18 October, the Minister's Deputies decided to open for signature the Council of Europe Convention on Cinematographic Co-production (revised), on 30 January 2017, in Rotterdam (Netherlands). They approved a Council of Europe Action Plan for Belarus 2016-2017 and instructed the Secretariat to implement it ([Read more](#)).

##### ■ 'Council of Europe calls on member states to ban genetic tests for insurance purposes' (26.10.2016)

The Council of Europe calls upon the Governments of its Member States to ensure non-discrimination, including on grounds of genetic characteristics, and the protection of private life in the framework of insurance contracts covering risks related to health, age or death ([Read more](#) – [Interview with Mark Bale, Chair of the Council of Europe Committee on Bioethics](#) – [More information](#)).

##### ■ '1269th meeting of the Ministers' Deputies' (26.10.2016)

At their meeting on 26 October, the Minister's Deputies adopted a recommendation on the processing of personal health-related data for insurance purposes, including data resulting from genetic tests ([Read more](#)).

#### B. Information from the Parliamentary Assembly

##### ■ 'Lviv meeting: helping states to meet their climate change pledges' (3.10.2016)

At a meeting of the Sub-Committee on Environment and Energy in Lviv (Ukraine), Serhiy Kiral (Ukraine, EC) and Lord Prescott (United Kingdom, SOC) called on the Council of Europe to take an over-arching leadership role in reinforcing the implementation of the Paris climate change agreement, and to help ensure that countries set comprehensive goals at a national level, disaggregated into regional and municipal targets ([Read more](#)).

##### ■ 'Partnership for Democracy with Morocco: legislative elections well administered but with a low turnout' (8.10.2016)

Following the invitation of the National Council of Human Rights (CNDH), the Parliamentary Assembly of the Council of Europe (PACE) observed the elections to the House of Representatives of Morocco on 7 October 2016 ([Read more](#) – [Announcement](#)).

##### ■ "'Death penalty abolition is a continuous fight within and outside our borders,' says President' (9.10.2016)

In his opening speech of the Council of Europe Parliamentary Assembly (PACE) autumn session in Strasbourg, President Pedro Agramunt denounced that "in too many parts of the world, including on

our continent, the death penalty remains in force. While the death penalty has been abolished in many countries, there are unfortunately more and more people campaigning for reintroducing it.” ([Read more](#) – [Session web page](#) – [Opening speech](#)).

■ **‘World Day against the Death Penalty: abolition is a precondition for membership of the Council of Europe’ (10.10.2016)**

The Committee on Legal Affairs and Human Rights adopted a declaration on the occasion of the 14th World Day against the Death Penalty. The Committee reaffirmed its commitment to the right to life and reiterates that the death penalty is cruel, inhuman and degrading and that its abolition is a precondition for membership of the Council of Europe. It also strongly condemned the executions carried out in Belarus this year and the recent decisions by the country’s courts concerning the implementation of the death penalty ([Read more](#)).

■ **‘President calls for principles to be respected and warns against double standards’ (10.10.2016)**

In his opening speech of the PACE autumn session in Strasbourg, PACE President Pedro Agramunt made a plea for the strict respect of principles and rules and warned against double standards. He also asked PACE to closely scrutinise the effects of derogations from the European Convention on Human Rights on the grounds of an emergency situation ([Read more](#) – [Opening speech](#)).

■ **‘Secretary General’s dialogue with Assembly members’ (10.10.2016)**

Council of Europe Secretary General Thorbjørn Jagland replied to questions from members of the Assembly in a question and answer session during the Assembly’s autumn part-session ([Read more](#) – [Questions to Thorbjørn Jagland](#)).

■ **‘Václav Havel Human Rights Prize 2016 awarded to Nadia Murad’ (10.10.2016)**

The fourth Václav Havel Human Rights Prize – which honours outstanding civil society action in defence of human rights – has been awarded to Yazidi human rights activist Nadia Murad. The €60 000 prize was presented at a special ceremony today at the Palais de l’Europe in Strasbourg, on the opening day of the autumn plenary session of the Parliamentary Assembly of the Council of Europe (PACE) ([Read more](#) – [Video of the Václav Havel Human Rights Prize](#) – [Václav Havel Human Rights Prize webpage](#)).

■ **‘Justice and remembrance for the victims of terrorism’ (11.10.2016)**

“We want a Europe that grieves with us,” said Luciana Milani, whose daughter was killed in the Bataclan attack, and who was disappointed that “the Europe we’ve been teaching our children about has not managed to make its voice sufficiently heard.” According to Ms Milani, the European institutions seem opaque and far removed from ordinary citizens and “the message of solidarity is not getting through to the victims’ families” she told participants at a #NoHateNoFear event held by the PACE’s political and legal affairs committees. Echoing these sentiments, Antoine Leiris, who lost his wife in the Bataclan attack, called for “a European way of honouring the memory of the victims” but also for consideration to be given to introducing a mechanism for recognising and compensating victims. The conferral of such status, which would be the same for all victims, may then help to change the way terrorism is perceived ([Read more](#) – [Video of the hearing](#)).

■ **‘After ‘Panama Papers’, PACE demands crackdown on tax havens and money laundering’ (11.10.2016)**

PACE has demanded new laws – and better application of existing ones – to crack down on tax havens and money laundering ([Read more](#) – [Adopted text](#) – [Voting results](#)).

