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**International & European
Criminal Law Observatory**

ON CULTURAL ISSUES, HUMAN RIGHTS AND SECURITY

MONTHLY WRAP OCTOBER 2024

UNITED NATIONS SECURITY COUNCIL

[S/RES/2752](#)

On 18 October, the Security Council authorized the renewal for one year the sanctions regime on Haiti, continuing a travel ban and asset freeze, and expanding the scope of an arms embargo as well as the designation criteria for those measures initially established in October 2022 and later renewed in October 2023 to quell rampant gang violence and restore security in the crisis-torn nation. The Council, acting under Chapter VII of the Charter of the United Nations, unanimously adopted resolution 2752 (2024), and in so doing decided that, with respect to those designated for sanctions, actions that threaten the peace, security or stability of Haiti as set forth in Council resolution 2653 (2022) include “engaging in activities that destabilize Haiti through the illicit exploitation or trade of natural resources”. By the text, the Council also decided that the scope of the arms embargo, which had been amended in Council resolution 2699 (2023), shall include “arms and related material of all types”, as well as “technical assistance, training, financial or other assistance, related to military activities”, as initially stipulated in Council resolution 2653 (2022). As well, it encouraged greater coordination among the Security Council Committee established pursuant to Council resolution 2653 (2022) and its Panel of Experts, United Nations Integrated Office in Haiti (BINUH), United Nations Office on Drugs and Crime (UNODC) and other regional frameworks, on the implementation of the sanctions, including arms embargo provisions.

[UN condemns deadly West Bank airstrike, attacks on Gaza schools](#)

The UN chief has strongly condemned the killing of several Palestinians, including women and children, who died when a residential building in Tulkarem camp in the West Bank was hit by Israeli airstrikes. At least 18 people were killed, and many more fatalities could be trapped under the rubble of the three-storied building, according to the UN human rights office (OHCHR). UN chief António Guterres also called for strict compliance with international law. UN teams and non-governmental organizations (NGOs) are coordinating a visit to the area to assess the damage and humanitarian



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needs. The UN human rights office (OHCHR) also denounced attack, describing it “another clear example” of Israeli Security Forces’ (ISF) “resort to lethal force in the West Bank that is frequently unnecessary, disproportionate, and therefore unlawful.” Israeli forces claimed that they had killed a local Hamas leader, who was allegedly planning to carry out attacks on Israeli settlements, as well as other alleged terrorists.

OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR CHILDREN AND ARMED CONFLICT

[Report highlights links between child trafficking and grave violations during conflict](#)

Armed conflict puts children at an increased risk of grave violations while their risk of being trafficked similarly increases, including in transitional periods, a new UN study has revealed. The report analyses the links between child trafficking and the six grave violations against children caught up in war. They are recruitment and use, killing and maiming, rape and other forms of sexual violence, abduction, attacks on schools and hospitals, and denial of humanitarian access. It was produced by the Office of the UN Secretary-General’s Special Representative for Children and Armed Conflict. Focus was on seven countries or geographic areas - Colombia, the Lake Chad basin in Africa, Libya, Myanmar, South Sudan, Syria, and Ukraine – and the report offers recommendations for ensuring greater protection and accountability. Child trafficking in armed conflict takes many forms, including sexual exploitation and sexual slavery, child marriage, recruitment and use in combat and support roles. At the same time, grave violations are often part of the lead-up to, process of, or aftermath of child trafficking. Furthermore, “the risks of child trafficking are deeply gendered”, according to the report. Whereas girls are most often targeted for sexual exploitation and child marriage, boys are more likely to be recruited into hostilities. There also can be both internal and cross-border dimensions to child trafficking in armed conflict. For example, multiple forms and locations of child trafficking have been observed in Syria since conflict erupted more than a decade ago. They include the abduction and transfer of Yazidi girls from Iraq for purposes of sexual slavery and forced marriage, while local Sunni Syrian families agreed for girls to marry ISIS members, in some cases under threat.

UNESCO



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[UNESCO assesses damage to cultural heritage after attack in Ukrainian city of L'viv](#)

Early October 2024, UNESCO and ICCROM jointly carried out damage and risk assessment on 8 cultural properties in L'viv, Ukraine, in close coordination with the regional administration and Ukrainian experts. The sites were affected by the attack on 3 September 2024, in the buffer zone of the World Heritage property L'viv. In the immediate aftermath of the attack, UNESCO deployed assistance to produce 3D images of the affected cultural monuments and schools. This additional mission dispatched a few weeks after the attack enabled a more in-depth analysis of the damage, the anticipation of further risks, and the planning of emergency repairs. The joint mission also used the international damage and risk assessment methodology developed by UNESCO and ICCROM with the financial support of Japan. Guided by a special form for Ukrainian sites, it enables key information to be collected in a standardized way during on-site damage and risk assessment on cultural property. It is aligned with the national legal framework of Ukraine as well as relevant UNESCO's international normative instruments in the field of culture. This joint mission is part of UNESCO's overall action to support the Ukraine's cultural sector and protect cultural heritage, funded by Japan. Alongside national authorities and experts, UNESCO is coordinating the international response in support of the Ukrainian cultural sector.

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (UNRWA)

[Security Council emphasized the role of UNRWA on the Gaza crisis](#)

The Members of Security Council have underlined the role of UNRWA and strongly warned against attempts to dismantle or diminish the role of the Agency, recognising that interruption or suspension of its activities would have severe humanitarian consequences for millions of people. The Members of the Security Council expressed their grave concern over legislation adopted by the Israeli Knesset. In this regard, they urged the Israeli Government to abide by its international obligations, respect the privileges and immunities of UNRWA and live up to its responsibility to allow and facilitate full, rapid, safe and unhindered humanitarian assistance in all its forms into and throughout the entire Gaza strip. The Security Council called upon all parties to take necessary steps to allow and facilitate humanitarian aid to civilians in Gaza, in accordance with international humanitarian law.



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INTERNATIONAL CRIMINAL COURT

[Libya situation: ICC Pre-Trial Chamber unseals six arrest warrants](#)

Today, 4 October 2024, Pre-Trial Chamber I of the International Criminal Court granted the Prosecutor's request to unseal six arrest warrants issued in the Libya situation on 6 April 2023 and 18 July 2023 against Mr Abdurahem Khalefa Abdurahem Elshgagi ('Al Khani'), Mr Makhlouf Makhlouf Arhoumah Doumah ('Douma'), Mr Nasser Muhammad Muftah Daou ('Al Lahsa'), Mr Mohamed Mohamed Al Salheen Salmi ('Salheen'), Mr Abdelbari Ayyad Ramadan Al Shaqaqi ('Al Shaqaqi') and Mr Fathi Faraj Mohamed Salim Al Zinkal ('Al Zinkal'). The arrest warrants concern war crimes allegedly committed in Tarhunah, including murder, outrages upon personal dignity, cruel treatment, torture, sexual violence and rape.

[Al Mahdi Case: ICC Trust Fund for Victims Delivers Collective Reparations to Timbuktu Community](#)

During a joint mission to Timbuktu the International Criminal Court's Trust Fund for Victims has delivered a significant portion of the collective reparations' measures mandated by the ICC in the Ahmad Al Faqi Al Mahdi case. This initiative marks the commencement of the final phase of the reparation process, which is set to conclude in December 2025. The measures include the establishment of a memorial, the reconstruction of a mausoleum, an extension to the municipal museum, and various heritage protection initiatives. The governor of the Timbuktu region, Bakoun Kanté, inaugurated a monument to the memory of the victims of crimes committed by Al Mahdi. The memorial, entitled Louha, which in Arabic means the Koranic tablet, was erected in the Diamane Hana public square. Among the collective reparations decided by the judges was the restoration of the heritage destroyed in 2012. A significant portion of this had already been rebuilt since 2012. The Trust Fund for Victims also took charge of rebuilding the mausoleum of Sheikh Mohamed Mahmoud Al Arawani, which had been destroyed and was handed over to his descendants on 3 October 2024. Heritage protection measures carried out by UNESCO, a partner of the Trust Fund for Victims, included the rehabilitation and reconstruction of the boundary walls of the Sidi Mahamoud Ben Omar Mohamed Aquit and Sheikh Sidi El Mokhtar Ben Sidi Mouhammad Al Kabir Al Kounti cemeteries which house several mausoleums, as well as the tree planting at the Three Saints and Alpha Moya cemeteries. These initiatives were delivered on the same day to the city authorities and aim to protect



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the mausoleums in the future and allow the community to enjoy its heritage. In response to the consequential economic loss resulting from crimes for which Mr. Al Faqi Al Mahdi's was convicted, the Court's judges also ordered those socio-economic measures be taken to mitigate the impact on the city's population. In this context, the CIDEAL Foundation, also a partner of the Trust Fund for Victims, is supporting 42 projects, selected from nearly 150 after a participatory process, for a total of 273'000'000 XOF (around €410'000). Eleven projects aim to strengthen social cohesion, four to protect the environment, one to promote cultural heritage, and 23 to support productive sectors. These projects were officially launched during the mission and will run until December 2025.

