

# REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue#150

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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.

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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 March 2017) by the European Court of Human Rights, the European Committee of Social Rights, the Committee of Ministers, the Parliamentary Assembly and other Council of Europe monitoring mechanisms.

# PartOne

## §1 - EUROPEAN COURT OF HUMAN RIGHTS

### A. Judgments

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

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

Some judgments are 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)**

**TALPIS V. ITALY ([IN FRENCH ONLY](#)) - No. 41237/14 - Importance 3 – 2 March 2017 - Violation of Article 2 - Domestic authorities’ failure to protect a mother and her son’s life by taking prompt action on a complaint concerning conjugal violence – Violation of Article 3 – Domestic authorities’ judicial inertia before instigating the criminal prosecution for conjugal violence – Violation of Article 14 taken in conjunction with Articles 2 and 3 – Domestic authorities’ female discrimination concerning criminal proceedings for conjugal violence**

The case concerned domestic violence to which the applicant, a mother of two, was subjected and which resulted in the murder of her son and her own attempted murder.

## Article 2

The Court considered that by failing to take prompt action on the complaint lodged by the applicant, the domestic authorities had deprived that complaint of any effect, creating a situation of impunity conducive to the recurrence of the acts of violence, which had then led to the attempted murder of the applicant and the death of her son.

Therefore, the domestic authorities had failed in their obligation to protect the lives of the persons concerned.

## Article 3

The Court also found that the applicant had lived with her two children in a climate of violence serious enough to qualify as ill-treatment, and that the manner in which the domestic authorities had conducted the criminal proceedings pointed to judicial passivity, which was incompatible with Article 3 of the Convention.

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

## Article 14

Finally, the Court found that the applicant had been the victim of discrimination as a woman on account of the inaction of the domestic authorities, which had underestimated the violence in question. Therefore, it had been a violation of Article 14 of the Convention combined with Articles 2 and 3.

## Article 41 (Just satisfaction)

The Court held that Italy was to pay the applicant EUR 30,000 in respect of non-pecuniary damage and EUR 10,000 in respect of costs and expenses

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

### **V.K. v. RUSSIA (No. 68059/13) - Importance 3 - 7 March 2017 - Violation of Article 3 - Domestic authorities' failure to protect a boy from nursery school teachers' ill-treatment and to ensure an effective investigation into it**

The case concerned the applicant's claims about his nursery teachers' actions. They especially had forcibly given him antibiotic eye drops without a medical prescription or his parents' consent and they had locked him in the dark in the toilets, telling him that he would be eaten by rats and they had sellotaped his mouth shut.

The Court first took the view that the applicant had been ill-treated and had endured inhuman and degrading treatment by his nursery school teachers, as he had been subjected to prolonged, psychologically traumatic experiences that had caused damage of medium severity to his health. The Court noted that nursery schools provide a public service of general interest of caring for and educating young children and have very strong institutional and economic links with the State. The Court therefore considered that domestic authorities were responsible for the applicant's inhuman and degrading treatment.

As to the investigation, the Court noted that there was a delay of three years before the opening of a criminal investigation, and that, consequently, the prosecution of the teachers had become time-barred. Even though the domestic authorities had attempted to prosecute the teachers under another applicable provision for which the limitation period had been longer, that investigation had also been remarkably slow, lasting almost six years. Lastly, the applicant's parents' limited access to the case file and the repeated failure to inform them of important procedural decisions meant that they could not contest the investigative authorities' actions in court.

The Court found that the authorities had failed to carry out an effective criminal investigation into the applicant's allegations of ill-treatment, in further violation of Article 3.

Article 41 (Just satisfaction)

The Court held that Russia was to pay the applicant EUR 3,000 in respect of pecuniary damage, EUR 25,000 in respect of non-pecuniary damage and EUR 8,000 for costs and expenses.

**ŠKORJANEC V. CROATIA (No. 25536/14) - Importance 1 – 28 March 2017 - Violation of Article 3 in conjunction with Article 14 – Failure to properly investigate on anti-Roma hate crime**

The applicant's partner was racially abused on the basis of his Roma origin, before attacking both him and the applicant herself. The two assailants were prosecuted and convicted on charges that included a hate crime against the applicant's partner. However, the men were not charged for a racially motivated crime against the applicant herself. The authorities rejected her complaint of a hate crime, finding that there was no indication that the men had attacked her because of hatred towards Roma, as she is not of Roma origin.

The Court reminded that a person may be a victim of a violent hate crime not only when he or she has been attacked because of certain characteristic - but also because he or she has an actual or presumed association with another person, who has (or is perceived to have) that characteristic. States have an obligation to recognise both types as hate crimes, and investigate them accordingly. However, in this case the domestic authorities repeatedly failed to take the necessary care in identifying the violence against the applicant as a suspected hate crime. By rejecting the applicant's criminal complaint, the authorities failed in their obligations under the Convention.

Therefore, it had been a violation of Article 3 of the Convention combined with Articles 14.

Article 41 (Just satisfaction)

The Court held that Croatia was to pay the applicant EUR 12,500 in respect of non-pecuniary damage and EUR 2,200 in respect of costs and expenses.

**Z.A. AND OTHERS V. RUSSIA (Nos. 61411/15, 61420/15, 61427/15, and 3028/16) - Importance 2 - 28 March 2017 - Violation of Article 3 – Domestic authority failure to protect the applicant from exposure to a real risk of inhuman or degrading treatment - Violation of Article 5 – Domestic authority failure to deprive liberty with a legal basis.**

The case concerned complaints brought by four asylum seekers who were travelling via Moscow Airport and were denied entry into Russia. Three of the applicants ended up spending between five and eight months in the transit zone of the airport; one of the applicants spent nearly two years in the zone.

Article 3

The Court noted that the applicants had not had access to such basic amenities as beds, showers or cooking facilities in the transit zone. It took the view that the conditions which the applicants had had to endure for extended periods of time had therefore to have caused them considerable mental suffering, undermined their dignity and made them feel humiliated and debased.

The Court considered such treatment inhuman and degrading, in violation of Article 3.

Article 5

First, considering that holding the applicants in the international zone of the airport had made them subject to domestic law, the Court rejected the domestic authorities' argument that the applicants had not been on Russian territory. Furthermore, the applicants, who had been in the situation of asylum-seekers whose applications had not yet been considered, had not chosen to stay in the transit zone. The Court therefore concluded that their confinement in the transit zone had amounted to a de facto deprivation of liberty. It observed that domestic authorities had not referred to any provision of domestic law capable of serving as grounds for justifying the applicants' deprivation of liberty, the Court considered that their lengthy confinement in the transit zone had not had any legal basis under domestic law, in violation of Article 5 § 1.

Therefore, there had been a violation of article 5 § 1.

#### Article 41 (Just satisfaction)

The Court held that Russia was to pay, in respect of pecuniary damage, EUR 15,000 euros to the applicant from the Palestinian territories, EUR 20,000 each to the Iraqi and Syrian applicants and EUR 26,000 to the Somalian applicant. EUR 3,500 was awarded to each applicant for costs and expenses.

- **Prohibition of slavery and forced labour (art. 4)**

#### **CHOWDURY AND OTHERS V. GREECE ([In French only](#)) - No. 21884/15 - Importance 1 - 30 March 2017 - Violation of Article 4 § 2 - Domestic authorities' failure to protect the applicants from forced labour and to conduct an effective investigation into it**

The case concerned 42 Bangladeshi nationals who did not have work permits and were subjected to forced labour. Their employers had recruited them to pick strawberries on a farm in but failed to pay the applicants' wages and obliged them to work in difficult physical conditions under the supervision of armed guards.

The Court first noted that the domestic courts had interpreted and applied the concept of trafficking in human beings in a very restrictive manner, by more or less identifying it with servitude. However, the distinguishing feature between servitude and forced or compulsory labour lay in the victims' feeling that their condition was permanent and that the situation was unlikely to change. In the present case, the applicants, being seasonal workers, could not have experienced this feeling.

The Court then reiterated that exploitation through labour was one aspect of human trafficking and felt within the scope of Article 4. It observed that domestic authorities had complied with the obligation of a legislative and administrative framework that prohibits and punishes forced or compulsory labour, servitude and slavery. It also noted that they had been aware of the situation in the strawberry plantations and that they had taken action, without any results. In consequence, the Court considered that the operational measures taken by the authorities had not been sufficient to prevent human trafficking and to protect the applicants from the treatment to which they were being subjected.

As to the judicial proceedings, the Court recalled that the authorities had to carry out an investigation capable of leading to the identification and punishment of those responsible. It observed that some applicants had taken part in the procedure before assize court and some had not. For the first ones, the Court observed that domestic courts had acquitted the defendants of the charge of trafficking in human beings, finding, in particular, that it had not been absolutely impossible for the workers to protect themselves and that their freedom of movement had not been compromised in that they had been free to leave their jobs. Nevertheless, the Court took the view that a trafficking situation could exist in spite of the victim's freedom of movement. As to the applicants who had not taken part in the procedure before assize court, it considered that by omitting to verify whether the allegations by this group of applicants were well-founded, the prosecutor had not complied with his obligation to carry out an investigation. Furthermore, by dismissing their request on the grounds that they had delayed in complaining to the police, the prosecutor had breached the regulatory framework governing trafficking in human beings.

