Ƨ ƣƑ ƨ ǁƐ üƬ ƻǁƐ……………
- üǋjŬƐ ƀƦƜǁƐ :ƕǁƣƑƳ ƕƉŽ ǀƑƟƉŽ Ĭƺ ƼƟǁƐ ƕƉŽǀƑƟƉŽǁƐ Ăǁƌ ƼĭƽƟƚǁƐ ǄŽƉŽ

ƖƠƤĂƙǆ!ƒ ƻƒƃǋjŬƒ

- ƾĂƖơ!Ǵùƅ Ɨù ǀǁƶƙǆ!ƒ ƗŏƪŏƑƧ!ƒ Ɨŏ!Ăƃ!ƒ ƗŏljĂljƠ!!ƒ ƃƵƒĂ!!ƒ Ʊ ƶƅ Ĭǁƶ ƖƧĂƃ!ƒ Ǒƽ Ƙƒ/LJŏƗƧƠƬǆ!ƒ ƳűƱƒ ŶƃƵƒĂ!!ƒ ljƦƞ! Ɨŏ!Ăƃ!ƒ ƃƮƧ!ƒ ƖƨƞƞƉ ƾŏƕƱƙĂ ǑƑƠljƞ!ƒ ƾŏƖơƙ!ƒ ƘƠŏǁǆƵ ƇƠljƉ ƠƞƙǃƼƗ ƳƞƒĂ!ƒ ƗŏƃƧ!ƒ
- LJùǆ Ɨù ƶŏƧƵ ƗùƵĂǆƞǆ ƗŏƠǆơ Ɨŏƺƅ ƗŏljĂljƠ!!ƒ ƃƵƒĂ!!ƒ ljƦǋj ƾŏƕƱƙ ƗŏǆǋjŰ Ƙƒ/LJŏƗƧƠƬǆ!ƒ ƩŏƪơƙŶLJĂljƠ!!ƒ ǄƗơ Ĭ!ƍ ƃljƙƪŏ ƴǆƙƞǆ Ǒƽ ƗŏljƠƪljŰƒ ƾĂƖơ!ƒ
- Ǒùƽ ǑƪƠƪŰƒ ǄǋjƧĂƃƅ LJŏǆƠơǆ!ƒĂ LJŏǆƠƺ!ƒ LJŏƵƃǆ!ƒĂ ƖƠƶ!!ƒ LJǆ Ƙƒ/LJŏƗƧƠƬǆ!ƒ LJŏƅ ǑƵĂ!ƒ ƗƵƠƬƍ ŶƗŏƑƠljƞ!ƒ ƘƠǀŏǀơƙ!ƒ ƇƠljƉ ƗŏƃƧƺ!ƒ ƾĂƖơ!ƒ ǀ!ƦƗ Ǒƽ ƠǆƅLJĂljƠ!!ƒ ǄƗơ ƦƠƽljƍ
- LJƠùƪljŰƒ ƾĂùǀơ ƗŏƠǆơ ƨŏƨƙ Ĭ!ƍ ĭƃƌŏ Ŭ ƗǃƠƺ!ƒ ƗǆƗƠơǆ!ƒ ƃƵƒĂƃ ƦƠƽljƍ LJƉ Ɨŏǀơƅ ǑƵĂ!ƒ ƗƵƠƬƍ ǄǆƪƠ!Ơƅ ƱĂƞljƠ!ƒĂ ĭƃƠƮƙƃŰƒ ƧƠǆƙƪŰƒ ƴŏƞƬƙ Ĭ!ƍ ǇƶŏƉ ĭƃƌŏ ƴƅ ƳƪơƼ ƗǆƗ!ƗƠ ƱŏƧƺ!ƒ ĬljƺǆƠƅ .LJŏŏ!Ăƃ!ƒĂ LJŏǆljƱĂ!ƒ LJǆŰƒĂ

ƗǀƑƪƉ

- ƿƗŏƑƠljƞ!ƒ ƘƠǀŏǀơƙ!Ơƅ Ɨǀ ƮƙǆƵ!ƒ Ɨŏ!Ăƃ!ƒ ƗŏƑƠƶ!!ƒ ƾƕƒĂƪ!ƒĂ ƗŏljĂljƠ!!ƒ ƃƵƒĂ!!Ơƅ ƗƕƠƪ ƗƼƧƶǆ Ǆƽ! ƴǋj
- Ǒùƽ LJĂùǀǆƶƙ ĭƦù!ƒ ǑljƱĂ!ƒ ǑljĂljƠ!!ƒ ǄƠƲljƙƒ LJǆ ƒƠƨƞ ƗŏƑƠƶ!!ƒ ƾƕƒĂƪ!ƒĂ ƃƵƒĂ!!ƒ ljƦǋj ƴƗƬƙ ƴǋj ƿljƧƠƱƍ
- Ǒƽ ǃǋjĂǆƙǀƕƱ LJƉ ǄƗ! ƾƕƪ ƴǋjĂ ƾƕƒĂƪ!ƒĂ ƃƵƒĂ!!ƒ ljƦƞ! ǑljĂljƠ!!ƒ ƨƗƧǆ!ƒ Ăǋj ƠǆƠ ǀ!ƦƗ ƧǆŰƒ LJƠƗ ƒƦƍ ƿƘƠƃĂŰƒ LJǆ ƘƃĂ ĭƉ
- ƴƗƠùƬǆ Ɨùŏƌ ǄƙǋjƞƒĂ ƴǋj ĂƉ - ƾǀƍ ǑơƒĂlj ĭƉ ǄƗƞ!ƠƤƙ ƴǋj ƠǋjĂǆƙƕƪƙƗƒ Ǒƙ!ƒ ƖƧƅƤ!ƒ ƠĂƶ ĬǁƵĂ ƿƗǆƗƠơǆǀ! ƗƕƠƪ!ƒ ƗǀơƧǆ!ƒ Ǒƽ ƒ ƠƤƬŰƒ LJǆ ƒ ƤƬ! LJƠƪljŰƒ ƾĂƖơ LJŏǆǀƙ Ǒƽ - Ɩƃƃơǆ
- ǑljĂljƠù!!ƒ ƧƠùƱŰƒ Ĭ!ƍ ƧƲlj!Ơƅ ƠǋjĂǆƙƞ!ƠƵ ƻŏƗĂ ƴƗƠƬǆ!ƒ Ăƅ ǄĂǆƞ!ƒ ƗƺŏƕƱ Ơǆ ǀ!ƦƗ ƧǆŰƒ LJƠƗ ƒƦƍ ƿǋŏƽ LJĂǀǆƶƙ ĭƦ!ƒ
- ƿǀƧĂƃ!ƒ ljƦǋj ƇƠljƉ LJŏƕƧƃǆ!ƒ/LJŏǋjƞĂǆ!ƒ ƴƕƍ LJǆ ƒƃŏƃơƙ Ǌ!Ơƶƙ LJƉ Ǒƽ LJĂƕƹƧƙ ƠŏƠƶ!!ƒ ĭƉ

