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We particularly encourage our readers to learn more about the Facts and Norms Institute's **second Winter Course on Legal Theory, International Law and Human Rights**. This exclusive educational opportunity for Portuguese speakers will take place in the vibrant city of Lisbon, Portugal, offering participants a chance to engage with renowned professors, explore critical legal issues, and experience the rich academic environment of the University of Lisbon. Don't miss this chance to expand your knowledge and connect with fellow scholars, professionals and academics. Details about the course can be found in the "News from the Institute" section *infra*.

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## Editorial

*Welcome to the ninth edition of the Facts and Norms Newsletter for 2024. In this issue, we continue our commitment to providing comprehensive coverage of significant judgments and developments from international and regional courts, along with updates on pressing global issues.*

*The International Court of Justice has received fifteen written statements concerning the question of the right to strike under ILO Convention No. 87, reflecting the global significance of labor rights. Additionally, Chile has filed a declaration of intervention in the Gaza case (South Africa v. Israel).*

*This edition also covers the potential dire consequences for Yemen following recent strikes, the worsening humanitarian situation in Gaza exacerbated by inclement weather and ongoing conflict, the condemnation of attacks on a hospital in Ukraine, among other concerning news. The UN's call for more action to combat senseless criminality in Haiti, where rampant gang violence has resulted in thousands of deaths this year, is also featured. Additionally, we delve into the growing crisis in Afghanistan amidst declining international funding and restrictive measures imposed by the de facto authorities.*

*Turning to regional tribunals, the Inter-American Court of Human Rights concluded its 169th Regular Session, delivering judgments in several significant cases involving forced disappearances, extrajudicial executions, and the rights of indigenous peoples, among other subjects.*

*Within the African Human Rights System, the African Court on Human and Peoples' Rights conducted hearings conducted a public hearing in a case concerning the rights of persons with albinism in Tanzania. The Court also delivered judgments on cases concerning the right to a fair trial, and issues of inadmissibility due to non-exhaustion of local remedies.*

*This edition also features summaries of recent judgments by the European Court of Human Rights on a variety of topics. These include the prohibition of collective expulsion of aliens, the right to private life concerning expulsion on national security grounds, respect for patients' autonomy in medical decisions, property rights, family life and deportation, and the rights of journalists and opposition candidates.*

*As always, our Academic & Professional Opportunities section provides a comprehensive overview of calls for papers, fellowships, job openings, and other opportunities in international law and human rights. We encourage our readers to explore these third-party opportunities and to independently verify the details provided.*

*We further encourage our readers to learn more about the Facts and Norms Institute's second Winter Course on Legal Theory, International Law, and Human Rights. This exclusive educational opportunity for Portuguese speakers will take place in the vibrant city of Lisbon, Portugal, offering participants a chance to engage with renowned professors, explore critical legal issues, and experience the rich academic environment of the University of Lisbon! Details about the course can be found in the "News from the Institute" section below.*

*We invite you to delve into this edition, engage with the diverse perspectives presented, and join us in our ongoing commitment to advancing knowledge, promoting justice, and upholding the principles of international law and human dignity.*

*Enjoy the read!*

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



## Universal News

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- **ICJ RECEIVES FIFTEEN WRITTEN STATEMENTS CONCERNING THE QUESTION OF THE RIGHT TO STRIKE UNDER ILO CONVENTION NO. 87 (1 October 2024)**

In the advisory proceedings on the question of the Right to Strike under ILO Convention No. 87, the International Court of Justice, by an Order dated 16 November 2023, had fixed 16 September 2024 as the time-limit within which States and organizations having presented written statements in these proceedings might submit written comments on other written statements. Fifteen written comments were filed within this time-limit in the Registry by (in order of receipt): International Trade Union Confederation; Japan; Mexico; International Cooperative Alliance; Tunisia; Organisation of African, Caribbean and Pacific States; South Africa; Switzerland; United States of America; International Organization of Employers; Business Africa; Australia; Bangladesh; the Netherlands; and Vanuatu.

- **CHILE FILES DECLARATION OF INTERVENTION IN GAZA GENOCIDE CASE (13 September 2024)**  
 Chile 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). Chile, as a party to the Genocide Convention, asserts that the case concerns the convention's proper construction and reserves the right to submit a request for permission to intervene under Article 62. South Africa and Israel have been invited to submit written observations on Chile's intervention.
- **WORLD NEWS IN BRIEF: POSSIBLE DIRE CONSEQUENCES FOR YEMEN FOLLOWING STRIKES, RAIN SPELLS MORE SUFFERING IN GAZA, UKRAINE HOSPITAL ATTACK, HUMAN RIGHTS IN ALGERIA (30 September 2024)**

  - In Yemen, the war-ravaged population rely on imports of fuel and food through both Hudaydah and the nearby port of Ras Issa. The Houthis control the ports and are in conflict against Israel. UN humanitarians are concerned with the potentially dire consequences that could arise from disruption to the flow of food imports into Yemen following Israeli strikes.
  - In Gaza, UN humanitarians warned that without unimpeded access, aid organizations will be unable to adequately prepare for the rainy season, as Israel continues its bombing and ground war against Hamas. Many of the 215 temporary learning spaces serving nearly 34,000 children in Gaza stand to be severely affected by flooding.
  - UN humanitarians on Monday condemned Russian attacks on Sumy city in the northeast of the country over the weekend that damaged a hospital.
  - Independent human rights experts urged Algeria to reverse a prison sentence handed down to poet Djamila Bentouis for supporting widespread protests against the Government.
- **UN CALLS FOR MORE ACTION TO COMBAT 'SENSELESS CRIMINALITY' IN HAITI (27 September 2024)**  
 At least 3,661 people have been killed in Haiti since January due to rampant gang violence. "No more lives should be lost to this senseless criminality," said UN High Commissioner for Human Rights Volker Türk.
- **WORLD NEWS IN BRIEF: TEENS SUFFERING MENTAL DISORDERS, RUSSIA'S INDIGENOUS FACE "EXTINCTION" (23 September 2024)**

  - At least one in seven youngsters has a mental disorder. That's the warning from the UN World Health Organization (WHO), which

has appealed for much greater investment to help almost 1.3 billion teenagers globally. Sexually transmitted infections (STIs) that commonly occur among youth are on the rise too. If left untreated, they could have lifelong implications for health. The WHO chief Tedros Adhanom Ghebreyesus spoke out against attempts to “roll back” young people’s access to sexual and reproductive healthcare and sex education in response to growing opposition to gender equality and human rights.

- The Special Rapporteur on the situation of human rights in Russia, Mariana Katzarova, said Russian Indigenous Peoples face extinction after being massively mobilized to fight in the war in Ukraine. The independent rights expert said she had documented cases where the military had gone “door to door” in their search for soldiers and “just drag out the men from Indigenous villages”.

- **UN WARNS OF GROWING CRISIS IN AFGHANISTAN (18 September 2024)**

Special Representative and Head of the UN Assistance Mission in Afghanistan (UNAMA) Roza Otunbayeva addressed the Security Council meeting on Afghanistan.

She said the country’s de facto rulers have delivered a period of stability not seen in decades, yet the population is at risk of a worsened humanitarian and development crisis as international funding declines. She noted that the current humanitarian response plan, which requires \$3 billion dollars, is only 30 per cent funded.