■ **‘OECD calls on policy makers to adopt a broader and more inclusive approach to productivity growth’ (11.10.2016)**

The Deputy Secretary General of the Organisation for Economic Co-operation and Development (OECD), Mari Kiviniemi, urged that everything be done to address the “concerns of those that have suffered unemployment” by “creating more inclusive societies where the benefits of growth are more equally shared” ([Read more](#) – [Video of the statement by Mari Kiviniemi](#) – [Report on the activities of the OECD \(2015-2016\)](#) – [Video of the debate](#)).

■ **‘PACE elects Jovan Ilievski judge of the European Court of Human Rights in respect of “the former Yugoslav Republic of Macedonia”’ (11.10.2016)**

Mr Ilievski, having obtained an absolute majority of votes cast, is elected a judge of the European Court of Human Rights for a term of office of nine years which shall commence as from 1 February 2017 ([Read more](#) – [Voting result](#) – [List and curricula vitae of candidates submitted by the Government of “the former Yugoslav Republic of Macedonia”](#) – [How are judges of the European Court of Human Rights elected?](#)).

■ **‘PACE rejects draft recommendation on ‘Children’s rights related to surrogacy’ (11.10.2016)**

The Council of Europe Parliamentary Assembly today voted against the adoption of a recommendation on ‘Children’s rights related to surrogacy’, based on a report by Petra De Sutter (Belgium, SOC) ([Read more](#) – [Voting result](#) – [Draft recommendation and report](#) – [Video of the debate](#)).

■ **‘PACE elects Lətif Hüseynov judge of the European Court of Human Rights in respect of Azerbaijan’ (11.10.2016)**

Mr Hüseynov, having obtained an absolute majority of votes cast, is elected a judge of the European Court of Human Rights for a term of office of nine years which shall commence no later than three months after his election ([Read more](#) – [Voting result](#) – [List and curricula vitae of candidates submitted by the Government of Azerbaijan](#) – [How are judges of the European Court of Human Rights elected?](#)).

■ **‘The Parliamentary Assembly marks breast-cancer awareness month’ (12.10.2016)**

On 12 October 2016, the Committee on Social Affairs, Health and Sustainable Development organised a breast cancer awareness-raising event. The President and members of the Assembly as well as the Deputy Secretary General of the Council of Europe, showed their support by wearing the pink ribbon distributed on the occasion ([Read more](#) – [Interview by Stella Kyriakides](#)).

■ **‘Thomas Bach: governments and the Olympic movement have a common responsibility in the fight against doping’ (12.10.2016)**

“Deficiencies of the World Anti-Doping Agency in the fight against doping have become apparent. It is encouraging to see that the World Anti-Doping Agency (WADA) is now starting to address these deficiencies through the organisation of Think Tanks and other measures”, said the President of the International Olympic Committee, Thomas Bach, addressing the Parliamentary Assembly during a debate on “Sport for all” ([Read more](#) – [Speech by Thomas Bach](#) – [Video of the statement by Thomas Bach](#)).

■ **‘Widespread support in PACE for a fourth Council of Europe summit’ (12.10.2016)**

It is time for a new Council of Europe summit – bringing together heads of state and government from the 47 member states – to re-launch the organisation and reaffirm its core mission at a time of “numerous political challenges”, according to a memo made public by PACE’s Political Affairs Committee ([Read more](#) – [Information memorandum](#)).

■ **‘Sport for all as a bridge to equality and integration’ (12.10.2016)**

Sport plays an important role for social cohesion by providing opportunities for people of different gender, abilities and nationality or from different cultures to meet and exchange ideas. However, “sport for all is not yet a reality”, PACE underlined ([Read more](#) – [Voting result](#) – [Adopted text](#) – [Video of the debate](#)).

■ **‘Call on the ICC Prosecutor to recognise her jurisdiction over the authors of war crimes in Syria and Iraq’ (12.10.2016)**

The Assembly restated its full support for the International Criminal Court (ICC), the first ever permanent independent judicial institution with jurisdiction over individuals accused of the most serious crimes affecting the whole international community: genocide, crimes against humanity and war crimes ([Read more](#) – [Voting result](#) – [Adopted text](#) – [Video of the debate](#)).

■ **‘Prevention, information and education to eradicate female genital mutilation’ (13.10.2016)**

The Assembly believes that prevention must lie “at the heart of all efforts to eradicate female genital mutilation” and must involve all the players concerned, whether the communities that practise it, grass roots organisations, social and education services, the police, the justice system or healthcare professionals ([Read more](#) – [Voting result](#) – [Adopted text](#) – [Video of the debate](#)).



■ **‘Deteriorating democratic environment and space for civil society in the Russian Federation’ (13.10.2016)**

Following the consideration of an information note prepared by the co-rapporteurs for Russia, Theodora Bakoyannis (Greece, EPP/CD) and Liliane Maury Pasquier (Switzerland, SOC), the Monitoring Committee of the Council of Europe Parliamentary Assembly (PACE) expressed its “serious concern at the deteriorating democratic environment and narrowing space for civil society organisations in the Russian Federation” ([Read more](#) – [Information note](#)).

■ **‘Improving the protection of unaccompanied migrant minors in Europe’ (13.10.2016)**

In a resolution based on the report by Manlio Di Stefano (Italy, NR), PACE called on member States to improve the protection of unaccompanied migrant minors and to avoid them going missing. The focus must be on “the need to treat unaccompanied children first and foremost as children, not as migrants,” declared the Assembly ([Read more](#) – [Voting result](#) – [Adopted text](#) – [Video of the debate](#)).