[ICC Judges amend the Regulations of the Court concerning the charges](#)

The judges of the ICC adopted an amendment to regulations 52 and 53 of the Regulations of the Court, which as amended, provide clear direction on how the charges need to be presented by the Office of the Prosecutor and in the decision of the Pre-Trial Chamber. The amendment is part of the judges' efforts to continuously improve the procedures of the Court and codify best practices as appropriate. Prior to its approval by the plenary of judges, the amendment proposal was placed before the Court's Advisory Committee on Legal Texts, which consists of three judges (one from each Division), one representative from the Office of the Prosecutor, one representative from the Registry and one representative of counsel included in the Court's list of counsel.

[Ukraine situation: ICC Pre-Trial Chamber II finds that Mongolia failed to cooperate in the arrest and surrender of Vladimir Vladimirovich Putin and refers the matter to the Assembly of States Parties](#)

Today, 24 October 2024, Pre-Trial Chamber II of the ICC found that, by failing to arrest Mr Putin while he was on its territory and surrender him to the Court, Mongolia has failed to comply with the Court's request to cooperate in this regard contrary to the provisions of the Rome Statute, thereby preventing the Court from exercising its functions and powers within the meaning of article 87(7) of the Statute. In view of the seriousness of Mongolia's failure to cooperate with the Court, the Chamber deemed it necessary to refer the matter to the Assembly of States Parties. The Chamber highlighted that the ICC operates independently of State involvement, addressing serious international crimes. Under Article 86 of the Rome Statute, all States Parties must fully cooperate with the Court to support its mandate. The Chamber further recalled that the Court performs functions that align with the general interests of the international community by exercising jurisdiction over the most serious



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international crimes, which include grave breaches of fundamental norms of international law. Finding under article 87(7) of the Rome Statute on the non-compliance by Mongolia with the request by the Court to cooperate in the arrest and surrender of Vladimir Vladimirovich Putin and referral to the Assembly of States Parties.

[Kony Case: Pre-Trial Chamber III to hold the confirmation of charges hearing in absentia](#)

The 29 October 2024, Pre-Trial Chamber III of the ICC issued a decision concluding that all the requirements to hold a confirmation of charges hearing in the absence of the suspect Joseph Kony are now met. The hearing will be held at a date to be announced at a later stage. The Chamber found that Mr Kony is a person who ‘cannot be found’ within the meaning of article 61(2)(b) of the ICC Rome Statute; all reasonable steps to secure his appearance and to inform him of the charges and the date of the confirmation of charges hearing, initially scheduled for 15 October 2024, have been taken, and there is cause to hold the confirmation of charges hearing in absentia. As regards the requirement to notify Mr Kony of the date of the hearing, the Chamber noted the large-scale media campaigns conducted both in Uganda and neighbouring countries, also in the Acholi language, the activities carried out by the ICC Registry in the field with relevant stakeholders and communities in Northern Uganda, and the Registry’s dialogue with, inter alia, religious and cultural leaders as well as civil society, victim groups and local government leaders.

INTER-AMERICAN COMMISSION OF HUMAN RIGHTS

[IACHR files case with IA Court over journalist's death and ongoing impunity in Nicaragua](#)

On July 4, 2024, the IACHR filed Case 14.746 against Nicaragua with the IA Court. The case concerns the extrajudicial execution of journalist Ángel Eduardo Gahona López by state agents and the ongoing impunity surrounding the crime. On April 21, 2018, Gahona López was covering clashes between protesters and police during a demonstration at Bluefields when he was fatally shot, with witnessing reporting that the National Police Force failed to provide any aid. Gahona died in hospital a short time later. Brandon Lovo and Glen Slate were convicted of his murder but were released in 2019 under an amnesty law. The IACHR found that the evidence pointed to a state agent as being responsible for the shot that killed Gahona, also determining that his murder was linked to his work as a journalist, as he was reporting live on anti-government protests at the time of his death. The



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IACHR also noted that Gahona had previously received threats relating to his coverage of matters of public interest. The IACHR concluded that Nicaragua had failed to provide evidence that it had complied with the legal standards of legitimate aim, absolute necessity, and proportionality in the use of force by police officers. Additionally, the IACHR found that the Nicaraguan State violated the rights to judicial guarantees and judicial protection through the enactment of the Amnesty Law. Based on these findings, the IACHR concluded that the State of Nicaragua is responsible for violating the rights to life, judicial guarantees, freedom of expression, and judicial protection enshrined in articles 4.1, 8.1, 13, and 25.1 of the American Convention on Human Rights, in conjunction with articles 1.2 and 2, to the detriment of Ángel Gahona. It also found that the State violated article 5.1 in relation to article 1.1 to the detriment of Gahona's family.

[IACHR Files Application Before Inter-American Court of Human Rights in Case Concerning Torture and Death of Incarcerated Man in Nicaragua](#)

The IACHR filed on July 22, 2024, an application before the IA Court in Case 14,679, regarding Nicaragua. This case concerns the torture suffered by Santos Sebastián Flores Castillo and his subsequent death while he was deprived of liberty. Lawyer and notary public Santos Sebastián Flores Castillo denounced in 2005 that Nicaraguan President Daniel Ortega had become involved in a relationship with Flores Castillo's sister, aged 15 at the time, and that she had had a daughter with Ortega. Following these allegations, Flores Castillo and his family were persecuted by the State, with Flores Castillo was sentenced to 15 years in prison, during which he was being subjected to torture and inhuman conditions. On November 8, 2021, Flores Castillo died in prison, allegedly of a heart attack, but his family said that his body showed signs of injuries, torture, and malnutrition, and they questioned the official cause of death. The IACHR documented the inhuman conditions of detention suffered by the victim. The Commission found that the State had failed to launch an investigation into these allegations of torture and ill-treatment. The IACHR further noted the suffering that had been inflicted on the victim's family. The IACHR therefore concluded that the State of Nicaragua was liable for violations of the rights to life, personal integrity, a fair trial, honour and dignity, family protection, and judicial protection, held in Articles 4, 5, 8, 11, 17, and 25 of the American Convention, concerning the obligations held in Article 1.1 of that instrument. The IACHR further concluded that the State of Nicaragua had failed to comply with its obligations according to Articles 1, 6, and 8 of the Inter-American Convention to Prevent and Punish Torture, regarding Santos Sebastián Flores Castillo and his family.



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[IACHR submits case concerning Bolivia to IA Court over violations during police operation](#)

On July 26, 2024, the IACHR filed Case 13.546 against Bolivia with the IA Court. The case concerns human rights violations that occurred during a police operation in Santa Cruz that resulted in the deaths of Michael Dwyer and two others and the detention of Elöd Tóásó, Mario Tadic, Juan Carlos Guedes, and Alcides Mendoza. On April 14, 2009, the Bolivian Ministry of Government filed a complaint with the Departmental Prosecutor's Office of La Paz, alleging crimes against the State's internal security. On April 16, the Tactical Crisis Resolution Unit raided the Hotel Las Américas in Santa Cruz, during the operation, Michael Dwyer and two others were killed, while Elöd Tóásó and Mario Tadic were arrested. Nearly two weeks later Juan Carlos Guedes and Alcides Mendoza were also detained. The four detainees subsequently alleged they were tortured while in state custody. The IACHR observed that the death of Michael Dwyer had not been properly investigated or clarified and attributed responsibility for his death to the Bolivian State. It also concluded that the acts against Tadic, Tóásó, Guedes, and Mendoza constituted torture and violated their right to personal integrity. It also deemed their detentions to be illegal and arbitrary. The IACHR also observed that the criminal proceedings for terrorism brought against the victims violated their right to judicial guarantees. The victims were transferred to a judge in La Paz without legal justification and were held in pretrial detention for excessively long periods. Based on these findings, the IACHR concluded that the State of Bolivia is responsible for violating the rights to personal integrity, personal liberty, judicial guarantees, protection of honor and dignity, and judicial protection, as established in articles 4, 5, 7, 8, 11, and 25 of the ACHR, in conjunction with the obligations enshrined in article 1.1 of the same instrument and articles 1, 6, and 8 of the Inter-American Convention to Prevent and Punish Torture.

[IACHR condemns grave human rights violations against people deprived of their freedom in Nicaragua](#)

The IACHR has condemned the continued grave violations of the human rights of people being deprived of their freedom for political reasons in Nicaragua and urges the State to release them immediately. The IACHR calls on the international community to provide humanitarian and legal assistance to the released detainees to help them rebuild their lives with dignity, urging host countries to grant them international protection and a stable migration status to help them integrate into their new communities. The IACHR also renews its urgent call for the Government of Nicaragua to end the persecution of human rights defenders, activists, and political dissidents, immediately release all



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those who have been arbitrarily detained, and guarantee their right and that of their families to live free from threats and reprisals. At least 36 people currently remain in arbitrary detention, including at least eight Indigenous leaders being held in dire conditions without access to clean water, adequate food, and medical care, amid allegations of mistreatment. The IACHR demands the immediate release of all individuals being arbitrarily deprived of their freedom and reaffirms its commitment to promoting and protecting human rights in Nicaragua.