The lack of funding has contributed to the discontinuation of over 200 healthcare services this year, and another 171 health facilities are set to close in the next months. Food rations in communities already experiencing hunger have been cut from 75 to 50 per cent of the required amount and several million vulnerable civilians lack access to safe water.

Ms. Otunbayeva also told the Council that the Taliban authorities adopted a “moral oversight law” which placed further restrictions on women. UN Women Executive Director Sima Bahous provided further details on this law, noting that it requires women and girls to cover their bodies completely when leaving the home and prohibits them from speaking in public and from looking at men they are not related to.

- **WORLD NEWS IN BRIEF: UNICEF MPOX RESPONSE IN DR CONGO, ‘UNPRECEDENTED’ THREAT TO SUDAN’S HERITAGE (12 September 2024)**

- The Democratic Republic of the Congo (DRC) has recorded more than 21,000 suspected cases of the viral disease Mpox, including over 5,000 confirmed cases and 700 deaths. UNICEF is stepping up lifesaving support to the Congolese Government to protect

children under 15 from mpox, who account for around 60 per cent of suspected cases and 80 per cent of deaths in the African nation this year. UNICEF received its first vaccine shipments totalling 215,000 doses, with more expected to arrive soon.

- UNESCO raised alarm over the reported looting and damage of museums and heritage sites in Sudan as rival militaries battle for supremacy amid allegations of war crimes on all sides. UNESCO is calling on the international community to do its utmost to protect Sudan's heritage from destruction and illicit trafficking. All combatants are obliged to comply with international humanitarian law by refraining from damaging, looting or using cultural property for any military purpose, UNESCO said.

- **WORLD NEWS IN BRIEF: AFRICA SCHOOLS CLOSED DUE TO INSECURITY, GEORGIA RIGHTS DEFENDERS (5 September 2024)**

- More than 14,000 schools have had to close across West and Central Africa due to violence and insecurity, the UN OCHA has reported. By June this year, 2.8 million children - including many who are displaced - had been left without access to education, from Mali in the west to the Democratic Republic of the Congo in the east.

- The UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor, reported that human rights defenders in Georgia have faced a “wave of repression” during this year. “As the Government railroaded the 'foreign agent law' through Parliament, human rights defenders came under vicious, targeted attack,” Ms. Lawlor continued.



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## Regional News

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- **IACtHR VISITS GUATEMALA TO MONITOR COMPLIANCE WITH JUDGMENTS (17 September 2024)**

A delegation from the Inter-American Court of Human Rights concluded a two-day visit to Guatemala City on September 10th, 2024, to oversee the implementation of judgments in four key cases: *Ramírez Escobar et al.*, *Coc Max et al. (Xamán massacre)*, *Veliz Franco et al.*, and *Velásquez Paiz et al.*

- **IACtHR CONCLUDES ITS 169<sup>TH</sup> REGULAR SESSION WITH JUDGMENTS AND HEARINGS (16 September 2024)**

The Inter-American Court of Human Rights (IACtHR) concluded its 169th Regular Session on September 6th, 2024. This session marked the Court's 45th anniversary and saw the delivery of judgments in six contentious cases, alongside resolutions on provisional measures and the supervision of compliance with prior rulings. During the session, the Court delivered judgments in the following cases:

- *González Méndez et al. v. Mexico*: The Court found Mexico responsible for failing to investigate the disappearance of Antonio González Méndez in Chiapas, where state-supported paramilitary groups operated.

- *Reyes Mantilla et al. v. Ecuador*: The Court held Ecuador responsible for the illegal detention, lack of judicial guarantees, and prolonged pre-trial detention of three individuals between 1995 and 1996.

- *Hidalgo et al. v. Ecuador*: The Court found Ecuador responsible for the torture and extrajudicial execution of Gustavo Washington Hidalgo, and the lack of a diligent investigation into the events.

- *Indigenous Peoples Tagaeri and Taromenane v. Ecuador*: The Court ruled that Ecuador violated the rights of the Tagaeri and Taromenane indigenous peoples by failing to protect their voluntary isolation and lands from development projects, and for failing to adequately address the violent deaths of community members in 2003, 2006, and 2013.

- *Pérez Lucas et al. v. Guatemala*: The Court found Guatemala responsible for the forced disappearances of four individuals in 1989 and the subsequent lack of adequate investigation into these human rights violations.

- *Capriles v. Venezuela*: Deliberations in this case, concerning violations of political rights and freedom of expression in the context of the 2013 Venezuelan presidential elections, will continue in the next session.

Other Key Activities:

- *Supervision of Compliance*: The Court issued resolutions on the supervision of compliance with judgments in the cases of *Employees of the Fábrica de Fuegos de Santo Antônio de Jesus and their families v. Brazil*, *Members of the Aldea Chichupac and neighboring communities of the Municipality of Rabinal v. Guatemala*, *Ramírez Escobar et al. v. Guatemala*, *Leguizamón Zaván v. Paraguay*, and *Pollo Rivera et al. v. Peru*.
- *Provisional Measures*: The Court addressed requests for provisional measures in cases under its supervision, including *the case concerning the Las Dos Erres massacre in Guatemala*, *Molina Theissen Vs. Guatemala*, and *García Cruz and Sánchez Silvestre Vs. Mexico*. In the case of the *Las Dos Erres massacre*, the Court adopted the requested provisional measures.
- *Visit from JEP Colombia*: The Court held a meeting with representatives from Colombia's Special Jurisdiction for Peace (JEP) to discuss their work.

- **IACtHR LAUNCHES ONLINE COURSES IN PORTUGUESE (6 September 2024)**

The Inter-American Court of Human Rights announced the launch of its Virtual Training Center platform in Portuguese, featuring the first self-guided courses offered in the language. This initiative aims to broaden the reach of the Court's educational resources, making them accessible to Portuguese-speaking legal professionals and the public, particularly in Brazil.

The following courses are currently open for enrollment:

- Introduction to the Inter-American Human Rights System (IAHRS): <https://forms.office.com/r/PMNA929T0V>
- Access and Procedures before the Inter-American Commission and Court of Human Rights: <https://forms.office.com/r/PMNA929T0V>

- **ACtHPR CONCLUDES PUBLIC HEARING IN CASE CONCERNING THE HUMAN RIGHTS OF PERSONS WITH ALBINISM IN TANZANIA (11 September 2024)**

The African Court on Human and Peoples' Rights (ACtHPR) has concluded a two-day public hearing in *Centre for Human Rights and others v. United Republic of Tanzania* (Application No 019/2018), a case involving alleged violations of human rights of persons with albinism in the United Republic of Tanzania. The Applicants allege massive and serious violations of the rights of persons with albinism, including threats to their safety, persecution and humiliation, in particular, through attacks, killings, mutilations as a result of inadequate state protection. The hearing featured testimonies from witnesses adduced by the Applicants who recounted their experiences and incidents of



harassment, violent assaults and social exclusion and marginalization.

Testimonies were also provided by the Respondent State's witnesses on the measures that it has undertaken in the protection and promotion of the rights of persons with albinism including prosecution, conviction and sentencing of perpetrators, distribution of sunscreen and wide hats to PWAs, and provision of assistive learning devices to children with albinism such as books with larger print and magnifying glasses.