Ŧǐ Ʈ!ƒ ƘƒƦ ŦǒǇĂǇƠ!ƒ ǁĂǂ Ʈ!ƒ

ħĭĐŽǁƒy ǁɛ ƿǋ|Ƭǁɛ

- 1948 ÜǇƠʅǇŰƒ ƨĂlơ! Ŏď!Ƣz!ƒ ǇǒǔƵŰƒ
- 1966 ÜŦǒʅƠǒʅ!ƒĂ ŦǒǇɓď!ƒ ƨĂlơ!Ƣħ ƒ ƠƤ!ƒ Ŏ!Ăɓ!ƒ ɓnjz!ƒ
- ÜŦùǇǒnjď!ƒ ĂĐ ŦǒǇƠʅǇ℘ǔ!ƒ ĂĐ Ŧǒʅƈl!ƒ ŦħĂlz!ƒ ĂĐ ŦǁďƠzď!ƒ ƔĂƧư ǇJď ǇƩǒƹĂ ƔǒƦƶķ!ƒ Ŧư ǊƢǇď ŦǒpƠƨķƒ 1984
- 1998 ÜŦǒ!Ăɓ!ƒ ŦǒƑƠǇŋ!ƒ Ŧďǂơďǁ! Ŏʅƈʅ Űƒ ĐƢƱǇ!ƒ

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- 1979 ÜǇǒǇƒĂl!ƒ ƦƠƨǇƎħ Ǉǒƨǁǂď!ƒ ǇǒƨƱĂď!ƒ ǁĂǁʅ ɓƵƒĂl! ŦǇĂɓď
- 1988 ÜýƠlķƵŰƒ ýƠǂƬĐ ǇJď ýǂƬ ĭŰ Ǉǒzư ƠƤ!ƒ ƒ ƠƤƬŰƒ ŦƼƠǂ ŦǒƠďơ ǇJƬħ Əɓƈħď!ƒ ŦƵĂďŋď
- 1955 ÜƇƈǇŋʅ!ƒ ŦǁďƠzď! ƠǒǇɓ!ƒ ŦǒŋƦĂďǇ!ƒ ɓƵƒĂl!ƒ
- 1990 ÜŦħƠǒǇ!ƒ ƇƠư ƵĐ ǇJƬħ ŦǒnjǒŋĂķ!ƒ Əɓƈħď!ƒ
- 1990 ÜǇǒďƠơď!ƒ ƧĂɓ ǇJƬħ Ŧǒʅƈʅ Űƒ Əɓƈħď!ƒ
- ƒɓǇƒĂƧĂ ƠǒƼǔʅĂƹĂǒħ ǇǒķƮƠƤ!ƒ ǇǒķǒĂɓ!ƒ ǇǒķǒƑƠǇŋ!ƒ Ǉǒķďǂơďǁ! ŎǁƤƒɓ!ƒ ĐƢƱǇ!ƒ

ħĭĐŽĭǂƨŰɛ ƿǋ|Ƭǁɛ

- 1981 ÜƔĂƶƬ!ƒĂ ǇƠʅǇŰƒ ƨĂlơ! ŎlǒƧƼŰƒ ƨƠƙǒď!ƒ
- 1969 ÜǇƠʅǇŰƒ ƨĂlơ! ŦǒǂǒƧďŰƒ ŦǒpƠƨķŰƒ
- 1950 ÜǇƠʅǇŰƒ ƨĂlơ! ŦǒħĂƧĂŰƒ ŦǒpƠƨķŰƒ

-1

-2

[illegible] inter alia ??!! [illegible]

[1] [illegible]

.187 [illegible] 1998 [illegible]

ƥĂƥùơ!ƒ LJùdž ƥƶħD Ǵdž Ĭ!ǫ ƥkdžk lƧŏƱP ƧǴǻǴ Ǵnj! LJĂ‡k Ǵdž Ǵħ!Ǵƹ ŦŏǰPƒƥ!ƒ ƘƒƧkĂk!ƒ LJŨ ƗƧUǰ Ŏ!Ăƥ!ƒ ăĂkʅdž!ƒ ĬǰƵ
.ŦŏǰƱĂ!ƒ