In conclusion, the Court held that there had been a violation of Article 4 § 2 of the Convention on account of the State's failure to fulfil its positive obligations under that provision, namely to prevent the



human trafficking situation complained of, to protect the victims, to conduct an effective investigation into the offences and to punish those responsible for the trafficking.

#### Article 41 (Just satisfaction)

The Court held that Greece was to pay each of the applicants who had participated in the proceedings before the assize court EUR 16,000, and each of the other applicants EUR 12,000 in respect of all the damage sustained, plus EUR 4,363.64 to the applicants jointly in respect of costs and expenses.

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

#### **ILIAS AND AHMED V. HUNGARY (No. 47287/15) - Importance 2 - 14 March 2017 - Violation of Article 5 §§ 1 and 4 - Applicants' confinement in a transit zone - Violation of Article 13 - Lack of remedy to contest potential bad conditions of detention - Violation of Article 3 - Domestic authorities' failure to protect the applicant from exposure to a real risk of inhuman or degrading treatment**

The case concerned two Bangladeshi asylum seekers. They were removed by domestic authorities because Serbia, the last country through which the applicants had transited, was considered as a safe country. They spent about three weeks in a transit zone, and argued that it had amounted to a deprivation of liberty.

#### Violation of Article 5 §§ 1 and 4

The Court first observed that the transit zone in which the applicants were confined, was in a guarded compound and could not be accessed from the outside. It also noted that the applicant's detention had not been ordered in any formal proceedings or taken any shape of a decision. Furthermore, it doubted that the applicants would have voluntarily left the transit zone in the direction of Serbia, as they would have run the risk of forfeiting their asylum claim. Therefore, the applicant's confinement had amounted to a de facto deprivation of their liberty.

There had been a violation of Article 5 §§ 1 and 4.

#### Violation of Article 13

The Court considered that the applicants' conditions of detention had been satisfactory. Nevertheless, it considered that the applicants' complaints concerning their conditions of detention had raised serious questions of fact and law requiring examination on the merits. Yet, domestic authorities had not indicated any remedies by which the applicants could have complained about the conditions in which they had been held in the transit zone.

There had therefore been a violation of Article 13.

#### Violation of Article 3

First, the Court noted that domestic authorities had not convincingly explained why there had been an abrupt legislative change in 2015, Serbia not having been considered a safe country up until that point.

As concerned the applicants' asylum proceedings, the Court found that the procedure had not provided the necessary protection against a real risk of inhuman and degrading treatment. Notably, having failed to carry out an individual assessment of each applicant's case, the authorities had schematically referred to the list of safe third countries without examining other evidence submitted by the applicants. Moreover, the Court observed that the first applicant had been interviewed in a language he did not understand.

Therefore, there had been a breach of Article 3 of the Convention.

#### Article 41 (Just satisfaction)

The Court held that Hungary was to pay each applicant EUR 10,000 in respect of non-pecuniary damage and EUR 8,705 for costs and expenses.

**MITRIVIĆ V. SERBIA (No. 52142/12) - Importance 2 – 21 March 2017 - Violation of Article 5 § 1 – Unlawful imprisonment of a man following his conviction by a court of an internationally unrecognised entity**

The applicant was arrested and imprisoned for over two years by the domestic authorities. He was arrested on the basis that he had been convicted of a crime several years earlier. The applicant complained that this conviction had been issued by a court of an internationally unrecognised entity, and that the judgment had never been formally recognised by the domestic courts.

The Court held that any deprivation of a person's liberty must be lawful, meaning that it must conform to the rules of national law. The applicant had been convicted by a "court" which had operated outside the domestic judicial system. Under the rules of domestic law, the detention of a person is unlawful when it is on the basis of a decision of a foreign court which has not been recognised by the authorities in an appropriate procedure. However, in this case the domestic authorities had conducted no proceedings for the recognition of a foreign decision and the applicant's detention had therefore been unlawful.

There had accordingly been a violation of Article 5 § 1 of the Convention.

Article 41 (Just satisfaction)

The Court did not award the applicant any just satisfaction, as he had not submitted a claim for any.

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

**POLYAKOVA AND OTHERS V. RUSSIA (Nos. 35090/09, 35845/11, 45694/13, 59747/14) - Importance 2 – 7 March 2017 - Violation of Article 8 – Domestic authorities' failure to ensure family life by incarcerating prisoners thousands of miles away from their relatives**

The case concerned four requests from either prisoners or the family members of prisoners, who were adversely affected by decisions of penal domestic authority to imprison individuals thousands of miles away from their families. The applicants complained that the decisions to allocate prisoners to remote penal facilities - and their subsequent inability to obtain transfers – had violated their right to respect for family life.

The Court held that the distance between the penal facilities and homes of the prisoners' families – ranging from 2,000 to 8,000 kilometres – was so great that it had inflicted hardship on the persons concerned. The location of the imprisonments had interfered with the applicants' right to family life. Furthermore, this interference had not been in accordance with the law. Quality of law standards require that domestic law affords protection against arbitrariness in the exercise of discretion left to the executive authorities. However, domestic law had not required the decisional authority to consider the impact that a penal facility's location might have on the family life of the applicants. Moreover, the law had not provided the applicants with a realistic opportunity to obtain a transfer to another penal facility on grounds relating to the right to respect for family life – either through an application to the decisional authority itself, or through a judicial review of its decisions.

Consequently, there has been a violation of Article 8 of the Convention in respect of each applicant.

Article 41 (Just satisfaction)

The Court held that Russia was to pay EUR 652 to one of the applicants in respect of pecuniary damage; EUR 24,800 to the applicants in total in respect of non-pecuniary damage; and EUR 2,220 to the applicants in total in respect of costs and expenses.

**[Yevgeniy Zakharov v. Russia](#) (No. 66610/10) - Importance 3 - 14 March 2017 - Violation of Article 8 - Domestic courts' failure to strike a fair balance between the applicant's right for his home and the interests of other occupants in a State-owned housing**

The case concerned the applicant's complain about his eviction from local authority housing after the death of his partner.

The Court first observed that the applicant had developed sufficient and continuous links with his deceased partner's room in the communal flat, having lived there for ten years, for it to be considered his "home" under Article 8 of the Convention. The domestic courts' refusal to recognise him as his deceased partner's family member and thus to acknowledge his right to occupy her room had therefore amounted to an interference with his right to respect for his home. The Court accepted that that interference had had a legal basis in domestic law and pursued the legitimate aim of protecting the local housing authority as the owner of the flat and the rights of persons in need of housing.

However, the Court found that the interference had not been "necessary in a democratic society". It observed that domestic courts had failed to weigh the applicant's need for the room. Consequently, they had failed to balance the competing rights at stake in the case, namely the interests of the occupants of the other two rooms of the communal flat against the applicant's right to respect for his home.

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

Article 41 (Just satisfaction)

The Court held that Russia was to pay the applicant EUR 5,000 in respect of non-pecuniary damage.

**[MODESTOU V. GREECE](#) ([IN FRENCH ONLY](#)) - No. 51693/13 - Importance 2 – 16 March 2017 - Violation of Article 8 - Domestic authorities' failure to provide relevant and sufficient reasons to use a warrant to search a private and business address**

The case concerned a search of the applicant's private home and business premises carried out in his absence as part of a preliminary police investigation.

The Court observed that there had been no prior judicial scrutiny of the search, that the warrant had been worded in imprecise terms and that the applicant had not been physically present during the operation. Moreover, the authorities had not carried out an immediate retrospective judicial review.

Therefore, the Court found that the domestic authorities had fallen short of their obligation to provide "relevant and sufficient" reasons to justify issuing the search warrant.

Article 41 (Just satisfaction)

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

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

**[VOLCHKOVA AND MIRONOV V. RUSSIA](#) (Nos. 45668/05, 2292/06) - Importance 3 – 28 March 2017 - Violation of Article 1 of Protocol No. 1 – Domestic authorities' failure to prove a compelling**

## **public interest when expropriating a property for a private investment project in an attractive area**

The case concerned the expropriation of a property for a private investment construction project. The applicants, owners of a plot of land and house in that place, complained in particular that they had been deprived of their property solely for the benefit of a private investment project, a multi-storey block of flats, which had not pursued any social purpose, and that the compensation they had been awarded was derisory.

The Court found that the expropriation of the applicants' property had been provided for by law and that there was no reason to call into question the domestic courts' interpretation and application of this law in the applicants' case. However, it had doubts as to whether such deprivation of the applicants' property for the sake of constructing collective housing had sought to achieve a compelling public interest. The expropriation decision had essentially been taken by the local authorities on the basis of making aesthetic improvements to the town and not in order to address an important general problem. Moreover, nothing suggested that any part of the newly built housing, including within the 5% given to the local authorities under the investment contract, had effectively been classified and then distributed as social housing. Lastly, it agreed with the applicants that the domestic courts had failed to deal with their arguments about the market value of their property and thus the inadequacy of the compensation they had been awarded.