The *amici curiae* provided expert observations on the rights to health and education of persons with albinism.

The Court will now enter the deliberation phase. The judgment is expected to be delivered on a date to be announced in due course.

- **TANZANIA VIOLATED RIGHTS OF DEATH ROW INMATES, ACtHPR FINDS (3 September 2024)**

The African Court on Human and Peoples' Rights delivered a judgment ruling that Tanzania violated several rights of two Burundian refugees on death row, Habyalimana Augustino and Muburu Abdulkarim, following their conviction for murder and sentencing to death by hanging (*Habyalimana Augustino and Another v United Republic of Tanzania*, Application No. 015/2016).

The Court ruled that Tanzania failed to inform the applicants of their right to consular assistance, violating Article 7(1)(c) of the African Charter on Human and Peoples' Rights. Further violations included denying interpretation services during arrest and trial (Article 7(1)(c) and Article 14(3)(a) ICCPR), and an unreasonable delay of six years and ten months before trial (Article 7(1)(d)). While acknowledging procedural irregularities in obtaining a confession from one applicant, the Court deemed the overall conviction valid.

The Court strongly condemned Tanzania's use of hanging as a cruel, inhuman, and degrading punishment, violating Article 5 of the Charter. Furthermore, holding the applicants on death row for nearly nine years was deemed to violate their right to dignity (Article 5).

The Court ordered Tanzania to commute the death sentences, remove the applicants from death row, and take steps to abolish both mandatory death sentences and hanging as a method of execution. It also awarded each applicant pecuniary reparations for moral damages.

- **TANZANIA CONVICTED DUE TO LACK OF LEGAL REPRESENTATION IN A CRIMINAL CASE INVOLVING SERIOUS CHARGES AND A LONG SENTENCE (3 September 2024)**

The African Court on Human and Peoples' Rights found Tanzania violated the right to a fair trial (Article 7(1)(c)) by failing to provide legal representation to a Tanzanian national, Dadu Sumano Kilagela (*Dadu Sumano Kilagela v United Republic of Tanzania*, Application No. 017/2018).

Kilagela was convicted of armed robbery and sentenced to 30 years imprisonment. The Court underscored the importance of free legal assistance in cases involving serious charges carrying lengthy prison terms.

The Court rejected Tanzania's objection that the case should be inadmissible due to failure to exhaust local remedies, noting that Kilagela had pursued appeals up to the Court of Appeal, the highest court in Tanzania. The Court, therefore, concluded that Kilagela had exhausted all domestic remedies.

The Court awarded Kilagela pecuniary reparations for moral prejudice caused by the violation of his right to legal assistance but declined to award reparations for material damages due to a lack of supporting evidence. Tanzania was ordered to pay the amount within six months, free of taxes, or face interest on arrears.
- **BURKINA FASO WINS CASE DUE TO NON-EXHAUSTION OF LOCAL REMEDIES (3 September 2024)**

The African Court on Human and Peoples' Rights has ruled that it cannot hear the case of *Lompo Bahanla v. Burkina Faso* (Application No. 016/2019), citing the applicant's failure to exhaust domestic remedies.

Mr. Bahanla, initially sentenced to death for murder in 2015, had his sentence commuted to life imprisonment in 2018. He filed a case with the African Court alleging violations of his rights to be heard, to life, and to human dignity, claiming that his appeal at the Burkinabe Court of Cassation was still pending and had taken an unreasonably long time.

The Court acknowledged the pending appeal and emphasized that cassation appeals in Burkina Faso must be exhausted before approaching the African Court, as they are generally considered effective remedies. The Court therefore declared Mr. Bahanla's application inadmissible.

- **ACtHPR DISMISSES CASE AGAINST TUNISIA DUE TO PENDING LOCAL REMEDIES (3 September 2024)**

In the case of *Safinaz Ben Ali and Lamya El-Jendoubi v Republic of Tunisia* (Application No. 009/2023), two women were placed under house arrest on June 21, 2022, and July 5, 2022, respectively. They allege violation of their rights to liberty and security by the Tunisian authorities.

The case stems from a criminal investigation initiated in September 2021 against Instalingo, a company involved in digital content production, for alleged offenses against state security, insulting the Head of State, and money laundering. The Applicants were subsequently implicated and placed under house arrest by the investigating judge. Their multiple requests for provisional release were rejected.

The Respondent State argued that the Court lacks jurisdiction to hear the case as it violates its internal sovereignty. It further argued that the Applicants failed to exhaust local remedies before approaching the Court.

The Court dismissed the Respondent State's objection regarding jurisdiction. It held that as a party to the African Charter and the Protocol, and having deposited the declaration under Article 34(6) of the Protocol, the Respondent State cannot invoke sovereignty to evade its obligations. The Court affirmed its material jurisdiction based on alleged violations of the Applicants' rights to liberty, security, fair hearing, information, and expression, as enshrined in various human rights instruments to which Tunisia is a party. The Court also found no issues with its personal, temporal, or territorial jurisdiction based on the facts presented. On the other hand, the Court upheld the Respondent State's objection regarding the non-exhaustion of local remedies. While acknowledging the house arrest orders issued in June and July 2022, the Court noted that the investigation was concluded in June 2023, and the case was referred to the Indictment Chamber. Subsequently, the case, including the Applicants' appeals against the referral decision, was pending before the Court of Cassation at the time of filing the Application with the African Court (September 25, 2023).

- **APPLICANT DID NOT EXHAUST LOCAL REMEDIES IN CASE AGAINST BENIN, ACtHPR CONCLUDES (3 September 2024)**

The African Court on Human and Peoples' Rights has ruled that the Republic of Benin did not violate the right to a fair trial of a former Bank of Africa employee, Mr. Boukary Waliss (*Boukary Waliss v Republic of Benin*, Application No. 021/2018).

Mr. Waliss filed a complaint alleging violations of his right to a fair trial (Article 7(1)(a) of the African Charter) and his right to property (Article 14 ICCPR) after a series of legal disputes following his dismissal from the bank.

While the Court initially confirmed its jurisdiction over the case, it ultimately declared many of Mr. Waliss' claims inadmissible due to his failure to exhaust local remedies in those instances. For the complaint concerning his lawyers, which the Court deemed admissible, it found no violation of the right to a fair trial, as the Benin Constitutional Court had considered all submitted evidence.

- **HUNGARY VIOLATED PROHIBITION OF COLLECTIVE EXPULSION OF ALIENS, ECtHR FINDS (19 September 2024)**

The European Court of Human Rights (ECtHR) (First Section) ruled that Hungary violated the prohibition of collective expulsion of aliens (Article 4 of Protocol No. 4) by forcibly removing an Afghan family to a narrow strip of land between the Hungarian border fence and the Serbian border, without proper consideration of their individual circumstances.

The case, *M.D. and Others v. Hungary* (Application no. 60778/19), involved a family of six Afghan nationals who sought asylum in Hungary in January 2019 after fleeing insecure conditions in Iran. Their applications were deemed inadmissible based on the "safe third country" concept, and they were ordered removed to Serbia. Serbia refused to admit the family, prompting Hungary to initiate procedures to remove them to Afghanistan, their country of origin.

