



## FLASH NEWS

10/17

# EUROPEAN COURT OF HUMAN RIGHTS

## OVERVIEW FROM 16/10 TO 29/10/2017

### **AT / RATZENBÖCK and SEYDL v. AUSTRIA**

**Prohibition of discrimination on the grounds of sex and sexual orientation – Registered partnerships limited to same-sex couples**

**No violation** of Article 14 (Prohibition of discrimination) taken in conjunction with Article 8 (Right to respect for private and family life) of the Convention.

The applicants, a heterosexual couple, complained about being denied access to an Austrian registered partnership, a legal institution only available to same-sex couples. They maintained that they were discriminated against based on their sex and sexual orientation.

Judgement of 26.10.2017 (application no. 28475/12) [\(EN\)](#)

Press release [\(FR / EN\)](#)

### **TR / EKER v. TURKEY**

**Freedom of expression – Requirement for a newspaper publisher to print a reply**

**No violation** of Article 6 § 1 (Right to a fair trial) of the Convention.

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

The applicant, a newspaper publisher, criticised a court ruling ordering him to print a reply correcting an article published in his newspaper. In his complaint to the European Court of Human Rights, he highlighted the lack of a hearing before the domestic courts. He also alleged that being compelled to print the text correcting his article amounted to interference with his freedom of expression.

Judgement of 24.10.2017 (application no. 24016/05) [\(FR\)](#)

Press release [\(FR / EN\)](#)

### **DE / FUCHSMANN v. GERMANY**

**Right to respect for private life – Freedom of expression – Publication of an article on allegations of a businessman's involvement in organised crime**

**No violation** of Article 8 (Right to respect for private and family life) of the Convention.

The applicant, an internationally active entrepreneur, complained about the German courts' rejection of his request for an injunction ordering an American newspaper to remove an online article about him. The article concerned his alleged involvement in embezzlement and organised crime. He maintained that the German courts had failed to protect his reputation.

Judgement of 19.10.2017 (application no. 71233/13) [\(EN\)](#)

Press release [\(FR / EN\)](#)

See also the decision communicated on 12.10.2017 (application no. 3877/14) [\(EN\)](#)

## OTHER INFORMATION

**Notification of the intention to launch a special procedure for execution of a judgment**

The Committee of Ministers of the Council of Europe has formally notified Azerbaijan of its intention to launch legal action related to implementation of the 2014 Ilgar Mammadov v. Azerbaijan judgment from the European Court of Human Rights.

The Committee of Ministers decided, for the first time, to launch a procedure pursuant to Article 46 § 4 of the Convention, according to which a case can be referred back to the European Court of Human Rights to decide whether its non-implementation is a further violation of the Convention.

Judgement of 22.05.2014 (application no. 15172/13) [\(EN\)](#)

Press release [\(FR / EN\)](#)