Therefore, the Court held that there had been a violation of Article 1 of Protocol No. 1.

### Article 41 (Just satisfaction)

The Court held that Russia was to pay the applicants EUR 3,000 each in respect of non-pecuniary damage, and EUR 100 to the applicant for costs and expenses. It also held that the question of pecuniary damage was not ready for decision and reserved it for a later date.

## 1. 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
AZERBAIJAN	30 March 2017	<a href="#"><u>MAHARRAMOV</u></a> (No. 5046/07)	3	Violation of Art. 1 of Prot. No. 1	Arbitrary interference with the applicant’s possessions on account of the non-compliance with domestic law provisions
BULGARIA	23 March 2017	<b>GENOV</b> (In French only) (No. 40524/08)	3	Violation of Art. 9 interpreted in the light of Art. 11	Unnecessary interference with the applicant’s rights in a democratic society concerning the domestic authorities’ refusal to register the applicant’s new religious association
CROATIA	14 March 2017	<a href="#"><u>K.B. AND OTHERS</u></a> (No. 36216/13)	3	Violation of Art. 8	Domestic authorities’ failure to secure effective contact between the applicant and her children due to excessive delays and shortcomings
	28 March 2017	<a href="#"><u>MARUNIC</u></a> (No. 51706/11)	2	Violation of Art. 10	Unnecessary interference with the applicant’s freedom of expression as her statements were not disproportionate, did not exceed the limits of permissible criticism and were solely made with a view to denying the false accusations
DENMARK	07 March 2017	<a href="#"><u>R.L. AND OTHERS</u></a> (No. 52629/11)	3	No violation of Art. 8	Domestic authorities balancing the interests of the applicants and other individuals concerned and the general interest in ensuring legal certainty of family relationships

FRANCE	02 March 2017	<b>DEBRAY</b> <b>(In French only)</b> <b>(No. 52733/13)</b>	3	Non violation of Art. 6 §1	No disproportionate limitation of the applicant's right to access to court by cancelling a libel action by considering it insufficiently precise.
GERMANY	16 March 2017	<b>FROBRICH</b> <b>(No. 23621/11)</b>	3	No violation of Art. 6 § 1	Justified absence of an oral hearing given that the domestic courts were in a position to decide the case on the basis of the parties' submissions and other written materials and that the applicant did not raise issues of credibility or contested facts that were decisive for the outcome of the proceedings
	23 March 2017	<b>WOLTER AND SARFERT</b> <b>(Nos. 59752/13 and 66277/13)</b>	3	Violation of Art. 14 taken in conjunction with Art. 1 of Prot. No. 1	Applicants' discrimination on account of the differences in treatment based on their status as children born outside marriage which excluded them from inheritance
GEORGIA	28 March 2017	<b>STURUA</b> <b>(No. 45729/05)</b>	3	Violation of Art. 6 § 1	Lack of impartiality given that the same four judges were called upon to reconsider their own decision in the same case
GREECE	02 March 2017	<b>PAROUTSAS AND OTHERS</b> <b>(In French only)</b> <b>(No. 34639/09)</b>	3	Violation of Art.6 §1	Domestic court's use of an irrefragable presumption to reject the applicant's objection restraining the applicant's right to access to court
				Violation of Art. 6 §1	Excessive length of proceedings ( 5 years)
	09 March 2017	<b>ATHANASIOS MAKRIS</b> <b>(In French only)</b> <b>(No. 55135/10)</b>	3	Violation of Art. 10	Disproportionate interference in the applicant's freedom of speech due to a criminal sentence
	16 March 2017	<b>LOULI-GEORGOPOULOU</b> <b>(In French only)</b> <b>(No. 22756/09)</b>	3	Violation of Art. 6 § 1	Disproportionate Interference with the applicant's right to access to a court on account of an excessively formalistic approach by the domestic court of appeal
HUNGARY	07 March 2017	<b>BACZÚR</b> <b>(No. 8263/15)</b>	3	Violation of Art. 1 of Prot. No. 1	No reasonable relation of proportionality between the aim pursued and the restrictions applied to the applicant's disability allowance leading to an excessive individual burden

ITALY	23 March 2017	<b>ENDRIZZI</b> <b>(In French only)</b> <b>(No. 71660/14)</b>	3	Violation of Art. 8	Domestic authorities' failure to take the necessary measures in order to enforce the applicant's contact rights
LITHUANIA	14 March 2017	<b>KAVALIAUSKAS AND OTHERS</b> <b>(No. 51752/10)</b>	3	No violation of Art. 1 of Prot. No. 1	No special and excessive burden borne by the applicants due to the amount of compensation
				Violation of Art. 1 of Prot. No. 1	Excessive length of the process of compensation not justified by the applicants' changes in their position as to the form of restitution (13 years)
REPUBLIC OF MOLDOVA	28 March 2017	<b>SAVOTCHKO</b> <b>(In French only)</b> <b>(No. 33074/04)</b>	3	Violation of Art. 8	Unlawful interference with the applicant's right to respect for her private life concerning the disclosure of her telephone records which had been in breach of the domestic legislation
		<b>SOLARI</b> <b>(In French only)</b> <b>(No. 42878/05)</b>	3	Violation of Art. 11	Unnecessary interference with the applicant's right to freedom of assembly in a democratic society as he had been imposed to pay a fine for failure to comply with the regulations on the organisation of public gathering, given that the gathering had not begun at the location indicated, and that the participants waved placards and slogans in support of unregistered parties and movements while carrying unregistered symbols
MONTENEGRO	07 March 2017	<b>STANKA MIRKOVIĆ AND OTHERS</b> <b>(No. 33781/15, 33785/15, 34369/15 AND 34371/15).</b>	3	Violation of Art. 6 §1	Excessive length of proceedings (10 years)
				Violation of Art. 13	Lack of an effective remedy under domestic law for the applicants' complaints concerning the length of the proceedings
POLAND	21 March 2017	<b>BUJAK</b> <b>(No. 686/12)</b>	3	Violation of Art. 3 (substantive)	Inadequate medical treatment and assistance
		<b>MICHAL KORGUL</b> <b>(No. 36140/11)</b>	3	No violation of Art. 5 § 3	No lack of special diligence in the conduct of the proceedings
				Violation of Art. 3 (substantive)	Domestic authorities' failure to provide sufficient and relevant reasons to justify the application of the "dangerous detainee" regime

		<a href="#"><u>POROWSKI</u></a> (No. 34458/03)	3	No violation of Art. 5 § 1	Lawful detention of the applicant
				Violation of Art. 5 § 3	Extension of applicant's pre-trial detention on insufficient grounds
				Violation of Art. 8	Censorship of the applicant's letters to his lawyer and to the Court
PORTUGAL	28 March 2017	<a href="#"><u>FERNANDES DE OLIVEIRA</u></a> (No. 78103/14)	2	Violation of Art. 2 (positive obligations)	Failure to take preventive measures in order to protect the life of a mentally ill patient who had attempted to commit suicide and was prone to escaping from the hospital premises
				Violation of Art. 2 (procedural)	Domestic authorities' failure to provide a prompt response concerning the circumstances of the applicant's son's death (11 years and 2 months)
ROMANIA	21 March 2017	<a href="#"><u>ANA IONITA</u></a> ( <a href="#"><u>In French only</u></a> ) (No. 30655/09)	3	No violation of Art. 10	Proportionate interference with the applicant's freedom of expression as her statements exceeded the limits of permissible criticism
RUSSIA	07 March 2017	<a href="#"><u>KAMENOV</u></a> (No. 17570/15)	3	Violation of Art. 8	Decision to exclude the applicant and to ban his re-entry for 16 years taken without proper assessment of his family ties and not attended by adequate procedural safeguards therefore not necessary in a democratic society
	14 March 2017	<a href="#"><u>MUKAYEV</u></a> (No. 22495/08)	3	Violation of Art. 3 (substantive)	Acts of violence, to which the applicant was repeatedly subjected while in the police custody aiming at obtaining his confession, amounting to torture
				Violation of Art. 3 (procedural)	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



				Violation of Art. 6 §1	Applicant's statements obtained under torture used as evidence rendering the criminal proceeding unfair
RUSSIA (CONTINUED)	14 March 2017	<u>ORLOV AND OTHERS</u> (No. 5632/10)	3	Violation of Art.3 (substantive)	Accumulation of beatings and threats inflicted on the applicants along with their abandonment in the cold
				Violation of Art. 3 (procedural)	No effective investigation into the applicants' abduction and ill-treatment
				Violation of Art. 5	Unacknowledged detention
				Violation of Art. 1 of Prot. No. 1	Domestic authorities not disputing either the amount of the property taken by the abductors or the applicants' title to it. Absence of justification on the part of the domestic authorities for its agents' actions therefore interference with the applicants' right to respect for the protection of their property
	21 March 2017	<u>KARGASHIN AND OTHERS</u> (Nos. 66757/14, 73424/14, 5138/15, 5678/15, 8055/15, 9234/15 and 11460/15) <u>MOZHAROV AND OTHERS</u> (Nos. 16401/12, 67528/14, 74106/14, 77730/14, 77733/14, 77916/14, 6141/15, 8376/15, 9166/15 and 12321/15)	3	Violation of Art. 3 (substantive)	Poor conditions of detention (extreme lack of space, overcrowding)
			Violation of Art. 13	Lack of any effective domestic remedy in respect of inadequate conditions of detention	

