



FLASH NEWS

4/18

EUROPEAN COURT OF HUMAN RIGHTS

OVERVIEW FROM 12/02 TO 25/02/2018

RU / IVASHCHENKO v. RUSSIA

Right to privacy - Customs control - Examination and copying of data contained in a computer

Violation of article 8 (right to privacy) of the ECHR.

The applicant, a Russian news photographer, had been taken in for questioning by Russian customs officers while he was returning from Abkhazia, where he had gone for a story. He complained about the fact that the customs authorities had examined and copied data contained in his laptop and in other storage devices solely on the grounds that he could be transporting extremist materials, without any other reasonable suspicion. This data, which pertained to his private life as well as professional activities, was then stored for close to two years, for the purpose of its examination.

Ruling of 13.02.2018 (application no. 61064/10) ([EN](#))
Press release ([EN](#))

FR / LIBERT v. FRANCE

Right to privacy - Viewing by an employer of files on a work computer that were not duly identified by the employee as being "private"

Non-violation of article 8 (right to respect for private and family life) of the ECHR.

The applicant, a French national, complained that his employer had opened personal files that were stored on the hard disk of his work computer, which had been named "D:/données personnelles [D:/personal data]", in his absence, while he was temporarily suspended. The files were mainly pornographic files and false certificates created for third-parties. Thereafter, the applicant was dismissed.

Ruling of 22.02.2018 (application no. 588/13) ([FR](#))
Press release ([FR](#) / [EN](#))

ME / VUJOVIĆ AND LIPA D.O.O. v. MONTENEGRO

Access to a court - Initiation of bankruptcy proceedings - Possibility of filing an appeal against this decision reserved for the insolvency practitioner

Violation of article 6 § 1 (right of access to a court) of the ECHR.

The applicants, a Montenegrin national and a construction company, founded and managed by this national, stated that they had not been able to file an appeal against a court decision ordering the initiation of bankruptcy proceedings against the said company. In fact, their appeal had been dismissed because, according to the law in force, only the insolvency practitioner, or lawyer authorised by the latter, could file an appeal against such a decision.

Ruling of 20.02.2018 (application no. 18912/15) ([EN](#))
Press release ([FR](#) / [EN](#))

EL / ALPHA DORYFORIKI TILEORASI ANONYMI ETAIRIA v. GREECE

Freedom of expression - Television - Broadcasting of videos of a secretly filmed politician

Violation of article 10 (freedom of expression) of the ECHR for the first video.

Non-violation of article 10 (freedom of expression) of the ECHR for the other videos.

Violation of article 6 § 1 (right to a fair hearing within a reasonable time) of the ECHR.

The applicant company, owner of ALPHA, the Greek television channel, complained about having been fined for having broadcasted on television three videos of a politician who had been secretly filmed. The first video showed him gambling, while he was supposed to legislate on the subject. The other two showed his reaction while dealing with the first video. The applicant also complained about the duration of the proceedings.

Ruling of 22.02.2018 (application no. 72562/10) ([EN](#))
Press release ([FR](#) / [EN](#))