



ISSN 2965-8780

29 June 2024 | N^o. 6

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Editorial

This issue brings you comprehensive coverage of the latest decisions and deliberations from the International Court of Justice, the Inter-American Court of Human Rights, the African Court on Human and Peoples' Rights, and the European Court of Human Rights.

The ICJ has received 31 written statements in the advisory proceedings on the Right to Strike under ILO Convention No. 87. The Court also received new interventions by Palestine and Mexico in the Gaza case (South Africa v. Israel) concerning allegations of genocide.

The Inter-American Court of Human Rights delivered a historic decision finding Argentina responsible for human rights violations in the case concerning the AMIA bombing, a terror attack against a Jewish

* Attributions: research and data gathering: SEA, JFMP; research supervision, headlines and summaries, final edition: HNA; Portuguese edition: FMA, HNA.

Community Centre. Don't miss our judgment summary in the news below!

The African Court on Human and Peoples' Rights also delivered new judgments, including a major decision ordering Tanzania to revoke the death sentences of two applicants, Nzigiyimana Zabron and Dominick Damian, finding that the mandatory death penalty constituted an arbitrary deprivation of life and amounted to cruel, inhuman, and degrading treatment.

The European Court of Human Rights remains a powerhouse for international human rights caselaw, covering cases of major humanitarian, social, and legal importance. In the inter-state case of Ukraine vs. Russia, the Court's Grand Chamber condemned Russia over serious human rights violations in Crimea.

Other new rulings from the European Court include upholding free speech in Moldova regarding an anti-discrimination campaign, condemning North Macedonia in a case concerning personal data, finding Poland guilty of violating the rights of Greenpeace activists and journalists during a sea protest, condemning the Czech Republic in a sensitive case of a woman abused by a priest, upholding lawyer's rights in a case concerning inspection during a prison visit in Azerbaijan, ruling against Armenia in a case of a disabled student abused by her sports teacher, condemning Russia for undue restriction of access to archives of Soviet political repression, upholding Hungary's ban on assisted suicide in the case of a terminally ill ALS patient, and many others.

s always, we are committed to keeping you informed about the latest academic and professional opportunities. This issue includes calls for papers, fellowships, job openings, and more. These third-party opportunities are provided for informational purposes only. We encourage our readers to independently verify their details.

Finally, the News from the Institute section highlights the proactive role of the Facts and Norms Institute in engaging with the United Nations with new research. This edition covers two new studies by the Institute about human rights and the unlawful killings of LGBTQI+ persons in the Americas, and about human rights, artificial intelligence, and education, with a particular focus on children's rights.

We hope this issue offers valuable insights and encourages you to engage with some of the pressing legal issues of our time.

Enjoy the read!

Professor [Henrique Napoleão Alves](#), Chief Editor



- **ICJ RECEIVES 31 WRITTEN STATEMENTS IN THE PROCEEDINGS ON THE RIGHT TO STRIKE (18 June 2024)**

In the advisory proceedings concerning the Right to Strike under ILO Convention No. 87, 31 written statements have been filed in the Registry of the International Court of Justice. Pursuant to Article 106 of the Rules of Court, the Court may decide to make the written statements accessible to the public on or after the opening of the oral proceedings in the case.

- **PALESTINE ASKS THE ICJ FOR PERMISSION TO INTERVENE IN GAZA CASE (3 June 2024)**

The State of Palestine filed in the Registry of the ICJ an application for permission to intervene and a declaration of intervention in the case concerning the application of the Genocide Convention in the Gaza Strip (South Africa v. Israel). Palestine asserts that its application is both "cumulative and alternative." It first seeks permission to intervene under Article 62 of the ICJ Statute, arguing that as a State party to the Genocide Convention, it has a legal interest affected by the case and a "special interest" as a particularly affected State. Additionally, Palestine submits a declaration under Article 63, which allows intervention when the construction of a convention to which other States are parties is in question. The full text of Palestine's application for permission to intervene and declaration of intervention is available [on the Court's website](#).

- **MEXICO ASKS THE ICJ FOR PERMISSION TO INTERVENE IN GAZA CASE (3 June 2024)**

Mexico filed a declaration of intervention under Article 63 of the ICJ Statute in the case concerning the application of the Genocide Convention in the Gaza Strip (South Africa v. Israel). Article 63 allows States party to a convention to intervene in proceedings when the convention's construction is in question, making the Court's judgment binding on them. Mexico, as a party to the Genocide Convention, seeks to intervene to provide its views on relevant provisions. South Africa and Israel have been invited to submit written observations on Mexico's intervention. The full text of Mexico's declaration of intervention is available [on the Court's website](#).

- **“WORLD NEWS IN BRIEF”: ASSANGE’S RELEASE, MORE ICC WARRANTS ISSUED OVER UKRAINE (26 June 2024)**
 - The UN Special Rapporteur on Torture, Ms. Alice Edwards, welcomed the release of whistleblower Julian Assange, emphasizing that people should face extradition where they might receive disproportionate punishment. She emphasized the importance of investigating and prosecuting the crimes exposed by Assange to prevent impunity for war crimes. Assange had been fighting extradition from the UK since 2010. He was released after a reported plea deal with the U.S.
 - The International Criminal Court (ICC) issued arrest warrants for senior Russian officials Sergei Shoigu and Valery Gerasimov for alleged war crimes and crimes against humanity during Russia's invasion of Ukraine. They are accused of ordering missile strikes on multiple power stations from October 2022 to March 2023, causing excessive civilian harm. The ICC stated the harm to civilians was disproportionate to any military advantage and that both officials either ordered the crimes or failed to control their forces properly.
- **“WORLD NEWS IN BRIEF”: UN CONDEMNS TERROR ATTACKS IN DAGESTAN, CALL TO END ‘WAR ON DRUGS’, WOMEN HEADS OF STATE (24 June 2024)**
 - UN Secretary-General António Guterres condemned Sunday’s terror attacks on churches and synagogues in Dagestan, Russia, which killed at least 20 people. He extended condolences to the victims' families and wished the injured a swift recovery. Gunmen opened fire in a church and synagogue in Derbent, killing an Orthodox priest, and also targeted traffic police and another church in Makhachkala. Gun battles ensued, resulting in the deaths of at least 15 police officers, four civilians, and six militants. Authorities are investigating possible sleeper cell involvement. Dagestan has declared three days of mourning.
 - UN Special Rapporteur on Health and Human Rights, Tlaleng Mofokeng, urged the Human Rights Council to end the "war on drugs," describing it as a war on people. According to her, punitive drug policies harm society's most vulnerable, including the homeless, impoverished, mentally ill, sex workers, women, children, LGBT persons, Black, and Indigenous peoples. Mofokeng argued that criminalizing drug use is the harshest regulatory option and noted that a lack of harm reduction services in prisons leads to high rates of HIV, hepatitis C, and tuberculosis. She called for the full decriminalization of drug use, citing evidence that less punitive policies do not increase drug use or related harms.

