## Human Rights Law Journal · HRLJ

HRLJ	31 December 2020 Vo	l. 40 No. 1-12
ISSN 0174/4704		Pages 1-480
1. ARTICLES	Linos-Alexander Sicilianos, Athens Evolutive Interpretation of the ECHR and Beyond: Recent developments in the case-law of the European Court of Human Rights	1
	Julia Hänni, Lausanne The Prospects of Climate Litigation before the European Court of Human Rights: Prerequisites and Possible Challenges	5
	Hans-Jörg Behrens, Berlin Forum Shopping – A Challenge for International Human Rights Protection	24
	Mikhail Galperin, Moscow Politicising Law or Legalising Politics? Justiciability and the 'Political Question' Doc in International Justice	
2. DECISIONS ar	ad REPORTS	
	UN Human Rights Committee (UN-HRCee), Geneva Child born in the Netherlands registered with the annotation "unknown nationaling National legal order did not foresee to correct registration as "stateless" which would allowed international protection / Right of the child to acquire nationality (Article 24 of Covenant) violated / D. Z. v. Netherlands	have of the
- 13.III.20 -	Failed search and rescue operation at sea on 11 October 2013 – over 200 people died: E occurred outside the territorial waters of Malta but within its Search and Rescue (S Zone / Jurisdiction affirmed / Communication declared inadmissible due to non-exhau of domestic remedies / A.S. et al. v. Malta	Event SAR) stion
- 4.XI.20 -	Failed search and rescue operation at sea on 11 October 2013 – over 200 people Event occurred outside the territorial waters of Italy / Jurisdiction affirmed, base factual elements such as ongoing involvement of the Maritime Rescue Coordination Coin Rome after having answered the first distress call / Violation of the right to life substantive as well as its procedural aspects (Article 6 para. 1 alone and in conjunction Article 2 para. 3 of the Covenant) / A.S. et al. v. Italy	d on entre in its with
<b>-</b> 23.L20 -	International Court of Justice (ICJ), The Hague Provisional measures ordered under the Convention on the Prevention and Punishme	ent of
	the Crime of Genocide in relation to the members of the Rohingya group in the territor. Myanmar / The Gambia v. Myanmar	ory of
- 6.II.20 -	Inter-American Court of Human Rights (IACourtHR), Costa Rica Interpretation of Article 26 ACHR (progressive development): Rights to a he environment, to adequate food, to water and to take part in cultural life / here: Violati Article 26 ACHR (3:3 ratio of votes) / Far-reaching measures ordered to be accomplicated to the next six years / Indigenous Communities of the Lhaka Honhat (Our Lassociation v. Argentina	on of ished .and)
– 24.VI.20 –	Sexual harassment and abuse in schools as a "known problem" which was "valid normalized and tolerated" within a structural context by educational institutions / V committed suicide: the girl Paola, aged between 14 and 16 years, suffered serious as sexual violence perpetrated by the Vice Principal of her school / State's lack of dilig in arresting the fugitive defendant, resulting in impunity / Violation of numerous hurights / Guzmån Albarracín et al. v. Ecuador	ictim ets of gence iman

## Table of Contents Vol. 40 (2020) No. 1-12 (continued)

– 15.VII.20 –	Inter-American Court of Human Rights (IACourtHR), Costa Rica State's responsibility for violations of human rights as a result of acts committed by a private enterprise which led to the death of 60 people, who included 20 children / Scope of the right to conditions of work that ensure the safety, health and hygiene of the workers in light of Article 26 ACHR (progressive development) / The Workers of the Fireworks Factory in Santo Antônio de Jesus and their families v. Brazil	203
- 29.V.20 -	European Court of Human Rights (ECtHR), Strasbourg Interpretation of Article 7 ECHR (nulla poena sine lege): the use of the "blanket reference" or "legislation by reference" technique in criminalising acts or omissions is not in itself incompatible with Article 7 ECHR / Advisory Opinion according to Protocol 16 rendered at the request of the Armenian Constitutional Court	292
– 26.V.20 –	Hate crime – decapitation of an Armenian military officer, G.M, with blows of an axe – committed in Hungary by an Azerbaijani military officer, R.S., who was sentenced to life imprisonment, which he served for six years in a Hungarian prison / Following R.S.'s transfer from Hungary to Azerbaijan to serve the rest of his sentence he was released upon presidential pardon, promoted to the rank of a major at a public ceremony, granted a flat and paid eight years of salary arrears / Azerbaijan violated the Convention (right to life, procedural limb; prohibition of discrimination in conjunction with the right to life) / Makuchyan and Minasyan v. Azerbaijan and Hungary	305
– 4.VIII.20 –	Acid attack on open road in Tirana in 2009 causing 25 % burns on the applicant's face and upper body / Unidentified assailant / Investigation stayed in 2010 / Given a suspicion that the attack might be gender-motivated should have caused the authorities to react with special diligence in carrying out the investigative measures / Violation of the procedural limb of the right to life (Article 2 ECHR) / Tershana v. Albania	331
- 10.XI.20 -	Pre-trial detention of journalists and managers of the daily newspaper Cumhuriyet ("The Republic") based on mere suspicion and not on the existence of factual evidence / The applicants did not support the use of violence and terror for political ends / Violation of ECHR Article 5 § 1 (right to liberty) and Article 10 (freedom of expression) / Sabuncu et al. v. Turkey	346
– 28.IV.20 –	Media Act (here applied to a TV channel) prohibits communication of any "opinion" by a newsreader in order to ensure unbiased news and political information / Use of the term "far-right" in a news programme to describe the political party Jobbik qualified as an "opinion" / Unforeseeable restriction of the right to freedom of expression / Violation of Article 10 ECHR / ATV Zrt v. Hungary	384
- 5.V.20 -	Applicant's removal as the chief prosecutor of the National Anticorruption Directorate before the end of her second mandate following her criticism of legislative reforms in the area of corruption / Right to fair trial and freedom of expression violated (Articles 6 § 1 and 10 ECHR) / Kövesi v. Romania	390
- 14.I.20 -	Recognition and enforcement of judgments in matters of parental responsibility after abduction of a child by the mother / Political interference and long delays in Lithuania's return of a daughter to her German father / "Procedural vagaries" contradicted the aims of international and European Union rules of child custody / Violation of the right to respect for private and family life (Article 8 ECHR) / Rinau v. Lithuania	413
– 16.VII.20 –	Court of Justice of the European Union (CJEU), Luxembourg Processing of personal data / Protection provided by the EU-US Privacy Shield inadequate / Commission Implementing Decision (EU) 2016/1250 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequacy of the protection provided by the EU-US Privacy Shield is invalid / Data Protection Commissioner v. Facebook Ireland Ltd and Maximillian Schrems	448
3. DOCUMENTA	TION	
– 18.VI.20 –	European Commission for Democracy through Law (Venice Commission), Strasbourg Opinion No. 981/2020: Execution of ECtHR judgments regarding cases v. Russia / Evaluation of the March 2020 draft amendments to the Russian Constitution	468
- 1.V.20 -	International Commission of Jurists (ICJ), Geneva Declaration: "Withdrawal of States from African Court a Blow to Access to Justice in the Region"	478
4. PENDING PRO		
- 21 VIII 20 <b>-</b>	European Court of Human Rights (ECtHR), Strasbourg The Court grants interim measure in the case of Aleksey Navalnyy v. Russia	478
	Risk of life imprisonment without parole and inadequate conditions of detention due to the Covid-19 pandemic in case of extradition to the USA / Hafeez v. United Kingdom	479