■ **‘Free debate on current issues that are not included in the session agenda’ (14.10.2016)**

The Parliamentary Assembly of the Council of Europe held a free debate on current issues not included in the session agenda ([Read more](#) – [Video of the debate](#)).

■ **‘PACE committee, citing human rights, asks EU and Canada to postpone signing of ‘concerning’ trade deal’ (14.10.2016)**

PACE’s Social Affairs Committee has called for the signing of a new trade agreement between the EU and Canada to be postponed – on the grounds that it would “unacceptably restrict the powers of national parliaments to adopt legislation on matters within their remit” ([Read more](#) – [Interview with Geraint Davies](#) – [Statement of the committee](#)).

■ **‘Ensuring access to healthcare to all children in Europe’ (14.10.2016)**

According to the report by Stella Kyriakides (Cyprus, EPP/CD), unanimously adopted by the Social Affairs Committee on 11 October in Strasbourg, even in the early 21st century, not all children in Europe enjoy equal access to healthcare services, which clearly diminishes their chances of leading happy and autonomous lives and equal opportunities ([Read more](#) – [Adopted text](#)).

■ **‘Europe’s response to “demographic winter” must be a cross-sectorial approach to social, labour and migration policies’ (14.10.2016)**

Policies must be developed to address the current decline in fertility, known as the “European demographic winter”, and curb the negative effects of population ageing, as declared by the Parliamentary Assembly of the Council of Europe (PACE), while adopting a resolution on the basis of a report by Kristin Johnsen (Norway, EPP/CD) ([Read more](#) – [Voting result](#) – [Adopted text](#) – [Video of the debate](#)).

■ **‘President congratulates new UN Secretary General, a former Parliamentary Assembly colleague’ (14.10.2016)**

The President of the Council of Europe Parliamentary Assembly, Pedro Agramunt, congratulated António Guterres on his election as the Secretary General of the United Nations. “It gives me a special pleasure to address our congratulations to a former colleague, member of the Parliamentary Assembly and Chairman of our Committee on Migration, Refugees and Demography”, Mr Agramunt said ([Read more](#)).

■ **‘Committee calls on member States to use cleaner energy resources focusing on renewables’ (14.10.2016)**

In a draft resolution adopted on 11 October 2016, the Committee on Social Affairs, Health and Sustainable Development of the Parliamentary Assembly of the Council of Europe (PACE) urges Council of Europe member States to ensure strict environmental and public health regulations are applied to the exploration and exploitation of non-conventional hydrocarbons ([Read more](#) – [Adopted text](#)).

■ **‘“International labelling of transgender people as ill must stop”, says rapporteur’ (21.10.2016)**

“Being transgender is not an illness, and it is time that medical standards around the world reflect that,” said the Council of Europe Parliamentary Assembly’s (PACE) General Rapporteur on the rights

of LGBT people Jonas Gunnarsson (Sweden, SOC), in view of the International Day of Action for Trans Depathologisation (24 October) ([Read more](#)).

■ **‘Intersex children: “No shame, no secrecy, no unwanted medical interventions”’ (25.10.2016)**  
“It is time to end shame, secrecy and unwanted medical interventions on intersex children,” said both the Council of Europe Parliamentary Assembly’s (PACE) General Rapporteur on the rights of LGBT people Jonas Gunnarsson (Sweden, SOC) and rapporteur on ‘Promoting the human rights of and eliminating discrimination against intersex people’, Piet De Bruyn (Belgium, NR), on the day of Intersex Awareness Day ([Read more](#)).

■ **‘Seminar to address the right of children to social, legal and economic protection’ (26.10.2016)**

Since 2013, the PACE Committee on Social Affairs, Health and Sustainable Development has been organising parliamentary “capacity-building” seminars based on the yearly conclusions of the European Committee of Social Rights (ECSR) and aimed at promoting the European Social Charter ([Read more](#) – [Programme of the seminar](#)).

### C. Information for the Commissioner for Human Rights

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

### D. Information from the monitoring mechanisms

■ **GRECO: Council of Europe’s anti-corruption body GRECO to monitor prevention of corruption in respect of top government officials and law enforcement (24.10.2016)**

In 2017, the Council of Europe anti-corruption body GRECO will start monitoring the prevention of corruption and the promotion of integrity in central governments (top executive functions) and law enforcement agencies, which will be the themes of its 5th Evaluation Round ([Read more](#)).

■ **GRETA: 10th European Anti-Trafficking Day, 18th October - Publication of Compendium of Good Practices to Fight Human Trafficking (18.10.2016)**

To mark the 10th European Anti-Trafficking Day, the GRETA has published a new guidebook for national authorities based on examples of good practice from across the continent ([Read more](#)).

■ **MONEYVAL: Outcome of Moneyval’s 51st Plenary Meeting (05.10.2016)**

MONEYVAL held its 51st plenary meeting in Strasbourg from 27 to 29 September 2016 ([More information](#)).

■ **FCNM: Conference to launch the fourth thematic commentary (11.10.2016)**

The launching conference of the Fourth Thematic Commentary on the Scope of Application “The Framework Convention: a key tool to managing diversity through minority rights” took place on 11 October 2016.