Brazil: IACHR and UN Human Rights Condemn Violence Against Indigenous Peoples and Urge the State to Protect Their Territorial Rights

The IACHR and the United Nations Office of the High Commissioner for Human Rights' South America Office express deep concern over the surge of violence against Indigenous Peoples in Brazil, particularly in the states of Bahia, Paraná, and Mato Grosso do Sul, amid efforts to defend their territorial rights. In recent months, there have been violent attacks against Indigenous communities, including assaults by private actors and police forces, resulting in the forced displacement of communities and the tragic deaths of several community members defending their lands. This surge of violence is aggravated by the slow progress in demarcating Indigenous lands and ongoing legal uncertainty. The situation has deteriorated since the passage of Law No. 14.701 by the Chamber of Deputies in October 2023. This law adopts the "Temporal Framework" thesis, which restricts Indigenous territorial claims to lands occupied prior to the enactment of the Federal Constitution in 1988. The legislation was passed despite a veto from the Executive Branch and a prior ruling from the Federal Supreme Court (STF) declaring the thesis unconstitutional. A final ruling by the STF on the law's constitutionality is still pending. The IACHR and UN Human Rights emphasize that, under Inter-American and universal human rights frameworks, Indigenous peoples have the right to special protection for their physical, psychological, and cultural integrity, allowing them to live free from violence, discrimination, and exploitation. This right encompasses safeguarding their culture, territory, and self-determination, which are essential to their identity and well-being. Accordingly, Brazil must adopt immediate and effective measures to prevent, investigate, and sanction actions that threaten Indigenous integrity, whether perpetrated by third parties or State agents. Furthermore, the State must implement protective measures for Indigenous communities facing imminent threats. The Office of the Special Rapporteur for Freedom of Expression (RELE) of the IACHR expresses its concern over the approval of a bill whose application could hinder and restrict the operation of non-profit organizations in Paraguay. This Office urges the State, particularly the Executive Branch, to



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consider inter-American human rights norms and standards when analyzing the enactment or veto of this bill.

[IACHR files application before Inter-American Court in case concerning violations of judicial protection and judicial guarantees in Argentina](#)

The Inter-American Commission on Human Rights (IACHR) filed on August 6, 2024, an application before the Inter-American Court of Human Rights in Case 13,455, regarding Argentina. This case concerns violations of María Cristina Aguirre's right to appeal a court conviction. In June 2002, lower criminal court 3 in San Martín sentenced Aguirre to 4 years and 2 months in jail for possession of drugs with intent to sell. The court decision said the conviction had been based on a raid conducted in September 2000, where officers had found 44.86 grams of marijuana and 0.70 grams of cocaine in her home. Aguirre's defence argued that the raid had involved violations of constitutional guarantees, but the court rejected the allegations. Aguirre's defence then appealed the conviction, but the National Chamber of Criminal Appeals rejected the appeal. Later, her defence tried to take the case to a higher court through an extraordinary appeal, but that was also rejected. In November 2002, Aguirre sent a note to the National Chamber of Criminal Appeals to appeal her conviction. However, the Supreme Court of Justice also rejected that appeal in November 2003, without a thorough review of the arguments made by Aguirre's defence. In Admissibility and Merits Report 329/22, the IACHR said that Aguirre's right to appeal her conviction had been violated, since the National Chamber of Criminal Appeals had automatically rejected the arguments made by her defence considering them proved, and since the courts that received the case after that had failed to make amends. The IACHR assessed Aguirre's appeal, that the Supreme Court had rejected because the Court considered that it had not been filed in the required timeframe. The Court did not provide an adequate response to the arguments made by Aguirre's defence, which were crucial in this case. By not considering those arguments, the Court violated Aguirre's right to access justice. The IACHR therefore found that the Argentine State is liable for violating Aguirre's rights to appeal a court decision, to be heard during judicial proceedings, and to receive adequate judicial protection. The IACHR found that the State of Argentina is liable for violations of the rights to judicial guarantees and judicial protection held in Articles 8 and 25 of the ACHR, in keeping with the obligations held in Articles 1.1 and 2 of that instruments, to the detriment of María Cristina Aguirre. The IACHR therefore recommended that the State adopt the following redress measures: provide comprehensive reparations for all human rights violations, including financial compensation and other redress measures; take legislative and other



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measures to ensure that all individuals who are convicted of crimes have effective remedies at their disposal that enable a comprehensive review of court decisions, and ensure that judges enforce the applicable human rights standards when reviewing convictions and; take all necessary measures to adapt domestic legislation concerning appeals to the applicable standards regarding legal action held in Article 8.2.h of the American Convention, and ensure that judicial authorities conduct conventionality checks when resolving appeals in criminal court cases The IACHR underscores that violence and other forms of aggression against human rights defenders not only violate their fundamental human rights but also weaken the vital role they play in society. Such acts also have a chilling effect on other defenders and are detrimental to the communities they work for, making them even more vulnerable, sometimes to the point of defencelessness. The IACHR notes the State's response that the Chiapas Attorney General's Office has apprehended the alleged perpetrator. The national Attorney General's Office has referred the case to the federal level, such that it is now under the jurisdiction of the Specialized Prosecutor's Office for Human Rights, which will take an intersectional approach. The IACHR acknowledges President Claudia Sheinbaum's involvement in the investigation and her offer of cooperation to clarify the circumstances of this crime. The IACHR calls on the Mexican State to conduct a diligent investigation and to sanction those responsible for perpetrating and masterminding this crime. It is especially important for the investigation to consider Father Pérez Pérez's work as a human rights defender and the threats and harassment he experienced before his murder. The broader context of rising violence in Chiapas, as previously [reported](#) to the IACHR, should also inform the lines of inquiry. The IACHR urges the State to immediately implement all measures necessary to protect the rights to life, personal integrity, and safety of all other individuals who have been granted precautionary measures. It also emphasizes the need to provide protection for Father Pérez Pérez's family and those who were close to his work, including the members of his religious congregation and the communities that he defended.

[IACHR urges the United States to refrain from applying the death penalty on Richard Moore, beneficiary of precautionary measures](#)

The IACHR urges the United States of America, to refrain from applying the death penalty imposed on Richard Moore, set for November 1, 2024. On October 22, 2024, a U.S. District Court Judge refused Moore's request for injunctive relief and declaratory judgment, denying a delay in his execution. His legal defence has asked the U.S. Supreme Court to grant an emergency stay of execution, a grant of clemency that depends on the South Carolina Governor. Richard Moore has a



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pending petition with the IACHR through which he alleges, among others, violations of due process in the decisions that culminated in his death sentence. Mr. Moore is beneficiary of precautionary measures granted by Resolution 39/2023 of July 4, 2023, whereby the Commission requested that the United States adopts the necessary measures to protect his life and personal integrity; and refrain from carrying out the death penalty until the IACHR has had the opportunity to reach a decision on his petition. Mr. Moore indicated the defence counsel's complete failure to exploit the gaps in the prosecution's proof using the collected physical evidence; that the sentence was disproportionate as the facts do not correspond to an "exceptional gravity" that can justify the imposition of the death penalty; and that the State struck jurors from Mr. Moore's capital trial in a racially discriminatory manner. While the imposition of the death penalty is not prohibited per se under the American Declaration, the Commission has recognized systematically that the possibility of an execution in such circumstances is sufficiently serious to permit the granting of precautionary measures to the effect of safeguarding a decision on the merits of the filed petition. Accordingly, the Commission urges that the United States of America adopts the necessary measures to protect the life and personal integrity of Richard Moore and refrain from executing the death penalty until the IACHR has had the opportunity to rule on his petition. The Commission recalls that the main concerns identified in relation to the application of the death penalty are the risk of executing innocent people, the arbitrariness and injustice in the application of this penalty, and the inhuman treatment that characterizes the stay on death row. In addition, the IACHR has established that any deprivation of life resulting from the request of the death penalty requires greater scrutiny.

AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

Moahd Kheriji Ghannouch & others v. Republic of Tunisia (Application No. 004/2023)

Moadh Kheriji Ghannouchi, Saida Akremi, Elyes Chaouachi, Seifeddine Ferjani and Seifeddine Bouzayene are all Tunisian nationals (hereinafter referred to as "the First, Second, Third, Fourth and Fifth Applicants" and together as "The Applicants"). They file the present Application on behalf of the following close family members in particular, Rached Ghannouchi, Nouredine Bhiri, Ghazi Chaouachi (hereinafter, referred to as "the Third Applicant's Father"), Said Ferjani, all imprisoned, and Ridha Bouzayene, who died during the demonstrations of 14 January 2022 in the Republic of Tunisia. They filed the application alleging the violation of the rights protected by Articles 1, 2, 4, 5,



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6, 7, 9, 10, 11, 13, 16 and 26 of the Charter, as well as the corresponding provisions of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The Application is filed against the Republic of Tunisia. The Applicants aver that following a series of presidential decrees issued in 2021, the President of the Republic of Tunisia, on 30 March 2022, dissolved the Assembly of People's Representatives (the Parliament) and amended the law on the Independent Supreme Electoral Body (ISIE). According to the Applicants, the President of the Republic also called a referendum on the Constitution on 25 July 2022, which they alleged was approved despite the low turnout. The Applicants further state that the Constitutional Court has not been established. The Third Applicant alleges that his father, Ghazi Chaouachi, was arrested on 25 February 2023 and is being prosecuted for “undermining State security and disseminating false news”.

The Court dismisses the request for the immediate removal of all obstacles preventing the father of the Third Applicant from standing in the elections, in particular, the October 2024 presidential elections. The Court confirms that this Ruling is provisional in nature and does not in any manner prejudice its findings on its jurisdiction, or on the admissibility and merits of the main Application.

The Court dismisses the Third Applicant’s request that his father should be released and dismisses the Third Applicant’s request that all obstacles preventing his father from standing in elections, in the 6 October 2024 presidential elections are removed.

Hammadi Rahmani v. Republic of Tunisia (Application No. 008/2024)

Hammadi ben Amira Rahmani, Makram Ben Mohamed Hassouna, Sami Ben Tahar Houidi and Madame Khira Bent Tahar Ben Khelifa (hereinafter referred to as the “Applicants”), are former judicial officers of the Republic of Tunisia. They allege the violation of their rights as a result of their dismissal as judicial officers by Presidential Decree No. 2022-516 of 1 June 2022 (hereinafter referred to as “Decree on the dismissal of judicial officers”) and, in relation to Decree-Law No. 2022-35 of 1 June 2022 supplementing Decree-Law No. 2022-11 of 12 February 2022 on the establishment of the Provisional High Judicial Council (CSPM) (hereinafter referred to as the “Amended CSPM Decree-Law”). The Application is filed against the Republic of Tunisia. It emerges from the main Application that the President of the Republic enacted the Decree-Law No. 2022-11 of 12 February 2022 establishing the Provisional High Judicial Council (hereinafter referred to as “the CSPM Decree-Law”) to replace the previous High Judicial Council (CSM), established pursuant to Organic Law No. 2016-34 of 28 April 2016 adopted by the Assembly of the People’s Representatives. It also



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emerges from the record that the said CSPM Decree-Law repealed certain provisions relating to the independent governance of the High Judicial Council and the Plenary Assembly of Judicial Councils, the latter being the oversight body of the three Judicial Councils, which are the judiciary council, the administrative judiciary council and the financial judiciary council. According to the Applicants, Article 1 of the Amended CSPM Decree-Law, empowers the President of the Republic to dismiss judicial officers. The Applicants further aver that on 1 June 2022, the President of the Republic also issued a presidential decree dismissing the four Applicants from their positions as judicial officers together with fifty-three other judicial officers including thirty-four judges and twenty-three prosecutors. In the main Application, the Applicants allege violation of: the right to participate freely in the governance of their country as protected by Article 13(1) of the Charter and Article 25 of the ICCPR, the right to a fair trial, which requires respect for the independence of the judiciary as an institution and of individual judges, security of tenure, the principle of the separation of powers, and respect for legal safeguards for litigants and judges, in accordance with the provisions of Articles 1, 7 and 26 of the Charter and Articles 3(2) and 14 of the ICCPR, the right to work and to hold public office in accordance with the provisions of Article 15 of the Charter, Article 25(c) of the ICCPR and Article 7 of the ICESCR, as well as the right to equality and non-discrimination in accordance with the provisions of Article 3 of the Charter and; Articles 2 and 4 of the ICCPR, the rights, obligations and freedoms enshrined in the Charter, in accordance with the provisions of Article 1 thereof and Article 2(2) of the ICCPR. In the present case, the provisions of the CSPM Decree-Law empowering the President of the Republic to dismiss judicial officers poses an actual risk of the executive branch of government interfering with the operation of the judiciary. Such risk in turn poses a threat to the independence of judicial officers and of the judiciary. Given that the Applicants remain penalised by the dismissal decision taken in implementation of the said Decree-law, the requirement of urgency relating to the granting of provisional measures under Article 27(2) of the Protocol is also met. As a consequence, the Court orders Tunisia to stay implementation of the Decree-Law 2022-35 of 1 June 2022 supplementing the Decree-Law No. 2022-11 of 12 February 2022, on the establishment of the Provisional High Judicial Council, and the Presidential Decree No. 2022-516 of 1 June 2022 until this Court considers the merits of the main Application.

The Court orders Tunisia to stay implementation of the Decree Law No. 2022-35 of 1 June 2022 amending the Decree-Law No. 2022-11 of 12 February 2022 on the establishment of the Provisional High Judicial Council; to stay implementation of Presidential Decree No. 2022-516 of 1 June 2022



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dismissing the Applicants; and to report to the Court, within 15 days of notification of the present Ruling, on the measures that it has taken to implement the provisional measures herein ordered.

COUNCIL OF EUROPE

[PACE proposes that the Council of Europe draw up a new instrument to address migrant smuggling](#)

Expressing its concern at the lack of consistency in the legislation of member states aimed at combating the smuggling of migrants, PACE today proposed that the Council of Europe draw up an instrument on the topic to ensure “as much consistency as possible in the understanding and interpretation of this crime”. According to the resolution adopted by PACE this instrument “would usefully complement the international standards set in the Palermo Protocol”. It should clarify that people in need of protection “should never be criminalised or administratively sanctioned for crossing a border unauthorised”, and explicitly exempt humanitarian assistance to migrants from any form of criminal liability. “The crime of migrant smuggling is not equal in nature to irregular border crossing”, the parliamentarians said, underlining that laws on migrant smuggling should never be used to intimidate or criminalise migrants and migrants’ rights defenders. PACE called on states to adopt a dual approach, which should aim to regulate and protect human mobility through international co-operation on the one hand, while enhancing the means for investigating and sanctioning organised cross-border criminal groups on the other hand.

[Parliamentary Assembly recognises Julian Assange as a ‘political prisoner’ and warns against the chilling effect of his harsh treatment](#)

PACE has expressed deep concern at “the disproportionately harsh treatment” faced by Julian Assange and said this has had a “dangerous chilling effect” which undermines the protection of journalists and whistleblowers around the world. The Assembly said Mr Assange’s treatment warranted his designation as a “political prisoner” under a definition it agreed in 2012, citing the severe charges brought against him by the United States of America, exposing him to possible life imprisonment, combined with his conviction under the US Espionage Act “for what was – in essence – newsgathering and publishing”. The Assembly also called on the US to investigate the alleged war crimes and human rights violations disclosed by him and Wikileaks. Its failure to do so, combined with the harsh treatment of Mr Assange and Ms Manning, creates a perception that the US



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government's purpose in prosecuting Mr Assange was "to hide the wrongdoing of state agents rather than to protect national security". The Assembly called on the US to "urgently reform" the 1917 Espionage Act to exclude its application to publishers, journalists and whistleblowers who disclose classified information with the intent to raise public awareness of serious crimes. The UK authorities had failed to effectively protect Assange's freedom of expression and right to liberty, the parliamentarians said, "exposing him to lengthy detention in a high-security prison despite the political nature of the most severe charges against him", with his detention far exceeded the reasonable length acceptable for extradition.

[Congress committees approve reports on water resources and fight against human trafficking](#)

The three statutory committees of the Congress met in Strasbourg on 15 October 2024, on the first day of the 47th session and all held exchanges on Congress action on human rights at local and regional levels. The Monitoring Committee was updated about post-monitoring in Türkiye and Ireland, and about a fact-finding visit to Romania on 23 October for the last local elections in June. The Committee was also informed about recent election observation missions to Montenegro and Bosnia and Herzegovina on the occasion of local elections in these two countries. The Governance Committee elected Judith Compagner as 5th Vice President and approved a report on "Water resources under stress: towards better local and regional governance" to be debated at the Congress session in March 2025.

[Congress urges Georgia to recommit to democracy](#)

The Congress of Local and Regional Authorities of the Council of Europe has reiterated its call on the Georgian authorities to reverse the recently adopted anti-human rights legislation and to refrain from taking any action that would further threaten political pluralism, infringe on human rights or undermine the foundations of democracy, all of which would also be detrimental to local self-government in Georgia. The Congress recalled that the national authorities of Georgia must fulfil the obligations and commitments they renewed in the Reykjavik Declaration in May 2023, and that they can be held accountable by the Council of Europe's statutory bodies if they fail to do so. The Congress expressed deep concern over clear signs of democratic backsliding and the weakening of human rights in Georgia, marked by increased polarisation of society and the enactment of legislation that runs counter to Council of Europe standards.



