



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

# **Bringing the Convention home: case-law information, training and outreach**



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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# Bringing the Convention home

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Notable developments in 2018 included the launch of the HUDOC interface in Georgian.

In line with the conclusions of the Interlaken, Izmir, Brighton, Brussels and, most recently, Copenhagen Conferences, the Court's case-law dissemination programme is designed to improve accessibility to and understanding of key Convention principles and standards at national level, in order to give full expression to the principle of subsidiarity, which will be inserted in the Preamble to the Convention when Protocol No. 15 comes into force.

Under the Danish Chairmanship of the Committee of Ministers, the role of communication in improving understanding of the Court's mission and work was again recognised. The Court has developed a set of custom-built tools designed to assist everyone, from the ordinary layperson to the seasoned human rights practitioner, to gain access to its main judgments and decisions and to the Convention. In addition to the advanced technology and sophisticated search tools of the HUDOC database, the Court's website contains a wealth of materials for users including general information for potential applicants; thematic factsheets and country profiles; legal summaries compiled in the monthly Case-law Information Notes; detailed case-law guides which cover an ever-expanding range of Convention Articles and which are updated regularly; the overview of the Court's case-law produced by the Jurisconsult's Directorate; the *COURTalks-disCOURS* training videos on topics such as terrorism and asylum, with subtitles in several non-official languages; and short videos on how to lodge a valid application with the Court, available to date in Spanish and Ukrainian. Other language versions of these videos are being prepared.

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The full range of available materials, together with a methodological guide on how to make optimal use of them, can be found in an explanatory document on the Court's website (under [Case-law/Case-law analysis](#)) entitled *Finding and understanding the case-law*, which was updated in November 2018. It is now available in the two official languages and in Spanish (further translations into several non-official languages, including HUDOC-interface languages, as well as Ukrainian and Italian, will follow in the near future).

Notable developments in 2018 included the publication of four new case-law guides, the consolidation of a scheme for regularly updating all the guides in the series, introduced in 2017, and the launch in Tbilisi of the HUDOC interface in Georgian.

The Court's case-law dissemination programme seeks to secure the translation of as many significant judgments and decisions as possible into languages other than the Court's official languages of English and French, and of the legal summaries and other materials produced by the Court. As a result of the various case-law translation and dissemination projects with a thematic focus that it has submitted, the Court has obtained funding from a number of States in the form of voluntary contributions via the Office of the Directorate General of Programmes and through the projects run by other Council of Europe departments, and also from many other partners who share the objective of disseminating the Convention standards and the Court's case-law with a view to improved implementation of the principle of subsidiarity. Hence, 2018 saw a steady increase in the number of cases and case-law publications being made widely available in languages other than English and French, both on the Court's website and through the dedicated multilingual Twitter account, as well as through the various projects run by other Council of Europe Directorates General with which the Court has worked in close cooperation.

At the end of 2017 the Bureau decided to discontinue the print version of the *Reports of Judgments and Decisions* series, whilst continuing to select the leading cases for each quarter; these are now clearly referenced as such both in HUDOC and in a separate list on the Court's website. Cases in this category will also continue to be translated into the other official language.

### **DISSEMINATION OF THE COURT'S CASE-LAW**

#### **Selection of leading cases**

In line with recommendations made during the Interlaken process, the Bureau of the Court identifies those judgments and decisions it considers to be of particular importance, for example because they

make a significant contribution to the development of the Court's case-law, deal with a new problem of general interest or entail a new interpretation or clarification of principles.

The selected cases can be found either by referring to the quarterly and annual lists (broken down by Article, applicant and State with hyperlinks to the cases concerned and the legal summaries), available on the Court's website<sup>1</sup>, or by selecting "Key cases" under the "Importance" filter in HUDOC.

The *Reports of Judgments and Decisions* series, the Court's official collection of selected cases, ended with the publication of the ECHR 2015 volumes and annual index. A cumulative index of all the cases published in the *Reports* series from the start of the single Court in 1998 to the end of 2014 is also available in print from Wolf Legal Publishers or in PDF format on the Court's website.