Before the removal to Afghanistan could be carried out, Hungarian authorities informed the family that they could either be returned to Afghanistan or voluntarily depart to Serbia. Faced with this choice, the family, including a minor child, signed a statement requesting to return to Serbia. They were then transported to the border and forced to walk across.

The European Court rejected the Hungarian government's argument that the family's departure was voluntary, finding that the circumstances leading up to their signing the statement, including being held in a transit zone and threatened with removal to a country where they feared persecution, rendered their consent meaningless. The Court found it particularly concerning that the family was not provided with an interpreter or legal counsel. It also noted the lack of any formal decision to remove the family to Serbia and the lack of consideration for Serbia's prior refusal to admit them.

The Court concluded that the Hungarian authorities failed to genuinely and individually assess the family's circumstances before removing them and that their actions amounted to a collective expulsion.

The Court awarded the applicants €9,000 in non-pecuniary damages, acknowledging Hungary's failure to adhere to international legal standards in their treatment.

- **HUNGARY'S EXPULSION OF RUSSIAN NATIONAL ON SECRET GROUNDS VIOLATED RIGHT TO PRIVATE LIFE, RULES ECtHR (19 September 2024)**

The European Court of Human Rights (First Section) has ruled that Hungary violated the right to respect for private life (Article 8 of the Convention) in the expulsion of a Russian national and her daughter on national security grounds. The Court found that Hungary's reliance on classified evidence and lack of procedural safeguards deprived the applicants of the opportunity to effectively challenge the expulsion order.

The case, *Trapitsyna and Isaeva v. Hungary* (Application no. 5488/22), involved a Russian mother and her daughter, long-term residents of Hungary. In 2020, Hungarian authorities ordered the mother's expulsion and revoked both their residency permits, citing national security concerns based on a classified report from the Constitution Protection Office (CPO).

While the Court acknowledged that states have the right to control immigration and take action on national security grounds, it emphasized that such actions must be accompanied by adequate procedural fairness. In this case, the Court found several key deficiencies.

First, the reliance on entirely secret evidence, with no summary or even an essence of the allegations shared with the mother, made it impossible for her to challenge the expulsion meaningfully. This lack of transparency violated her right to be informed of the basis for the expulsion decision.

Second, the judicial review of the decision was found to be overly formalistic. The reviewing court accepted the classified CPO report without engaging in a substantive assessment of the evidence or the security concerns, which failed to provide an effective check on the executive's decision-making.

Finally, the Court criticized the automatic revocation of the daughter's residency permit, which was a direct and automatic consequence of her mother's expulsion. The authorities did not conduct a genuine inquiry into the child's best interests, an essential consideration in cases involving minors.

This judgment represents a significant critique of Hungary's growing use of secret evidence in national security cases, highlighting the need for procedural safeguards even in such sensitive matters. The Court awarded the applicants €10,000 in non-pecuniary damages and €4,000 for legal costs.

- **EUROPEAN COURT RULES SPAIN FAILED TO RESPECT JEHOVAH'S WITNESS' RIGHT TO REFUSE BLOOD TRANSFUSION (17 September 2024)**

The European Court of Human Rights (Grand Chamber) found Spain in violation of Article 8 (right to respect for private life), interpreted in light of Article 9 (freedom of thought, conscience,

and religion), for failing to adequately respect a Jehovah's Witness patient's right to refuse blood transfusions. The Court concluded that the decision-making process leading to the administration of the transfusions was flawed and lacked sufficient safeguards to protect the patient's autonomy.

The case, *Pindo Mulla v. Spain* (Application no. 15541/20), involved a woman who underwent emergency surgery in 2018. Before the surgery, she had repeatedly expressed her refusal of blood transfusions, both verbally and in writing, based on her religious beliefs. She had also prepared an advance medical directive, formally registered with the relevant authorities, clearly stating her wishes.

During the transfer to a specialized hospital, her condition deteriorated. Doctors sought permission from a duty judge to proceed with life-saving treatment, which was granted. The patient, while conscious upon arrival, was not informed of the judge's decision or given an opportunity to reiterate her refusal before receiving the transfusions during surgery.

The Court acknowledged the complex balance between respecting a patient's autonomy and the State's duty to protect life, especially in emergencies. It reiterated that competent adults have the right to refuse medical treatment, even if such a refusal might lead to death, and this right is protected under Article 8 of the Convention. However, the Court emphasized that such refusals must be met with robust procedural safeguards to ensure they are genuinely informed, unambiguous, and reflective of the patient's current wishes.

The Court identified several deficiencies in the decision-making process. First, the application to the duty judge by medical staff lacked critical information, omitting any reference to the patient's written refusal and advance directive, which were available to the hospital. This incomplete information severely impacted the judge's decision. Furthermore, the Court criticized the failure to assess the patient's capacity to make a decision upon arrival, despite her being conscious, and the lack of any attempt to consult her or her representatives before proceeding with surgery. The judicial review that followed the duty judge's decision was also deemed insufficient, as it failed to address these critical procedural gaps. While the Court recognized that the doctors acted in good faith and successfully saved the patient's life, it emphasized that the protection of a patient's right to autonomy in healthcare is paramount. The Court awarded Ms. Pindo Mulla €12,000 in non-pecuniary damages and €14,000 in costs and expenses.

#### *Concurring and Dissenting Opinions:*

Judge María Elósegui's concurring opinion focuses on the importance of Spain's legal framework in ensuring patients' rights are respected. She highlights how Spanish law, particularly Act No. 41/2002, regulates patient autonomy and informed consent.

Judge Ioannis Ktistakis, joined by Judge Stéphanie Mourou-Vikström, concurs with the finding of a violation of Article 8, read in conjunction with Article 9. However, Ktistakis expresses regret that the Grand Chamber did not take the opportunity to reaffirm the principles of self-determination and personal autonomy more clearly. He draws parallels between this case and previous decisions involving Jehovah's Witnesses, emphasizing that the core issue remains whether the state's duty to protect health justifies overriding the individual's right to refuse medical treatment based on religious beliefs. Ktistakis cites international instruments, such as the Oviedo Convention, to reinforce the significance of personal autonomy in healthcare decisions, and he points out that the Court should have more explicitly endorsed these principles.

Judge Anja Seibert-Fohr, joined by eight other judges, agrees with the finding of a violation of Article 8, read in the light of Article 9, but disagrees with the award for non-pecuniary damages. The dissenting judges argue that the hysterectomy performed on the applicant was not central to the Court's finding of a violation, and the damages awarded should have focused solely on the flawed decision-making process that led to the authorisation of the blood transfusion without the applicant's consent. They point out that the applicant's refusal of blood transfusions, not the medical interventions themselves, was the core issue. Seibert-Fohr emphasizes that the Court's finding should have been limited to the violation of the decision-making process, without considering the other medical procedures, and concludes that the finding of a violation alone would have sufficed as just satisfaction without the need for monetary compensation.

- **GERMAN COURTS DID NOT VIOLATE PRESUMPTION OF INNOCENCE IN "CUM-EX" TAX FRAUD CASE, ECtHR RULES (17 September 2024)**

The European Court of Human Rights (Fourth Section) ruled that German courts did not violate the presumption of innocence of a man implicated in a "Cum-Ex" tax fraud scheme, even though his co-suspects were tried and convicted before his own trial.