- UN Women revealed that 113 countries have never had a woman Head of State, and only 26 are currently led by women. This data was released on the International Day for Women in Diplomacy. UN Women Executive Director Sima Bahous emphasized the need to prioritize women in leadership. As of January 1, 2024, women comprise less than a third of Cabinet ministers in 141 countries, with seven countries having no female representation. Only 23% of ministerial positions are held by women. Women are also underrepresented as Permanent Representatives to the UN, holding 25% of senior ambassador posts in New York, 35% in Geneva, and 33.5% in Vienna. Bahous stated that women's equal participation in governance is crucial for global improvement.

Regional News

- **IACtHR ANNOUNCES ITS 168TH ORDINARY SESSION WITH KEY DELIBERATIONS AND HEARINGS ON SCHEDULE (15 June 2024)**
The Inter-American Court of Human Rights (IACtHR) will hold its 168th Regular Session from June 17-21 and July 1-5, 2024. During this period, the Court will deliberate on judgments for four contentious cases, interpret a judgment, and hold three public hearings and one private hearing on compliance with judgments. The sessions will be hybrid, with both virtual and in-person activities.
The deliberations will comprise the cases *Huilcaman Paillama and Others v. Chile* (relates to alleged state responsibility for violations against 140 Mapuche individuals during protests in 1992); *Indigenous Peoples U'wa and Their Members v. Colombia* (concerns alleged international responsibility of Colombia for not protecting the U'wa people's ancestral property and the impacts of various activities on their rights); *Leite de Souza and Others v. Brazil* (involves alleged forced disappearances and acts of sexual violence by security forces, and the subsequent murder of related individuals, with a lack of due diligence in investigations); *Ubaté and Bogotá v. Colombia* (pertains to the disappearance of two individuals during a police operation in 1995 and the subsequent impunity).
The public hearings will comprise the cases *Carrión and Others v. Nicaragua* (concerning the state's alleged failure to investigate the death of Dina Alexandra Carrión and ensure her son's relationship with his maternal family) and *Collen Leite and Others v. Brazil* (regarding the arbitrary arrests and torture of political activists Denise Peres Crispim and Eduardo Collen Leite and the extrajudicial killing of Eduardo Collen Leite in the context of the country's civilian-military dictatorship).

- **IACtHR FINDS ARGENTINA RESPONSIBLE FOR FAILING TO PREVENT TERROR ATTACK AGAINST AMIA (14 June 2024)**
 The AMIA bombing on July 18, 1994, in Buenos Aires targeted the Asociación Mutual Israelita Argentina (AMIA), a Jewish community center, killing 85 people and injuring over 300. Today, the Inter-American Court of Human Rights ruled in the case *Asociación Civil Memoria Activa v. Argentina*, finding Argentina responsible for not preventing the attack and failing to investigate it and its cover-up diligently. The Court also condemned Argentina for denying access to crucial documentation and violating the right to truth due to multiple investigative failures and cover-up efforts, which hindered the victims' families from obtaining information.
- **IACtHR CONCLUDES ITS 167TH ORDINARY SESSION (10 June 2024)**
 The Inter-American Court of Human Rights held its 167th Regular Session from May 20 to June 7, 2024. Sessions included public hearings on climate emergency and human rights, and the case of *Adolescents in Detention Centers of the National Minor Service (Sename) vs. Chile*.
 The Court issued judgments in the cases of *Arboleda Gómez vs. Colombia* and *Members of SUTECASA vs. Peru*, and four resolutions on compliance with previous judgments (cases *Spoltore vs. Argentina*, *Comunidad Indígena Xákmok Kásek vs. Paraguay*, *Álvarez Ramos vs. Venezuela*, and *San Miguel Sosa and Others Vs. Venezuela*).
 The Court also initiated deliberations on the case *Huilcaman Paillama and Others vs. Chile*, involving the rights of indigenous Mapuche individuals.
- **ACtHPR DISMISSES REQUEST TO REOPEN PLEADINGS IN CASE AGAINST BENIN (6 June 2024)**
 The African Court on Human and Peoples' Rights (ACtHPR) has dismissed a request to reopen pleadings and hold a hearing in the case of *Houngue Éric Noudehouénou v. Republic of Benin*. The Court found that the additional arguments and claims presented by Noudehouénou were either previously addressed or irrelevant to the initial application regarding the alleged violation of his rights in connection with a tax assistance contract.
- **ACtHPR REOPENS PLEADINGS IN CASE AGAINST TANZANIA (31 May 2024)**
 The ACtHPR has reopened pleadings in the case of the *Centre for Human Rights and Others v. United Republic of Tanzania*, granting Tanzania an additional 45 days to respond to allegations of

violations of the right to life, freedom from torture, and prohibition of human trafficking against persons with albinism.

