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MINISTERS' DEPUTIES

Decisions

CM/DeI/Dec(2018)1310/H46-9

15 March 201

1310th meeting, 13-15 March 2018 (DH)

H46-9 Khlaifia and Others v. Italy (Application No. 16483/12)

Supervision of the execution of the European Court's judgments

Reference document

CM/Notes/1310/H46-9

Decisions

The Deputies

As regards individual measures

1. noted that the applicants are no longer suffering the effects of the violations found by the Court and considered, on the basis of the information provided on the payment of the just satisfaction, that no further individual measure is required in this case;

As regards general measures

2. noted that this judgment raises complex problems relating to the lack of a legal basis and judicial review in respect of the deprivation of liberty of migrants placed in reception centres, together with the absence of remedies enabling such persons to complain before a national authority about the conditions of their reception;

3. regretting that the information provided so far does not address these key issues, called on the authorities to provide by the end of June 2018 details on the legislative framework governing the operation of "first aid and assistance centres", the average length of stay of persons placed in such centres before and after their identification and the practice followed with regard to the freedom of movement of these persons after their identification;

4. also called on the authorities to indicate, within the same period, what measures have been adopted or envisaged to ensure that persons placed in such centres are not arbitrarily deprived of their liberty;

5. noted with interest the monitoring activity of the National Ombudsman over places of deprivation of liberty and the possibility for persons deprived of their liberty to submit complaints concerning the reception conditions; in this context, invited the authorities to clarify the powers of that authority to redress the individual situation of complainants and to provide, where appropriate, examples of measures adopted for this purpose.

Related documents

No related documents