The case, C.O. v. Germany (Application no. 16678/22), concerned a man who was a beneficial owner of a bank involved in the Cum-Ex scandal, a complex financial maneuver that allowed participants to fraudulently claim tax refunds. While investigations against numerous individuals were underway, two of his alleged co-conspirators, M.S. and N.D., confessed and agreed to cooperate with authorities. They were subsequently tried separately and convicted before the applicant's own trial began.

The applicant complained that the judgments against M.S. and N.D. contained detailed descriptions of his alleged actions and intentions, and even assessed them from a legal standpoint, thus portraying him as guilty before he had the opportunity to defend himself. He argued that this violated his right to be presumed innocent under Article 6 § 2 of the Convention.

The Court acknowledged that the presumption of innocence can be violated by premature pronouncements of guilt, especially in judgments against co-suspects. However, it also recognized that in complex cases involving multiple individuals, some references to the actions of third parties may be necessary to establish the guilt of those currently on trial.

In this case, the Court found that the German courts' statements about the applicant were necessary to determine the guilt of M.S. and N.D. Furthermore, the courts explicitly referred to the applicant as a "separately prosecuted person" throughout the judgments, emphasizing that his guilt was not being determined in those proceedings. Importantly, the German courts refrained from making any findings on the applicant's "guilt" (Schuld) in the specific legal sense under German criminal law, which requires additional elements beyond just unlawful conduct.

The Court ultimately concluded that while the German courts' statements were detailed, they did not prejudice the applicant's guilt or compromise the fairness of his subsequent trial. The applicant's separate complaint about the potential impact on his private life under Article 8 was also dismissed as being inherently linked to the presumption of innocence issue.

- **SERBIA VIOLATED PROPERTY RIGHTS WITH AUTOMATIC CONFISCATION OF JEWELLRY, ECtHR RULES (17 September 2024)**

The European Court of Human Rights (Fourth Section) has ruled that Serbia violated the right to the peaceful enjoyment of possessions under Article 1 of Protocol No. 1 to the European Convention on Human Rights by confiscating lawfully acquired jewelry from a Turkish national transiting through Serbia. The Court found that the automatic confiscation of the applicant's gold bracelets without an individualized assessment of proportionality placed an excessive burden on him.

The case, *Yaylali v. Serbia* (Application no. 15887/15), concerned the confiscation of eight second-hand gold bracelets weighing 254 grams, valued at €7,620, and the imposition of a fine on Mehmet Ali Yaylali. The applicant failed to declare the jewelry while passing through a Serbian border crossing *en route* from the Netherlands to Türkiye in 2013. The Serbian authorities confiscated the jewelry and imposed a fine for failing to comply with customs regulations, which require the declaration of valuables.



Mr. Yaylalı challenged the confiscation, arguing that the jewelry was lawfully acquired by his wife and that he was carrying it for a potential sale to finance the purchase of a family home in Türkiye. The Constitutional Court of Serbia rejected his appeal, finding the confiscation lawful under the Customs Act, which mandates the seizure of undeclared goods, regardless of their lawful origin. The European Court found that while states have the right to control the import and export of goods, the confiscation in this case was disproportionate. The Serbian courts applied the confiscation automatically, without assessing whether the measure was necessary and proportionate, given the circumstances. The Court emphasized that the jewelry was lawfully acquired, and there was no indication of any criminal intent or illegal activity. The applicant's failure to declare the jewelry was not sufficient to justify its full confiscation. The Court ruled that the lack of discretion left to the Serbian authorities to assess the proportionality of the confiscation violated Mr. Yaylalı's rights under Article 1 of Protocol No. 1. The Court awarded the applicant €7,620 in pecuniary damages, representing the value of the confiscated jewelry, and €1,000 for costs and expenses.

In a concurring opinion, Judge Anja Seibert-Fohr emphasized that Mr. Yaylalı could only be considered an indirect victim since the jewelry belonged to his wife. However, given the circumstances of the case, including Mr. Yaylalı's involvement in the confiscation proceedings, the Court found it appropriate to grant him standing and award compensation. The concurring opinion also suggested that the awarded damages should be transferred to the applicant's wife.

- **SWITZERLAND'S EXPULSION OF DRUG OFFENDER VIOLATED RIGHT TO FAMILY LIFE, CONCLUDES ECtHR (17 September 2024)**

The European Court of Human Rights (Third Section) has ruled that Switzerland violated the right to respect for family life under Article 8 of the European Convention on Human Rights by expelling a Bosnian national, P.J., following his conviction for a drug-related offence. The Court found that the Swiss authorities failed to adequately balance P.J.'s personal circumstances and family ties against the public interest in deportation, thus rendering the expulsion disproportionate.

The case, *P.J. and R.J. v. Switzerland* (Application no. 52232/20), concerned P.J.'s expulsion after his conviction for transporting 194 grams of cocaine, a serious offence under Swiss law. Despite receiving a suspended conditional sentence of 20 months, the authorities ordered his expulsion for five years, citing the mandatory nature of expulsion for drug trafficking offences.

P.J. had lived in Switzerland with his Serbian wife, R.J., and their two young daughters, who were born in Switzerland. The expulsion order, upheld by Swiss courts, led to P.J.'s removal to Bosnia and Herzegovina in July 2020. The Swiss courts argued that P.J. was not sufficiently integrated into Swiss society, noting his limited German language skills and modest employment history. They also reasoned that his wife, a Serbian national fluent in Serbian, could either follow him to Bosnia or maintain contact via modern means.

The European Court of Human Rights, however, found that the Swiss courts did not give due consideration to the impact of the expulsion on P.J.'s family life, especially given his low culpability in the crime, his good behavior post-conviction, and his role as a primary caregiver for his children. The Court noted that P.J.'s expulsion had severe consequences for his family, particularly his young daughters, and that the domestic courts failed to properly balance the individual and public interests at stake.

In a 5-2 decision, the Court ruled that Switzerland had violated Article 8 of the Convention. The Court awarded P.J. and R.J. €10,000 in non-pecuniary damages and €15,000 for costs and expenses.

In a dissenting opinion, Judges Jolien Schukking and Oddný Mjöll Arnardóttir argued that the Swiss courts had properly weighed the interests involved and that the expulsion was justified, given the seriousness of the drug trafficking offence. They emphasized the seriousness of drug trafficking and the State's wide margin of appreciation in immigration matters.

- **CONFISCATION OF MONEY LAUNDERING PROCEEDS DID NOT VIOLATE PROPERTY RIGHTS, ECtHR RULES (12 September 2024)**

The European Court of Human Rights (ECHR) has ruled in the case of *Melandri v. San Marino* (Application no. 25189/21), declaring that the confiscation of illicit funds from Vincenzo Secondo Melandri, an Italian national convicted of money laundering, did not violate his property rights under the European Convention on Human Rights.

The judgment concerned the confiscation of over €6.8 million from Melandri following his conviction for laundering proceeds derived from fraudulent activities in the wine sector, including false invoicing and defrauding the Italian tax authorities and the European Union. The applicant had deposited substantial sums into accounts in San Marino and invested in a life insurance policy. The San Marinese authorities seized these assets and, following his conviction, confiscated them.