2 ùƮk‡ŏ Ŧùŏ!Ăƥ!ƒ ƥƮƧ!ƒ lƨnjȵŨ ŦŏǰĂǰǴl!ƒ ȿħƒĂʅ!ƒ ĬǰƵ Ŧ5ƱǴP lƧUǰ ǴƧdž!ƒ Ŏlŏ ǴdžƥǰƵĂ ǁ!Ʀ ydžĂ
Ŧlơǵʅ!ƒ ŦŏħƹŨƒ LJǫ ýħ .Dž!Ǵƶ!ƒ ǴǴơǰD ydžȵ Ŏ5 ǁǴnjkǰǖ! ƯƧƶk Ǵdž Ǵħ!Ǵƹ Ŧ!ƥǴƵ Ŧdž‡Ǵơdž Ŏ5 ȿơ!ƒ LJD ϴĂưĂħ
ŨýǴkdž!ƒ ýŏħʅ ĬǰƵ ŨĭƧǴŏkPŨƒ ýĂ‡ĂkĂƧħ!ƒ ƧǴƱǫ Ŏ5 LJǴʅǰŬƒ ȿĂlơħ Ŧŏǰƶdž!ƒ Ŧǰȵǁ!ƒ Ǵnjkȵ!ǴƵ Ŏk!ƒ ǴǴǴưl!ƒ LJdž
ƥùƵƒĂl!ƒ 2 ùƮĂ LJƧklŏùʅ Ŏlŏ Ǵdžŏ5Ă .Ŧdž‡Ǵơdž!ƒ ǴǴǰD ȿĂlơ!ƒ ĂD Ŧdž‡Ǵơdžǁ! ŦlħǴʅ!ƒ ȿĂlơ!ƒ ƘǴ‡ǴnjkǰǴħ ȿǁƶkk
.Ŧŏ!Ăƥ!ƒ ŦŏƑǴưl!ƒ ȿħƒĂʅ!ƒ ƔǰƒĂȵ DžNjŨ ƨȵĂdž ƯƒƧkʅǴħ YĂưĂdž!Ǵħ Ŧƥǚƶ!ƒ ƘƒƦ ŦŏǰĂǰǴl!ƒ

ħĭdžNjdžƑȿǁƐ ƫ NjƮdžǁƐ -3

ƒ ǴùP!ƒ Ŏ!Ăƥù!ƒ ƥùnjƶ!ƒ LJdž 14 lƥǴdž!ƒ Ŏ5 Ŧ!ƥǴƶ!ƒ Ŧdž‡Ǵơdž!Ǵħ ŦǁƶkdƶƒŦŏǰĂǰǴl!ƒ ƒ ĂƮǰ!ƒ DžNjD ƥƧk
ŦŏpǴ5kŨƒ LJdž 8 lƥǴdž!ƒĂ ŬƔĂƶT!ƒĂ LJǴʅǰŬƒ ȿĂlơ! Ŏlŏ25Ũƒ ȿǴħŏdž!ƒ LJdž 7 lƥǴdž!ƒĂ ŬŦŏʅǴŏʅ!ƒĂ Ŧŏǰƥdž!ƒ ȿĂlơ!Ǵħ
ƘƒƦ DžǴù‡ơŨƒ ǰǴùǰƥD Ɲ!ǴƶƑ 2 ĂʅĂ .LJǴʅǰŬƒ ȿĂlơ! ŦŏħĂƧĂŨƒ ŦŏpǴ5kŨƒ LJdž 6 lƥǴdž!ƒĂ ŬLJǴʅǰŬƒ ȿĂlơ! Ŧŏ‡ŏƧdžŨƒ
.ŦǁkʅŏdžƘƒƧĂƮǰdž Ǵnj5ƮĂħ YƨĂkʅ ŦǁdžǴ‡!ƒ ƒ ĂƮǰ!ƒ LJD LJŏơ ĬǰƵ ŦħʅǴǰdž!ƒ LJŏĂǴǰƶ!ƒ ƧǴƱǫ Ŏ5 ƥƒĂdž!ƒ ǰƦnjħ ŦǁƮ!ƒ

ǴùNjƧ‡Ʀ Ŏ!Ǵùk!ƒ ǁĂ‡ùƮ!ƒ ǴnjǰdžƴưƒĂdž Ŏ5 lƥƧƒĂ ǰǴǰƥD Ǵnjŏ!ǫ lƧǴƮŬƒ Džkkʅ Ŏk!ƒ Ŧŏ5Ǵư Ŭƒ ƥƵƒĂl!ƒĂ
ĂD ŦŏʅǴl!ƒ ŦħĂlƶ!ƒ ĂD ŦǁdžǴƶdž!ƒ ƔĂƧư LJdž ǰƧŏƹĂ ƔŏƦƶk!ƒ ŦưNjǴǰdž ŦŏpǴ5kƒ :ŎNjĂ lƥơkdž!ƒ DždžŨƒ LJƵ lƧƥǴƮ!ƒ
ƦǴù5ǰħ LJŏù5ǁ‡dž!ƒ LJŏ5UĂùdž!ƒ ǁĂǁùʅ ƥƵƒĂl! ŦǰĂƥdž ŬLJǴʅǰŬƒ ȿĂlơ! Ŏdž!Ǵƶ!ƒ LJǖƵŨƒ ŬŦŏnjdž!ƒ ĂD ŦŏǰǴʅǰǫǖ!ƒ
ƨǴùȵkơŨƒ ýǴ‡TD LJdž ý‡T ĭŨ LJĂưƧƶkŏ LJŏƦ!ƒ ƒ ǴPTŨƒ ydžȵ ŦŏǴdžơħ ŦǁƶkdƶƒƏƥǴħdž!ƒ ŦƵĂdžȵdž ŬLJŏǰƒĂl!ƒ
DžǴùUǰ!ƒĂ ŬLJŏdžǴùơdž!ƒ ƧĂƥ LJƌùTħ ŦŏʅǴʅŨƒ ƏƥǴħdž!ƒĂ Ŭ‡ŧdžǴƶ!ƒ ŦħǴŏǰ!ƒ ǴǴưƵD LJƌTħ ŦŏnjŏȵĂk!ƒ ƏƥǴħdž!ƒĂ ŬLJȵʅ!ƒĂ
.Ŧŏ!Ăƥ!ƒ ŦŏƑǴǰȵ!ƒ Ŧdž‡ơdžǁ! ŎʅǴʅŨƒ DžǴUǰ!ƒĂ ŬƒƥǰĂƧƧĂŏ! ŦlħǴʅ!ƒ Ǵŏ5ǖʅĂƹĂŏ! LJŏkŏ!Ăƥ!ƒ LJŏkŏƑǴǰȵ!ƒ LJŏkdž‡ơdžǁ! ŎǰPƒƥ!ƒ