## The HUDOC case-law database

Since the extensive redesign of the database in 2012, the Registry has continued to add features to HUDOC ([hudoc.echr.coe.int](http://hudoc.echr.coe.int))<sup>2</sup>. The additions in 2018 included a new link to the HTML format of legal summaries of judgments and decisions, a new option to copy the HUDOC link to the clipboard, as well as a banner informing users of new functionalities.

The Georgian version of the HUDOC interface was launched in December 2018, meaning that the interface now exists in a total of six languages (English, French, Georgian, Russian, Spanish and Turkish). Plans are also under way to develop Bulgarian and Ukrainian versions. The HUDOC user manual is available in English, French, Spanish and Turkish. Additional language versions will follow soon.

The Registry is continuing to explore the feasibility of enabling users to filter results by machine-extracted factual concepts (thematic searches). Results thus far have not met expectations but the project is still under way.

The number of HUDOC visits fell by approximately 2.5% in 2018 (3,955,016 visits compared with 4,058,196 in 2017).

# NEW

Georgian HUDOC interface

4 case-law guides (Articles 2, 13, 18 and 1 of Protocol No. 1)

1. Under [Case-law/Selection of key cases/Key cases/More info](#). The current year list is updated every three months.

2. FAQs, manuals and video tutorials on HUDOC are available on the Court's website under [Case-law/HUDOC database/More information](#).

## Case-law translations programme

The Registry continued its efforts to improve the accessibility and understanding of the main Convention principles and standards in those member States where neither of the Court's official languages is sufficiently understood. The translations programme has been an important catalyst for setting up a network of partners ensuring the translation of cases and publications into the non-official languages.

The Registry maintains a standing invitation to States, judicial training centres, associations of legal professionals, non-governmental organisations (NGOs) and other partners to offer, for inclusion in HUDOC, any case-law translations to which they have the rights. The Registry has also launched various case-law translation and dissemination projects that have been funded by means of voluntary contributions from the member States and, in some cases, by the European Union. These will make it possible to significantly increase the volume of material available in Armenian, Ukrainian and Arabic. It should be noted that the 2015 [Brussels Declaration](#) called upon States Parties to promote accessibility to the Court's case-law by translating or summarising significant judgments as required, and that improved knowledge of the Convention is key to ensuring that the principle of subsidiarity is fully effective.

The Registry also references, on the Court's website, third-party sites hosting translations of the Court's case-law, and welcomes suggestions for the inclusion of further sites<sup>3</sup>.

As a result of the translations programme, over 26,400 texts in thirty-one languages other than English and

French have now been made available in the HUDOC database, which has become the first port of call for translations of the Court's case-law<sup>4</sup>. The language-specific filter in HUDOC allows for rapid searching of these translations, including in free text. A new language-specific filter also assists users in finding the legal summaries that exist in non-official languages. These translations now account for 17% of all HUDOC content.

In addition to translating select cases, several States and a significant number of other partners continue to support the Court's work by

26,400  
translations

31  
languages

3. More information can be found on the Court's website under [Case-law/Case-law translations/Existing translations/External online collections of translations](#); scroll down to see the list of third-party sites.

4. The translations are published with a disclaimer since the only authentic language version(s) of a judgment or decision are in one or both of the Court's official languages.

offering to translate publications, factsheets, legal summaries, country profiles and the like. Thus, for instance, the 2015 to 2018 annual editions of the Jurisconsult's *Overview of the case-law* are currently being translated into Ukrainian. Around thirty translations of case-law guides or research reports were published in 2018<sup>5</sup>. These translations are all made available on the Court's website and disseminated via a dedicated Twitter account (see "Internet site and social media" below).

On 23 November 2017 a memorandum of agreement for procuring and disseminating Spanish translations of select case-law and publications of the Court was signed in Madrid with a Spanish university. This agreement, which will contribute to the overall promotion of human rights in Europe and in the Spanish-speaking world, has already started to yield results. Other States using non-official languages have been informed of this agreement, which, it is hoped, may serve as a model for future partnerships of this kind.

