



FLASH NEWS

4/17

EUROPEAN COURT OF HUMAN RIGHTS

OVERVIEW FROM 01/06 TO 15/06/2017

FR / GIESBERT AND OTHERS v. FRANCE

**Freedom of expression – Limitations –
Publishing documents from criminal
proceedings**

No violation of Article 10 (Freedom of expression)
of the Convention.

The applicants, Le Point weekly magazine, its editor-in-chief and a journalist, complained that the findings of civil liability against them under section 38 of the 1881 Freedom of the Press Act for publishing documents from criminal proceedings before they were to be read out at a public hearing in the Bettencourt case had amounted to a violation of their freedom of expression.

Judgement of 01.06.2017 (applications nos. 68974/11, 2395/12 and 76324/13)

[Press release](#)

GR / ASTIKOS KAI PARATHERISTIKOS OIKODOMIKOS SYNETAIRISMOS AXIOMATIKON AND KARAGIORGOS v. GREECE

Appeals – Admissibility conditions

Applications declared inadmissible as the applicants had not faced any disproportionate obstacle to their right of access to a court as secured under Article 6 § 1 of the Convention.

The applicants complained of the dismissal of their appeals following the new admissibility conditions introduced under Law No. 3900/2010 relating to appeals on points of law before the Council of State, and of the Council of State's tacit refusal to refer the case to the CJEU for a preliminary ruling.

Decision of 01.06.2017 (applications nos. 29382/16 and 489/17)

[Press release](#)

Relinquishment in favour of the Grand Chamber

Jurisdiction over the case **Molla Sali v. Greece** (application no. 20452/14), concerning the application of Islamic religious (Sharia) law to an inheritance dispute, has been relinquished in favour of the Grand Chamber. Relying on Article 6 § 1 (Right to a fair hearing), taken alone and in conjunction with Article 14 (Prohibition of discrimination) of the Convention, the applicant, a Greek Muslim, complains of the application to her inheritance dispute of Sharia law rather than the ordinary law applicable to all Greek citizens, despite the fact that her husband's will was drawn up in accordance with the provisions of the Greek Civil Code.

[Press release](#)

Relinquishment in favour of the Grand Chamber

The Chamber of the European Court of Human Rights to which the case **Berlusconi v. Italy** (application no. 58428/13, see Newsflash no. 2/17) had been allocated relinquished jurisdiction in favour of the Grand Chamber of the Court on 6 June 2017.

[Press release](#)

New system for single-judge decisions with more detailed reasoning

In June 2017, the European Court of Human Rights changed the way in which it delivers single-judge decisions. Instead of a decision-letter, applicants will receive a decision of the Court sitting in single-judge formation in one of the Court's official languages and signed by a single judge, accompanied by a letter in the relevant national language.

[Press release](#)