- **ACtHPR DISMISSES CASE AGAINST CÔTE D'IVOIRE FOR NON-EXHAUSTION OF LOCAL REMEDIES (4 June 2024)**

The ACtHPR dismissed the case of *Goh Taudier and Others v. Republic of Côte d'Ivoire*, finding that the applicants failed to exhaust local remedies. The applicants alleged violations of their rights to a fair trial and human dignity after being convicted and sentenced to 20 years' imprisonment for armed robbery. The Court ruled that a cassation appeal was an available and effective remedy, which the applicants did not pursue, rendering the application inadmissible.

- **ACtHPR ORDERS TANZANIA TO REVOKE DEATH SENTENCE IN THE NZIGIYIMANA ZABRON CASE (4 June 2024)**

The ACtHPR ruled in favor of Nzigiyimana Zabron, a Burundian national, finding that Tanzania violated his rights during his trial and detention. Zabron, who was sentenced to death for murder and later had his sentence commuted to life imprisonment, experienced an unduly long pre-trial detention and lack of consular assistance.

The Court ruled that the mandatory death sentence under Tanzanian law constituted an arbitrary deprivation of life. Furthermore, the Court found that the Applicant's prolonged pre-trial detention and detention on death row for over three years constituted cruel, inhuman, and degrading treatment. As reparations, the Court ordered the Respondent State to revoke the death sentence, remove Zabron from death row, and revise its penal code to remove the mandatory death penalty. The Court also ordered the Respondent State to provide a fair re-hearing on sentencing through a procedure that does not impose the death sentence mandatorily.

- **ACtHPR ORDERS TANZANIA TO RELEASE APPLICANT AND AMEND SENTENCING LAWS IN THE DOMINICK DAMIAN CASE (4 June 2024)**

The ACtHPR delivered a judgment in favor of Dominick Damian, a Tanzanian national sentenced to death for murder.

The Court ruled that the mandatory death sentence under Tanzanian law constituted an arbitrary deprivation of life. The Court further found that the method of execution by hanging constituted cruel, inhuman, and degrading treatment. As reparations, the Court ordered the Respondent State to revoke the death sentence, remove Damian from death row, and revise its

penal code to remove the mandatory death penalty. The Court also ordered the Respondent State to provide a fair re-hearing on sentencing through a procedure that does not impose the death sentence mandatorily.

- **ACtHPR ORDERS TANZANIA TO RELEASE APPLICANT AND AMEND SENTENCING LAWS IN THE MAGUNGA CASE (4 June 2024)**

The ACtHPR ruled in favor of Daud Magunga, one of the two applicants in the case against Tanzania. Magunga was convicted of gang rape and sentenced to life imprisonment. The Court found that Magunga, a minor at the time of the offense, was not informed of his right to legal representation and denied access to free legal assistance. The Court also found that the State's interpretation of its Penal Code, which prevented the application of a more lenient sentence for minors, was in violation of international law, including the International Covenant on Civil and Political Rights. The Court ordered his immediate release and awarded him 1,000,000 Tanzanian shillings for moral damages. The Court also instructed Tanzania to amend its criminal laws to align with international standards for juvenile sentencing. The application of Kabalabala Kadumbagula was dismissed for being filed after an unreasonable delay.

- **ACtHPR FINDS NO VIOLATION IN MALI POLICE PROMOTION CASE (4 June 2024)**

The ACtHPR dismissed the application of Amadou Dembélé and others against Mali alleging violations of their right to equality before the law, equal protection of the law, and non-discrimination. The Applicants were police officers who claimed that they were denied promotion due to discriminatory practices. The Court, however, found that the Applicants did not meet the legal requirements for promotion, including obtaining their qualifications before the issuance of a relevant decree and meeting seniority requirements.

- **ECHR RULES IN FAVOR OF UKRAINE IN CASE AGAINST RUSSIA OVER VIOLATIONS IN CRIMEA (25 June 2024)**

The European Court of Human Rights' (ECHR) Grand Chamber delivered a landmark judgment in the inter-State case of *Ukraine v. Russia* (Applications [20958/14](#) and [38334/18](#)), finding that the Russian Federation was responsible for multiple human rights violations in Crimea.

The violations, which included enforced disappearances, ill-treatment, unlawful detentions, and suppression of non-Russian media, were deemed part of a systematic administrative practice

by Russian authorities aimed at stifling political opposition since their effective control over Crimea began on 27 February 2014. The Court also established that Russia's imposition of its laws in Crimea, in contravention of international humanitarian law, could not be regarded as "lawful" within the meaning of the European Convention on Human Rights. Specific findings included violations of the right to a fair trial, the right to respect for private and family life, and freedom of expression, among others. The Court further highlighted the unlawful transfer of Crimean prisoners to Russian penal facilities, resulting in separation from their families and inadequate detention conditions, which amounted to degrading treatment. The Court ordered the Russian Federation to take measures to secure the safe return of prisoners transferred from Crimea to penal facilities in Russia.

- **ECHR FINDS NO VIOLATION IN ROMANIAN PRISONER'S TREATMENT (25 June 2024)**

The European Court of Human Rights (Fourth Section) ruled that the conditions of detention experienced by Mr. Daniel Bechi, an HIV-positive prisoner in Romania, did not constitute degrading treatment and that there was no discrimination against him. Mr. Bechi alleged that he was held in poor conditions, including overcrowding and a lack of privacy, and that his placement in separate wings of prisons due to his HIV-positive status amounted to degrading treatment and discrimination. He also complained about being transferred to prisons far from his family residence. The Court found that while Bechi's detention conditions did not meet the ideal standards, they did not exceed the unavoidable level of suffering inherent in imprisonment and did not violate his right to be free from degrading treatment.

The Court further ruled that Bechi's placement in special wings designated for HIV-positive individuals, while acknowledging the need for medical confidentiality and to address prejudices in the prison system, was ultimately justified by the particular circumstances of Romanian prisons and the need to ensure his health and well-being.