The applicant claimed the confiscation was unlawful and disproportionate. The European Court, however, found that the confiscation was lawful, proportionate, and pursued the legitimate aim of combating money laundering. San Marino's legal

procedures, the Court held, provided sufficient safeguards for Melandri, ensuring a fair trial and proper assessment of the case. Melandri had challenged the confiscation under Article 1 of Protocol No. 1 of the Convention, arguing that self-laundering was only criminalized after the introduction of a 2013 law and thus, his conviction and the related confiscation were unlawful. However, the ECtHR rejected this argument, noting that the legal provision allowing self-laundering charges existed in 2010 under San Marino law for offences involving false invoices. The Court also dismissed the applicant's claim that the San Marino authorities had failed to distinguish between funds linked to different charges, including one charge for which he was acquitted. It ruled that the confiscated funds were directly tied to Melandri's criminal activities and that the acquitted charge did not affect the confiscation.

- **ECtHR RULES AGAINST RUSSIA IN CASES INVOLVING HUNGER STRIKE AND SATIRICAL FILMING (10 September 2024)**

In the case of *Dianova and Others v. Russia* (Applications nos. 21286/15, 13140/16, 13162/16, 20802/16, and 24703/16), the European Court of Human Rights (ECHR) ruled in favor of five Russian nationals, finding multiple violations of their rights to freedom of assembly and expression under Articles 10 and 11 of the European Convention on Human Rights.

The case involved two distinct incidents of protest and artistic expression that were interrupted by Russian authorities.

In one incident, applicant Olga Ivanovna Dianova, a member of a public monitoring commission, held a hunger strike to protest against the mistreatment of prisoners in a Sverdlovsk penal colony. Her hunger strike was forcibly terminated by police, and she was fined for participating in an unauthorized "public event." The ECtHR found that while states can regulate public assemblies, the Russian authorities' actions in this case were disproportionate and violated Article 11 of the Convention (freedom of assembly).

The Court expressed concerns about the ambiguity and foreseeability of the Russian law regarding public events. It found that classifying a hunger strike as a "static demonstration" and applying a blanket ban on overnight events effectively made it impossible to organize a hunger strike of any meaningful duration in a public space. Furthermore, the Court found that the hunger strike caused minimal disruption and did not pose a pressing social need to justify its termination. The fine imposed was also considered excessive in light of the applicant's limited income. In the second incident, four applicants—Anastasiya Sheveleva, Leonid Mikhaylov, Roman Roslovtsev, and Valeriya Zenyakina—were arrested while filming a political satire in a secluded park area in Moscow. One participant was dressed to satirize Vladimir Putin, and others carried absurd posters. The police, allegedly

alerted by passers-by, apprehended the filmmakers, detained them at a police station, and charged them with participating in an unauthorized "public event," classifying it as a "meeting" under the Public Events Act. The applicants were each fined 10,000 rubles after unfair administrative proceedings conducted in their absence.

The ECtHR ruled that the Russian authorities violated Article 10 of the Convention (freedom of expression) in this case. The Court found that the application of the Public Events Act to a small group engaged in filmmaking was not foreseeable, given the broad and vague definition of a "meeting" under the law. It emphasized that the filmmaking did not pose any public order concerns and was clearly an act of artistic expression, protected under Article 10. The Court further concluded that the applicants' arrest and detention were unlawful and violated their right to liberty under Article 5 § 1, and that the administrative proceedings were unfair due to the lack of a prosecuting party, violating their right to a fair trial under Article 6 § 1.

- **ECtHR DECIDES COMPLEX CASE AGAINST TWO STATES INVOLVING THE ABDUCTION, DETENTION AND CONVICTION OF A JOURNALIST (5 September 2024)**

The European Court of Human Rights (Fifth Section) delivered a complex judgment in the case of *Mukhtarli v. Azerbaijan and Georgia* (Application no. 39503/17), concerning the alleged abduction of an Azerbaijani journalist from Georgia and his subsequent detention and conviction in Azerbaijan.

The case involved Afgan Mukhtarli, a prominent critic of the Azerbaijani government, who had fled to Georgia in 2015, fearing persecution. In May 2017, he disappeared from Tbilisi and reappeared in Azerbaijani custody, accused of illegally crossing the border and smuggling. Mukhtarli maintained that he had been abducted by Georgian security forces and forcibly transferred to Azerbaijan.

The ECtHR found that the investigation conducted by the Georgian authorities was flawed and inadequate. It criticized several aspects, including:

- *Failure to promptly and thoroughly investigate the scene of the alleged abduction:* The Georgian authorities did not secure potential evidence at the alleged "green border" crossing point, relying instead on interviews with border guards who denied any knowledge of the incident.

- *Problems with the handling of CCTV footage:* Delays in obtaining footage, technical issues preventing access, and the alleged manipulation of recordings raised serious concerns about the integrity of the investigation.

- *Lack of thorough pursuit of potentially incriminating evidence:* The Court criticized the limited investigation into the statements

of a former Georgian security official, who alleged the involvement of high-ranking officials in the abduction, and the failure to fully explore leads related to potential witnesses identified by the applicant.

The Court concluded that these shortcomings hampered the investigation's effectiveness and violated the applicant's rights under Articles 3 and 5. However, the Court also noted the conflicting accounts of the events and the difficulty of establishing facts beyond a reasonable doubt, particularly given the lack of access to key evidence from the Azerbaijani side. Therefore, it was unable to conclusively determine that the Georgian authorities were directly involved in the applicant's abduction and transfer. Regarding Azerbaijan, the Court found a violation of Article 5 § 3 (right to be brought promptly before a judge and right to trial within a reasonable time or release pending trial), because the Azerbaijani courts failed to provide adequate justification for the applicant's extended pre-trial detention. The Court also found a violation of Article 8 (right to respect for private life and correspondence) due to the warrantless search of the applicant's mobile phone, which included access to his messages and social media content, and the lack of effective judicial review of that intrusion. The Court awarded the applicant €10,000 in non-pecuniary damages from Georgia for the ineffective investigation, and €6,000 in non-pecuniary damages from Azerbaijan for the violations of Articles 5 § 3 and 8.

In a concurring opinion, Judges Kateřina Šimáčková and María Elósegui expressed specific concerns that the Chamber did not adequately address the potential lack of independence in the Georgian investigation. The judges highlighted the prompt public pronouncements by high-ranking Georgian officials, including the President and Prime Minister, who emphatically denied any involvement by Georgian authorities and urged a swift resolution of the case. They argued that these statements could have exerted undue influence on the police investigators, who are more susceptible to political pressure than judges. This pressure, combined with the questionable credibility of the accusations against Mukhtarli in Azerbaijan, casts further doubt on the thoroughness and impartiality of the Georgian investigation. The concurring judges argued that the Court should have been more critical of these factors.