ƔƐNjƑƨDŽǁƐNj DžNjdžƑȿǁƐ !ƑDžǴ ƔƐNjƑƨDŽǁƐ Ĭƹ 5ϴǁƐ -4
DžNjdžƑȿǁƐ ƒǖNjDžǴ ħ‡DŽƑyDŽǁƐ Ĭƹ

DžƥùƵ DƥħdžǴ ăƧPD lƧǴħƶħ ĂD LJĂǰǴl!ƒ ƔȵĂdžħ ŦŏĂǴʅkdž!ƒ ŦǁdžǴƶdž!ƒĂ LJĂǰǴl!ƒ DžǴdžD lƒĂǴʅdž!ƒ Ŏ5 ȿơ!ƒ LJǫ
ŎǰǴùʅǰŬƒ LJĂǰǴl!ƒ ǴưŏD Dž‡ơŏ ýħ ȿŏư!ƒ Ĭǰƶdž!Ǵħ LJǴʅǰŬƒ ȿĂlơ LJĂǰǴp Ʊl5 Ʃŏ! ȿŏħƱkĂ Ƨŏʅ5k Dž‡ơk ƨŏŏdžk!ƒ
ƩǴùǰ!ƒ" ýǴùħdž!ƒ ýŏħʅ ĬǰƵ ŦŏʅǴŏʅ!ƒ Ă Ŧŏǰƥdž!ƒ ȿĂlơ!Ǵħ ƒ ǴP!ƒ Ŏ!Ăƥ!ƒ ƥnjƶ!ƒ LJdž 26 lƥǴdžǁ! Ǵl5Ă5 .[2]Ŏ!Ăƥ!ƒ
Ŏù5 ŦùǁǴdždž DžǴ‡ơD ƥƧkĂ ."NJkŏǴdžơħ ykdžk!ƒ Ŏ5 ĂǴʅkdž ȿơħ ƨŏŏdžk ĭD LJĂƥ LJĂƶkdžkŏĂ LJĂǰǴl!ƒ DžǴdžD ǴƒĂʅ Ǵƶŏdžȵ

[2] Ŏ!Ăƥù!ƒ ƥùnjƶ!ƒ LJdž 26Ă (1)4Ă Ŭ(3)Ă Ŭ(1)2 ƥƒĂdž!ƒĂ ÝLJǴʅǰŬƒ ȿĂlơ! Ŏdž!Ǵƶ!ƒ LJǖƵŨƒ LJdž 7Ă 2Ă 1 ƥƒĂdž!ƒ ýǴħdž!ƒ ýŏħʅ ĬǰƵ ƧUǰƒ
(3)18Ă Ŭ3Ă Ŭ2 ƥƒĂùdž!ƒĂ ŬŦŏ5ǴlƘ!ƒĂ ŦŏƵǴdžkȵŨƒĂ ŦŏƥǴƮkpŨƒ ȿĂlơ!Ǵħ ƒ ǴP!ƒ Ŏ!Ăƥ!ƒ ƥnjƶ!ƒ LJdž (2)2 lƥǴdž!ƒĂ ÝŦŏʅǴŏʅ!ƒĂ Ŧŏǰƥdž!ƒ ȿĂlơ!Ǵħ ƒ ǴP!ƒ
ŦùŏpǴ5kŨƒ LJùdž 14 lƥǴdž!ƒĂ ÝLJǴʅǰŬƒ ȿĂlơ! Ŧŏ‡ŏƧdžŨƒ ŦŏpǴ5kŨƒ LJdž (1) 27Ă 24Ă 1 ƥƒĂdž!ƒĂ ÝƔĂƶT!ƒĂ LJǴʅǰŬƒ ȿĂlơ! Ŏlŏ25Ũƒ ȿǴħŏdž!ƒ LJdž 28Ă
ȿĂlơ ŦŏpǴ5kƒ LJdž 2 lƥǴdž!ƒĂ ÝǁDƧdž!ƒ ƥư ƨŏŏdžk!ƒ ýǴ‡TD ydžȵ ĬǰƵ ǴǴưl!ƒ LJƌTħ 1979 DžǴƵ ŦŏpǴ5kƒ LJdž 3Ă 2 LJǴkƥǴdž!ƒĂ ÝLJǴʅǰŬƒ ȿĂlơ! ŦŏħĂƧĂŨƒ
ƧùUǰƒ 1949 DžǴƵ! ýħƧŨƒ Ŝŏǰȵ ƘǴŏpǴ5kƒ LJŏħ LJdžĂ .1966 DžǴƵ! ĭƧƮǰƶ!ƒ ƨŏŏdžk!ƒ ýǴ‡TD ydžȵ ĬǰƵ ǴǴưl!ǁ! Ŧŏ!Ăƥ!ƒ ŦŏpǴ5kŨƒĂ Ý1989 DžǴƵ! ý5Ʊ!ƒ
ýĂù‡ĂkĂƧħ!ƒ LJdž (1)75Ă (1)9 LJŏkƥǴdž!ƒĂ ÝƔƧơ!ƒ LJdžƨ LJŏǰƥdž!ƒ ƒ ǴPTŨƒ ŦŏǴdžơħ ŦǁƮkdž!ƒ Ŝŏǰȵ ŦŏpǴ5kƒ LJdž 27Ă 3 LJŏkƥǴdž!ƒ ýǴħdž!ƒ ýŏħʅ ĬǰƵ
Ŧùŏ!Ăƥ!ƒ ŦơǁùʅdžǁƒƘǴùƵƒƨǰ!ƒ ǴǴơùưŦùŏǴdžơħ ýùƮkdž!ƒĂ Ŭ1949 ƩƱùʅƹD/Ƴǻ 12 Ŏ5 ǬƧƺdž!ƒ 1977 DžǴƵ! Ŝŏǰȵ ƘǴŏpǴ5kǴħ ȿơǁdž!ƒ Ŏ5ǴưŨƒ
1949 ƩƱùʅƹD/Ƴǻ 12 ǬƧƺùdž!ƒ Ŝùŏǰȵ ŦùŏpǴ5kǴħ ȿơǁdž!ƒ 1977 DžǴƵ Ŏ5ǴưŨƒ ýĂ‡ĂkĂƧħ!ƒ LJdž (1)4Ă (1)2 LJŏkƥǴdž!ƒĂ Ý(ýĂŨƒ ýĂ‡ĂkĂƧħ!ƒ)
.(ŎǰǴħ!ƒ ýĂ‡ĂkĂƧħ!ƒ) Ŧŏ!Ăƥ!ƒ Ƨŏƹ Ŧơǁʅdž!ƒ ƘǴƵƒƨǰ!ƒ ǴǴơư ŦŏǴdžơħ ýƮkdž!ƒĂ