■ **Advisory Committee, adoption of three Opinions (14.10.2016)**

During its 57th plenary meeting this week, the Advisory Committee on the Framework Convention for the Protection of National Minorities adopted three country-specific opinions under the implementation of this convention in states parties. The fourth cycle Opinions on Austria and Norway were adopted on 13 October 2016 and the fourth cycle Opinion on Malta on 14 October 2016. These Opinions are restricted for the time being.

## PartTwo

# INFORMATION BY COUNTRY

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

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

# Albania

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE ‘Co-rapporteurs carry out a monitoring visit to Albania’ (26.10.2016)

Andrej Hunko (Germany, UEL) and Joseph O'Reilly (Ireland, EPP/CD), co-rapporteurs of the Parliamentary Assembly of the Council of Europe (PACE) for the monitoring of obligations and commitments by Albania, started today a fact-finding visit in the country, which will end on 28 October. ([Read more](#)).

# Armenia

## 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: Armenia must bridge gaps in legislation, tackle hate speech and violence, says Council of Europe's Anti-racism Commission (04.10.2016)**

Armenia has shown determination in fighting racism and intolerance, integrating refugees and supporting ethnic minorities. However, numerous legislation gaps, rise in hate speech and violence, and institutional shortcomings remain of concern, said the ECRI in its new report ([Read more](#)).

# Austria

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

CASE	DATE	RESOLUTION	CONCLUSION
BARTEBACH <a href="#">39120/03</a>	20 June 2008	<a href="#">CM/ResDH(2016)279</a>	Examination closed
E.B. AND OTHERS <a href="#">31913/07+</a>	7 February 2008	<a href="#">CM/ResDH(2016)280</a>	Examination closed
KLEIN <a href="#">57028/00</a>	25 December 2014	<a href="#">CM/ResDH(2016)281</a>	Examination closed
ROBATHIN <a href="#">30457/06</a>	3 December 2012	<a href="#">CM/ResDH(2016)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]*

# Czech 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: Council of Europe's Anti-racism Commission to hold a round table in Prague (27.10.2016)

The Council of ECRI, in co-operation with the Czech Public Defender of Rights and the Minister for Human Rights, Equal Opportunities and Legislation, is organising a round table in Prague on 3 November to discuss the follow-up given to the recommendations contained in ECRI's latest monitoring report on the Czech Republic, published in 2015 ([Read more](#)).

# Denmark

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ ECRI: Preparation of a report on Denmark (06.10.2016)

A delegation of the ECRI visited Denmark from 26 to 30 September as the first step in the preparation of a monitoring report. During its visit, ECRI's delegation gathered information on legislation, hate speech, violence, integration policies and LGBT issues ([Read more](#)).



# Estonia

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE ‘Co-rapporteurs carry out a monitoring visit to Albania’ (26.10.2016)

([Read more](#))

### ■ CM - Jürgen Ligi: the Committee of Ministers and the Assembly must work together closely’ (12.10.2016)

Addressing the Parliamentary Assembly, Jürgen Ligi, Minister for Foreign Affairs of Estonia, mentioned the recent events that had taken place during Estonia’s Chairmanship of the Committee of Ministers, including notably the attempted coup d’état in Turkey. “It is important that the Committee of Ministers and the Parliamentary Assembly, the two main statutory bodies of our Organisation, work closely to support the Turkish authorities and the people of Turkey,” he said ([Read more](#) – [Video of the statement by Jürgen Ligi](#)).

### ■ CM – a resolution regarding Estonia (26.10.2016)

Ministers’ Deputies adopted a resolution on the implementation of the Framework Convention for the Protection of National Minorities by Estonia ([Read more](#)).

### ■ PACE ‘Hanno Pevkur: “Only constitutionally-guaranteed decentralisation will anchor democracy at the regional and local levels”’ (18.10.2016)

Interior Minister of Estonia Hanno Pevkur addressed Congress members at their 31st Session, on 20 October 2016, in Strasbourg, France. Apart from an overview of the initiatives undertaken by the Estonian Chairmanship of the Council of Europe Committee of Ministers regarding the political situation in Turkey and Ukraine, the Minister detailed Estonia as a European model for e-democracy ([Read more](#) – [Speech](#)).

# Finland

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

CASE	DATE	RESOLUTION	CONCLUSION
A.S. <a href="#">40156/07</a>	28 December 2010	<a href="#">CM/ResDH(2016)288</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ FCNM: Publication of the 4th Advisory Committee Opinion (14.10.2016)

The Council of Europe Advisory Committee on the FCNM has published its Fourth Opinion on Finland together with the government comments ([Read the Fourth Opinion](#)).