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[Congress President deplores foreign interference in Moldovan electoral process](#)

The President of the Congress of Local and Regional Authorities of the Council of Europe, Marc Cools, today deplored foreign influence in the electoral process in Moldova during its Presidential elections and referendum held on October the 20th 2024. He referred to the findings of serious attempts to undermine their integrity through foreign interference and active disinformation efforts, reported by the joint PACE/OSCE/European Parliament observation mission.

[Italy should set up an independent and effective equality body and do more to counter hate speech](#)

Since ECRI's previous report in 2016 progress has been made regarding bullying incidents in schools and the development of online courses on combating bullying for teachers. In the field of LGBTI equality, progress has been made with the recognition of same-sex partnership, the adoption of the National LGBT+ Strategy and the provision of quality information on healthcare to transgender patients, also introducing a system of financial support for centres against discrimination based on sexual orientation and gender identity. However, despite the progress achieved, some issues continue to give rise to concern. The legal status of the *Ufficio Nazionale Antidiscriminazioni Razziali* (UNAR) and its significant role in shaping and co-ordinating governmental policies are incompatible with the requirement of independence of an equality body. LGBTI persons continue to face prejudice and discrimination in everyday life. Furthermore, the procedure for legal gender recognition continues to be complicated, lengthy, and over-medicalised. The public discourse has become increasingly xenophobic and political speech has taken on highly divisive and antagonistic overtones particularly targeting refugees, asylum seekers and migrants, as well as Italian citizens with migration backgrounds, Roma and LGBTI persons. In light of these discoveries, ECRI recommends that Italy set up a fully independent and effective equality body, while reinforcing UNAR as a fully-fledged official co-ordinating body responsible for inter alia the design, implementation and monitoring of the implementation of policies and other measures against racism and intolerance.

[Council of Europe experts urge Türkiye to step up the fight against human trafficking](#)

Experts from the Council of Europe have urged the Turkish authorities to take several important steps to better combat trafficking in human beings. Progress made by the Turkish authorities include setting up a national Co-ordination Board for Combating Human Trafficking and co-ordination commissions in all 81 provinces, as well as designating a National Rapporteur on human trafficking. Nevertheless, GRETA highlights several pressing concerns that require immediate action, which include the need



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to adopt a national action plan against human trafficking, with clearly defined objectives, activities and stakeholders, as well as adequate budgetary resources. The Turkish authorities should also intensify efforts to prevent human trafficking for the purpose of labour exploitation, strengthen the protection of children from trafficking and enhance the detection of trafficking through border control measures, in the context of increased migration.

[Cyprus: Commissioner O’Flaherty expresses concern about the situation of migrant and asylum-seeking people stranded in the buffer zone and allegations of summary returns at sea](#)

Commissioner O’Flaherty expresses concern about the situation of migrant and asylum-seeking people stranded in the buffer zone and allegations of summary returns at sea. He highlighted the situation of some 35 individuals who have been stranded in the buffer zone for several months. The Commissioner also expressed concern over reports of boats carrying migrants being prevented from disembarking in Cyprus and returned, sometimes violently, without access to asylum procedures. While recognising the challenges posed by migratory movements in the Mediterranean, the Commissioner asked the Cypriot authorities to take steps to ensure that laws and practices applied in the buffer zone and at sea comply with Council of Europe human rights standards.

EUROPEAN COURT OF HUMAN RIGHTS

[Eldar Hasanov v. Azerbaijan](#) (application no. 12058/21)

The applicant, Eldar Humbat oglu Hasanov, is an Azerbaijani national who was born in 1955 and is serving a prison sentence in Baku. He is a former Prosecutor General (1995 to 2000) and former Ambassador of Azerbaijan (2001 to 2020). The case concerns his arrest and pre-trial detention for abuse of official authority, use of State funds otherwise than for their designated purpose, money laundering, embezzlement, and forgery committed in the Azerbaijani Embassy in Serbia. Relying on Articles 3 (prohibition of inhuman or degrading treatment), 5 §§ 1, 3 and 4 (right to liberty and security/right to have lawfulness of detention decided speedily by a court), and 18 (limitation on use of restrictions on rights) the applicant complains that there were no reasonable grounds for his arrest and pre-trial detention, that the judicial review of his pre-trial detention was inadequate and that he was not provided with adequate medical treatment while in custody. Relying on Article 34, he



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complains that the Azerbaijani Government failed to comply with interim measures indicated by the Court under Rule 39, in violation of his right of individual petition.

T.V. v. Spain (application no. 22512/21)

In the case of T.V. v. Spain the Court held that there had been a violation of Article 4 (prohibition of slavery and forced labour) of the Convention. The case concerned a victim of human trafficking from Nigeria to Spain. She alleged that the Spanish authorities' investigation into her criminal complaint of human trafficking and sexual exploitation between 2003 and 2007 had been inadequate. She managed to escape her alleged traffickers and brought the criminal complaint in 2011. The Court found that no measures had been taken at all in the first two years of the investigation; that the investigators had failed to pursue obvious lines of enquiry; and, that the decisions to provisionally dismiss her case in 2017 had been superficial and insufficiently reasoned. Such shortcomings showed a blatant disregard for the duty to investigate serious allegations of human trafficking, an offence with devastating consequences for its victims. The Court held that Spain was to pay Ms T.V. €15'000 in respect of non-pecuniary damage and €12'000 in respect of costs and expenses.

Nsingi v. Greece (application no. 27985/19)

In the case of Nsingi v. Greece (application no. 27985/19) the Court held that there had been: a violation of Article 5 §§ 1 and 5 (on right to liberty and security / right to compensation) of the Convention. The case concerned the rejection of the applicant's claim for compensation for having been imprisoned pursuant to a sentence that had been handed down in respect of a different person, for whom he had been mistaken at the time of his arrest. On 6 June 2018 the applicant was arrested by the police and, after verification of his identity, was registered under the name of an individual who had been sentenced to eight years' imprisonment for drug possession. The prosecutor ordered that he be sent to prison. On 20 June 2018 the applicant demanded that he be released, objecting that he was not the person who had been convicted and sentenced. The Criminal Court dismissed the applicant's objections without giving reasons for its decision. The Court took the view that the complete lack of reasoning in the Thessaloniki Criminal Court's judgment had clearly been in breach of the principle of protection against arbitrariness enshrined in Article 5 § 1, having regard, in particular, to the fact that the applicant was, at the time, imprisoned pursuant to a judgment imposing an eight-year prison sentence on a different person. As to the right to compensation provided for in



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the Code of Criminal Procedure (CCP), the Court pointed out that the Thessaloniki Criminal Court had dismissed the applicant's claim on the ground that his situation did not fall under any of the cases mentioned in Article 533 of the CCP and that Article 564 of that Code did not secure a right to compensation for prisoners whose objections had been allowed. The Court therefore took the view that, in interpreting Article 533 of the CCP as it had, the Criminal Court had taken an overly formalistic approach that was not in keeping with the spirit of Article 5 § 5. The Court held that Greece was to pay the applicant €8'000 in respect of non-pecuniary damage and €55,80 in respect of costs and expenses.

B.B. v. Slovakia (application no. 48587/21)

In the case of *B.B. v. Slovakia* the ECHR held that there had been a violation of Article 4 (prohibition of slavery and forced labour) of the ECHR. The case concerned proceedings taken in Slovakia in response to an allegation that Ms B.B. had been trafficked in 2010 to the United Kingdom where she had worked as a prostitute for at least a year. In those proceedings, an individual was convicted of pimping. The Court found that the authorities had limited their efforts to establish the facts to those relevant to the assessment of the actions of the perpetrator as pimping. The facts on the surface had presented a plausible accusation of human trafficking, which the authorities had been under an obligation to investigate but had failed to do. The Court held that Slovakia was to pay the applicant €26'000 in respect of non-pecuniary damage and €15'000 in respect of costs and expenses.

Yüksek v. Türkiye (application no. 4/18)

The applicant, Kamuran Yüksek, is a Turkish national. He was detained in Diyarbakır at the time of lodging his application. The case concerns Mr Yüksek's pre-trial detention for four months before his conviction in 2017 for membership of a terrorist organisation. At the time he was co-chair of the Democratic Regions Party, a left-wing pro-Kurdish political party, and had made statements at public meetings and to the media calling for people to struggle against the government's policies. He had also referred to some actions of the public authorities as "political genocide" and the killing of three members of his party as a "war crime". Relying on Article 5 §§ 1 and 3, Mr Yüksek alleges in particular that there was no evidence to prove that he had committed the offence of which he had stood accused and that his being placed in pre-trial detention was on account of his political opinions. Also relying on Article 10, he alleges that the decisions ordering his initial and continued pre-trial



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detention infringed his freedom to express his opinion as an opposition-party politician. He submits that his speeches had not contained terrorist propaganda or incitement to violence but had instead been a call for a peaceful and democratic solution to the Kurdish issue. The Court found violations of Article 10, of Article 5 § 1, and of Article 5 § 3. The Court decided that finding of a violation constitutes in itself sufficient just satisfaction for any non-pecuniary damage sustained by Yüksek and that Türkiye was to pay him €1'500 for costs and expenses.