[illegible] 24 [illegible] 3 [illegible] (1)20 [illegible] (1)21 [illegible]

[illegible] [3] [illegible]

[illegible] (1)14 [illegible] [4] [illegible]

[illegible]

[illegible]
[illegible] (1)14 [illegible]
[illegible] ... [illegible] [5] 14 [illegible] 1 [illegible]

[illegible]

[3] [illegible] (1999 [illegible] 3 [illegible]) [illegible] 1996/694 [illegible] 6-10 [illegible] 98 [illegible] 97 [illegible] A/55/40 [illegible]

[4] [illegible] 1966 [illegible] (1)5 [illegible] (1)21 [illegible] (1)21 [illegible] (1)67 [illegible]

[5] [illegible] (1993 [illegible] 20 [illegible]) [illegible] 1991/468 [illegible] 4-9 [illegible] 187 [illegible] A/49/40 [illegible]

[illegible] 26 (1)14 3 [illegible] .[6] [illegible] .[7] [illegible] (1)6 [illegible]

[illegible]

[illegible]

[illegible]

-5 [illegible]

[illegible] (2)14 [illegible] (Y)(1)7 [illegible] (2)6 [illegible] (2)8 [illegible] (1)11 [illegible] (3)20 [illegible] (3)21 [illegible] (1)66 [illegible]

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[illegible] 13 [illegible]

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6 [illegible] (1988 [illegible] 28 [illegible]) [illegible] 1986/202 [illegible] .12-10 [illegible] 1-10 [illegible] 199-198 [illegible] A/44/40 [illegible]

7 .Eur. Court HR, Airey Case v Irland, judgment of 9 October 1979, Series, A, No. 32, pp. 11-16, paras. 20-28

(2)14

(2)14

(2)14

(2)14

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(Y)(1)7

8 .7 ... 124 ... (14 ...) 13 ...

9 ... (2000 ... 20 ...) ... 1997/770 ...

.3-8 ... 176 ... A/55/40 ...

10 ... (1997 ... 6 ...) ... 1994/577 ...

.8-8 ... 43 ... A/53/40 ...

11 ... (1998 ... 9 ...) ... 1994/591 ...

.3-8 ... 61 ... A/53/40 ...

12 ...

13 ...

[illegible] [14] [illegible] 26 [illegible]

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[illegible] (2)6 [illegible] "1 [illegible] [15] [illegible]

[illegible] [16] [illegible]

[illegible]

[illegible] [17] [illegible] (2)6 [illegible] [18] [illegible]

[illegible] (2)6 [illegible] 6 [illegible] 2 [illegible]

[14] ACHPR, International Pen and Others (on behalf of Ken Savo-Wiva Jr. and Civil Liberties Organisation) v. Nigeria, [illegible] 96-94 [illegible] 1998 [illegible] 31 [illegible] Communication Nos. 137/944, 139/94, 154/96 and 161/97 . http://www1.umn/edu/humanrts/Africa/comcases/137-94_139-94_154-96_161-97.html [illegible]

[15] Eur. Court HR, Case of Allenet de Ribemunt v. France, judgment of 10 February 1995, Series A, No. 308, p. 16 para. 35; emphasis added.

[16] [illegible]

[17] .36 [illegible] 16 [illegible]

[18] .41 [illegible] 17 [illegible]

[illegible] [19]

[illegible] [20] ... [21] ... [22]

[illegible] [23] ... (2)6 ... [24] ... [25]

[illegible]

[19] .*Eur. Court HR, Case of Leutscher v. the Netherlands, judgment of 26 march 1996, Reports 1996-II*, p. 436, para. 29

[20] .*Eur. Court HR, Minelli case v. Switzerland, judgment of 25 March 1983, Series A, No. 62*, p. 18, para. 38

[21] [illegible]

[22] .40 [illegible] 19 [illegible]

[23] .14 [illegible] 432 [illegible]

[24] .31 [illegible] 436 [illegible]

[25] [illegible]

[illegible] -6

[illegible]

[illegible] 1-6

[illegible] 11 [illegible] 17 [illegible] 8 [illegible] (1)17 [illegible] 11 [illegible] 8 [illegible]

[illegible]

[illegible]

[illegible] 1-1-6

[illegible] 8 [illegible]

[illegible] (2)8 [illegible] .[26]

[illegible] [27] [illegible] [28] [illegible] (1)8 [illegible] [29] [illegible]

[illegible] [30]

[illegible] [31]

[illegible]

[illegible] [32] [illegible] [33] [illegible]

26 *Eur. Court HR, Huvig Case v. France, judgment of 24 April 1990, Series A, No. 176-B*, p. 52, [illegible] para. 25.