Given the interest in the Court's case-law on other continents, the Court has also joined forces with other sectors of the Council of Europe to accompany reforms in Southern Mediterranean partner countries, as part of the Council of Europe's policy towards neighbouring regions. Hence, the [South Programme II](#) (2015-2017)<sup>6</sup> has contributed funding for translating into Arabic select leading cases, the Court's legal summaries of important cases, and also thematic factsheets and case-law guides in a variety of areas (such as violence against women and domestic violence, human trafficking and non-discrimination) in cooperation with the Council of Europe's HELP programme. Other subjects, including social rights, data protection, children's rights, local democracy, asylum and migration and the prohibition of ill-treatment, have been identified as part of the programme for 2018 and 2019, and the relevant selected documents will be translated in 2019. Arabic translations of the Court's videos in the *COURTalks-disCOURs* series on asylum and on terrorism are also planned.

## OTHER PUBLICATIONS AND INFORMATION TOOLS

### *Jurisconsult's Overview of the case-law*

The Jurisconsult's *Overview of the case-law* provides valuable insight into the most important judgments and decisions delivered by the Court

5. Some forty translations were pending at the end of 2018 (see the complete list online under [Case-law/Case-law analysis](#)). Publishers or anyone wishing to translate and/or reproduce Court materials are asked to contact [publishing@echr.coe.int](mailto:publishing@echr.coe.int) for further instructions and in order to avoid duplicating an already pending translation.

6. This programme is implemented by the Council of Europe primarily in Jordan, Morocco and Tunisia, as well as in other Southern Mediterranean countries.

each year, setting out the salient aspects of the Court's findings and their relevance to the evolution of its case-law. The annual version of the *Overview* can be consulted in this Annual Report ("Case-law overview") and is also available for purchase as a standalone publication from Wolf Legal Publishers. Both the annual and interim versions (the latter is published halfway through the year) can also be downloaded free of charge from the Court's website, including in "reflowable" EPUB and MOBI formats for users of tablets, smartphones and e-readers.

### Case-law Information Note

The Case-law Information Note ("CLIN") has played a key role in the dissemination of the Court's case-law since the first monthly edition was published in 1998. It has evolved considerably over the years and now contains, in addition to a monthly round-up of legal summaries concerning interesting cases from this Court, summaries of cases from other European and international jurisdictions (courtesy of our partners in those courts), a news section, a recent-publications section and a monthly cumulative index. The CLIN was given a new look in November 2018, in the context of its 20th anniversary, which coincided with that of the single Court. It now allows speedier and simplified access to the Court's case-law by providing, for each case summary, an additional link to the legal summary available in the other official language in the HUDOC database, as well as a link to a printable version of the summary concerned.

The complete set of Information Notes and annual indexes are available on the Court's website ([Case-law/Case-law analysis/Case-law Information Note](#)), while individual legal summaries of the different cases can be found in the HUDOC database. These legal summaries are published on the day of delivery of the judgment or decision and are quickly translated into the other official language, with the translation often appearing at the same time as the original language version. They are also tweeted on the ECHRPublication account. Translations into non-official languages are also available in some cases.

### Case-law guides and research reports

The Directorate of the Jurisconsult – composed of the Case-Law Information and Publications Division and the Research and Library Division – published four new case-law guides covering Article 2 (right to life), Article 13 (right to an effective remedy), Article 18 (limitation on use of restrictions on rights) and Article 1 of Protocol No. 1 (protection of property). Further guides are planned for 2019.



The Directorate has updated the case-law guides on a regular basis. Fourteen guides covering both the admissibility criteria and substantive Convention rights were updated in 2018, namely the guides on Article 1 (obligation to respect human rights), Article 4 (prohibition of slavery and forced labour), Article 5 (right to liberty and security), Article 6 (right to a fair trial (civil limb)), Article 6 (right to a fair trial (criminal limb)), Article 7 (no punishment without law), Article 8 (right to respect for private and family life), Article 9 (freedom of thought, conscience and religion), Article 15 (derogation in time of emergency), Article 2 of Protocol No. 1 (right to education), Article 3 of Protocol No. 1 (right to free elections), Article 4 of Protocol No. 4 (prohibition of collective expulsions of aliens) and Article 4 of Protocol No. 7 (right not to be tried or punished twice).