*We particularly encourage our readers to learn more about the Facts and Norms Institute's **second Winter Course on Legal Theory, International Law and Human Rights**. This exclusive educational opportunity for Portuguese speakers will take place in the vibrant city of Lisbon, Portugal, offering participants a chance to engage with renowned professors, explore critical legal issues, and experience the rich academic environment of the University of Lisbon. Don't miss this chance to expand your knowledge and connect with fellow scholars, professionals and academics. Details about the course can be found in the "News from the Institute" section *infra*.*

- **ECtHR: RUSSIA VIOLATED OPPOSITION CANDIDATE'S RIGHT TO STAND FOR ELECTION (3 September 2024)**

The European Court of Human Rights (Third Section) ruled that Russia violated the right of an opposition candidate to stand for election by disqualifying him based on his participation in a peaceful protest deemed "extremist." The Court found that the disqualification was arbitrary and violated Article 3 of Protocol No. 1 to the Convention, which guarantees the right to free elections.

The case, *Shlosberg v. Russia* (Application no. 32648/22), concerned Lev Shlosberg, a prominent opposition politician, who was barred from running for the State Duma (the lower house of the Russian Parliament) in 2021. Shlosberg had been convicted and fined earlier that year for organizing a demonstration in support of Alexei Navalny, an opposition figure whose organization had been subsequently declared "extremist" by a Russian court.

New legislation enacted in June 2021 introduced a three-to-five-year ban on running for office for individuals involved in the activities of organizations deemed extremist. Relying on this law, a rival candidate successfully challenged Shlosberg's candidacy, arguing that his involvement in the pro-Navalny demonstration and his online statements supporting the protest constituted participation in extremist activities.

The Russian courts upheld the challenge, finding that Shlosberg's actions demonstrated his involvement with an extremist organization and disqualified him from the election. Shlosberg appealed the decision all the way to the Russian Constitutional Court, but his complaints were dismissed.

The ECtHR found that while states have a margin of appreciation in setting election rules, any restrictions on the right to stand for election must not be arbitrary. The Court determined that disqualifying Shlosberg based on his participation in a peaceful assembly, which the ECtHR had previously found to be a violation of his right to freedom of assembly (Article 11), was a disproportionate and arbitrary measure. The Court emphasized that exercising a fundamental right, such as the right to peaceful assembly, cannot be a basis for imposing penalties, including disqualification from running for office. The Court awarded Shlosberg €5,000 in non-pecuniary damages and €7,500 for costs and expenses.



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## Academic & Professional Opportunities

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- **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](#). The hybrid workshop will take place in Lund and online on January 9-10, 2025, followed by author conferences in Marseille, Istanbul, and The Hague throughout 2025-2026. Abstracts should reflect on the case's legacy and its principles in 300 words. Accepted participants will prepare short papers (1000-2000 words). Submit to: [submissions@lotus-100.com](mailto:submissions@lotus-100.com). Apply by October 4, 2024.
- **CALL FOR PAPERS: DIGIRIGHTS PROJECT FINAL CONFERENCE**  
[The KU Leuven—Leuven Institute of Criminology \(LINC\) invites scholars to submit abstracts for the DigiRights Conference](#), taking place on January 30-31, 2025, at KU Leuven, Belgium. The conference focuses on digital defense rights in criminal proceedings. Contributions should critically assess defense rights and their intersection with digital developments in criminal justice. Abstracts (max. 300 words) should be sent to [michele.panzavolta@kuleuven.be](mailto:michele.panzavolta@kuleuven.be), [anna.mosna@kuleuven.be](mailto:anna.mosna@kuleuven.be), and [ashlee.beazley@kuleuven.be](mailto:ashlee.beazley@kuleuven.be). While travel and accommodations are not covered, catering will be provided to accepted speakers. Accepted papers will be published in a conference proceedings. Apply by: October 13, 2024.
- **CALL FOR PAPERS: TOWARDS AN ENDOGENOUS AFRICAN CONSTITUTIONALISM AND LEGITIMATE GOVERNMENT**  
[The Congress Organizing Committee invites paper and panel proposals for the upcoming congress, "Towards an Endogenous African Constitutionalism and Legitimate Government: Epistemological and Empirical Perspectives."](#) The congress aims to explore new frameworks for constitutional and legitimate governance in Africa. Abstracts should be no more than 300 words. Apply by September 31, 2024. Accepted abstracts must be developed into full papers by November 30, 2024.
- **ONLINE COURSE: RIGHTS OF TRADITIONAL PEOPLES AND COMMUNITIES**  
The Cerrado Network and the Àwùre Project, supported by organizations such as PP-ECOS, CERES, WWF, ISPN, and the European Union, are offering a free [online course on the "Rights of Traditional Peoples and Communities."](#) The course comprises three modules and offers a certificate upon completion.

- DONALD M. PAYNE INTERNATIONAL DEVELOPMENT FELLOWSHIP PROGRAM**  
 The [Donald M. Payne International Development Fellowship Program](#) offers up to 30 fellowships valued at up to \$52,000 annually for a two-year master's degree program in international development or a related field. The fellowship includes tuition, stipend, and support for summer placements. Fellows who successfully complete the program and USAID Foreign Service entry requirements will receive appointments as Foreign Service Officers with USAID. Apply by October 24, 2024.
- GLOBAL INNOVATION FELLOWSHIPS, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE & THE BRITISH ACADEMY**  
 The Carnegie Endowment for International Peace and The British Academy are offering two one-year [Global Innovation Fellowships for UK-based researchers in the humanities and social sciences](#). The fellowships, valued at up to £150,000, will be hosted at Carnegie's offices in Washington D.C. or California. Apply by November 27, 2024.
- BARBARA HUBER SCHOLARSHIP PROGRAM: MAX PLANCK INSTITUTE FOR THE STUDY OF CRIME, SECURITY AND LAW**  
 The [Barbara Huber Scholarship Program](#) offers scholarships to [outstanding academics](#) from foreign research institutions for innovative research projects in Criminology, Public Law, or Criminal Law. Scholarships are awarded for research stays at the Max Planck Institute in Germany for two to six months. Doctoral candidates receive EUR 1,365.00 per month, postdocs receive EUR 2,500.00, and professors and experienced researchers receive EUR 3,000.00. Apply by: November 30th (for 2025).
- ASIA STUDIES FELLOWSHIPS, STANFORD UNIVERSITY ASIA-PACIFIC RESEARCH CENTER (APARC)**  
 Stanford University's Asia-Pacific Research Center (APARC) is offering [multiple fellowships for Asia researchers](#) beginning in Autumn quarter 2025. The fellowships include postdoctoral and visiting scholar positions in various areas of Asian Studies. Apply by December 1, 2024.
- YOUNG PROFESSIONALS PROGRAMME (YPP) EXAMINATION: POLITICAL AFFAIRS & HUMAN RIGHTS, UN SECRETARIAT**  
 The UN Secretariat is holding an examination for its [Young Professionals Programme \(YPP\) in Political Affairs and Human Rights](#). Successful candidates will be placed on a roster to fill vacancies in various duty stations. A first-level university degree and fluency in English or French are required. Apply by October 2, 2024.



