



FLASH NEWS

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EUROPEAN COURT OF HUMAN RIGHTS

OVERVIEW OF MAY 2017

BE / B.V. v. BELGIUM

Effective remedy – Effective investigation – Adequacy of investigative measures – Requirements of promptness and reasonable expedition

Violation of the procedural aspect of Article 3 (Prohibition of inhuman and degrading treatment) of the Convention.

The applicant complained that she had been raped by a work colleague and no appropriate steps had been taken to investigate the credibility of the accusations. The Court held unanimously that, without any indication of a coherent investigative plan for ascertaining the truth and establishing the circumstances surrounding the alleged acts, the investigation could not be said to have been serious and thorough.

Judgement of 02.05.2017 (application no. 61030/08)
Press release

BE / SYLLA AND NOLLOMONT v. BELGIUM

Prisons – Conditions of detention

Violation of Article 3 (Prohibition of inhuman or degrading treatment) of the Convention.

The applicants, detainees in two Belgian prisons, complained in particular about the lack of space, absence of activities outside the cell, exposure to passive smoking and lack of privacy when using the toilets.

Judgement of 16.05.2017 (applications nos. 37768/13 and 36467/14)
Press release

IS / JOHANNESSON E.A. v. ICELAND

Taxation – Non bis in idem – Proceedings of a "criminal" nature – Tax surcharges and convictions for tax offences – Insufficient connection in substance and in time

Violation of Article 4 of Protocol No. 7 (Right not to be tried or punished twice) of the Convention.

The applicants complained that they had been tried twice for the same conduct of failing to make accurate declarations for tax assessments: first through the imposition of tax surcharges, and second through a subsequent criminal trial and conviction for aggravated tax offences.

Judgement of 18.05.2017 (application no. 22007/11)
Press release

BG / SIMEONOV v. BULGARIA (Grand Chamber)

Procedural rights – Right to legal assistance in criminal proceedings – Fairness of criminal proceedings – No irremediable infringement – Conditions of detention

Violation of Article 3 (Prohibition of inhuman or degrading treatment) of the Convention.

No violation of Article 6 §§ 1 and 3 c) (Right to a fair trial/right to legal assistance) of the Convention.

The applicant, who was sentenced to life imprisonment, complained about the conditions of the detention and prison regime imposed on him. He also alleged that his right to legal assistance had been restricted for the first three days of his police custody.

Judgement of 12.05.2017 (application no. 21980/04)
Press release

