

# European Human Rights

Law Review

Editor: Jonathan Cooper

Issue 5 2017

## OPINION

**Is the Human Rights Era Drawing to a Close?**

Conor Gearty

## POINT OF VIEW

**Should Same Sex Marriage be Legally Recognised in Northern Ireland?**

Anthony Lester QC

## ARTICLES

***Del Rio Prada v Spain* and the Execution of a Penalty Under Article 7: A Shifting Conception of Punishment?**

Elise Maes

**Unreasonable Intolerance: Article 14 as the Basis for Sexual Orientation and Gender Identity Refugee Claims under the European Convention on Human Rights**

Cillian Bracken

**Forgetting Human Rights—The Brexit Debate**

Adrienne Yong

**Compulsory Health Checks, Female Genital Mutilation and Rights Balancing at the European Court of Human Rights**

Abby Selden

## CASE ANALYSIS

***R. (on the application of Campaign Against Arms Trade) v Secretary of State for International Trade* [2017] EWHC 1754 (Admin)**

Toby Collis

**SWEET & MAXWELL**

# European Human Rights Law Review

Issue 5 2017

## Table of Contents

### Opinion

- Is the Human Rights Era Drawing to a Close?  
*Conor Gearty* 425

### Point of View

- Should Same Sex Marriage be Legally Recognised in Northern Ireland?  
*Anthony Lester QC* 432

### Bulletin

- Bulletin: EU Charter of Fundamental Rights** 439

### Articles

- Del Rio Prada v Spain* and the Execution of a Penalty Under Article 7: A Shifting Conception  
of Punishment?  
*Elise Maes* 443

- Unreasonable Intolerance: Article 14 as the Basis for Sexual Orientation and Gender Identity  
Refugee Claims under the European Convention on Human Rights  
*Cillian Bracken* 455

- Forgetting Human Rights—The Brexit Debate  
*Adrienne Yong* 469

- Compulsory Health Checks, Female Genital Mutilation and Rights Balancing at the European  
Court of Human Rights  
*Abby Selden* 480

### Case Analysis

- R. (on the application of Campaign Against Arms Trade) v Secretary of State for International  
Trade* [2017] EWHC 1754 (Admin)  
*Toby Collis* 492

### Case and Comment

- Gard v United Kingdom* 502  
*Bayev v Russia* 505

Medžlis Islamske Zajednice Brčko v Bosnia and Herzegovina	508
Satakunnan Markkinapörssi Oy and Satamedia Oy v Finland	511
Simeonovi v Bulgaria	514
Independent Newspapers (Ireland) Ltd v Ireland	517
Aycaguer v France	519
SMM v United Kingdom	521
<b>Book Review</b>	<b>525</b>