The Court did not find any evidence that the transfers to prisons further from his family home had significantly affected his ability to maintain family contact.

- **ECHR RULES TÜRKIYE VIOLATED FAIR TRIAL IN CIVIL SERVICE APPOINTMENT CASES (25 June 2024)**

In the case of *Kurkut and Others v. Türkiye*, the European Court of Human Rights (Second Section) has found the State in violation of the right to a fair trial in a series of cases brought by Turkish citizens who were denied civil service appointments due to negative background checks.

The Court determined that the applicants were not adequately informed about the specific allegations against them, nor were they given a chance to challenge the information contained in their background checks. This lack of transparency, along with the domestic courts' failure to scrutinize the administrative decisions, deprived the applicants of a fair opportunity to defend themselves in court.

The Court also ruled that the Turkish government's reliance on the state of emergency following the 2016 coup attempt could not justify the violations of fair trial rights, as the emergency legislation did not limit judicial review in these types of cases. With specific regards to the applicant Agit Tetik, the Court declared his complaint under the right to presumption of innocence inadmissible due to non-exhaustion of domestic remedies. Judge Frédéric Krenç, in his dissenting opinion, argued that this approach was excessively formalistic and that the applicant had sufficiently raised the substance of his complaint before the domestic courts.

- **ECHR UPHOLDS FREEDOM OF EXPRESSION IN MOLDOVA ANTI-DISCRIMINATION CAMPAIGN (25 June 2024)**

In the case of *the National Youth Council of Moldova (Conseil National de la Jeunesse de Moldova) v. Republic of Moldova*, the European Court of Human Rights (Second Section) ruled in favor of the applicant association, finding a violation of their right to freedom of expression. Local authorities had refused to authorize the display of an anti-discrimination advertisement featuring caricatures of Roma people and people with disabilities, citing that it was degrading and humiliating.

The Court found that the advertisement, while using caricatures that may have been offensive, aimed to highlight societal stereotypes and discrimination faced by vulnerable groups while promoting a free hotline for reporting discrimination. The Court criticized the Moldovan authorities for relying solely on the negative opinions of two organizations without considering the broader context, the advertisement's message, or the potential impact on the wider public.

The Court recognized the advertisement as addressing a matter of eminent public interest and concluded that the caricatures were intended to draw attention to existing societal stereotypes and the discrimination faced by vulnerable groups, encouraging the public to assert their rights. The Court determined that the refusal constituted an unjustified interference with the association's freedom of expression. It noted that the illustration did not promote hate speech or intolerance and that the association's role was akin to that of the press in raising public awareness on critical issues. The domestic courts failed to provide adequate scrutiny and did not balance the various interests involved,

leading to a disproportionate restriction. Consequently, the Court found that the interference was not necessary in a democratic society.

- **ECHR: NORTH MACEDONIA FAILED TO PROTECT CITIZEN'S RIGHT TO PRIVACY IN DATA PROTECTION CASE (25 June 2024)**

The European Court of Human Rights (Second Section) has found North Macedonia in violation of a citizen's right to privacy, specifically the right to respect for private life, after domestic courts failed to adequately protect the applicant from the unlawful collection and use of his personal data. The applicant, Velimir Vlaisavljevikj, argued that a private heat supplier repeatedly sent him invoices for a standing heating charge despite his objections that he was never a user of their services. The Court found that while the heat supplier may have had a legitimate interest in collecting data from its users, domestic courts failed to address the core issue of whether the supplier had the right to collect and use Mr. Vlaisavljevikj's data when he had never been a customer.

The Court concluded that the domestic courts' lack of thorough examination and failure to address the core of the applicant's complaint led to an unjustified interference with his private life. The ruling emphasized that the repeated use of the applicant's data over several years, despite his objections and the civil courts' recognition of his non-liability for the charges, constituted a breach of his right to respect for private life.

- **ECHR UPHOLDS FINE AGAINST HUNGARIAN ACTOR FOR DISCLOSING CONFIDENTIAL INFORMATION (20 June 2024)**

In the case of *Boronyák v. Hungary*, the European Court of Human Rights (First Section) has upheld a fine imposed on Hungarian actor Gergely Boronyák for breaching a confidentiality clause in his contract with a private production company. The actor disclosed information about his fees for a television series, which was co-produced by a public entity. He argued that the information was in the public interest, as it related to public expenditure.

The Court acknowledged the importance of protecting freedom of expression, but found that the Hungarian authorities had struck a fair balance between the actor's right to speak out and the production company's interest in protecting its commercial information. The Court recognized that the public had access to information about public spending through other mechanisms, such as freedom-of-information requests, and that the actor's disclosure was not essential for public debate on this issue. Therefore, the Court found that the fine imposed on Mr. Boronyák

was not a disproportionate restriction of his freedom of expression.

- **ECHR: POLAND VIOLATED RIGHTS OF GREENPEACE ACTIVISTS AND JORNALISTS DURING SEA PROTEST (20 June 2024)**

In the case of *Friedrick and Others v. Poland*, the European Court of Human Rights (First Section) has ruled that Poland violated the rights of Greenpeace activists and journalists during a protest at sea in the port of Gdańsk. The Court found that the actions of the Polish Border Guard, which included the interruption of the protest, the immobilization of the activists' vessels, and the detention of two activists, constituted unlawful deprivations of liberty.

The Court determined that the activists' detention, which lasted for several hours, was not justified by the need to carry out identity checks or inspections, particularly given the lack of a reasonable suspicion that the activists had committed a crime. Additionally, the Court found that the activists were not promptly informed of the reasons for their detention, and their ability to contact legal counsel was obstructed. The Court also ruled that the detention of the activists and journalists violated their right to freedom of expression, as the authorities' actions effectively disrupted and silenced their protest against the use of coal.