The Directorate also updated its methodological guide on how to make the best use of the HUDOC database, Court publications, newsfeeds and other tools (*Finding and understanding the case-law*).

All these guides are available online under [Case-law/Case-law analysis](#).

## Handbooks on European law

Updates of the *Handbook on European non-discrimination law* and *Handbook on European data protection law* were published in 2018. Other Handbooks are in preparation.

Other volumes in this series deal with asylum, borders and immigration; access to justice; and the rights of the child. All Handbooks and language editions are available online under [Case-law/Other publications](#).

## Training videos

With the cooperation and support of the Council of Europe's Programme for Human Rights Education for Legal Professionals (the HELP programme, [www.coe.int/HELP](http://www.coe.int/HELP)), the Court's website currently hosts three videos in the *COURTalks-disCOURs* series: on the admissibility criteria, on asylum and on terrorism.

The *COURTalks-disCOURs* videos serve as a training tool for the HELP programme, judicial training institutes and Bar associations, complementing other materials produced by the Court and by HELP. All the videos with their transcripts have been published online in over ten languages ([Case-law/Case-law analysis/COURTalks-disCOURs](#)).

The Court has also produced a series of short videos for applicants in Spanish and Ukrainian. These videos are designed to increase awareness among applicants in those countries concerning the most common

errors made when completing the application form. The videos will be available on the Court's website ([Applicants/Applicants – other languages](#)) and on the Court's YouTube channel ([www.youtube.com/user/EuropeanCourt](http://www.youtube.com/user/EuropeanCourt)). In a similar vein, a PowerPoint presentation in Romanian has been produced and has been sent to the Bars in Romania and the Republic of Moldova. Further language versions are being prepared.

## Factsheets and Country Profiles

In addition to publishing press releases on Court cases and events, the Press Unit has continued to prepare factsheets and country profiles containing snapshots of the most interesting decided and pending cases.

More than sixty factsheets are now available in English and French, many of which have been translated into German, Greek, Italian, Polish, Romanian, Russian, Spanish and Turkish with the support of, among others, the States concerned and national human rights institutions. These factsheets provide the reader with a rapid overview of the most relevant cases concerning a particular topic and are regularly updated to reflect the development of the case-law.

The country profiles cover each of the forty-seven member States of the Council of Europe. In addition to general and statistical information on each State, these profiles, which are updated regularly, provide summaries of the most noteworthy cases concerning that State.

The factsheets and country profiles can be viewed on, and downloaded from, the Court's website under [Press/Press resources/Factsheets](#) and [Press/Press resources/Country profiles](#).

## TRAINING OF LEGAL PROFESSIONALS

Judges and Registry members continued to offer their expertise at case-law training events both at the Court and in member States. In the context of the organisation of training sessions, the Court maintained its long-standing cooperation with the Conseil d'État, the Court of Cassation and the École nationale de la magistrature in France. Cooperation continued with the Supreme Court of Russia and the Permanent Representation of Russia to the Council of Europe, and also with the Swedish National Courts Administration and the Permanent Representation of Turkey to the Council of Europe.

In partnership with the European Judicial Training Network, the Court organised training sessions for judges and prosecutors from the European Union.

In 2018 the Visitors' Unit organised fifty training sessions lasting between one and three days for legal professionals from nineteen of the forty-seven member States.

Some twenty HUDOC training sessions were organised in 2018 for judges and prosecutors of the Council of Europe member States. Sessions were organised for, among others, members of the network of the superior courts of the Netherlands, judges from the French Court of Cassation, and judges and prosecutors participating in the European Judicial Training Network.