# France

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

CASE	DATE	RESOLUTION	CONCLUSION
CADENE <a href="#">12039/08</a>	8 June 2012	<a href="#">CM/ResDH(2016)283</a>	Examination closed
CELICE <a href="#">14166/09</a>	8 June 2012	<a href="#">CM/ResDH(2016)283</a>	Examination closed
JOSSEAUME <a href="#">39243/10</a>	8 June 2012	<a href="#">CM/ResDH(2016)283</a>	Examination closed
HENRI RIVIERE AND OTHERS <a href="#">46460/10</a>	25 October 2013	<a href="#">CM/ResDH(2016)289</a>	Examination closed
DOUET <a href="#">16705/10</a>	3 January 2014	<a href="#">CM/ResDH(2016)290</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: 'François Hollande: 'We need the Council of Europe more than ever'' (11.10.2016)

"I am confident that the Council of Europe stands alongside France in all efforts to promote peace, freedom and democracy," declared France's President, François Hollande, addressing the Assembly. Mr Hollande said he was a strong believer in the Organisation "because you have done so much to promote the rule of law, and to ensure that we all live up to the promises we have made. More than ever we need the Council of Europe." In 2019, the Council of Europe will celebrate its 70th anniversary, he reminded the audience. "France will hold the Chairmanship of the Committee of Ministers and stands ready to organise a summit, the fourth of its kind, in an effort to provide new direction", announced Mr Hollande ([Read more](#) – [Video of the address by François Hollande](#)).

### ■ PACE: Pedro Agramunt welcomes France's strong political commitment to the Council of Europe' (11.10.2016)

"As a founder member and host of our Organisation, France plays a key role at the Council of Europe. Your visit to Strasbourg shows France's strong political commitment to the Council of Europe and the ideals and principles it champions. This political impetus is very important to us, particularly in the current political context", stated the PACE President on welcoming President François Hollande to the Council of Europe ([Read more](#)).

# Germany

## 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, German Foreign Minister: 'Human rights are and must remain non-negotiable' (13.10.2016)

"Human rights are and must remain non-negotiable," German Federal Foreign Minister Frank-Walter Steinmeier told parliamentarians at PACE's plenary session in Strasbourg. "They are not just an instrument to be used when it suits on the road to peace. They are in fact the cornerstone on which a functioning international order needs to be built" ([Read more](#) – [Video of the address by Frank-Walter Steinmeier](#) – [Address by Frank-Walter Steinmeier](#)).

# Georgia

## 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: 'Georgia monitors concerned at violence, call for calm before the elections' (05.10.2016)

Boriss Cilevics (Latvia, SOC) and Kerstin Lundgren (Sweden, ALDE), co-rapporteurs for the monitoring of Georgia by the Parliamentary Assembly of the Council of Europe (PACE), have expressed concern at the increasing tensions, mutual accusations and violent incidents in the country ahead of this week's election, culminating in the lamentable bomb attack on an opposition MP's car ([Read more](#)).

### ■ PACE: 'Georgia elections competitive and well-administered, although allegations and incidents of violence impacted campaign' (9.10.2016)

The parliamentary elections in Georgia held on 8 October were competitive, well-administered and fundamental freedoms were generally respected. The otherwise calm and open campaign atmosphere was, however, impacted by allegations of unlawful campaigning and some incidents of violence, as reported by the international observers in a preliminary statement released today ([Read more](#)).

### ■ PACE: 'Voting assessed positively in competitive run-off elections in Georgia, although legislative framework lacking' (31.10.2016)

The 30 October parliamentary run-offs in Georgia were competitive and administered in a manner that respected the rights of candidates and voters, and voting on election day was assessed positively, despite lacking a legal framework for the second round and complaints related to first round results, the international observers concluded in a preliminary statement released today ([Read more](#)).

# Greece

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ GRETA: The committee carries out first evaluation visit to Greece (11.10.2016)

A delegation of the GRETA carried out an evaluation visit to Greece from 3 to 7 October 2016. The visit was organised in the context of the first round of evaluation of the implementation by Greece of the Council of Europe Convention on Action against Trafficking in Human Beings ([Read more](#)).

# Malta

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ CPT: Publication of a report on Malta (25.10.2016)

The CPT published the report on its most recent visit to Malta from 3 to 10 September 2015, together with the response of the Maltese authorities ([Read the report](#) ; [Read more](#)).

### ■ ECRI: Publication of conclusions on the implementation of its priority recommendations (04.10.2016)

The ECRI published conclusions on the implementation of three priority recommendations made in its 2013 country report on Malta ([Read more](#)).

# Republic of Moldova

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

CASE	DATE	RESOLUTION	CONCLUSION
GOREA <a href="#">21984/05</a>	17 October 2007	<a href="#">CM/ResDH(2016)291</a>	Examination closed
TURCAN <a href="#">10809/06</a>	27 February 2008	<a href="#">CM/ResDH(2016)291</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE 'Moldova presidential election: fundamental freedoms respected, but biased media coverage marred campaign' (31.10.2016)

The first round of Moldova's first direct presidential election in 20 years provided ample opportunity for voters to express their preference for a new head of state. Fundamental freedoms were respected. The campaign was competitive, though marred by widespread abuse of state resources, biased media coverage and a lack of transparency in campaign finance, the international observers concluded in a preliminary statement released today. The election administration worked in a professional and transparent manner, and voting and counting were largely assessed positively by the observers ([Read more](#)).



# Montenegro

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

CASE	DATE	RESOLUTION	CONCLUSION
VELIMIROVIĆ <a href="#">20979/07</a>	2 January 2013	<a href="#">CM/ResDH(2016)292</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: Competitive elections; lack of distinct domestic policy alternatives' (17.10.2016)

Montenegro's 16 October parliamentary elections were held in a competitive environment and fundamental freedoms were generally respected in a campaign characterised by a lack of distinct domestic policy alternatives and permeated by personal attacks, international observers said in a statement issued today. While pluralistic, the media lacked editorial independence ([Read more – PACE to observe the parliamentary elections in Montenegro – PACE members delegation](#)).