- **ECHR: CZECH REPUBLIC DISCRIMINATED AGAINST JUVENILE DETAINEE IN REVIEW OF DETENTION (20 June 2024)**

The European Court of Human Rights (Fifth Section) ruled in *Spišák v. the Czech Republic* that the different treatment of juveniles compared to adults in the automatic judicial review of pre-trial detention constitutes discrimination. Juveniles, including the applicant Pavel Spišák, prosecuted for serious offenses, had their detention reviewed every six months, while adults in similar situations had reviews every three months. The Court found this age-based distinction unjustified and contrary to the intended aim of providing more favorable treatment for juveniles.

The Court acknowledged the Czech Republic's intention to provide a more favorable treatment for juveniles in detention, but found that the less frequent automatic review of the juvenile's detention did not align with that purpose. The Court emphasized that the special provisions for juvenile detention must ensure that they are not denied greater protection than adults in analogous situations. Despite other procedural safeguards and shorter overall detention periods for juveniles, the lack of more frequent automatic review was deemed discriminatory.

- **ECHR: CZECH REPUBLIC FAILED TO PROTECT WOMAN FROM SEXUAL ABUSE BY PRIEST (20 June 2024)**

In the case of *Z v. Czech Republic*, the European Court of Human Rights (Fifth Section) ruled that the Czech authorities failed to uphold their positive obligations under the rights to protection from inhuman or degrading treatment and the right to respect for private life.

The case involved a vulnerable victim who alleged non-consensual sexual acts by a priest. The national authorities dismissed the case, finding that the priest's actions did not constitute rape or sexual abuse under Czech law, as the woman had not physically resisted during the alleged assaults.

The Court criticized the Czech authorities for failing to consider the woman's vulnerability and the potential impact of past trauma on her ability to consent or resist. The Court emphasized that the authorities should have taken a broader and more contextual approach to evaluating the evidence and should have considered the woman's psychological state in determining whether the alleged acts constituted sexual abuse. Moreover, the legal system at the time did not allow the victim to appeal the police's decision to dismiss the case to a judicial authority.

The Court found that the Czech authorities failed to ensure effective protection for the woman's right to be free from degrading treatment and to respect for her private life.

- **ECHR: AZERBAIJAN VIOLATED LAWYER'S RIGHT TO PRIVACY BY INSPECTING HIS DOCUMENTS DURING PRISON VISIT (20 June 2024)**

In the case of *Namazli v. Azerbaijan*, the European Court of Human Rights (First Section) has ruled that Azerbaijan violated the right to privacy of lawyer Fariz Namazli by allowing prison staff to inspect his documents before and after a meeting with his client in prison. The Court found that the inspection, which occurred without any suspicion of wrongdoing, interfered with the lawyer's private life and correspondence and was not justified under the European Convention on Human Rights.

The Court found that the relevant Azerbaijani legislation was insufficient to justify the inspection, as it did not provide a clear and detailed framework or safeguards against possible abuse or arbitrariness. The inspection occurred despite no suspicion of wrongdoing, undermining the confidentiality principle crucial to the legal profession.

The Court emphasized that the central role of lawyers in the administration of justice demands enhanced protection of their confidentiality and the right to private communications with clients. The domestic legal provisions applied in this case were general in nature and did not distinguish between lawyers and other visitors, disregarding the special status of lawyers.

- **ECHR FINDS ITALY DID NOT VIOLATE PRISONER'S RIGHTS (20 June 2024)**

In the case of *Temporale v. Italy*, the European Court of Human Rights (First Section) found no violation of the right against inhuman or degrading treatment concerning Mr. Antonio Temporale's prison conditions and medical treatment.

The Court ruled that while Mr. Temporale suffered from severe physical and mental health issues, including 100% disability due to chronic psychosis, the Italian authorities provided adequate medical care and monitoring during his detention.

The Court highlighted that Mr. Temporale received regular medical examinations and treatments for his various ailments, including psychiatric evaluations, cardiological treatments, and nutrition monitoring. Despite some initial inadequacies, the Italian authorities promptly adjusted his care following medical recommendations. The Court also noted that once it became challenging to manage his health conditions in prison, the Italian courts ordered his release.

Additionally, the applicant claimed Italy failed to provide an independent expert report on his health as requested by the European Court of Human Rights during the international proceedings. The Court found that despite initial delays, Italy eventually complied, thus fulfilling its obligations to cooperate with the Court.

- **ECHR CONDEMNS ARMENIA IN CASE OF A DISABLED STUDENT SEXUALLY ABUSED BY HER TEACHER (18 June 2024)**

In the case of *A.P. v. Armenia*, the European Court of Human Rights (Fourth Section) found that the State violated the rights of an intellectually disabled minor who was sexually abused by her school's sports teacher.

The case centered on the State's failure to protect the student from abuse within the context of State education. The Court highlighted that effective measures to prevent, detect, and report such abuse were not in place, leading to a breach of the right to protection from inhuman or degrading treatment. Despite the criminal conviction of the abuser, the State's lack of preventive operational measures and adequate training for school staff contributed significantly to the harm suffered by the applicant. Additionally, the Court found that the State breached the right to privacy by publishing the applicant's personal details on an online platform, which could potentially identify her as a victim of sexual abuse. This public disclosure occurred despite specific requests to keep the proceedings private, further traumatizing the applicant and her family.

The Court also criticized the domestic courts for dismissing the applicant's claim for non-pecuniary damages due to procedural technicalities, despite the established facts of abuse. It concluded that the applicant had no effective domestic remedy to claim compensation for non-pecuniary damages. The Court emphasized the heightened duty of protection owed to children, particularly those with disabilities.