The Court has continued to step up its cooperation with other sectors of the Council of Europe and, in particular, in so far as training and case-law dissemination are concerned, with the HELP programme, with which it has explored ways of reinforcing the Court's case-law outreach by participating in the launches of various training courses organised by HELP in member State institutions such as Bar associations, judicial councils and public prosecutors' offices. It has also made assistant lawyers from the Registry available as tutors on training courses, where their experience and knowledge of Convention matters is seen as providing real and much appreciated added value. Several lawyers from the Court have received specific training as HELP trainers and take part in the HELP programme as tutors for select courses.

Finally, the Registry has increasingly engaged with legal professionals by offering tailored video-conference presentations and question-and-answer sessions to Bar associations and judicial training centres in Armenia, Azerbaijan, Georgia and Ukraine. One notable event was the video conference organised in cooperation with the Ukrainian National Legal Service Training College, which was attended by 877 judges located in sixty courts equipped with the necessary technology (<http://nsj.gov.ua/ua/news/seminar-dlya-suddiv-v-on-layn-rejimi>).

## GENERAL OUTREACH

### Internet site and social media

The focal point of the Court's communication policy is its website ([www.echr.coe.int](http://www.echr.coe.int)), which recorded a total of 6,502,062 visits in 2018 (a drop of 1.8% compared with 2017). The website provides a wide range of information on all aspects of the Court's work, including the latest news on its activities and cases; details of the Court's composition, organisation and procedure; Court publications and core Convention materials; statistical and other reports; and information for potential applicants and visitors.

The multilingual Twitter account ([twitter.com/echrpublication](https://twitter.com/echrpublication)) – which provides members of the legal community with summaries of judgments and decisions on the day of publication, gives updates on the latest publications and other case-law information tools and their translation into non-official languages, and announces important events at the Court such as the launch of new HUDOC interfaces – had over 15,700 followers by the end of 2018. Complementing the Press Unit’s account

18,249

visitors

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437

information visits

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50

training sessions

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([twitter.com/ECHR\\_Press](https://twitter.com/ECHR_Press)), this platform seeks to improve understanding of the Court’s case-law by conveying relevant information to legal professionals, public officials and NGOs in their own language, in order to help strengthen the principle of subsidiarity.

Lastly, the Court’s website provides a gateway to the Court library web pages, which, though specialised in human rights law, also have materials on comparative law and public international law. The library’s online catalogue, containing references to the secondary literature on the Convention case-law and Articles, was consulted some 297,100 times in 2018.

## Public relations

The film on the Court, explaining how it works and the issues it has to deal with, and showing the extent of its activity through a sample of cases, has been produced in new language versions. It is currently available in thirty-four languages on the [Court’s YouTube channel](#).

Two new videos have been produced aiming to increase awareness among Spanish and Ukrainian applicants of the most common errors made in these two countries when completing the application form that may result in the applications being rejected under Rule 47 of the Rules of Court.

The thirty-six [Applicants pages](#), which can be accessed on the website in the official languages of the Council of Europe member States, have been regularly updated and new translations of the information material have been added. More specifically, the pages were updated following the launch of eComms, a tool enabling applicants’ representatives to communicate with the Court by electronic means once the respondent Government have been given notice of an application and observations

have been requested. The Public Relations Unit has produced an [eComms tutorial](#) explaining how the eComms interface works.

Following the entry into force of Protocol No. 16 on 1 August 2018, the [Convention](#) has been updated with the addition of the Protocol in thirty-six languages. Moreover, although only the English and French versions of the Convention are authentic, the Court has published translations of the text into Icelandic and Japanese.

In 2018, two new documents were added to the series launched in 2017 to raise public awareness of the impact of the Convention system in the various member States. The publications, entitled “[The ECHR and Croatia in facts and figures](#)” and “[The ECHR and Finland in facts and figures](#)”, were produced when the States concerned held the Chairmanship of the Committee of Ministers. Similar studies will be published for all the other Council of Europe member States.

The “[Overview 1959-2017](#)” and “[The ECHR in facts and figures 2017](#)” have been updated and present a more general overview of the Court’s statistics.

## Visits

In 2018 the Visitors’ Unit organised 437 information visits for a total of 12,332 members of the legal community. In all, it welcomed a total of around 18,249 visitors.