27 .29-26 [illegible] 52-55 [illegible]

28 .29 [illegible] 54 [illegible]

29 *Eur. Court HR, Malone Case v the United Kingdom, judgment of 2 August 1984, Series A, No. 82*, p. 32, para. 67. [illegible]

30 .[illegible]

31 .33 [illegible] 68 [illegible]

32 *.Eur. Court HR, Huvig Case v. France, judgment of 24 April 1990, Series A, No. 176-B*, p.56-57, para. 35

33 .34 [illegible] 56 [illegible]

[illegible][34] [illegible]

[illegible][35] [illegible] (2)8 [illegible]

[illegible]

1991 [illegible][36] [illegible] 8 [illegible][37]

[illegible][38] [illegible][39] [illegible][40]

[illegible]

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34 [illegible]

35 *Eur. Court HR, Malone Case v the United Kingdom, judgment of 2 August 1984, Series A, No. 82 and Eur. Court HR,* [illegible] *Kruslin Case v. France, judgment of 24 April 1990, Series A, No. 176-B.* in the case of *Klass and Others* .Eur. Court HR, Case of Klass and Others, judgment of 6 September 1976, Series A, No. 28. [illegible] 8 [illegible]

36 [illegible] *Eur. Court HR, Case of Lampert v. France, judgment of 24 August 1988, Reports 1998-V,* p. 2240, para. 28 [illegible]

37 [illegible] 2242 [illegible] 39.

38 [illegible] 2235 [illegible] 10-8 [illegible] 2236 [illegible] 14.

39 [illegible] 2240 [illegible] 29.

40 [illegible] 2241-2242 [illegible] 38-40.

[illegible]

[illegible] 2-1-6

[illegible]

[illegible] [41] [illegible]

[illegible] [42]

[illegible] [43] [illegible] [44]

[illegible]

41 *Eur. Court HR, Case of Chappel v. the United Kingdom, judgment of 30 March 1989, Series A, No. 15-A,* p. 21, para. 51.

42 .24 [illegible] 56 [illegible]

43 .60 [illegible] 25 [illegible]

44 .[illegible]

[illegible] [45] [illegible]

[illegible] 3-1-6

[illegible] [46] [illegible] [47] [illegible] [48]

[illegible] [49] [illegible] [50]

[illegible]

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45 [illegible] 27 [illegible] .66

46 *Eur. Court HR, Case of Pfefer and Plankl v. Austria, judgment of 25 February 1992, Series A, No. 227*, p. 18, para. 47.

47 [illegible] 47 [illegible] .19

48 [illegible] 19 [illegible] .48

49 *Eur. Court HR, Case of Schonenberg and Durmaz, judgment of 20 June 1988, Series. A, No. 137*, p.8-9, paras 8-9.

50 [illegible] 9 [illegible] 10 [illegible] .11

Ŧùǉƞ!ƒ ǇǅƤùǒ .[51]"ƋƱƒĂk!ƒ ƧƱƤ ǇǵǒơŪƒ Ǉďž Ƨŏǂ Ŏ5 ǁǵǉǊ ǉƦǌǂ Ŧ!ǵơ Ŏ5 Ǉǫ ǂŏơ Ǌŏ!ǫ ŦŏƑǵǉƞ Ďǌk ǊŏƞĂk "ŎùƱƒƧlďǒƥ ƴďkƞď Ŏ5 ǵŏƧĂƧƜ" ǊƽƮĂ ƒƧƧďž Ʃŏ! ǇƶƱ!ƒ ýơďž ýƤƥk!ƒ ǅǅ Ĭ!ǫ ƻǵƱď!ƒ Ŧďkǵ Ƥ Ŏ5 ƘǌkǉƒƘƒǵƒƧƞŪǵ Ŧǁ Ʈ ǵǌ! lƧĂƬďž ʂǵďƧĂƥ ƥŏʅ!ƒ ƥĂʂk Ŧ!ǵʅƧ!ƒ ǇǅĂ ŦǉƑǵ!ƒĂ ŦďĂǂơ!ƒ ǵǌkƥǵʅ Ŏk!ƒ Ɲƞơ!ƒ ƘƜ5ƧĂ ǊƞĂk Ď! Ŧ!ǵʅƧ!ƒ ǇǅĂ Ďŏǁʅ!ƒ ĂơǉƒĬǁƵ ǵǊǉƇƒƧƞǫ ƧƱƤǁ! ƜƧƶŏ ƥƥ ƴǵƱ ƘƒƦ ŎǊĂ ǵǊƃƒƧƞǫ ƧƲkǉď!ƒ ŦŏƑǵǉƞ!ƒ :Ŏǁŏ ǵď ƥƥƮ!ƒ ƒƦǊ Ŏ5 ƘƲơŬĂ .ʂǵďƧĂƥ ƥŏʅ!ƒ ýƒƥ Ǉďž ƻǁǂď Ďǵơď ýƒƥ Ǉďž