	28 March 2017	<b>MAGOMEDOV AND OTHERS</b> <b>(In French only)</b> <b>(Nos. 33636/09, 34493/09, 35940/09, 36054/09, 37441/09, 38237/09, 45415/09, 50333/09, 28480/13 and 28596/13)</b>	2	Violation of Art. 6 § 1	Breach of the principle of legal certainty on account of the acceptance of the appeals submitted out of time by various state entities which had resulted in the setting aside of final judgements in the applicants' favour
<b>RUSSIA</b> <b>(CONTINUED)</b>	28 March 2017	<b>SHESTOPALOV</b> <b>(No. 46248/07)</b>	3	Violation of Art. 3 (substantive)	Torture of the applicant while in the hands of the police
				Violation of Art. 3 (procedural)	Ineffective investigation into the applicants' allegations of ill-treatment
				No violation of Art. 13 in conjunction with Art. 3	Existence of an effective remedy under domestic law
<b>SLOVENIA</b>	07 March 2017	<b>CEROVŠEK AND BOŽIČNIK</b> <b>(No. 68939/12 AND 68949/12)</b>	2	Violation of Art. 6 §1	Domestic court failure to provide written grounds for the verdict and absence of appropriate measures compensating for the deficiency
<b>TURKEY</b>	07 March 2017	<b>DÖNER AND OTHERS</b> <b>(No.29994/02)</b>	2	Violation of Art. 10	No interference "necessary in a democratic society"
				Violation of Art. 5 §3	Incompleteness of custody records suggesting a police custody lasting for more than four days
				Violation of Art. 5 §4	Access denied to a remedy to challenge the lawfulness of the applicants' detention
				Violation of Art. 5§5	No enforceable right provided by domestic law to compensation for the breach of the applicants' rights
	14 March 2017	<b>YELTEPE</b> <b>(In French only)</b> <b>(No. 24087/07)</b>	3	Violation of Art. 6 §1	Presence of career officers sitting on the domestic court not benefiting from sufficient independence guarantees
	28 March 2017	<b>KEMAL COSKUN</b> <b>(No. 45028/07)</b>	3	Violation of Art. 6 § 2	Breach of the principle of presumption of innocence on account of the language used by the disciplinary and judicial authorities

UKRAINE	02 March 2017	<a href="#">MOROZ</a> (No. 5187/07)	3	No violation of Art. 6 §1 and §3 (c)	Overall fairness of the trial not irretrievably prejudiced by the decision to refuse the applicant a confidential communication with his lawyer
				Violation of Art. 8	Interference with the applicant's right to respect for his family life not "in accordance with the law"; Interference with the applicant's right to respect for his correspondence not "in accordance with the law"
				Violation of Art. 9	Interference with the applicant's right to manifest his religion not "in accordance with the law"
UKRAINE (CONTINUED)	02 March 2017	<a href="#">PALCHIK</a> (No. 16980/06)	3	Violation of Art.6 §1	No opportunity given to the applicant to make oral submissions in reply
				No violation of Art. 6 § 3 (d)	Fairness of proceedings not undermined despite the absence of a convincingly established good reason for two witnesses' absence due to prior confrontation of the witnesses by the applicant at the investigation stage
				Violation of Art.6 §3 (d)	No opportunity for the applicant to put questions to a witness; No compensation for the handicap under which the defence laboured on account of a witness's absence from the trial
	09 March 2017	<a href="#">KUZMENKO</a> (No.49526/07)	3	Violation of Art. 6	Domestic courts refusing to examine the applicant's complaint referring him to a procedure neither accessible nor capable of leading to the direct and expeditious determination of the applicant's civil claim
	14 March 2017	<a href="#">BARYSHEVA</a> (No. 9505/12)	3	Violation of Art.3 (substantive)	No definite answer provided by the domestic authorities as to how the applicant's injuries were inflicted; Reluctance of the domestic authorities to ensure prompt and thorough investigation of ill-treatment complaints by the applicant
28 March 2017	<a href="#">GRIGORYAN AND SERGEYEVA</a> (No. 63409/11)	3	Violation of Art. 3 (procedural)	Ineffective investigation into the applicant's allegations of ill-treatment	
			Violation of Art. 3 (substantive)	Ill-treatment of the applicant while in police custody	
			Violation of Art. 14 taken in conjunction	Domestic authorities' failure to take reasonable steps in order to uncover the	

				with Art. 3	potential motives behind the ill-treatment inflicted on the applicant can establish that the ill-treatment to which the applicant had been submitted was actually motivated by ethnic prejudice
UNITED KINGDOM	02 March 2017	<b>AHMED</b> <b>(No. 59727/13)</b>	3	No violation of Art. 5 §1 (f)	No period of inactivity in the deportation proceedings amounting to a lack of diligence
				No violation of Art. 34	No demonstration of an improper seeking by the domestic authorities to dissuade or discourage the applicant from pursuing his application

## B. The decision on admissibility

Those decisions are published with a slight delay of two to three weeks on the Court's website. Therefore the decisions listed below cover the period **from 1 to 12 December 2016**. Those decisions are selected to provide the NHRs with potentially useful information on the reasons of the inadmissibility of certain applications addressed to the Court and/or on the friendly settlements reached.

STATE	DATE	CASE TITLE	ALLEGED VIOLATION	DECISION
AUSTRIA	13 December 2016	<a href="#">Kaiser v. Austria</a> (No. 15706/08)	Violation of Art. 6 § 2 of the Convention (Violation of the applicant's presumption of innocence) and Art. 8 of the Convention (Violation of the applicant's right to respect for his family life)	Partly rejected as inadmissible (No exhaustion of all domestic remedies available to the applicant) Partly rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention
CROATIA	6 December 2016	<a href="#">Brkić and others v. Croatia</a> (No. 53794/12)	Violation of Art. 14 of the Convention and Art. 1 of Protocol No. 12 (Discrimination of the applicants on the basis of ethnicity and place of residence) and Art. 1 of Protocol No. 1 to the Convention (The applicants had not been able to obtain damages in connection with the killing of their mother)	Partly rejected as ill-founded (No difference in treatment as regards persons in a situation comparable to that of the applicants) Partly rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention
LATVIA	13 December 2016	<a href="#">Zentas Loginas Muzejs v. Latvia</a> (No. 32066/06)	Violation of Art. 6 of the Convention (Breach of the applicant organisation's right of access to court)	Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention
SWEDEN	13 December 2016	<a href="#">Louw v. Sweden</a> (No. 33087/15)	Violation of Art. 1 of Protocol No. 1 to the Convention and Art. 14 of the Convention (Violation of the applicant's right to property due to discriminatory decisions)	Rejected as incompatible <i>ratione materiae</i> with the provisions of the Convention

### 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 31 January 2017** 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	26 January 2017	<a href="#">Simonyan and "word of life" church of christians of evangelic faith in Armenia</a> No. 30817/13	The applicants complain under Article 9 of the Convention that the District Court's finding that used the word "sect" in relation to the applicants was justified breached the State's duty of impartiality and neutrality in religious matters.
AZERBAIJAN	26 January 2017	<a href="#">Rzayev</a> No. 2931/15	The applicants complain about their arrest and conviction for gathering very briefly in a small group to take a group photograph while holding posters containing birthday messages as this gathering did not qualify as a public assembly about which organisers must submit a notification to a local executive authority.
CROATIA	30 January 2017	<a href="#">MATIJASIC</a> No. 38771/15	The applicant complains of his prosecution and punishment for minor road traffic offences, and the subsequent application of an administrative measure prohibiting him from driving a car concerning the same offences.
GEORGIA	17 January 2017	<a href="#">JISHKARIANI</a> No. 18925/09	The applicant complains that the publicly voiced, unconfirmed accusations of corruption and fraudulent behaviour by the then Minister of Justice and the domestic courts' refusal to protect her reputation amounted to a violation of her right to reputation.
HUNGARY	12 January 2017	<a href="#">R.S.</a> No. 65290/14	The applicant complains that his forcible catheterisation in order to obtain evidence of a drug offence constituted an inhuman and degrading treatment and an unjustified interference with his private life.
RUSSIA	17 January 2017	<a href="#">CHERNYSHEVA</a> No. 47387/15	The applicant complains that the erratic supply of the adult nappies degrades her as an invalid because in order to maintain her tight budget she has to do with one nappy a day instead of three.

	19 January 2017	<u>ZHAVORONKOV</u> No. 5059/13	The applicant complains that negligence and inadequate performance of the medical duties during the applicant's birth inflicted serious harm on his health, and that the amount of the domestic award was clearly inadequate to compensate for that damage.
<b>RUSSIA (CONTINUED)</b>	23 January 2017	<u>CENTRALISED RELIGIOUS ORGANISATION CENTRE OF KRISHNA CONSCIOUSNESS SOCIETIES IN RUSSIA AND FROLOV</u> No. 37477/11	The first applicant complains about a public campaign targeting and labelling them as a "totalitarian sect" and tarnishing their religious beliefs, presenting followers of the Krishna movement as inferior or disabled people and inciting religious hatred and enmity.