### ■ ECRI: Preparation of a report on Montenegro (25.10.2016)

A delegation of the ECRI visited Montenegro from 17 to 20 October as the first step in the preparation of a monitoring report. During its visit, ECRI's delegation gathered information on legislation, hate speech, violence, integration policies and LGBT issues ([Read more](#)).

# Netherlands

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

CASE	DATE	RESOLUTION	CONCLUSION
GEERINGS <a href="#">308110/03</a>	14 May 2008	<a href="#">CM/ResDH(2016)284</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]*

# Poland

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ GRETA: Engaging businesses in combating trafficking in human beings for labour exploitation in Poland (19.10.2016)

On 13 October 2016, the Council of Europe and the Ministry of the Interior and Administration of Poland organised a seminar in Warsaw entitled “Engaging businesses in combating trafficking in human beings for labour exploitation”. The seminar was the concluding event of the project “Improving Poland’s Capacity to Prevent Trafficking in Human Beings” funded by the Norway Grants Financial Mechanism and implemented by the Ministry of the Interior and Administration with the Council of Europe ([Read more](#)).

# Portugal

## 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: Visit of the Committee (11.10.2016)

A delegation of the CPT recently carried out an eleven day visit to Portugal. The visit, which began on 27 September 2016, was the CPT's tenth visit to the country ([Read more](#)).

# Romania

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

CASE	DATE	RESOLUTION	CONCLUSION
TRUFIN <a href="#">3990/04</a>	20 January 2010	<a href="#">CM/ResDH(2016)293</a>	Examination closed
GINA IONESCU <a href="#">15318/09</a>	11 March 2013	<a href="#">CM/ResDH(2016)293</a>	Examination closed
PLEȘCA <a href="#">2158/08</a>	18 September 2013	<a href="#">CM/ResDH(2016)293</a>	Examination closed
DAMBEAN <a href="#">42009/04</a>	23 October 2013	<a href="#">CM/ResDH(2016)293</a>	Examination closed
LARIE AND OTHERS <a href="#">54153/08</a>	25 June 2014	<a href="#">CM/ResDH(2016)293</a>	Examination closed
BINIȘAN <a href="#">39438/05</a>	13 October 2014	<a href="#">CM/ResDH(2016)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]*

# Russia

## 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

PACE	12 October 2016	<a href="#">2132</a>	Political consequences of the Russian aggression in Ukraine	Calling on Russia to “reverse the illegal annexation of Crimea and allow Ukraine to regain control of the peninsula”, to withdraw its troops from the territory of Ukraine and stop military supplies to separatists
PACE	12 October 2016	<a href="#">2133</a>	Legal remedies for human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities	Russia’s duty to guarantee the human rights of all inhabitants of Crimea and of the self-proclaimed “people’s republics” of Donetsk and Luhansk; urging Russia to restore, in particular, the historical rights of the Crimean Tatar people and “enable the re-establishment of the rule of law in the whole of eastern Ukraine”

## 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
AD ELAN <a href="#">49960/13</a>	31 March 2015	<a href="#">CM/ResDH(2016)299</a>	Examination closed
ANASTASOVA AND 28 OTHER APPLICATIONS <a href="#">5548/12</a>	2 June 2012	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Slađana BILBIJA AND 16 OTHER APPLICATIONS <a href="#">15775/12</a>	21 October 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Snežana CEROVIĆ AND 11 OTHER APPLICATIONS <a href="#">64998/13</a>	21 October 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milenka CINCOVIĆ <a href="#">27671/09</a>	1 October 2013	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milomir GUDURIĆ <a href="#">18372/07</a>	18372/07	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Ljubiša JANKOVIĆ AND 32 OTHER APPLICATIONS <a href="#">54275/12+</a>	15 April 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Mladen JOKSIMOVIĆ AND 2 OTHER APPLICATIONS <a href="#">9111/13+</a>	24 June 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milija JOVANOVIĆ AND 2 OTHER APPLICATIONS <a href="#">38535/07+</a>	3 February 2015	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milevka JOVANOVIĆ AND 9 OTHER APPLICATIONS <a href="#">40067/12</a>	7 March 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed

Rade JOVČOV <a href="#">33073/12</a>	1 October 2013	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Dejan JOVIĆ AND 8 OTHER APPLICATIONS <a href="#">15792/13</a>	25 November 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Ljiljana MARKOVIĆ AND OTHERS <a href="#">67335/09</a>	19 November 2013	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Dževahira MAVRIĆ- MIRALJEMOVIĆ AND 36 OTHER APPLICATIONS <a href="#">29292/13+</a>	10 June 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milijan MILETIĆ <a href="#">9108/13</a>	24 June 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milorad MIŠKOVIĆ AND 14 OTHER APPLICATIONS <a href="#">6805/12+</a>	9 September 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Radomir NIKOLIĆ AND 6 OTHER APPLICATIONS <a href="#">15341/11+</a>	31 March 2015	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Danica NOJKOVIĆ AND 12 OTHER APPLICATIONS <a href="#">48550/10</a>	30 June 2015	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Branka PANTELIĆ AND 14 OTHER APPLICATIONS <a href="#">3924/12+</a>	9 September 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed



Milun PAVLOVIĆ AND 7 OTHER APPLICATIONS <a href="#">11657/09+</a>	31 March 2015	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Estika PETROVIĆ AND OTHER APPLICATIONS <a href="#">19938/13</a>	21 October 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Vera POPOVIĆ AND 6 OTHER APPLICATIONS <a href="#">57546/13+</a>	9 September 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milodarka RADENKOVIĆ AND 26 OTHER APPLICATIONS <a href="#">69177/11</a>	21 October 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Srboljub STAMENKOVIĆ AND 4 OTHER APPLICATIONS <a href="#">3930/12</a>	21 October 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Danica STANIMIROVIĆ AND 19 OTHER APPLICATIONS <a href="#">52346/12+</a>	27 May 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Stanko STANOJEVIĆ AND 5 OTHER APPLICATIONS <a href="#">62019/11+</a>	3 February 2015	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Ljubiša STEPIĆ <a href="#">32805/10</a>	10 December 2012	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milovan TERZIĆ <a href="#">57324/13</a>	3 February 2015	<a href="#">CM/ResDH(2016)299</a>	Examination closed

Biljana TOŠIĆ AND 4 OTHER APPLICATIONS <a href="#">64107/13</a>	23 September 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Radmilo VUKAJLOVIĆ AND 82 OTHER APPLICATIONS <a href="#">72396/12+</a>	10 June 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed
Milan VULIŠIĆ AND 8 OTHER APPLICATIONS <a href="#">22434/13</a>	23 September 2014	<a href="#">CM/ResDH(2016)299</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE President in Serbia: South-East Europe needs stability and co-operation (3.10.2016)

At the end of his official visit to Serbia, PACE President Pedro Agramunt has encouraged Serbia – as well as all other states in the region – to strengthen regional co-operation and pursue reconciliation efforts. “Today, South-East Europe needs stability and co-operation as never before,” he said ([Read more – President Agramunt commends Serbia’s approach to the refugee crisis](#))

### ■ ‘Pedro Agramunt commends Serbia’s approach to the refugee crisis’ (04.10.2016)

Addressing the Serbian National Assembly today, PACE President Pedro Agramunt commended Serbia’s approach to the refugee crisis, stressing that a year ago, Serbia was particularly affected by a massive arrival of migrants and refugees, and did its utmost to allow them to cross the country in the best possible conditions ([Read more - speech](#)).

### ■ ‘Serbian PACE credentials challenged on grounds of political balance’ (10.10.2016)

The credentials of the Serbian delegation to PACE were challenged on procedural grounds at the opening of the Assembly’s session today in Strasbourg. Making the challenge, Alan Meale (United Kingdom, SOC) said the Serbian list did not fully reflect the political balance in the parliament, as required under the Assembly’s rules ([Read more – The Assembly’s rule on challenge – Credentials submitted – Video of the debate](#)).

### ■ ‘PACE rapporteurs welcome steps to strengthen the judiciary’ (28.10.2016)

PACE co-rapporteurs for the monitoring of Serbia, Maria Guzenina (Finland, SOC) and Samad Seyidov (Azerbaijan, EC), welcomed the steps taken by the authorities to strengthen the independence and efficiency of the judiciary, in line with PACE Resolution 1858 (2012). “The adoption of new judicial laws and the preparation of constitutional amendments addressing the judicial system

should lead to restriction of undue political interference in the judiciary and reinforce the separation of powers. We strongly support all efforts made by the authorities to carry out this constitutional reform process. We encourage them to make use of the expertise of the Venice Commission to align the Serbian Constitution with Council of Europe norms”, they said. ([Read more – Resolution 1858 \(2012\) – Visit of co-rapporteurs for the monitoring of Serbia](#)).

■ **ECRI: Preparation of a report on Serbia (05.10.2016)**

A delegation of the ECRI visited Serbia from 26 to 30 September as the first step in the preparation of a monitoring report. During its visit, ECRI’s delegation gathered information on legislation, hate speech, violence, integration policies and LGBT issues ([Read more](#)).

# Slovak Republic

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

CASE	DATE	RESOLUTION	CONCLUSION
ZACHAR AND ČIERNY <a href="#">29376/12+</a>	21 October 2015	<a href="#">CM/ResDH(2016)294</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]*

# Spain

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ CPT: Visit of the committee (13.10.2016)

A delegation of the CPT recently carried out a two-week visit to Spain. The visit, which began on 27 September, was the CPT's seventh periodic visit to that country ([Read more](#)).

# Sweden

## 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 holds high-level talks in Sweden (25.10.2016)

Representatives of the CPT have recently returned from high-level talks in Stockholm, Sweden ([Read more](#)).

