



FLASH NEWS

4/19

EUROPEAN COURT OF HUMAN RIGHTS

OVERVIEW FROM 18/02 TO 01/03/2019

RO / TOTHPAL AND SZABO vs. ROMANIA

Right to freedom of religion - Conviction of two dismissed priests who have continued the exercise of their functions

Violation of Article 9 (right to freedom of religion) of the ECHR.

The applicants, two Romanian nationals, alleged that their criminal conviction for unlawful exercise of the function of priest constituted a violation of their right to freedom of religion.

Judgment of 19.02.2019 (applications nos. 28617/13 and 50919/13) ([FR](#))
Press release ([FR](#) / [EN](#))

UK / BEGHAL vs. UNITED KINGDOM

Right to respect for private and family life - Anti-terrorism act - Powers conferred on police and immigration officers - Scope

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

In accordance with the anti-terrorism laws authorising immigration officers to stop, search and question passengers at ports, airports and international railway terminals, the applicant, a French citizen residing in the United Kingdom, had been arrested and interrogated at the airport, after visiting her husband, imprisoned in France for terrorism-related offences. She alleged that the powers conferred on the police by these laws violated her rights, as guaranteed by the ECHR.

Judgement of 28.02.2019 (application no. 4755/16) ([EN](#))
Press release ([FR](#) / [EN](#))

EL / H.A. AND OTHERS vs. GREECE

Prohibition of inhuman or degrading treatment - Unaccompanied minors - Conditions of detention

Violation of Articles 3 (prohibition of inhuman or degrading treatment), 5 §§ 1 (d) and 4 (right to liberty and security and the right to a speedy decision on the legality of detention) and 13 (right to effective remedy) of the ECHR.

The applicants, six Syrian nationals, two Iraqis and one Moroccan, all unaccompanied minors, had been detained temporarily in various police stations. They condemned, in particular, their conditions of detention and the fact of not having received an effective remedy allowing them to complain about these conditions and to challenge the legality of their detention.

Judgement of 28.02.2019 (application no. 19951/16) ([FR](#))

FR / KHAN vs. FRANCE

Prohibition of inhuman or degrading treatment - Unaccompanied minors - Obligation of protection

Violation of Article 3 (prohibition of inhuman or degrading treatment) of the ECHR.

The applicant, an Afghan national, condemned the failure of the French authorities with regard to their obligation to protect unaccompanied foreign minors who, like him, were at the Calais Jungle camp. He complained, inter alia, that the order of the juvenile court providing for his temporary placement in the child welfare services had not been enforced.

Judgement of 28.02.2019 (application no. 11267/16) ([FR](#))
Press release ([FR](#) / [EN](#))