## PartOne

# §2 - EUROPEAN COMMITTEE OF SOCIAL RIGHTS

### A. Reclamations and Decisions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
ASSOCIAZIONE SINDACALE « LA VOCE DEI GIUSTI »	18 October 2016	No. <a href="#">105/2014</a>	Vocational training and non-discrimination (Art. 10 and Art. E)	Committee concluded that there is a situation of indirect discrimination with regard to access to specialist training in support teaching against teachers of the third category on aptitude lists. Therefore, there has been a violation of Article E in conjunction with Article 10§3 a) and b) of the Charter.

### B. Other information

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



## PartOne

### §3 - RECOMMENDATIONS & RESOLUTIONS

#### A. Recommendations

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
CM	22 March 2017	<a href="#">(2017)2</a>	Legal regulation of lobbying activities in the context of public decision making	CM recommended to domestic authorities to establish or strengthen a framework for the legal regulation and transparency of lobbying activities in the context of public decision making process. Domestic authorities should maintain a public register of lobbyists and apply a “cooling-off” period of time before a public official may become a lobbyist and vice versa. The recommendation contains principles guiding the ethical behaviour of lobbyists and recommends the imposition of sanctions for non-compliance.
CM	22 March 2017	<a href="#">(2017)3</a>	European rules on community sanctions and measures	CM recommended to the member states to respect standards and principles while reviewing their legislation, implementation of community sanctions and measures.

#### B. Resolutions

CM	15 March 2017	CPT <a href="#">(2017)1</a>	Election to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment	CM elected 9 members, from: Austria, Bulgaria, Estonia, Germany, Hungary, Liechtenstein, Sweden, Switzerland, Ukraine. Election with effect from 20 December 2017 to 19 December 2021.
PACE	10 March 2017	<a href="#">2154</a>	On securing access of detainees to lawyers	PACE underlined the importance of detainees’ access to lawyers as a guarantee of the rights of the defence and the right to a fair trial, it calls on states to ensure effective access by detainees to a lawyer from the very outset of

				detention and stressed that a self-incriminating testimony obtained in the absence of a lawyer “should in no case be accepted as valid evidence before a court or serve as a basis for convicting a defendant”.
<b>PACE</b>	10 March 2017	<a href="#">2155</a>	On the political rights of persons with disabilities	<p>PACE affirmed that persons with disabilities face multiple challenges as an unjustified link between legal capacity and the right to vote.</p> <p>PACE believes that the participation of persons with disabilities in political life can contribute to breaking down stereotypes. To this end, parliamentarians identified a series of concrete measures that could be taken to facilitate access to voting and participation in elections. For instance, PACE calls on Council of Europe member and observer States to ratify without delay, for the States which have not yet done so, the United Nations Convention on the Rights of Persons with Disabilities.</p>

## PartOne

### §4 - OTHER INFORMATION OF GENERAL IMPORTANCE

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

##### ■ 1279th meeting of the Ministers' Deputies (01.03.2017)

At their meeting the Ministers' Deputies held an exchange of views with Mr Bekir Bozdağ, Minister of Justice of Turkey, on the situation in Turkey. The Deputies also held an exchange of views with Mr John Murray, President of the Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights on the Panel's activities and the results of its work. ([Read more](#) - [Agenda](#))

##### ■ Committee of Ministers reviews the implementation of judgments of the European Court of Human Rights (14.03.2017)

On 7-10 March, representatives of the 47 member States of the Council of Europe held their first "Human Rights" meeting of 2017, during which they examined the implementation of judgments of the European Court of Human Rights in keeping with the supervisory role of the Committee of Ministers, under Article 46 of the European Convention on Human Rights. ([Read more](#) – [Press release](#))

##### ■ 1281st meeting of the Ministers' Deputies (15.03.2017)

At their meeting on 15 March, the Ministers' Deputies held an exchange of views with Ambassador Florian Raunig, Head of the Task Force of the OSCE Chairmanship, following his presentation on the priorities, activities and plans of the Austrian OSCE Chairmanship. The Deputies also adopted two resolutions. ([Read more](#) – [Agenda](#) – [meeting file](#))

##### ■ Statement by Ioannis Kasoulides, Chair of the Committee of Ministers and Minister for Foreign Affairs of Cyprus, on the International Day for the Elimination of Racial Discrimination (21.03.2017)

According to Ioannis Kasoulides, « far too many people continue to be discriminated against because of the colour of their skin or their ethnic background ». Fighting racism is today more important than ever: there is a collective duty to stand against racism, everybody has a role to play. In this situation, he judges the rise of populist and nationalist movement in Europe disturbing. ([Read more](#) )

##### ■ 1282nd meeting of the Ministers' Deputies (22.03.2017 – 23.03.2017)

On 22 March, the Ministers' Deputies held an exchange of views with the Special Representative of the Secretary General on migration and refugees concerning his thematic report on migrants and refugee children and the results of his fact-finding mission to Italy. They also held an exchange of views with the President of the European Committee of Social Rights (ECSR) concerning the challenges and progress noted by the ECSR with regard to the enforcement of social rights in member States. On 23 March, the Deputies held a thematic debate on the Secretary General's reforms of the Council of Europe. ([Read more](#) – [Agenda](#) – [meeting file](#))

**■ Statement by Ioannis Kasoulides, Chair of the Committee of Ministers and Minister for Foreign Affairs of Cyprus, after the terrorist attack in London (23.03.2017)**

Ioannis Kasoulides strongly condemned the terrorist attack, expressed his condolences to the families of victims and supported those injured. He expressed his solidarity with UK authorities. Moreover, he affirmed the need to protect democracy, values of human rights and tolerance against terrorism. ([Read more](#))

**■ The Chair of the Committee of Ministers addresses the members of the Congress of Local and Regional Authorities (29.03.2017)**

Ioannis Kasoulides explained that the Congress priority « is to improve the quality of local and regional democracy ». He also mentioned the crisis in Turkey following the failed coup d'Etat in July 2016 and said that it was the Cypriot Chairmanship's aim "to assist the Turkish authorities to overcome the difficulties the country is facing, while ensuring compliance with our common standards with regard to human rights, democracy and the rule of law". ([Read more](#) – [Speech](#) – [Video](#))

**B. Information from the Parliamentary Assembly**

**■ PACE President strongly condemns executions in Jordan (04.03.2017)**

Pedro Agramunt has expressed his dismay at the announcement of the execution of fifteen Jordanians sentenced to death for terrorism and various crimes, at the prison of Souaga, in the south of Amman. ([Read more](#) - [PACE Resolution 2086 \(2016\)](#))

**■ Political Affairs Committee backs proposal for fourth Council of Europe Summit (06.03.2017)**

The Political Affairs Committee today backed a proposal for a fourth Council of Europe Summit. On the basis of a memorandum prepared by Michele Nicoletti (Italy, SOC), it stressed that such a Summit should primarily aim at re-launching the Council of Europe's core mission: as a pan-European organisation, offering a common legal space to 820 million Europeans and thus capable of promoting democratic security throughout the continent. ([Read more](#) – [Memorandum](#))

**■ Committee praises anti-torture committee's 'outstanding' work, outlines next steps (07.03.2017)**

PACE's Legal Affairs Committee has congratulated the CPT – the Council of Europe's expert anti-torture committee – on its "outstanding work" in the last 25 years, which has led to significant improvements in places of detention in member states, but believes more can be done to improve its efficiency, authority and impact. ([Read more](#) – [Adopted report](#))

**■ Legal Committee recommends steps to end abuse of INTERPOL's Red Notices (07.03.2017)**

"Red Notices" are part of an International Notice System, set up by INTERPOL, which allows police in member states to co-operate with a view to arresting and extraditing a person wanted by a national jurisdiction or an international tribunal. "The sharp increase of such notices over the last decade, and their alleged abuse by some member states in the pursuit of political objectives, repressing the freedom of expression or persecuting members of the political opposition beyond their borders, represent a serious challenge for the system," said rapporteur Bernd Fabritius (Germany, EPP/CD). ([Read more](#) – [Adopted report](#))

**■ Chairperson of the PACE Committee on Equality and Non-Discrimination: 'No effort should be spared to achieve gender equality and empower women by 2030' (07.03.2017)**

Elena Centemero, Chairperson of the PACE Committee on Equality and Non-Discrimination, on the occasion of the International Women's Day 2017, explains that progress has been achieved in recent years in various areas but gender inequality remains intact (in the economy, in culture with gender stereotypes). She claims that "achieving gender equality and empowering all women and girls [...] must be our goal". The Committee on Equality and Non-Discrimination, and the Parliamentary Assembly as a whole are doing their part by working for women's rights to be fulfilled and for women's empowerment to become a reality. ([Read more](#))