J.B. and Others v. Malta (application no. 1766/23)

In the case of *J.B. and Others v. Malta* the applicants are six Bangladeshi nationals who arrived in Malta on in 2022 after being rescued at sea. They alleged that they were 16-17 years old at the time. The case concerned their detention in the Ħal Far Initial Reception Centre for almost two months after their arrival, then for at least another four months in the Safi Detention Centre. Five of the applicants were released in May 2023 and accommodated in an open centre for minors, while the remaining applicant, J.B., who was found to be an adult, left Malta in August 2023 after his application for asylum was rejected. The Court held that there had been a violation of Article 3 of the ECHR in respect of the five applicants who were minors all throughout their detention, and no violation of Article 3 in respect of J.B.; a violation of Article 13 taken in conjunction with Article 3 of the ECHR in respect of all of the applicants; a violation of Article 5 § 1 of the Convention concerning the period from 18-30 November 2022 in respect of all the applicants and concerning the period from 30 November 2022 until their release in respect of the all the applicants except for J.B.; and a violation of Article 5 § 4 in respect of all the applicants. Moreover, under Article 46 (binding force and execution of judgments) the Court found that general measures at national level were called for: to ensure that legislation is put in place for the Immigration Appeals Tribunal to conform with the requirements of independence and impartiality; and to put in place a remedy, effective both in law and in practice, to complain about ongoing detention conditions. The Court held that Malta was to pay J.B. €9'000 and the remaining applicants € 15'000 each in respect of non-pecuniary damage, and €6'000 jointly to all the applicants in respect of costs and expenses.

Kobaliya and Others v. Russia (application no. 39446/16 and 106 others)

The case *Kobaliya and Others v. Russia* concerned the evolving legislative framework in Russia requiring many NGOs, media organisations and individuals to register as “foreign agents”, and its



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repercussions on their activities and private life. In the case the Court held that there had been a violation of Articles 10 and 11 of the ECHR as concerned all the applicants, and a violation of Article 8 as concerned the individual applicants. The Court found that the currently applicable legislation was stigmatising, misleading and used in an overly broad and unpredictable way, leading the Court to conclude that the legislation's purpose was to punish and intimidate rather than to address any alleged need for transparency or legitimate concerns over national security. It mentioned the obligation for the designated organisations and individuals to label everything they published with a notice announcing their status as "foreign agents", their exclusion from all electoral processes, restrictions on teaching professions, denial of access to young audiences and deprivation of revenue from private advertisers, as well as the manifestly disproportionate sanctions. Such restrictions had a chilling impact on public discourse and civic engagement. They created a climate of suspicion and distrust towards independent voices and undermined the very foundations of a democratic society. It found that the legislative framework had become considerably more restrictive since 2012, impacting a far greater number of NGOs, media organisations and individuals and moving even further from Convention standards. The Court held that Russia was to pay the applicants amounts ranging from €5'500 to €10'000 in respect of non-pecuniary damage, and various other amounts in respect of pecuniary damage and costs and expenses.

EUROPEAN COUNCIL

[Iran: Statement by the High Representative on behalf of the EU on the execution of Jamshid Sharmahd](#)

The European Union condemns in the strongest terms the execution in Iran of German-Iranian national Jamshid Sharmahd. The European Union offers its condolences to Mr. Sharmahd's family and expresses its full solidarity with Germany. Jamshid Sharmahd was illegally abducted to Iran and held for years under inhumane conditions without a fair trial. The European Union continues to urge Iran to halt any upcoming executions and adopt a steady approach towards abolishing capital punishment. The EU once again calls on Iran to stop the troubling practice of detaining foreign nationals and dual citizens for political leverage. Iran's restrictions on consular access for our citizens, along with the denial of consular protection and fair trial rights, are unacceptable and directly breach international law. Capital punishment violates the inherent right to life as outlined in the Universal



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Declaration of Human Rights, representing the most extreme form of cruel, inhuman, and degrading punishment, fundamentally at odds with human dignity. The EU reaffirms its strong, unequivocal opposition to the death penalty everywhere, at all times, and in all cases, particularly in light of the sharp rise in executions documented in Iran over the past year. The execution of a European citizen is gravely damaging EU-Iran relations. In response to this alarming situation, the European Union will now consider significant and targeted measures.

[Myanmar/Burma: EU lists three individuals and one entity responsible for scam operations entailing serious human rights violations and threatening the peace, security and stability of Myanmar and the region](#)

The Council has approved additional restrictive measures against three individuals and one entity connected to Myanmar's military junta for their involvement in scam operations targeting both Myanmar's population and regional citizens. The EU sanctioned the Chit Linn Myaing Group (CLM) and its founder, Colonel Saw Chit Thu, along with Lieutenant Colonel Mote Thun and Major Tin Win. CLM, a group operating in the Myawaddy region near the Thai-Myanmar border, is linked to transnational crimes like online fraud, drug and human trafficking, and severe human rights abuses. CLM collaborates with the Tatmadaw (Myanmar Armed Forces), including actions such as reporting opposition and forcibly recruiting soldiers. With these measures, a total of 106 individuals and 22 entities are now subject to EU asset freezes, prohibitions on fund provision, and travel bans. The EU also maintains a suspension of direct financial aid to the Myanmar government and freezes all assistance that might legitimize the junta. Concerned by the increasing violence and potential for prolonged regional conflict, the EU condemns the Tatmadaw's grave human rights violations, including torture, gender-based violence, persecution of civil society and journalists, and attacks on civilians, including ethnic and religious minorities. The legal details have been published in the

[Chemical Weapons: EU sanctions renewed for an additional year](#)

The Council prolonged the application of the EU restrictive measures (sanctions) against the proliferation and use of chemical weapons imposed on 25 persons and 3 entities for an additional year, until 16 October 2025.



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Those designated are subject to an asset freeze and EU persons and entities are forbidden from making funds, financial assets or economic resources available to them. In addition, a travel ban to the EU applies to the natural persons listed.

The sanctions regime aims to contribute to the EU's efforts to counter the proliferation and use of chemical weapons, as well as to support the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC).

EUROPEAN PARLIAMENT

[Human rights breaches in Türkiye, China and Iraq](#)

Parliament passed three resolutions addressing human rights concerns in Türkiye, China, and Iraq. The Case of Bülent Mumay in Türkiye. MEPs voiced serious concerns over the ongoing decline in democratic standards in Türkiye and the targeting of independent journalists, activists, and opposition figures. They condemned the sentencing of Bülent Mumay and urged authorities to drop charges against him and all media professionals, political opponents, human rights defenders, civil servants, and academics detained without due process. MEPs criticized the intricate legal system suppressing journalists and opposed the upcoming “foreign agent regulation” set to be introduced by the end of 2024. Parliament calls for the restoration of judicial independence in Türkiye, protection of press freedom, and adherence to international human rights commitments. This resolution was adopted by a show of hands, with the full text to be published on October 10, 2024. Unjust Imprisonment of Uyghurs in China, including Ilham Tohti and Gulshan Abbas. Parliament demanded the immediate release of Ilham Tohti, a 2019 Sakharov Prize recipient, and Gulshan Abbas, along with all those detained arbitrarily in China. MEPs condemned human rights abuses against Uyghurs and people in Tibet, Hong Kong, Macau, and mainland China, calling for the closure of internment camps and denouncing policies of forced labor, sterilization, population control, and the erosion of Uyghur identity, which they argue amount to crimes against humanity and pose a serious risk of genocide. They also supported the EU's forced labor regulation and called on businesses operating in China to meet human rights due diligence obligations. The resolution urged additional EU sanctions on senior officials and organizations involved in human rights violations in China, action against transnational repression of Chinese dissidents and Uyghurs, and prosecution of those responsible. This resolution



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passed with 540 votes in favor, 23 against, and 47 abstentions, and the full text will be available on October 10, 2024.

Women's Rights and Personal Status Law Amendments in Iraq.

MEPs urged the Iraqi Parliament to reject proposed amendments to the Personal Status Law, warning they would infringe on women's fundamental rights and breach Iraq's international obligations. They commended the Iraqi women, including members of Parliament, NGOs, activists, and civil society members, who oppose the reforms to protect one of the region's most progressive laws. MEPs also highlighted Iraq's penal code's failure to protect women and children from domestic violence, expressing concern that the proposed amendments would lead to a stricter implementation of Sharia law. The resolution called on Iraq to create a national action plan to end child marriage, criminalize marital rape, combat domestic violence, and strengthen rights for women and girls in line with the UN Convention on the Elimination of All Forms of Discrimination against Women. MEPs also urged the EU delegation in Iraq to tie development funding to judicial training on sexual and gender-based violence and the establishment of shelters for women, while encouraging member states to support defenders of women's and children's rights in Iraq. This resolution was adopted by a show of hands.