> ĆŬƥŪƒ Ĭǁ Ƶ Ơ ƒƧkƵŬƒ Ŏ5" Ǌlơǅ ŎǉǵĂ!ƒ ăĂƵƥ!ƒ Ɣơǵ Ʈ Ʒŭǫ Ĭ!ǫ ƷƧŏǁǉǉĂƬ ƥŏʅ!ƒ Ĭƶʅ" ƒƦùǊ Ĭùǁ ƵĂ … ."Ǌkơǁ Ʈď Ŏ5" ǇĂǂ ǅǅ ǊǉƋƬ Ǉďž ǁ!Ʀ ýďž!ƒ ǇǅĂ ǉǵŏǫ ƠƮǵǉ "ǇǵŏǅĬďǅ Ŏù5 ǊkƒƦ ƥơ Ŏ5 ŎƵƧƬ ǁŏǂk ĂǊĂ ǇŏƶďǁŏǂkƥǵďkƵǵ ʂǵďƧĂƥ ƥŏʅ!ƒ Ŏ Ʈ Ăŏ Ǉǵǂ Ăơǉ!ƒ ýĂƥù!ƒ ƧƑǵùʅ Ŏ5 Ǌŏʂƒ Ăŏ ǵď Ĭǁ Ƶ ƧĂƶ!ƒ ǇǂďŏĂ ŦŏƧʅŏĂʅ!ƒ ŦŏƥǵơkŬƒ Ďǂǵơď!ƒ Ďǵ Ʋǉ ýƲ ƥŏùʅ!ƒ ýùʅĂƕĂ … .Ƙďùʅ Ʈ!ƒ Ďʂùǁŏ Ǉǅ Ďǌkď ƒ ƤƬ! ʂƑǵ!ƒ Ǉďž ǅǅ ǉǵƜ lďž Ăƥƥǵƶkď!ƒ Ǌlơ ƒ ĂƮƤǅ ǊơƮǉ! ʂǵďƧĂƥ ƥŏʅ!ǵǅ ǊƵǵďkƞƒ Ǉŏơ! ǊŏǁƵ ǵƞƒĂ ǁ!Ʀ Ƨkƶŏ Ǌǅ ƷƧŏǁǉǉĂƬ Ĭùǁ Ƶ ăƥʅď!ƒ ƠƮǉ!ƒ ǅǅ Ŧďǂơď!ƒ ĭƊƧ Ŏ5Ă .ǊkʅƒƧǵďď Ĭǁ Ƶ ƔkƧkk Ǉǅ ǇǂďĂ!ƒ ƘǵƶǅƘ!ǵǅĂ ĭƊ ýǂƬŏ ŬĂ ǵǌŏlǁkďĂ Ŧ!ǵʅƧ!ƒ ýʅƧď Ǉŏǅ ƋƱƒĂk!ƒ ƧƱƤ ƥƞĂŏ ǅǅ ǊǉƋƬ Ǉďž Ʃŏ! Ăơǉ!ƒ ƒƦǊ .[52]"ĭƥǵƵ ýǂƬǅ Ŧlơŭď!ƒ Ƨŏʅ! ƥŏƥǌk

Ŏďǵơď!ƒ ǅǅ ǵǊƥǵƽď Ŏk!ƒĂ ŦďĂǂơ!ƒ ǵǌkƥǵʅ Ŏk!ƒ Ŧƞơ! "Ŧǁŏǁƥ ŦŏďǊǅ" Ŧďǂơď!ƒ Ƙ!ĂǅǁǁƦ Ĭ!ǫ Ŧ5ǵƜŪǵ ƥƥĂ ʂǵďƧĂƥ lƥŏʅ!ƒ Ǉďž ʂǵƶŏǫ Ĭǁ Ƶ Ćǵǉǅ ƻƧƮkŏ Ǉǵǂ" ǊǉŪ ƒƧƲǉ ʂǵďƧĂƥ ƥŏʅ!ƒ ýƒƥ Ǉďž Ǌŏ!ǫ ʂƵĂŏ Ď! Ŏǉƶď!ƒ ŪŦďǂơď!ƒ ƧƲǉ Ŏ5Ă ."ǵŏʂkǵǊ ǁ!Ʀ ŦƶƱǵlď! Ďǵƶ!ƒ ŎƵƥď!ƒ Ʃǁǅ

> ŎǉǵĂ!ƒ ăĂƵƥ!ƒ Ɣơǵ Ʈ ǇŏǂďkǵǇǅ ƥƮlŏ Ŏk!ƒ Ŧŏ!ĂŬƒ ƘƒĂƱƤ!ƒ ŦǅǵĂďǅ ŎǊ ŦƵĂǉkď!ƒ ƘŬǵƮkŬƒ ǉƦǊ" Ďǵùǂơǅ Ǉďž ƧƤǂ ŎʅǵʅǅĎǂơ Ŏ5 ƥʅƞď!ƒ Ǌlơ Ŧʅ ƧǵďďƎ Ŏ!ǵkǵĂ ǉƧǵƘƤŏ Ďǵơď ǉƥƵǵʅďǅ ƳǵƽkǉŬƒ Ǉďž ƘùǁŏǁǵďʅƧ Ǉŏƶŏ Ď! ƷƧŏǁǉǉĂƬ ƥŏʅ!ƒ ǇĂǂ ŦŏlơĂ ƻĂƧƲ!ƒ ǉƦǊ Ŏ5Ă … .6 ǉƥǵď!ƒ ĭƊ ŦƥƑƽkŬƒ [53]."ƧǂƦŏ ƧǂƊ ƘƒƦ

Ǉŏùǅ Ŧùƥŭƶ!ƒ Ǉǅ Ŧďǌďž lƧǂƦk Ăơǉ!ƒ ƒƦǊ Ĭǁ Ƶ ýǂƬŏ Ŧ!ǵơ!ƒ ǉƦǌ Ŏ5 8 ǉƥǵď!ǵǅ ýŭƤǫ ǂƥơ Ŏ!ǵk!ǵĂ Ŧŏ!ǵďkơƒ Ǉǂk ǇǫĂ lʂŏďkď Ŧƥŭ Ƶ ŎǊǌ ǊŏďǵơďĂ ŦŏƑǵǉƞ ŦďŏƧƞ ǊǅǵǂƧǵ Ďǌkď!ƒ ĂƊ Ďǌkď!ƒ ĂƊ Ǌŏ5 ǊǅkƬď!ƒ ƒ ƤƬ!ƒ .ǉǵǉƥƊ 4-6 ƔƧ5!ƒ Ŏ5 Ŧŏƕl!ƒ ǉƦǌ! Ĭƥ Ʈk!ƒ Ďkŏ ƻĂʅĂ .ŦŏǵǉƵ ǵǊǉƵƧk Ǉǅ Ŧŏǁơď!ƒ ƘǵƱǁʅ!ƒ Ĭǁ Ƶ ǇŏƵkŏĂ