**■ Allegations of corruption in the Assembly (10.03.2017)**

The PACE Bureau, meeting in Madrid on 9 and 10 March, took note of the memorandum prepared by the Secretary General of the Assembly on allegations of corruption within the Assembly and decided to invite the leaders of the five political groups to prepare a revised proposal for the next Bureau meeting, in Strasbourg at the end of April. ([Read](#) - [Statement: "Corruption allegations at PACE: Bureau decides on three-step response"](#))

**■ PACE President: "We will not let terrorism take our hope that we can live together without hate" (11.03.2017)**

Pedro Agramunt, in Madrid on the occasion of the European Day of Remembrance of victims of terrorist, made a statement: « we will not let terrorism take our dignity, take our hate and take our hope for a future where we can live together without hate ». ([Read more](#) )

**■ Migration crisis: ways to improve the funding of emergency situations**

"It is the political and moral responsibility of all European countries to contribute financially to dealing with the current refugee and migrant crisis, in line with the means at their disposal," said the Committee on Migration, meeting in Baku. The parliamentarians regret that the complex budgetary procedures, decision-making processes and slow implementation of European Union programmes make it difficult to put the necessary infrastructure in place and provide assistance in a timely manner. ([Read More](#) – [Adopted report](#))

**■ PACE Committee on Equality and Non-Discrimination: The gender dimension of the refugee crisis 'has been largely overlooked' (20.03.2017)**

Many refugee and asylum-seeker women and girls have been exposed to gender-based violence taking the form of coercion, forced prostitution, harassment, survival sex, sexual slavery or various forms of extortions. However, "their protection from violence has not been considered a priority in the management of the refugee crisis", stated PACE Committee on Equality and Non-Discrimination. ([Read more](#) - [Adopted report](#))

**■ President reacts to terrorist incident at Westminster (22.03.2017)**

"I strongly deplore today's serious terrorist incident at Westminster, the home of British democracy, which comes exactly a year after the Brussels attacks," said Pedro Agramunt, the President of the Parliamentary Assembly of the Council of Europe. "Whoever carried out this attack, they will fail in their aim of creating division or fear – democracy will never bend to terror". ([Read more](#))

**■ PACE's Committee on Culture and Science: Intelligent artefacts should not challenge different dimensions of human rights (22.03.2017)**

The pervasiveness of new technologies and their application is blurring the boundaries between human and machine, between reality and virtual reality, and it is “increasingly difficult for law-makers to adapt to the speed at which science and technologies evolve” and to draw up the required regulations and standards, said PACE's Committee on Culture and Science. Parliamentarians unanimously adopted a draft recommendation. ([Read more](#) – [Report adopted](#))

**■ PACE Migration Committee Rapporteur's visit to Warsaw focuses on the humanitarian consequences of the war in Ukraine (23.03.2017)**

PACE rapporteur Egidijus Vareikis (Lithuania, EPP/CD) begins a two-day fact-finding visit to Warsaw, as part of the preparation of his report for the PACE Migration Committee on “The humanitarian consequences of the war in Ukraine”. This visit aims to examine, in particular, the situation of asylum seekers in Poland, as well as that of migrants from Ukraine's war-zone. ([Read more](#))

**■ Poland and Hungary encouraged to implement Strasbourg Court rulings (24.03.2017)**

The Parliamentary Assembly rapporteur on implementation of the judgments of the European Court of Human Rights, Pierre-Yves Le Borgn' (France, SOC), has just completed his fact-finding visits to Warsaw (21-22 March) and Budapest (22-23 March). Progress has been made in Poland but Hungary needs to implement the measures planned. He also underlined the importance of involving national parliaments, in the process of implementing European Court of Human Rights Judgments. ([Read more](#))

**■ PACE Committee on Social Affaires: Income inequality 'harmful to democracy' (24.03.2017)**

The richest one per cent have now accumulated more wealth than the rest of the world put together. However, although it is acknowledged that a certain level of inequality may stimulate individual ambition and overall growth, levels of inequality in Europe have “now gone far beyond the limits of healthy competition,” said the PACE Committee on Social Affaires. In the long term, these inequalities are “harmful to social cohesion, economic development and democracy”. ([Read more](#) – [Report adopted](#))

**■ PACE General Rapporteur on Media Freedom and Safety calls for the release of detained Belarusian and Russian journalists (27.03.2017)**

Volodymyr Ariev (Ukraine, EPP/CD), PACE General Rapporteur on Media Freedom and Safety of Journalists, strongly condemned the arrest of hundreds of demonstrators in Belarus, where over 100 journalists have been subject to increasing pressure, detentions, violence and administrative charges, and throughout Russia, where hundreds of protesters, including journalists, were also arrested. ([Read more](#))

#### ■ PACE President to the CIS Assembly: 'We pursue the same objectives' (27.03.2017)

Addressing the Inter-parliamentary Assembly of the member nations of the CIS, the PACE President welcomed the close co-operation developed during the last 20 years between the two bodies. ([Read more](#) – [Speech](#))

#### ■ PACE Committee on Social Affairs: Older persons - measures enabling them to live in dignity (27.03.2017)

The PACE Committee on Social Affairs called on European governments “to take measures with a view to combating ageism, improving care for older persons and preventing their social exclusion”. ([Read more](#) – [Draft adopted text](#))

#### ■ Special Representative of the Secretary General for Roma Issues: No Hate Parliamentary Alliance - places of remembrance and cultural institutions (27.03.2017)

“We are witnessing a very worrisome spike in antisemitic, anti-Roma, islamophobic and especially anti-refugees and migrants rhetoric”, Valeriu Nicolae, Special Representative of the Secretary General for Roma Issues, told members of the No Hate Parliamentary Alliance on 21 March 2017 in Paris. ([Read more](#) - [Agenda](#))

#### ■ Call for immediate release of detained Belarusian activists (27.03.2017)

Andrea Rigoni (ALDE, Italy), following his fact-finding visit to Minsk on 23-24 March 2017, called on the Belarusian authorities to stay focused on their path of dialogue with the Parliamentary Assembly and to immediately release all those who have been detained in connection with the March demonstrations and the annual 'Freedom Day' commemoration on 25th March. ([Read more](#))

#### ■ PACE President: 'Inclusion and integration are the key to combat radicalisation' (28.03.2017)

“Inclusion and integration are the key to combat radicalisation leading to terrorism. As direct representatives of citizens, Parliamentarians have a special responsibility to work within their communities, promote dialogue, understanding and inclusion”, PACE President said addressing in Saint Petersburg the International Parliamentary Conference on Combating Terrorism co-organised by the Inter-parliamentary Assembly of the CIS Member States and the OSCE Parliamentary Assembly. ([Read more](#) – [Statement by Pedro Agramunt](#)).

### 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

#### ■ CPT: The Committee holds its March 2017 Plenary Meeting (13.03.2017)

During this meeting, the Committee adopted the reports on its periodic visits to Lithuania (carried out in September 2016), Portugal (September/October 2016) and Spain (September/October 2016), and on its ad hoc visits to Ukraine (November 2016) and to “the former Yugoslav Republic of Macedonia” (December 2016). These reports will be sent in due course to the respective authorities. In

accordance with Article 11, paragraph 2, of the [ECPT](#), the CPT's reports and the government responses are published only at the request of the authorities. ([More information](#))

■ **CPT: The Committee factsheet on immigration detention (15.03.2017)**

Immigration detention is a primary focus of the work of the CPT ([Read more](#)).

■ **CPT: The Committee published standards on means of restraint in psychiatric establishments for adults (21.03.2017)**

Given their intrusive nature and the potential for abuse and ill-treatment, the CPT has always paid particular attention to the use of various types of restraint vis-à-vis psychiatric patients ([Read more](#)).

■ **GRECO: Gender equality and corruption - International Women's Day (08.03.2017)**

« Combating corruption contributes to a more inclusive, gender equal world #BeBoldForChange »  
([More information](#))

■ **GRECO: High-Level Launch of the Fifth Evaluation Round, Strasbourg, 20 March 2017 (morning) (10.03.2017)**

GRECO will launch its Fifth Evaluation Round just before GRECO's 75th plenary ([Read more](#)).

■ **GRECO: New evaluation round launched - Preventing corruption in central governments and law enforcement agencies (20.03.2017)**

GRECO launched on the 20th of March its Fifth Evaluation Round, just before the 75th plenary. The round will focus on "Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies" ([Read more](#)).

■ **GRETA: 20th Meeting of the Committee of the Parties (10.03.2017)**

The 20th meeting of the Committee of the Parties of the GRETA was held in Strasbourg on 10 March 2017 ([Read more](#)).

■ **GRETA: The Committee's 6th General Report - European states must do more to protect children from human trafficking and exploitation (30.03.2017)**

In its 6th General Report, the GRETA highlights important gaps in the prevention of trafficking in children and in the identification and protection of child victims of trafficking ([Read the report](#); [Read more](#)).

■ **GRETA: The Committee holds its 28th meeting (31.03.2017)**

The GRETA held its 28th meeting from 27 to 31 March 2017 in Strasbourg ([Read more](#)).