## KEY CASES

### List approved by the Bureau following recommendation by the Jurisconsult of the Court

Cases are listed alphabetically by respondent State. By default, all references are to Chamber judgments. Grand Chamber cases, whether judgments or decisions, are indicated by “[GC]”. Decisions are indicated by “(dec.)”. Chamber judgments that are not yet “final” within the meaning of Article 44 of the Convention are marked “(not final)”.

<a href="#">AUSTRIA</a>	<i>E.S. v. Austria</i> , no. 38450/12, 25 October 2018 (not final)
<a href="#">BELGIUM</a>	<i>Beuze v. Belgium</i> [GC], no. 71409/10, 9 November 2018
<a href="#">BULGARIA</a>	<i>Hadzhieva v. Bulgaria</i> , no. 45285/12, 1 February 2018
<a href="#">CROATIA</a>	<i>Radomilja and Others v. Croatia</i> [GC], nos. 37685/10 and 22768/12, 20 March 2018 <i>Zubac v. Croatia</i> [GC], no. 40160/12, 5 April 2018
<a href="#">DENMARK</a>	<i>S., V. and A. v. Denmark</i> [GC], nos. 35553/12 and 2 others, 22 October 2018

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FRANCE	<i>Libert v. France</i> , no. 588/13, 22 February 2018 <i>National Federation of Sportspersons' Associations and Unions (FNASS) and Others v. France</i> , nos. 48151/11 and 77769/13, 18 January 2018
GERMANY	<i>Ilmseher v. Germany</i> [GC], nos. 10211/12 and 27505/14, 4 December 2018 <i>M.L. and W.W. v. Germany</i> , nos. 60798/10 and 65599/10, 28 June 2018
GREECE	<i>Molla Sali v. Greece</i> [GC], no. 20452/14, 19 December 2018
HUNGARY	<i>Könyv-Tár Kft and Others v. Hungary</i> , no. 21623/13, 16 October 2018 (not final) <i>Magyar Jeti Zrt v. Hungary</i> , no. 11257/16, 4 December 2018 (not final)
IRELAND	<i>O'Sullivan McCarthy Mussel Development Ltd v. Ireland</i> , no. 44460/16, 7 June 2018
ITALY	<i>G.I.E.M. S.r.l. and Others v. Italy</i> [GC], nos. 1828/06 and 2 others, 28 June 2018
POLAND	<i>Solska and Rybicka v. Poland</i> , nos. 30491/17 and 31083/17, 20 September 2018
PORTUGAL	<i>Correia de Matos v. Portugal</i> [GC], no. 56402/12, 4 April 2018 <i>Ramos Nunes de Carvalho e Sá v. Portugal</i> [GC], nos. 55391/13 and 2 others, 6 November 2018
RUSSIA	<i>Lozovyye v. Russia</i> , no. 4587/09, 24 April 2018 <i>Murtazaliyeva v. Russia</i> [GC], no. 36658/05, 18 December 2018 <i>Navalnyy v. Russia</i> [GC], nos. 29580/12 and 4 others, 15 November 2018
SLOVENIA	<i>Lekić v. Slovenia</i> [GC], no. 36480/07, 11 December 2018 <i>Vizgirda v. Slovenia</i> , no. 59868/08, 28 August 2018
SWITZERLAND	<i>Mutu and Pechstein v. Switzerland</i> , nos. 40575/10 and 67474/10, 2 October 2018 (not final) <i>Nait-Liman v. Switzerland</i> [GC], no. 51357/07, 15 March 2018
TURKEY	<i>Şahin Alpay v. Turkey</i> , no. 16538/17, 20 March 2018 <i>Selahattin Demirtaş v. Turkey (no. 2)</i> , no. 14305/17, 20 November 2018 (not final)
UKRAINE	<i>Denisov v. Ukraine</i> [GC], no. 76639/11, 25 September 2018
UNITED KINGDOM	<i>Big Brother Watch and Others v. the United Kingdom</i> , nos. 58170/13 and 2 others, 13 September 2018 (not final) <i>Ireland v. the United Kingdom</i> , no. 5310/71, 20 March 2018