- TRAINEESHIPS: COUNCIL OF EUROPE**  
 The [Council of Europe offers paid traineeships](#) (approximately €635/month) for durations of two to five months. Traineeships begin on March 1st and October 1st. Applicants must be nationals of a Council of Europe member state, have completed three years of university study, and have a very good knowledge of English or French. The next application deadline is October 10, 2024 for traineeships beginning March 1, 2025. Apply by: October 10, 2024.
- POLICY ADVISOR, DIRECTORATE GENERAL HUMAN RIGHTS AND RULE OF LAW, COUNCIL OF EUROPE**  
 The Council of Europe is seeking a [Policy Advisor](#) to contribute to the Reykjavík process on the environment. Responsibilities include strengthening the work of the Council of Europe to counter the impact of pollution, climate change, and biodiversity loss on human rights, democracy, and the rule of law. A minimum of five years of experience in environmental protection, management, and policies is required. The position is based in Strasbourg, France, and offers a relocation allowance. Apply by October 15, 2024.
- ASSISTANT LEGAL COUNSEL: PERMANENT COURT OF ARBITRATION (PCA)**  
 The Permanent Court of Arbitration is recruiting [Assistant Legal Counsel](#) to begin in September 2025. Duties include providing legal advice, assisting with arbitration matters, and conducting legal research. Applicants must be admitted to practice law with a minimum of two years of experience in arbitration or public international law. Fluency in French or English is essential. Submit applications to: [recruitment-recrutement@pca-cpa.org](mailto:recruitment-recrutement@pca-cpa.org). Apply by: December 1, 2024.
- PROGRAMME OFFICER, STANDING WITH COMMUNITIES, SOUTHERN AFRICA: NATURAL JUSTICE**  
[Natural Justice seeks a lawyer with two years of experience to join its Southern Africa](#) hub as a Programme Officer. The Programme Officer will provide legal support to Indigenous peoples and local communities on environmental, climate, indigenous, land, and human rights issues. This is a permanent, full-time position based in Cape Town. Submit applications to: [nomvuzo@naturaljustice.org](mailto:nomvuzo@naturaljustice.org). Apply by: October 6, 2024.
- LEGAL OFFICER: PRIVACY INTERNATIONAL**  
 Privacy International is seeking a [Legal Officer](#) to conduct advocacy on issues related to data protection, surveillance, and technology's impact on human rights. The Legal Officer will engage in legal and policy analysis, research, outreach, and public engagement. A law degree and experience working with data protection regulations and international human rights standards

are required. The salary is £39,520. This is a full-time, permanent position based in London. Submit applications to: [recruitment@privacyinternational.org](mailto:recruitment@privacyinternational.org). Apply by: October 6, 2024.

- **LEGAL OFFICER (P2): INTERNATIONAL LABOUR ORGANIZATION (ILO)**

The [International Labour Organization \(ILO\)](#) is seeking a [Legal Officer](#) to provide legal support for development cooperation projects. The Legal Officer will conduct legal analysis of proposals, review legal issues related to privileges and immunities, and provide advice on procurement, contracts, and other legal matters. This is a one-year fixed-term contract based in Geneva, Switzerland. Apply by: October 9, 2024.

- **CANDIDATE ATTORNEYS 2025-2027: CENTRE FOR ENVIRONMENTAL RIGHTS (CER)**

The [Centre for Environmental Rights \(CER\)](#) is seeking two [candidate attorneys](#) for a two-year fixed-term contract starting March 1, 2025. Candidates should have an LLB degree and a passion for environmental and climate justice. Selected candidates will gain experience in consulting with clients, conducting legal research, drafting legal documents, and advocating for environmental rights. Submit applications to: [recruitment@cer.org.za](mailto:recruitment@cer.org.za). Apply by: October 11, 2024.

- **LEGAL NETWORK MANAGER: SABIN CENTER FOR CLIMATE CHANGE LAW AT COLUMBIA LAW SCHOOL**

The Sabin Center for Climate Change Law at Columbia Law School seeks a [Legal Network Manager](#) to build and coordinate a legal assistance network focused on renewable energy. The Network Manager will conduct outreach, deepen connections with relevant stakeholders, organize convenings, contribute to research, and engage in regulatory proceedings. A Bachelor's degree is required, and a Master's or JD is preferred. The salary range is \$80,000-\$85,000. The position is located at Columbia University's Morningside campus. Apply by: until filled.



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## News from the Facts and Norms Institute

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- **INTERNATIONAL LAW AND HUMAN RIGHTS COURSE IN COIMBRA: ACADEMIC SUCCESS MARKED THE BEGINNING OF 2024**



The Facts and Norms Institute (FNI) and Ius Gentium Conimbrigae - Center for Human Rights at the University of Coimbra [successfully held the Advanced Course on International Law and Human Rights between January 29th and February 2nd, 2024.](#)

The event was a four-day immersive experience that combined expert lectures, student presentations, and cultural activities. It covered topics like human rights protection in universal and regional scopes, business and human rights, racism, environmental rights, rights of refugees and minorities, democracy, artificial intelligence, and education for human rights.

Renowned professors from the University of Coimbra and other institutions led lectures, while students presented research papers on specific issues. The course also included a guided tour of the historic university complex, a UNESCO World Heritage Site.

- **EXCLUSIVE WINTER COURSE IN LISBON: FNI AND UNIVERSITY OF LISBON OFFER UNIQUE OPPORTUNITY FOR SCHOLARS, PROFESSIONALS, AND STUDENTS**

Following [the success of its first Winter Course](#), in partnership with [the University of Coimbra, Portugal](#), the Facts and Norms Institute (FNI) is thrilled to announce its second ***Winter Course: Legal Theory, International Law and Human Rights***.

This exclusive educational opportunity for **Portuguese-speakers** is a collaboration between FNI and the University of Lisbon taking place from **January 7-10, 2025**, in the **historic city of Lisbon, Portugal**.

Course Benefits:

- An exclusive **in-person course** at the University of Lisbon! With origins dating back to 1290, it is **one of the most traditional universities in the world**.
- **Lectures by renowned professors** and researchers, including Professor Antonio Pedro Barbas Homem (lawyer, jurisconsult, arbitrator, former Rector of the European University, **appointed by Pope Francis to the Vatican's Congregation for Education**) and Professor Henrique Napoleão Alves (Director of the Facts and Norms Institute, OAS lawyer, **author of more than thirty legal opinions and technical notes for the UN**).
- As this is an in-person course, participants will have the opportunity for an **immersive experience in the university and the city**.
- The **certificate** will be issued by the **University of Lisbon**. This certificate is not for a lecture, seminar, or conference, but for an Exclusive Course!
- Participants will receive more information during the course about the University of Lisbon and its Master's, Doctoral, and other programs!
- For researchers: as a completely optional activity, there is the possibility to submit papers for presentation, which will also be published in a book with an ISBN.
- The course is a partnership between the University of Lisbon, voted the best university in Portugal and one of the best in Europe and the world, and the Facts and Norms Institute, a center for teaching and research in international law with dozens of proven contributions to the UN and international mechanisms.

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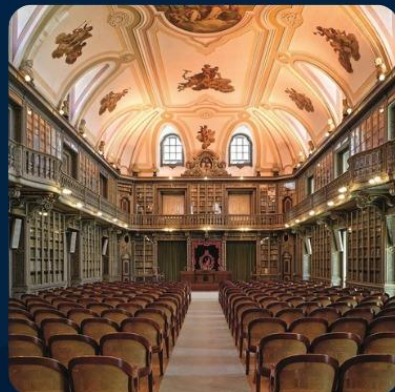
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*\* Official banner (in Portuguese) of the 2<sup>nd</sup> Winter Course: Legal Theory, International Law and Human Rights. The course is for Portuguese speakers.*

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