■ **ECRI: Education to promote inclusion and mutual respect essential to counter hate speech, say heads of European human rights institutions on International Day for the Elimination of Racial Discrimination (21.03.2017)**

Promoting inclusion and mutual respect through education and strong positive narratives are essential to preventing incitement to hatred and countering hate speech in the digital age, the heads of three



European human rights institutions said in a joint statement on International Day for the Elimination of Racial Discrimination. ([More information](#))

■ **FCNM: Advisory Committee, Adoption of two Opinions (10.03.2017)**

During its 58th plenary meeting, the Advisory Committee on the Framework Convention on National Minorities adopted two country-specific opinions under the implementation of this convention in states parties. The fourth cycle Opinion on Kosovo was adopted on 8 March and the fourth cycle Opinion on Ukraine was adopted on 10 March 2017. These Opinions are restricted for the time being. ([Read more](#))

## PartTwo

# INFORMATION BY COUNTRY

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

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

# Albania

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: Albania: monitoring co-rapporteurs end visit (01.03.2017)

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, have ended their fact-finding mission to that country as part of their regular monitoring visits. ([Read more - PACE co-rapporteurs carry out a monitoring visit to Albania](#))

# Andorra

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

CASE	DATE	RESOLUTION	CONCLUSION
UTE SAUR VALLNET <a href="#">16047/10</a>	29 August 2012	<a href="#">CM/ResDH(2017)73</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]*

# 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

### ■ GRETA: Combatting human trafficking: Armenia has made good progress, but more effort needed to prevent the crime and help victims (20.03.2017)

Armenia has advanced in the legislation and practices for preventing and combating trafficking in human beings, said the GRETA, in its new report published today. However, more needs to be done to prevent trafficking of children, trafficking for labour exploitation, as well as to protect and assist victims. The Armenian Government's comments are published together with the report ([Read more](#)).

### ■ FCNM: Publication of the 4th Advisory Committee Opinion (01.03.2017)

The FCNM has published its Fourth Opinion on Armenia together with the government comments. ([Read the Opinion](#); [Government comments](#)).

# Azerbaijan

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ GRECO: Publication of 4th Round Compliance Report (17.03.2017)

The authorities of Azerbaijan have authorised publication of the Fourth Round Compliance Report on Azerbaijan. ([Read more](#) - [Read the report](#))

### ■ PACE monitors call for ‘renewed impetus’ towards reform in Azerbaijan (08.03.2017)

It is essential to give “renewed impetus” to the reform processes in Azerbaijan and to pursue dialogue with the authorities, PACE’s monitoring co-rapporteurs have said following a recent visit to the country (12-14 January 2017). They updated their assessments of the situation in Azerbaijan as regards NGO legislation, allegations of ill-treatment by law enforcement, reform of the justice system, persons deprived of their liberty, the recent constitutional referendum, and freedom of expression. ([Read more](#) - [Information note](#))

# Bosnia and Herzegovina

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

CASE	DATE	RESOLUTION	CONCLUSION
Boro BAJIC AND 35 OTHER APPLICATIONS <a href="#">413/10+</a>	11 Avril 2012	<a href="#">CM/ResDH(2017)74</a>	Examination closed
Mara CRNČEVIĆ AND OTHERS AND 18 OTHER APPLICATIONS <a href="#">42411/11</a>	18 June 2013	<a href="#">CM/ResDH(2017)74</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ CPT: Publication of the response of the authorities of Bosnia and Herzegovina (02.03.2017)

The CPT has published the response of the authorities of Bosnia and Herzegovina to the report on the CPT's most recent visit to that country, in September/October 2015 ([Read the response](#)).

# Bulgaria

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

CASE	DATE	RESOLUTION	CONCLUSION
GUSEVA <a href="#">6987/07</a>	6 July 2015	<a href="#">CM/ResDH(2017)75</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: Contestants in Bulgarian elections could reach out to voters freely, but some recommendations remain to be addressed (27.03.2017)

Contestants in Bulgaria's early parliamentary elections could reach out to voters freely, while the low-key campaign was generally characterised by public disillusionment with politics and election weariness. The legal framework is largely conducive to holding democratic elections, and amendments since the 2014 elections addressed some previous recommendations for improvements, but further efforts are needed, the statement says. ([Read more](#))



# Croatia

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ CPT: Visit of the Committee (27.03.2017)

A delegation of the CPT recently carried out a nine day visit to Croatia. The visit, which began on 14 March 2017, was the CPT's fifth visit to the country ([Read more](#)).

# Cyprus

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

CASE	DATE	RESOLUTION	CONCLUSION
RANTSEV <a href="#">25965/04</a>	10 May 2010	<a href="#">CM/ResDH(2017)95</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

### ■ GRECO: The committee issues report on transparency of political funding and the criminalisation of corruption in the Czech Republic (02.03.2017)

In its report, GRECO concludes that the Czech Republic has made significant progress to improve the transparency of political funding, but regrets the lack of progress in implementing its pending recommendations concerning the criminalisation of corruption ([Read more](#)).

### ■ GRETA: Czech Republic becomes 47th party to the Anti-Trafficking Convention (29.03.2017)

On 29 March 2017 the Czech Republic ratified the Convention on Action against Trafficking in Human Beings. The Convention will enter into force as regards the Czech Republic on 1 July 2017 ([Read more](#)).

# Finland

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

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

## B. Resolutions, signatures and ratifications

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
CM	15 March 2017	CMN <a href="#">(2017)1</a>	On the implementation of the Framework Convention for the Protection of National Minorities by Finland	Finland should engage in a dialogue with the Sámi people, should preserve the Swedish language. Moreover it should continue the decentralisation of education and provide for an influence on the decision-making process by all minority groups.

## C. Other information

### ■ FCNM: Adoption of a Committee of Ministers' resolution on Finland (15.03.2017)

The Committee of Ministers' of the FCNM has adopted a resolution on Finland.

[Read the Resolution.](#)

# France

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

CASE	DATE	RESOLUTION	CONCLUSION
SOCIÉTÉ BOUYGUES CONSTRUCTION AND OTHERS  <a href="#">61265/10</a>	18 June 2015	<a href="#">CM/ResDH(2017)76</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]*

# Georgia

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

CASE	DATE	RESOLUTION	CONCLUSION
KAKABADZE AND OTHERS <a href="#">1484/07</a>	2 January 2013	<a href="#">CM/ResDH(2017)77</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: Georgia: co-rapporteurs urge all stakeholders to ensure media pluralism (03.03.2017)

The co-rapporteurs of the Parliamentary Assembly of the Council of Europe (PACE) for the monitoring of Georgia, Boriss Cilevics (Latvia, SOC) and Kerstin Lundgren (Sweden, ALDE), took note of Supreme Court's judgment in the ownership dispute over Rustavi 2 TV channel. Without wishing to comment on the judgment itself, the two co-rapporteurs expressed their concern about the possible consequences of this judgment on the pluralism of the media environment in Georgia. ([Read more](#))

# Germany

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

CASE	DATE	RESOLUTION	CONCLUSION
SCHATSCHASCHWILI <a href="#">9154/10</a>	15 December 2015	<a href="#">CM/ResDH(2017)78</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

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

## Greece

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

CASE	DATE	RESOLUTION	CONCLUSION
MEMLIKA <a href="#">37991/12</a>	6 October 2015	<a href="#">CM/ResDH(2017)79</a>	Examination closed
SAMPANI AND OTHERS <a href="#">59608/09</a>	29 April 2013	<a href="#">CM/ResDH(2017)96</a>	Examination closed
LAVIDA AND OTHERS <a href="#">7973/10</a>	30 August 2013	<a href="#">CM/ResDH(2017)96</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]*



# Hungary

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: rapporteurs express deep concern at new law to automatically detain asylum seekers (08.03.2017)

Tineke Strik (Netherlands, SOC), rapporteur for follow-up on human rights of refugees and migrants, has expressed her deep concerns about the new Hungarian law on the automatic detention of asylum seekers, which was adopted by the Hungarian Parliament yesterday. ([Read more](#))

# Italy

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

CASE	DATE	RESOLUTION	CONCLUSION
DI BELMONTE No. 1 <a href="#">72638/01</a>	16 June 2010	<a href="#">CM/ResDH(2017)80</a>	Examination closed
PLALAM S.P.A. <a href="#">16021/02</a>	8 May 2011	<a href="#">CM/ResDH(2017)80</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]*

# Latvia

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

CASE	DATE	RESOLUTION	CONCLUSION
DĀVIDSONS AND SAVINS <a href="#">17574/07+</a>	7 April 2016	<a href="#">CM/ResDH(2017)81</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ GRETA: Trafficking in human beings - Latvia should improve the identification, protection and compensation of victims (23.03.2017)

In a report, the GRETA notes that Latvia has strengthened its legislation, but asks the authorities to improve the identification, protection and compensation of victims of trafficking ([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

### ■ GRECO: Publication of the Addendum to the Second Compliance Report of Third Evaluation Round on Malta (24.03.2017)

The Addendum to the Second Compliance Report of Third Evaluation Round on Malta has been adopted by GRECO at its 75th Plenary Meeting, and made public after authorisation by the authorities of Malta. ([Read more](#))

### ■ GRECO: Compliance Report of Fourth Round on Malta (27.03.2017)

The GRECO has made public the Fourth Round Compliance Report on Malta, which has been adopted in March at its 75th Plenary Meeting (20-24 March 2017). ([Read more](#))

### ■ GRETA: Malta urged to improve assistance of victims of human trafficking (16.03.2017)

In a report, the GRETA has urged Malta to step up efforts to provide assistance, including safe accommodation, to victims of human trafficking ([Read more](#)).