EUROPEAN COMMISSION

[EU boosts humanitarian aid to Lebanon by €30 million, bringing total to over €100 million for 2024](#)

As the escalation of hostilities between Hezbollah and Israel continues, today the European Commission has announced a further €30 million in humanitarian aid to help those most in need in Lebanon. This comes in addition to the €10 million already announced on 29 September and brings total EU humanitarian assistance to the country to over €104 million this year. This new emergency aid package will provide urgent food assistance, shelter and health care amongst other essential support. The Commission is also facilitating the delivery of material assistance via the EU Civil Protection Mechanism to Beirut. The conflict has triggered unprecedented population displacement in Lebanon, with already thousands of casualties and injuries among civilians.

EUROJUST

[Over 6 million illegally exported pills seized in international operation against drug trafficking network](#)



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The criminal group, which operated throughout Europe, bought pills from other criminal networks in Serbia. The pills, used to treat anxiety, seizures and insomnia, were then hidden in tyres, in cars, which were transported on lorries, and in clothing to be taken to Romania and Estonia. After arriving in Romania or Estonia, the pills were transported on to the Nordic countries. Members of the criminal group in Finland and Norway acted as distributors and sold the pills on the streets. The sale of the pills was highly profitable for the criminal group. The pills seized during the operations done by the national authorities has a market value of approximately EUR 12.5 million. To dismantle the intricate network of criminals, the Romanian authorities launched an investigation into the group. Given the transnational nature of the criminal group, with activities in Romania, Estonia, Finland, and Serbia, international cooperation between the authorities started, supported by Eurojust and Europol. After these measures, the JIT continued their investigations to halt the activities of the criminal group and bring them to justice.

[Criminal network that manufactured narco-boats to smuggle drugs dismantled](#)

Spanish and Portuguese authorities have rolled up of a sophisticated drug trafficking network operating in both countries. The criminal group manufactured illegal boats that were used to transport large quantities of drugs into Spain. The group was also involved in drug trafficking. An international investigation coordinated by Eurojust resulted in the arrest of 28 suspects and the seizure of 23 kilos of heroin.

The criminal group set up several warehouses in Spain and Portugal where boats that are illegal in Spain were manufactured in Portugal. The boats were then sold to other criminal groups, who used them to transport drugs such as heroin and marijuana into Spain. The criminal group also used its own boats and crews to transport drugs to Spain. A joint investigation team (JIT) was set up at Eurojust, to enable Portuguese and Spanish authorities to investigate the organisation together.

The JIT allowed the authorities to exchange information and evidence directly and quickly, to cooperate in real time and to jointly carry out operations. Due to this cooperation, coordinated by Eurojust, all the members of the group were identified, and enough evidence was gathered to launch an international operation that dismantled the criminal group.

[Malware targeting millions of people taken down by international coalition](#)



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A global operation, supported by Eurojust, has led to the takedown of servers of infostealers, a type of malware used to steal personal data and conduct cybercrimes worldwide. The infostealers, RedLine and META, taken down today targeted millions of victims worldwide, making it one of the largest malware platforms globally. An international coalition of authorities from the Netherlands, the United States, Belgium, Portugal, the United Kingdom and Australia shut down three servers in the Netherlands, seized two domains, unsealed charges in the United States and took two people into custody in Belgium. RedLine and Meta were able to steal personal data from infected devices. The data included saved usernames and passwords, and automatically saved form data, such as addresses, email addresses, phone numbers, cryptocurrency wallets, and cookies. After retrieving the personal data, the infostealers sold the information to other criminals through criminal market places. The criminals who purchased the personal data used it to steal money, cryptocurrency and to carry out follow-on hacking activities. To take down the transnational malware, Eurojust coordinated cooperation between authorities from the Netherlands, the United States, Belgium, Portugal, United Kingdom and Australia. Through Eurojust, authorities were able to quickly exchange information and coordinate actions to take down the infostealers. After the authorities obtained the data and took down the servers, a message was sent to the alleged perpetrators, including a video. The video sends a strong message to the criminals, showing that the international coalition of authorities was able to obtain crucial data on their network and will shut down their criminal activities. After the message was sent, Belgian authorities took down several Redline and Meta communication channels.

EUROPEAN ANTI-FRAUD OFFICE (OLAF)

[OLAF's Intelligence Leads to Record-Breaking Seizure of Illegal F-Gases in the Netherlands](#)

Intelligence provided by the European Anti-Fraud Office (OLAF) has led to the largest-ever seizure of illegal F-gases in the Netherlands. The Dutch authorities, acting on OLAF's information, confiscated four containers filled with nearly 4,800 cylinders of F-gases at the port of Rotterdam. OLAF has been closely monitoring the international traffic of F-gases (hydrofluorocarbons, or HFCs) to the EU from third countries. The intelligence shared with Dutch authorities highlighted suspicious movements of F-gases destined for three European countries, where importers lacked the proper authorization to handle these substances. Thanks to this information, the Dutch Human Environment and Transport Inspectorate (ILT-IOD) launched a successful investigation, tracking and seizing the



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containers in Rotterdam. F-gases are subject to strict quotas and a phased reduction under EU environmental regulations due to their significant impact on global warming. The seized shipment originated from outside the EU, and OLAF, in partnership with national authorities, is working to disrupt illegal networks trafficking these potent greenhouse gases into Europe.

[Europol: Over EUR 14 million in counterfeit currency seized in operation targeting postal shipments](#)

Law enforcement agencies from 18 countries have seized over EUR 14 million in counterfeit currency in Operation DECOY, a Europol-coordinated action led by Spain, Portugal, and Austria. This joint customs and police operation, developed under EMPACT, aimed to disrupt the distribution of fake banknotes and coins via postal services across Europe. The vast majority of the seized items were altered-design banknotes, often referred to as ‘movie money’. These reproductions have a similar shape and colour to real banknotes but include a small disclaimer indicating they are fakes. However, these disclaimers are often overlooked, allowing criminals to pass them off as genuine currency. The most frequently seized denominations were the EUR 50 banknote, followed by the EUR 20 one. The success of Operation DECOY was built on close cooperation between customs and police agencies. Criminal organisations frequently exploit the differences between enforcement authorities, particularly when using postal services to distribute counterfeit currency. Customs officers were pivotal in detecting counterfeit banknotes and coins, while police forces conducted the necessary investigations to track down the perpetrators. Europol and OLAF supported the operation by facilitating intelligence-sharing, helping to detect suspect parcels, and refining risk indicators for future efforts to combat counterfeit currency distribution.

EUROPEAN PUBLIC PROSECUTOR OFFICE

[Investigation Admiral: First trial starts in Portugal for 26 suspects charged with international VAT fraud](#)

The trial against 26 defendants accused of an intra-community VAT fraud scheme involving several countries opened on 31 October at the Central Criminal Court of Lisbon (Portugal), following an investigation codenamed Admiral. This is the first trial under the European Public Prosecutor's Office's (EPPO) flagship investigation into the most complex VAT fraud to date. The defendants are charged with setting up and operating a criminal organisation, dedicated to the sale of electronic goods



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in the EU market, while evading the payment of VAT. The charges involve several crimes of aggravated tax fraud, money laundering, active and passive corruption in the private sector and forgery of documents. If found guilty, the defendants may face up to eight years in prison for each of the offences of criminal association, money laundering, qualified tax fraud and corruption, and three years for the offence of forgery of documents. The accused companies may face financial fines and compulsory dissolution.

Italy: Investigation into €1 million embezzlement fraud involving social funds – EPPO seizes two properties

At the request of the European Public Prosecutor's Office (EPPO) in Milan, the Italian Financial Police (*Guardia di Finanza*) have seized two properties as part of an investigation into the misappropriation of €1 million in EU and national funds, linked to a vocational training institute.

The investigation centers on funding provided to a vocational institute to conduct training and professional development courses intended to be free for participants. Although the courses were indeed held, evidence suggests that the suspects required participants to pay a fee. Allegedly, the suspects then used EU funds to purchase two properties in Magenta, Italy. To reclaim the misused EU funds, the Italian Financial Police seized these properties.

The project received co-funding from the European Social Fund (ESF), the European Regional Development Fund (ERDF), and the Cohesion Fund, all aimed at supporting the Lombardy region.

Italy: Civil servants suspected of corruption with RRF funds and involvement in criminal organisation

At the request of the European Public Prosecutor's Office (EPPO) in Rome (Italy), the Italian State Police (*Polizia di Stato*) have carried out several house searches, arrests and seizures in the Lazio and Campania regions, in a probe into an alleged criminal association suspected of corruption for the award of projects funded by the EU's Recovery and Resilience Facility (RRF) for Italy. The Italian State Police (*Polizia di Stato*) executed precautionary measures against 13 suspects. These measures included the house arrest of ten suspects and three suspects were subjected to restrictive measures, prohibiting them from engaging in business activities or holding managerial positions for one year.