- **ECHR CONDEMNS RUSSIA IN CASE ABOUT FREE SPEECH AND THE “UNDESIRABLE ORGANIZATIONS” LAW (18 June 2024)**

In the case of *Andrey Rylkov Foundation and Others v. Russia*, the European Court of Human Rights (Third Section) has ruled that Russia violated the rights of several non-governmental organizations and individuals by applying its controversial "undesirable organizations" law. The Court found that the law itself is vague and imprecise, granting excessive discretion to the General Prosecutor's Office (GPO) in designating organizations as "undesirable" without providing clear criteria or sufficient safeguards against abuse.

The Court also determined that the Russian courts failed to adequately scrutinize the GPO's decisions, effectively transforming judicial review into a procedural formality. Furthermore, the Court found that individuals were convicted for engaging in activities associated with "undesirable organizations" even when their actions were otherwise lawful and did not constitute a threat to national security. The Court criticized the Russian authorities for applying the law retrospectively, holding individuals accountable for activities that were legal at the time they were conducted. The Court found that the law's vague definition and application created a "chilling effect" on the exercise of fundamental rights, dissuading individuals from participating in political discourse and civic activity.

- **ECHR FINDS RUSSIA UNDULY RESTRICTED ACCESS TO ARCHIVES OF SOVIET POLITICAL REPRESSION (18 June 2024)**

In the case of *Suprun and Others v. Russia*, the European Court of Human Rights (Third Section) ruled that Russia's refusal to grant the applicants access to archival information on Soviet political repression violated their rights to freedom of expression and access to information. The applicants, including historians and relatives of victims, sought to obtain and disseminate historical records for research and public debate on Soviet-era abuses. The Court found that Russian authorities, under various pretexts, denied historians and researchers access to crucial information, including official documents, personal files, and records of interrogations. These restrictions were unjustified and

disproportionate, particularly given the public interest in access to historical information about past human rights abuses. The Court emphasized that access to information is vital for research and public debate on these important social issues. While recognizing the legitimate need to protect privacy and national security, the Court found that the Russian authorities failed to demonstrate a pressing social need for these restrictions and did not provide sufficient reasons for denying access. Additionally, the Court found that the Russian authorities failed to strike a fair balance between the right to receive information and the right to privacy, particularly in cases involving deceased individuals.

- **ECHR FINDS SLOVAKIA VIOLATED WOMAN JUDGE'S RIGHTS IN PRE-TRIAL DETENTION CASE (13 June 2024)**

In the case of *Cviková v. Slovakia*, the European Court of Human Rights (First Section) found violations of the applicant's rights during her detention and subsequent legal proceedings. Ms. Denisa Cviková, a judge, was detained on charges related to alleged corruption and abuse of power within the judiciary in the Bratislava region.

The Court ruled that while her initial detention was based on reasonable suspicion and relevant grounds, the continuation of her detention was not sufficiently justified, particularly after her request for release was dismissed. The Court also noted periods of inactivity by the prosecution, questioning whether there was a genuine intention to pursue the case, which impacted the assessment of the necessity for her continued detention.

Furthermore, the Court criticized the Slovak Supreme Court's decision to uphold the detention, finding that the Supreme Court relied on new grounds for detention that were not originally presented by the prosecution. This violated the principle of equality of arms, as Ms. Cvikova was not given the opportunity to address these new arguments.

- **ECHR UPHOLDS HUNGARY'S BAN ON ASSISTED SUICIDE IN CASE OF TERMINALLY ILL ALS PATIENT (13 June 2024)**

In the case of *Karsai v. Hungary*, the European Court of Human Rights (First Section) addressed the case of Mr. Dániel Karsai, a Hungarian lawyer suffering from amyotrophic lateral sclerosis (ALS) who challenged Hungary's prohibition on assisted suicide. Mr. Karsai, being terminally ill, wished to end his life with medical assistance to avoid prolonged and unbearable suffering. He contended that the inability to seek physician-assisted dying (PAD) in Hungary or travel abroad for this purpose infringed upon his autonomy and human dignity, arguing that the ban violated his right to respect for private life, self-determination, and a dignified death.

The Court acknowledged the complex moral and ethical issues surrounding PAD and recognized that the right to life was a fundamental right protected under the European Convention on Human Rights. Ultimately, the Court upheld the Hungarian government's stance, finding that the ban on assisted suicide was not disproportionate and that the State had a legitimate interest in protecting vulnerable individuals from potential coercion and abuse. The Court emphasized the wide margin of appreciation granted to states in regulating sensitive moral and ethical issues and highlighted that the majority of member states continue to prohibit assisted suicide, reflecting divergent views on the matter. Mr. Karsai also claimed that the prohibition constituted discrimination, as Hungarian law allows terminally ill patients dependent on life-sustaining treatment to hasten their death by refusing such treatment while denying the same option to those not dependent on life support. The Court found no violation, ruling that the difference in treatment was objectively justified. Judge Krzysztof Wojtyczek, in his partly concurring and partly dissenting opinion, argued that the Convention's protection of life is absolute and should not be subject to exceptions for assisted suicide or euthanasia. Judge Gilberto Felici dissented from the majority opinion, emphasizing the importance of respecting an individual's right to self-determination, particularly in cases of terminal illness and unbearable suffering; and highlighting the need for a more nuanced and flexible approach to end-of-life decisions – a “progressive” interpretation of the Convention, in line with the “living instrument” doctrine. Judge Felici’s opinion adopted this quote by legal philosopher Ronald Dworkin as an epigraph: “Making someone die in a way that others approve, but he believes a horrifying contradiction of his life, is a devastating, odious form of tyranny.”

- **ECHR RULES AZERBAIJAN VIOLATED FREE SPEECH FOR BLOCKING ONLINE MEDIA OUTLETS (13 June 2024)**

In the case of *RFE/RL Inc. and Others v. Azerbaijan*, the European Court of Human Rights (First Section) found that Azerbaijan's wholesale blocking of four online media outlets violated the right to freedom of expression.

