



## FLASH NEWS

4/20

# EUROPEAN COURT OF HUMAN RIGHTS

## OVERVIEW FROM 02/03 TO 31/03/2020

### SK / ASADY ET AL. v SLOVAKIA

**Prohibition of collective expulsion of aliens - Effective opportunity to present arguments against expulsion - Effective consideration of personal circumstances**

**Non-infringement** of Article 4 of Protocol no. 4 (prohibition of collective expulsion of aliens) to the ECHR.

**Inadmissibility** of the complaint under Article 13 (right to an effective remedy) of the ECHR on the grounds that it is manifestly ill-founded (Article 35 §§ 3 and 4 of the ECHR).

The applicants, Afghan nationals, had been arrested in Slovakia while hiding in a lorry near the border with Ukraine. On the same day, following interviews conducted by police officers, in the presence of an interpreter, they had been deported to Ukraine on the basis of individual decisions adopted by the Slovak authorities. They claimed, on the one hand, that they had been victims of a collective expulsion. In particular, they alleged that an individual assessment and review of their cases had not been carried out because all the expulsion decisions were worded in the same way. They also considered that they did not have access to an effective remedy to prevent their expulsion.

Judgment of 24/03/2020 (application no. 24917/15) ([EN](#))  
Press release ([FR](#) / [EN](#))

### RO / CEGOLEA v ROMANIA

**Prohibition of discrimination - Right to free elections - Right to stand as a candidate - Lack of judicial review against arbitrariness**

**Infringement** of Article 14 (prohibition of discrimination) of the ECHR in conjunction with Article 3 of Protocol no. 1 (right to free elections) to the ECHR.

The applicant, a Romanian and Italian national, complained that she had been discriminated against with regard to her right to stand as a candidate, on behalf of a foundation representing the Italian minority in Romania, in the parliamentary elections of December 2012. She had had to take steps to obtain public-utility status for said foundation.. She alleged that her candidacy had had to meet additional requirements to those of the candidate who already represented the Italian minority in the Romanian Parliament, who had simply had to reapply.

Judgment of 24/03/2020 (application no. 25560/13) ([FR](#))  
Press release ([FR](#) / [EN](#))

### UA / CENTRE FOR DEMOCRACY AND THE RULE OF LAW v UKRAINE

**Freedom of expression - Right to receive and impart information - Disclosure of information contained in CVs of candidates for parliamentary elections**

**Infringement** of Article 10 (freedom of expression) of the ECHR concerning the decision to prohibit the applicant organisation from having access to information relating to the education and professional background of political candidates contained in their CVs.

The applicant, a Ukrainian non-governmental organisation, complained about the refusal of the electoral authorities to provide it with copies of the CVs submitted by the heads of the lists elected in recent parliamentary elections. Stressing its commitment to the monitoring of the electoral process, in particular with regard to the integrity of elected officials, it considered the disclosure of information relating to their professional background necessary for the exercise of its rights to receive and impart information.

Judgment of 26/03/2020 (application no. 10090/16) ([EN](#))  
Press release ([FR](#) / [EN](#))

## OTHER INFORMATION

### **Exceptional measures adopted by the European Court of Human Rights on account of the Covid-19 pandemic**

In the face of the current global health crisis, taking into account the decisions of the French authorities and those of the Council of Europe, on 16 March 2020, the European Court of Human Rights decided to adopt certain exceptional measures.

Announcing that its core activities would in principle be ensured and, in particular, the processing of priority cases, the European Court of Human Rights thus indicated that procedures had been put in place so that requests for interim measures under [Article 39 of the European Court of Human Rights' Rules of Procedure](#), mainly concerning expulsion and extradition cases, could be examined. In addition, the six-month time limit for lodging an application (Article 35 of the ECHR) was suspended for a period of one month from Monday 16 March 2020. Furthermore, as of the same date, all time limits in pending proceedings were suspended for a period of one month. Finally, the European Court of Human Rights decided not to notify its judgments and decisions until the resumption of normal activity. With the exception of Grand Chamber cases and particularly urgent cases, this court will therefore continue to adopt judgments and decisions, but will suspend the delivery of such judgments and decisions until this resumption.

Press release ([FR](#) / [EN](#))