Bulgaria: Three indicted for subsidy fraud involving production of plastic products



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The European Public Prosecutor's Office (EPPO) in Sofia (Bulgaria) filed an indictment in the Sofia City Court against three individuals, accused of fraud related to a project involving plastic products, co-funded by the EU. Investigation indicates that the three individuals colluded to submit false information, in order to obtain financial support for a project for the purchase of automated production lines for plastic goods, for an amount of €196 000.

In order to be able to benefit from EU funds, the beneficiary had to submit offers for the purchase of the equipment from three different companies. Based on the evidence, one of the offers was falsified, with the help of an accomplice working for a company ostensibly submitting a bid. The investigation showed that the managers of that company did not authorise the offer, nor were they aware that it had been presented. The funds were not paid to the beneficiary, as the managing authority detected irregularities and reported them to the EPPO, which initiated an investigation

UE AGENCY FOR FUNDAMENTAL RIGHTS (FRA)

[FRA discusses with Council of Europe rights compliant implementation of the EU Migration pact](#)

On 10 October, FRA contributed to a discussion on the EU's migration and asylum pact organised by the Council of Europe Special Representative of the Secretary General on Migration and Refugees. The meeting was part of the Council of Europe's Coordination Group on Migration.

FRA presented [its updated guidance](#) on monitoring fundamental rights during screening and the asylum border procedures as well as key elements of its report on investigations of rights violations at borders. The discussion focused on how to use Council of Europe standards and EU law safeguards to promote a rights-compliant implementation of the pact.

FRONTEX

[EU external borders: Detections down 42% in first 9 months of 2024](#)

The number of irregular border crossings into the European Union fell by 42% to 166 000 in the first nine months of this year, according to preliminary data collected by Frontex. The most significant declines in irregular border crossings were observed on the Western Balkan and Central Mediterranean routes, with a 79% and 64% decline, respectively. Over 3 000 Frontex officers and staff are deployed across Europe to help manage the EU's external borders.



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Key highlights for the first nine months of 2024:

- Central Mediterranean recorded a 64% drop (y/y) in irregular border crossings.
- Western Balkans region demonstrated a significant decline of 79%.
- Eastern Land Border and Western African route saw the highest increases, at 192% and 100%, respectively.
- Top three nationalities so far this year: Syria, Mali, Ukraine.

The Central Mediterranean route continued its significant downward trend this year. Between January and September, the number of arrivals on this route fell by 64% to 47 700. The Eastern Mediterranean, which has continued to rise this year, saw an increase of 15% in the first nine months of the year to 45 600. In September, this was the busiest route with the highest number of detections at 6 750, compared with 5 600 detections in the Central Mediterranean. The number of detections on the Western African route remained exceptionally high in the January-September period, reaching over 30 600, double the figure from the same period of last year. The number of detections in the Western Balkan route recorded the biggest drop of all the main migratory routes to the EU this year with the fall of 79% to nearly 17 000. With an increase of 192% to 13 200, the Eastern Land Borders continued to record high numbers of arrivals this year. On the Channel route, the number of detections between January and September increased by 2% to reach 47 514.

Frontex co-leads international maritime operation with major drug seizures

Frontex co-led a large-scale international operation targeting maritime drug smuggling. The action was run by Belgian Customs from 16 September to 15 October 2024 under the Cannabis, Cocaine, and Heroin EMPACT priority. The operation focused on combating cocaine smuggling via sea from Latin America to European countries, monitoring and inspecting vessels to detect cocaine smuggled via methods like drop-off/handover at sea, underwater attachment, and rip-on at sea. It involved 12 European countries, the USA, Europol, and MAOC (N). It led to impressive results: seizing 930 kg of cocaine and 4,950 kg of hashish, as well as 4 arrests. Of the 525 ships analysed, 73 were checked. Frontex provided technical and operational support with the deployment of an underwater drone, vessel trackers, analysts and Cross Border Crime Detection Officers to assist with rummaging and control inspections. Aerial surveillance was conducted jointly by Belgium and Frontex with daily flights, contributing to the operation's success.



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EUROPEAN DEFENCE AGENCY (EDA)

EDA and EIB deepen partnership in support of financing for defence

The European Defence Agency (EDA) and the European Investment Bank (EIB) Group have reinforced their partnership to boost financing for Europe's security and defence capabilities.

Building on the Memorandum of Understanding (MoU) signed in 2018, the updated agreement was signed on 3 October 2024 during an informal meeting of National Armaments Directors at EDA in Brussels. The enhanced MoU will enable both organisations to identify financing needs for collaborative defence projects involving EU Member States and their defence industries to support capability developments, research, development and innovation (RDI), technology, and infrastructure in the area of security and defence in the EU. It will also better address the financing needs of collaborative defence projects in areas such as RDI, involving EU Member States and their defence industries. A key feature of the revised agreement is the reinforcement of mechanisms such as the Cooperative Financing Mechanism (CFM), designed to support pan-European defence initiatives with a comprehensive package that includes facilitation, procurement, and funding. The MoU also promotes greater knowledge-sharing between the EIB, the European Investment Fund (EIF), and EDA, allowing for more robust assessments of market demand and industrial capacities across Member States. Under the new framework, EDA will provide industrial defence advice to the EIB Group, while the EIB will contribute its financial market expertise to support EDA's objectives.

This strengthened partnership comes at a critical time for Europe, as there are growing calls for increased investment in security and defence. The EIB Group and the EDA are focused on providing additional investments to bolster the EU's collective defence capabilities.

EDA Chief Executive Jiří Šedivý highlighted that while European defence spending has been on the rise for eight consecutive years, with EU Member States on track to meet collective spending targets, there is still a need to pool resources to finance joint efforts and enhance defence capabilities. The updated Memorandum of Understanding (MoU) with the EIB will provide the necessary tools for Member States to access financing for Europe's defence industry. EIB Vice-President Robert de Groot emphasized that the updated MoU is a key component of the Defence Action Plan, which aims to strengthen Europe's defence industry through collaborative initiatives. By working together, the EIB and the EDA can leverage their unique expertise to invest in peace and security across Europe, with the EIB Group committed to scaling up the defence sector in line with the Defence Action Plan.



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The European Investment Fund (EIF), part of the EIB Group, is also involved in this collaboration. EIF Chief Executive Marjut Falkstedt affirmed their commitment to adapting their approach to meet the evolving challenges of the defence sector. The collaboration with the EDA will ensure that the EIF has the expertise to support initiatives that enhance European security.

[EDA coordinates efforts to develop military testing in the era of AI](#)

The Fourth Test and Evaluation (T&E) Community Days Conference, held in Linköping, Sweden in October 2024, focused on advancing military capabilities testing and evaluation in Europe. Organized by the European Defence Agency (EDA), the conference brought together over 100 participants from 18 EU Member States and other stakeholders to discuss lessons learned from recent conflicts, especially the war in Ukraine.

Key topics included:

- Interoperability between European forces through standardized T&E procedures.
- The role of artificial intelligence (AI) and big data in enhancing T&E and decision-making.
- The integration of multidomain operations (air, land, maritime, space, cyber) in modern warfare and the need for effective cross-domain testing.
- The importance of international cooperation to address differences in testing standards across nations.

A major highlight was the development of the European Defence Test and Evaluation Base (DTEB) IT platform, aimed at centralizing testing resources and identifying gaps across all defense domains. The event also featured visits to Swedish test centers for land and air defense, showcasing real-world applications of the discussions. The collaboration between the EDA and the Swedish Defence Materiel Administration emphasized the need for integrated military testing capabilities across Europe.

COUNCIL OF THE EU

[Restrictive measures in response to the war in Ukraine: the prohibition on providing legal advisory services to the Russian Government and to entities established in Russia is valid](#)

In 2022, in response to Russia's escalated aggression against Ukraine, the Council of the European Union imposed restrictive measures aimed at pressuring Russia to end the conflict. These measures included a ban on providing legal advisory services to the Russian government or entities established



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in Russia, with certain exceptions. Several Belgian bar associations and lawyers, along with the *Ordre des avocats à la Cour de Paris*, challenged this ban before the General Court of the European Union, arguing it violated rights such as access to legal counsel, lawyer independence, and the rule of law. However, the General Court dismissed the actions, ruling that the prohibition does not affect the fundamental right to effective judicial protection, as legal advice connected to judicial, administrative, or arbitral proceedings is exempt from the ban. The court clarified that the restriction applies only to non-litigation-related legal advisory services for Russian entities, not for natural persons. Additionally, the Court stated that the ban does not interfere with the professional secrecy or independence of lawyers in matters related to judicial proceedings. The Court acknowledged that while limitations on lawyers' roles can be justified by general EU interests, they must not disproportionately interfere with the core duties of lawyers within a rule-of-law framework. It concluded that the ban, with its specific exceptions, aligns with general EU interests and does not undermine the fundamental role of lawyers in a democratic society.



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