One of the applicants, RFE/RL Inc. (Radio Free Europe/Radio Liberty), is a private, non-profit corporation funded by the United States Congress. Other applicants include individual journalists and other media organizations.

The Court noted that the blocking orders were based on broadly interpreted domestic laws. This lack of clarity rendered the application of the law unforeseeable and arbitrary.

The Court also noted that the applicants were not given prior notice or an opportunity to remove the allegedly unlawful content

before the websites were blocked, further undermining the procedural fairness of the measures.

Emphasizing the importance of the internet as a platform for freedom of expression, the Court concluded that Azerbaijan's actions were disproportionate and failed to strike a fair balance between protecting public interests and the rights of the media outlets.

- **ECHR RULES AGAINST LATVIA OVER UNJUSTIFIED PRE-TRIAL DETENTION (13 June 2024)**

In the case of *Bluks Savickis v. Latvia*, the European Court of Human Rights (Fifth Section) found that Latvia violated the right to liberty of Jurijs Bluks Savickis, who was detained pending trial on drug trafficking charges. While the Court accepted that the initial detention of Mr. Savickis was justified, it ruled that the Latvian courts failed to provide sufficient reasons for extending his detention after his request for release was denied.

The Court found that the Latvian courts relied heavily on general arguments about the seriousness of the charges and the risk of reoffending, without addressing specific facts or considering alternative measures. It also noted a lack of "special diligence" in the conduct of the proceedings, with the prosecution appearing passive in its efforts to advance the case. The Court emphasized the importance of reasoned decisions in detention cases, both to protect the accused's right to liberty and to ensure transparency in the administration of justice.

Academic & Professional Opportunities

- **CALL FOR PAPERS: LAW STUDENT SCHOLARSHIP PANEL, ANIMAL LEGAL DEFENSE FUND**
The Animal Legal Defense Fund [invites submissions of completed papers on an animal law topic](#). Selected students will present their work at the 2024 Student Convention in Portland, Oregon, on October 18, 2024. Travel accommodations will be covered for selected authors. Submissions must be from current law school students and in English. Deadline for submissions is July 29, 2024. Submit to prader@aldf.org.
- **CALL FOR PAPERS: 2024 LISBON CLIMATE CONFERENCE**
The 2024 Lisbon Climate Conference [seeks submissions from practitioners and scholars \(including early career researchers and Ph.D. candidates\) on "Human Rights and Climate Change: Where Next?"](#). Deadline for abstract submissions is July 31, 2024.

- CALL FOR PAPERS: INTERNATIONAL ENVIRONMENTAL LAW ENFORCEMENT**
 Contributions are invited for a conference exploring the [enforcement of international environmental law](#). Interdisciplinary and co-authored papers are welcomed. Submit abstracts to ielconference@uoc.edu or paolo.farah@glawcal.org.uk by 01 July 2024.
- CALL FOR PAPERS: SPECIAL ISSUE OR SYMPOSIUM TO ENVIRONMENTAL POLITICS**
 Environmental Politics [invites contributions for a Special Issue and Symposia on environmental politics](#). All submissions will undergo double-blind peer review. Contributions should not exceed 8000 words. The Special Issue will include 8-10 papers, while the Symposium will include 3-5 papers. Submit abstracts to pkashwan@brandeis.edu by July 15, 2024.
- CALL FOR PAPERS: INAUGURAL WORKSHOP 2025, LOTUS-RELATED CONVERSATIONS, LOTUS PROJECT**
[Abstracts are invited for the Inaugural Workshop exploring the centenary of the Lotus Case in Marseille, Istanbul, and The Hague on January 9-10, 2025](#). Abstracts should reflect on the case's legacy and its principles in 300 words. Accepted participants will prepare short papers (1000-2000 words). Deadline for submissions is October 4, 2024.
- CALL FOR CHAPTER PROPOSALS: EMPIRICAL RESEARCH APPROACHES TO BUSINESS, HUMAN RIGHTS, AND THE ENVIRONMENT**
 Editors Ben Grama (Tilburg University), Marisa McVey (Queen's University Belfast), Samentha Goethals (SKEMA Business School), and Federica Nieri (University of Pisa) invite researchers [to submit chapter proposals on empirical research methods in business, human rights, and environmental studies](#). Abstracts (600 words) are due by September 30, 2024, with full chapters expected by February 28, 2025.
- CALL FOR PAPERS: 20TH WINTER COURSE ON INTERNATIONAL LAW, CEDIN, BRAZIL**
 Article submissions are invited for [CEDIN's online winter course on International Law, taking place from July 15-26, 2024](#). The course includes lectures, Moot Court, career sessions, and workshops. Participants can submit articles for publication in the event annals until July 14, 2024.
- HAGUE ACADEMY SUMMER COURSES**
 The Hague Academy of International Law is organizing its traditional [Summer Courses on Public International Law](#) (from 8 to 26 July 2024) and Private International Law (from 29 July to 16

August 2024). Registration for the online version is open until 30 June 2024.

