



FLASH NEWS

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EUROPEAN COURT OF HUMAN RIGHTS

OVERVIEW FROM 18/12/2017 TO 14/01/2018

FR / RAMDA v. FRANCE

Right to a fair hearing - Ne bis in idem - Terrorism - Specially constituted Court of assizes - Double criminal conviction

Non-violation of article 6 § 1 (right to a fair hearing) of the ECHR.

Non-violation of article 4 of Protocol no. 7 (right not to be tried or punished twice) to the ECHR.

In 2006, the applicant was the subject of a criminal conviction for the crime of criminal conspiracy in the context of a terrorist enterprise. Later, he was convicted by a specially constituted court of assizes (only professional magistrates) for participating in the commission of a series of crimes in relation with a terrorist enterprise. He appealed to the ECHR complaining about the absence of grounds for the ruling of the court of assizes as well as a violation of the "ne bis in idem" principle.

Ruling of 19.12.2017 (application no. 78477/11) ([FR](#))

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

SE / X v. SWEDEN

Prohibition of inhuman or degrading treatment - Expulsion of a person likely to commit acts of terrorism

Violation of article 3 (prohibition of inhuman and degrading treatment) of the ECHR in case of expulsion of M. X.

The applicant, a Moroccan national, challenged a decision ordering his expulsion on the grounds that he represented a threat for Swedish national security. He stated that if Sweden sent him back to Morocco, he would, as an alleged terrorist, be exposed to a risk of ill-treatment.

Ruling of 09.01.2018 (application no. 36417/16) ([EN](#))

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

ES / LÓPEZ RIBALDA AND OTHERS v. SPAIN

Right to respect for private and family life - Right to a fair hearing - Covert video-surveillance of employees

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

Non-violation of article 6 § 1 (right to a fair hearing) of the ECHR.

The applicants, all working as cashiers in a supermarket, complained about having been under video surveillance without their knowledge and about the use of the data thus obtained by the national courts in order to establish that their dismissal for theft had been legitimate.

Ruling of 09.01.2018 (application nos. 1874/13 and 8567/13) ([EN](#))

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

CH / A. v. SWITZERLAND

Prohibition of inhuman or degrading treatment - Principle of non-refoulement - Conversion to Christianity

Non-violation of article 2 (right to life) or 3 (prohibition of inhuman and degrading treatment) of the ECHR in case of expulsion of M. A.

The applicant, an Iranian asylum applicant, had made three unsuccessful requests for asylum in Switzerland. Challenging the decision of return, he claimed that his conversion to Christianity during the asylum procedure exposed him to a genuine risk of being killed or being subjected to ill treatment if he was sent back to Iran.

Ruling of 19.12.2017 (application no. 60342/16) ([EN](#))

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