### ■ PACE: 'a strong voice for the human rights of the most vulnerable' (31.03.2017)

Speaking at the end of his official visit to Malta (29-30 March 2017), PACE President, Pedro Agramunt, praised Malta's commitment to the Council of Europe's values and standards and for being a strong voice for the human rights of the most vulnerable. ([Read more](#))

# Republic of Moldova

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ CPT: Publication of the response of the Moldovan authorities (16.03.2017)

The CPT has published the response of the Moldovan Government to the report on the CPT's most recent visit to the Republic of Moldova, in September 2015 ([Read the response](#)).

### ■ FCNM: Publication of the 4th Advisory Committee Opinion (01.03.2017)

The FCNM has published its Fourth Opinion on the Republic of Moldova together with the government comments ([Read the Opinion](#); [Government comments](#)).

# Montenegro

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE President: "Montenegro is making steady progress on the path of European integration" (17.03.2017)

PACE President Pedro Agramunt congratulated Montenegro, at the end of a two-day official visit to Podgorica, on the progress made in the implementation of the country's obligations and commitments to the Council of Europe during the ten years of membership in the Organisation. ([Read more](#))

# 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

### ■ GRECO: Publication of the Second Compliance Report (28.03.2017)

The GRECO has published its Second Compliance Report of Fourth Evaluation Round on Poland, as adopted at its 75th Plenary Meeting in Strasbourg (20-24 March 2017).

[Read the report.](#)

# 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

■ **GRETA: Portugal should improve the identification and protection of child victims of trafficking in human beings, says Council of Europe's expert body (17.03.2017)**

In a report, the GRETA urges the Portuguese authorities to improve the identification and protection of child victims of trafficking ([Read more](#)).



# Romania

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

CASE	DATE	RESOLUTION	CONCLUSION
MUNCACIU <a href="#">12433/11</a>	26 April 2016	<a href="#">CM/ResDH(2017)82</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]*

# Russian Federation

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

CASE	DATE	RESOLUTION	CONCLUSION
RYABYKH GROUP (113 CASES) <a href="#">52854/99</a>	3 December 2003	<a href="#">CM/ResDH(2017)83</a>	Examination closed
SLYUSAREV <a href="#">60333/00</a>	20 July 2010	<a href="#">CM/ResDH(2017)84</a>	Examination closed
SUN <a href="#">31004/02</a>	14 September 2009	<a href="#">CM/ResDH(2017)85</a>	Examination closed
ADZHIGOVICH <a href="#">23202/05</a>	8 January 2010	<a href="#">CM/ResDH(2017)85</a>	Examination closed
RANTSEV <a href="#">25965/04</a>	10 May 2010	<a href="#">CM/ResDH(2017)95</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: Exchange of views with Russian parliament representatives on co-operation with PACE (10.03.2017)

PACE President Pedro Agramunt said, after an exchange of views with representatives of the Russian Parliament on modalities of co-operation between PACE and the Russian Parliament in 2017, that he has invested time and efforts to maintain dialogue with the Russian Parliament because “it is thanks to dialogue that we can resolve the disagreements”. Russian Parliamentarians claimed their concerns about the rules restricting the powers of Delegation and said that they need to be changed. ([Read more](#) )

### ■ PACE: ‘We must continue our dialogue, focusing on issues of mutual interest’, President says in St Petersburg (27.03.2017)

Addressing the press in Saint Petersburg, where he attended the meetings of the CIS Inter-parliamentary Assembly, PACE President referred to the relationship between the Parliamentary Assembly and the Russian Parliament and expressed his conviction that dialogue must continue, focusing in priority on issues of mutual interest and concern. ([Read more](#) – [Statement to the press](#))

■ **PACE: Co-rapporteurs express concern at the detention and conviction of protesters including Alexei Navalny (27.03.2017)**

The co-rapporteures of the Monitoring Committee for the Russian Federation, Theodora Bakoyannis (Greece, EPP/CD) and Liliane Maury Pasquier (Switzerland, SOC), have expressed their deep concern at the arrest and detention of hundreds of protesters across the Russian Federation following country-wide anti-corruption protests. ([Read more](#))

# San Marino

## 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 San Marino (16.03.2017)

A delegation of the ECRI visited San Marino from 7 to 9 March 2017 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](#)).

# Serbia

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ GRETA: The Committee's second evaluation visit to Serbia (13.03.2017)

A delegation of the GRETA carried out an evaluation visit to Serbia from 6 to 10 March 2017. The visit provided an opportunity to assess developments in the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings since the first evaluation by GRETA in 2013 ([Read more](#)).

# Slovak Republic

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

CASE	DATE	RESOLUTION	CONCLUSION
KOKY AND OTHERS <a href="#">13624/03</a>	12 September 2012	<a href="#">CM/ResDH(2017)86</a>	Examination closed
LABSI <a href="#">33809/08</a>	24 September 2012	<a href="#">CM/ResDH(2017)87</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

CASE	DATE	RESOLUTION	CONCLUSION
BLESA RODRÍGUEZ <a href="#">61131/12</a>	1 March 2016	<a href="#">CM/ResDH(2017)88</a>	Examination closed

## 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 Spain (02.03.2017)

A delegation of the ECRI visited Spain from 20 to 24 February 2017 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](#)).

### ■ PACE: Standing Committee warmly welcomes King Felipe's strong commitment to European values (10.03.2017)

King Felipe VI of Spain, receiving the representatives of the Parliamentary Assembly of the Council of Europe for a private audience, in Madrid, marking 40 years of Spain's membership in the Organisation, confirmed that he will address the Assembly on the occasion of its next sessions. ([Read more](#))

### ■ PACE: the parliamentarians support the #NoHateNoFear initiative (10.03.2017)

On the eve of the commemoration of the Atocha terrorist attacks, the Standing Committee, meeting in Madrid, paid tribute to the victims, once again supporting the #NoHateNoFear initiative. ([Read](#))

### ■ PACE: Standing Committee marks 40 years of Spain's membership in the Council of Europe (10.03.2017)

PACE President Pedro Agramunt, in his opening speech of the Standing Committee meeting in Madrid, highlighted the 40th anniversary of Spain's membership of the Council of Europe. The Speaker of the Senate, Pío García Escudero stressed in his speech before the Standing Committee the important role played by the Council of Europe as a defender of democratic principles. ([Read more](#) - [Opening speech by Pedro Agramunt](#) - [Standing Committee to meet in Madrid](#))

# 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

### ■ ECRI: Preparation of a report on Sweden (02.03.2017)

A delegation of the ECRI visited Sweden from 20 to 24 February 2017 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](#)).



# Switzerland

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ GRECO: Council of Europe's Anti-Corruption body calls on Switzerland to develop ethical rules applicable to federal members of parliament, judges and prosecutors (15.03.2017)

In a published report, the GRECO highlights the specificities of Switzerland's institutions which enjoy considerable public confidence. It underlines, however, that the very organisation of the system allows subtle pressure to be exerted on politicians and the judiciary. [Read more](#) - [Read the report](#).

# Turkey

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

CASE	DATE	RESOLUTION	CONCLUSION
ALTINAY <a href="#">37222/04</a>	9 October 2013	<a href="#">CM/ResDH(2017)89</a>	Examination closed
PARLAK <a href="#">22459/04</a>	28 November 2011	<a href="#">CM/ResDH(2017)90</a>	Examination closed
KARAOŞMANOĞLU AND ÖZDEN <a href="#">4807/08</a>	17 September 2014	<a href="#">CM/ResDH(2017)91</a>	Examination closed
ERDOĞAN GÖKÇE <a href="#">31736/04</a>	14 January 2015	<a href="#">CM/ResDH(2017)92</a>	Examination closed
MESUT YURTSEVER AND OTHERS <a href="#">14946/08+</a>	20 April 2015	<a href="#">CM/ResDH(2017)93</a>	Examination closed
AVCI AND OTHERS <a href="#">70417/01</a>	27 September 2006	<a href="#">CM/ResDH(2017)94</a>	Examination closed

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ PACE: The Monitoring Committee calls for the monitoring procedure in respect of Turkey to be re-opened (08.03.2017)

The Monitoring Committee of the Parliamentary Assembly of the Council of Europe (PACE) has called for the monitoring procedure in respect of Turkey to be re-opened in order to strengthen its co-operation with the Turkish authorities and all forces in the country and thus ensure respect for fundamental freedoms, the rule of law and democracy. ([Read more - Adopted report](#))

# United Kingdom

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

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

## B. Resolutions, signatures and ratifications

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

## C. Other information

### ■ FCNM: Publication of the 4th Advisory Committee Opinion (09.03.2017)

The FCNM has published its Fourth Opinion on the United Kingdom together with the government comments ([Read the Opinion](#); [Government comments](#)).