- **TRAINING PROGRAMME ON DISARMAMENT AND NON-PROLIFERATION OF WMD 2024, T.M.C. ASSER INSTITUTE**
The Asser Institute and OPCW are offering a [training programme on disarmament and non-proliferation of weapons of mass destruction](#) from September 30 to October 4, 2024, in The Hague. The programme covers international non-proliferation and disarmament frameworks and includes field visits and networking opportunities. The fee is €1,695, with scholarships available from the Netherlands Ministry of Foreign Affairs and OPCW. Applications for MFA scholarships are due by July 23, 2024, and for OPCW scholarships by July 23, 2024. Register through the Asser Institute's website.
- **MASTER IN HUMAN RIGHTS AND CONFLICT MANAGEMENT, SCUOLA SUPERIORE SANT'ANNA**
The [Master in Human Rights and Conflict Management](#) at Scuola Superiore Sant'Anna, Italy, offers a deep understanding of the linkages between human rights and conflict management theory and practice. The program runs from January 8, 2025, to May 31, 2026, and includes 450 hours of classroom lectures and a 480-hour internship starting from August/September 2025. Tuition is €6,500 for the first round of selection. Applications are due by July 4, 2024, for the first round, and by September 12, 2024, for the second round. Scholarships may be available for non-OECD country citizens. Apply through the official website.
- **PROGRAM ASSOCIATE, CENTER FOR INTIMACY JUSTICE, REMOTE**
The Center for Intimacy Justice (CIJ) in the United States [seeks a Program Associate for remote work, managing operations, communications, and research](#). Hourly rates vary based on experience. The first round of applications closes on July 1, 2024. Apply to careers@intimacyjustice.org with a resume, cover letter, and time zone of residence.
- **RESEARCH AND COLLABORATION COORDINATOR, EQUAL RIGHTS TRUST, LONDON (HYBRID)**
The Equal Rights Trust in London [is hiring a Research and Collaboration Coordinator to support efforts against discrimination](#). The role requires IT skills, fluency in English, and a relevant degree. The annual salary is £27,500 for a full-time position. Apply by July 01, 2024.
- **ASSOCIATE LEGAL OFFICER, ICC, THE HAGUE**
The ICC in The Hague seeks an [Associate Legal Officer](#) to support court sessions and case management. Applicants should have at

least two years of relevant work experience in a national judicial system, an international court/tribunal or in academia and fluency in English or French. The annual basic salary is €71,653.00. Apply by July 06, 2024.

- **GENDER AND FEMINIST HUMANITARIAN ADVISOR, OXFAM, UKRAINE**
Oxfam in Ukraine [is hiring a Gender and Feminist Humanitarian Advisor](#) to enhance local and national participation in humanitarian response. Fluency in English is required. Apply by July 06, 2024.
- **ASSOCIATE HUMAN RIGHTS OFFICER, OHCHR, GENEVA**
The Office of the High Commissioner for Human Rights in Geneva [seeks an Associate Human Rights Officer to analyze human rights situations](#). The role requires two years of progressively responsible experience in human rights, political affairs, international relations, law or related area and fluency in English. Apply by July 10, 2024.
- **PROGRAMME MANAGER ON HUMAN RIGHTS EDUCATION FOR LEGAL PROFESSIONALS, COUNCIL OF EUROPE, STRASBOURG**
The Council of Europe in Strasbourg [seeks a Program Manager to coordinate human rights education](#). Candidates should have 7 years of legal experience, including as a judge, prosecutor, or lawyer. Apply by July 13, 2024.
- **LEGAL FELLOW, INTERNATIONAL LAWYERS PROJECT, LONDON**
The International Lawyers Project in London [seeks a Legal Fellow to support their programs addressing economic and environmental injustice](#). Applicants should have experience in environmental law, economic justice, or international development. The annual basic salary is £30,000. Apply by July 14, 2024.
- **LEGAL OFFICER, PRIVACY INTERNATIONAL, LONDON**
Privacy International in London [seeks a Legal Officer](#). Applicants should have experience in NGOs or human rights organizations. The annual basic salary is £39,520. Apply by July 14, 2024.
- **PROGRAMME MANAGER ON HUMAN RIGHTS AND RULE OF LAW, COUNCIL OF EUROPE, STRASBOURG**
The Council of Europe in Strasbourg [seeks a Programme Manager to support data protection and human rights activities](#). The role requires four years of relevant professional experience in international and/or human rights law. Apply by July 19, 2024.

News from the Institute

- **FNI SUBMITS INPUT ON HUMAN RIGHTS, ARTIFICIAL INTELLIGENCE AND EDUCATION TO UN SPECIAL RAPPORTEUR**



The Facts and Norms Institute (FNI) has [submitted a comprehensive input on human rights and artificial intelligence \(AI\) in education to the United Nations Special Rapporteur on the Right to Education, Ms. Farida Shaheed.](#)

Key Messages of the Submission:

- **Expansion of AI in Education:** AI tools are increasingly used for automating administrative tasks, developing curricula, and enhancing teaching and learning. Applications include intelligent tutoring systems, writing support, and immersive learning.
- **Impact on Learners and Teachers:** AI impacts student progress tracking, feedback, and learning customization. Challenges include simplistic pedagogy, intrusive e-proctoring, limited personalization, and issues with predictive analytics and unfair profiling.
- **Human Rights Concerns:** AI in education raises specific human rights issues, including the erosion of student and teacher agency, data privacy, biases, and discriminatory practices. Moreover, AI tools sometimes fail to support children with disabilities adequately and can undermine parental involvement in education.
- **Screen Time and Mental Health:** Excessive screen time is linked to negative impacts on diet, sleep, mental health, and academic performance. AI-driven engagement maximization by social media platforms exacerbates these issues, contributing to mental health crises among adolescents.

- **Ethical and Regulatory Needs:** The ethical and humane use of AI requires robust evidence, regulation, and quality control to address accessibility, digital divide, and data privacy concerns.
- **Precautionary Approach:** Given the uncertainties around the safety of AI technologies, a precautionary approach is necessary to protect the well-being of students.
- **FNI SUBMITS REPORT ON UNLAWFUL KILLINGS OF LGBT PERSONS TO THE UNITED NATIONS**



The Facts and Norms Institute (FNI) [has submitted a comprehensive report titled “Unlawful killings of LGBTQI+ persons in the Americas” to the *United Nations Special Rapporteur on extrajudicial, summary, or arbitrary executions*.](#)

The report builds on extensive document analysis from the Inter-American Commission on Human Rights (IACHR), including thematic reports, press releases, resolutions, and cases adjudicated before the Inter-American Court of Human Rights. Key findings include the prevalence of state-perpetrated violence, legislative failures, and the intersectionality of discrimination affecting LGBTQI+ persons.



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