# Switzerland

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

CASE	DATE	RESOLUTION	CONCLUSION
SCHWEIZERISCHE RADIO- UND FERNSEHGESELLSCHAFT SRG <a href="#">34124/06</a>	21 September 2012	<a href="#">CM/ResDH(2016)295</a>	Examination closed
M.P.EV. AND OTHERS <a href="#">3910/13</a>	8 October 2014	<a href="#">CM/ResDH(2016)296</a>	Examination closed
GAJTANI <a href="#">43730/07</a>	9 December 2014	<a href="#">CM/ResDH(2016)297</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
AKDEMİR AND EVİN <a href="#">58255/08+</a>	17 June 2015	<a href="#">CM/ResDH(2016)285</a>	Examination closed
AKSOY AND OTHERS <a href="#">14037/04+</a>	18 February 2009	<a href="#">CM/ResDH(2016)285</a>	Examination closed
DİNÇ AND OTHERS <a href="#">34098/05</a>	13 February 2015	<a href="#">CM/ResDH(2016)285</a>	Examination closed
ERCAN BOZKURT <a href="#">20620/10</a>	23 September 2015	<a href="#">CM/ResDH(2016)285</a>	Examination closed
GÜNAY <a href="#">31596/07</a>	17 February 2015	<a href="#">CM/ResDH(2016)285</a>	Examination closed
ÖZTEKİN AND YILDIZ <a href="#">26300/10</a>	17 March 2015	<a href="#">CM/ResDH(2016)285</a>	Examination closed
ŞEVKET KÜRÜM AND OTHERS <a href="#">54113/08</a>	23 March 2015	<a href="#">CM/ResDH(2016)285</a>	Examination closed
S.S. BALIKLICESME BELDESİ TARIM KALKINMA KOOPERATİFİ AND OTHERS <a href="#">3573/05+</a>	28 February 2011	<a href="#">CM/ResDH(2016)286</a>	Examination closed
MEHMET EMİN ŞİMŞEK <a href="#">5488/05</a>	28 May 2012	<a href="#">CM/ResDH(2016)286</a>	Examination closed
SOLAKOĞLU AND OTHERS <a href="#">3674/09+</a>	19 June 2013	<a href="#">CM/ResDH(2016)286</a>	Examination closed



ŞÜKRAN BOZ <a href="#">7906/05</a>	1 January 2014	<a href="#">CM/ResDH(2016)286</a>	Examination closed
BAŞHAN <a href="#">15685/07</a>	12 January 2011	<a href="#">CM/ResDH(2016)287</a>	Examination closed
AKDAS <a href="#">41056/04</a>	16 May 2010	<a href="#">CM/ResDH(2016)300</a>	Examination closed
KÜÇÜK <a href="#">33362/04</a>	17 August 2011	<a href="#">CM/ResDH(2016)301</a>	Examination closed
KAYAK <a href="#">60444/08</a>	10 October 2012	<a href="#">CM/ResDH(2016)302</a>	Examination closed
İBRAHİM GÜRKAN <a href="#">10987/10</a>	3 October 2012	<a href="#">CM/ResDH(2016)303</a>	Examination closed
NART <a href="#">20817/04</a>	6 August 2008	<a href="#">CM/ResDH(2016)304</a>	Examination closed
KAN <a href="#">54898/11</a>	2 February 2016	<a href="#">CM/ResDH(2016)305</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ ECRI: Anti-racism commission concerned by deterioration of conditions for vulnerable groups in Turkey (04.10.2016)

The ECRI published its fifth report on Turkey in which it analyses recent developments and makes recommendations to the authorities. While noting positive institutional and legal changes, ECRI expressed concern over the deterioration of conditions of such vulnerable groups as refugees, Kurds, Roma, as well as LGBT persons ([Read more](#)).

### ■ PACE: 'President strongly condemns today's attack in Turkey's South-East' (9.10.2016)

"Once again, it appears that terrorism strikes one of our member states – Turkey. I strongly condemn the car bomb attack in Durak and express a message of solidarity to the authorities and the people of Turkey", said PACE President ([Read more](#)).

### ■ 'PACE reviews the work of its subsidiary bodies since last session' (10.10.2016)

The Council of Europe's role in promoting pan-European dialogue, the situation in Turkey and the response to on-going terror or extremist attacks were among major themes during the debate on the progress report of the Bureau and the Standing Committee – which covers the activities and decisions of the Assembly's subsidiary bodies since the last session ([Read more](#) – [Debate on the progress report](#)).

■ **PACE: 'Mevlüt Çavuşoğlu: the values of the Council of Europe should inspire further reforms in Turkey' (12.10.2016)**

"The Council of Europe has had a significant role in Turkey's progress in the past 15 years. We will press ahead with our plans for constitutional and institutional reform and will continue to heed the Council of Europe's recommendations," said Mevlüt Çavuşoğlu, Turkey's Minister for Foreign Affairs ([Read more](#) – [Video of the address by Mevlüt Çavuşoğlu](#)).

# Ukraine

## 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

### ■ SGCE: 'Ukraine's reforms the focus of high-level Council of Europe meeting' (4.10.2016)

As a continuation of the Day of Ukrainian Reforms, Ukrainian Justice Minister Pavlo Petrenko met today in Strasbourg with the Secretary General of the Council of Europe to discuss the co-operation between the organisation and Ukraine, and to sign on behalf of Ukraine the European Agreement on the Transmission of Applications for Legal Aid ([Read more](#) – [VIDEO: The Day of Ukrainian Reforms](#))

# United Kingdom

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

CASE	DATE	RESOLUTION	CONCLUSION
AL-SKEINI AND OTHERS <a href="#">55721/07</a>	7 July 2011	<a href="#">CM/ResDH(2016)298</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ GRETA: UK urged to improve protection of child victims of human trafficking (07.10.2016)

In a report, the GRETA has urged the United Kingdom to improve the identification and protection of child victims of trafficking, expressing particular concern about children going missing from local authority care ([Read more](#)).

### ■ ECRI: Anti-racism experts highlight increasing hate speech and racist violence in the UK (04.10.2016)

Alongside several positive developments, the ECRI has highlighted a number of areas of concern in its latest report on the United Kingdom ([Read more](#)).