> *Ɣùƞŏ ŦŏƑǵǉƞ ƘǵǁŏlơkǅĎǵŏ!ƒ ĆǵǉĂƊ ǊkǵŏƮĂƮƤ Ŏ5 ƒ ƤƬ!ƒ ʂơ Ŏ5 ýƤƥk!ƒ Ǉǫ ǵùƜƧƹ Ďƥƥŏ ǇǅĂ ŦŏƵƧƬ Ŧďʅǅ ŨŎ!Ăƥ!ƒ Ǉǵʅǉǵ Ūƒ ʂĂlơ ǇĂǉǵƥ ýƲ Ŏ5 ŨďʅkŏǇǅ .Ŏǉƶď!ƒ ĆƒƧƞŪƒ ǇŏǅĂ ǊǉŏǅǵǊʅǵǉk ǁǵǉǊ ǇĂǂŏ ǇǅƔƞŏĂ ǵƵĂƧƬď*

2-6 Ǉʂ ƟǊ ǊǅďƑƧ ʂďǵ ǕďƑƴŦ Ďžć Ĭƹ ƫ ƢʅǁƐ 5Ɵ ƒĭƤƴŦǁ ƒ ƥƴŦǁƐ !ƢƳ Ĭƹ

ƧkĂùk Ĭù!ǫ ƧƲǉ!ǵ ǇǂĂ!Ă ǇďǵĂ!ƒ ýƮ5!ƒ Ŏ5 ŦǁƮ5ď lƧĂƮǅ ĆǵǉƞʅĂ!ƒ Ǉŏʂƞkơď!ƒ ŦǁďǵƵď ýĂǵǉkkʅ ŪŦŏƑǵǉƞ!ƒ ƘǵlŏlơƘ!ƒ ʂǵŏʅ Ŏ5 ĎǌkŏƧơ Ǉďž ǇŏďĂƧơď!ƒ ƒ ǵƤƬŪƒ ŦǁďǵƵď ĆĂʅ Ǉďž ǉƧŏƹĂ ƔŏƦƶk!ƒ Ĭ!ǫ ĆĂƞǁ!ƒ ĂƊ Ŧŏʅǵl!ƒ ŦǅĂlƶ!ƒ ĂƊ ŦǁďǵƵďǁ! ĂƊ ƔŏƦƶkǁ! ƜƧƶk!ƒ ĎƥƵ Ŏ5 ʂơ!ƒ ǅǅ Ĭǁ Ƶ ƥƥƬk!ƒ ǇƵ Ďǵlď!ƒ ƒƦǊ Ŏ5 Ĭǉƹ Ŭ Ŏ!ĂƥùʅƑ ƥǌƶ!ƒ Ǉďž 7 ǉƥǵď!ƒ) ǇǵʅǉŪƒ ʂĂlơ! Ŏď!ƵƐ!ƒ ǇǅŭƵŪƒ Ɣǉǵƞǅ ƘƒƥǊǵƶď!ƒ ĎǊǊƊ ǊƊƽǂk ʂơ ĂǊǉ Ŧŏǉǵʅǉǉŭ!ƒ

[51] .25 lƧl5!ƒ Ū13 Ŧơ5Ʈ!ƒ ŪǊʅ5ǉ ƴƞƧ!ƒ

[52] .28 lƧl5!ƒ Ū14-13 Ǉǵkơ5Ʈ!ƒ ŪǊʅ5ǉ ƴƞƧ!ƒ

[53] .29 lƧl5!ƒ Ū14 Ŧơ5Ʈ!ƒ ŪǊʅ5ǉ ƴƞƧ!ƒ

(2)5 [illegible] 4 [illegible] 3 [illegible] 4 [illegible] (2)5 [illegible] (1)10 [illegible] .[54] [illegible]

[illegible] 55 [illegible] (Y)(1)55 [illegible]

[illegible] .[55] [illegible] 1 [illegible]

[illegible] 1979 [illegible] 5 [illegible] 1990 [illegible]

[illegible] -16" [illegible]

54 [illegible] 1984 [illegible] .1987 [illegible] 1985 [illegible]

55 [illegible] (2)27 [illegible] (2)4 [illegible] (2)2 [illegible] (2)15 [illegible] 5 [illegible]

(ﻫ)(1)54 ... (ﻫ)(1)55 ...

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(ﺩ)(3)14 ... (ﺩ)(3)6 ... (ﺏ)(2)8 ... 10 ...

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56 ... 6 ...

57 ... ACHPR, Media Rights Agenda (on behalf of Niran Maloulu), v. Nigeria, Communication No. 224/98 ... 43 ... 2000 ... 7 ... 23 ... http://www1.umn.edu/humanrts/Africa/comcases/224-98.html.

(3)14 ... [63]

(3)14 ... [64]

14 ... (3)14 ... [65]

(3)14 ... [66] ... [67] (3)14

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63 ... 1993/561 ... (1997 ... 8 ... A/52/40 ... 151 ... 2-9.

64 ... R.14/63 ... (1981 ... 28 ... A/37/40 ... 120 ... 20 ... 119 ... 2-16.

65 ... 1977/16 ... (1983 ... 25 ... A/38/40 ... 138 ... 1-14 ... 2-14.

66 ... 2-14.

67 ...

[illegible] (1994) [illegible].[68]

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[illegible].[69]

[illegible].[70]

[illegible]

4-6 [illegible]

[illegible]

[68] I-A Court HR, *Castillo Petruzzi et al. case v. Peru, judgment of May 30, 1999, Series C, No. 52*, p. 202, paras. 141-142 read in conjunction with p. 201, para. 138.

[69] *Eur. Court. HR, Case of Steel and Others v. the United Kingdom, judgment of 23 September 1998, Reports 1998-VII*, p. 2741, para. 85.

[70] .*Eur. Court HR, Case of Brozicek v. Italy, judgment of 19 December 1989, Series A, No. 167*, p. 18, para. 41

1955 DžǴùƶ! ĆǴǉɳùʅ!ƒ ŦǁdžǴƶdž! ǴǒǉƥŦǒɳŖĂdžǉ!ƒ lƥơkdž!ƒ DždžŬƒ ƥƵƒĂƥ Ǉdž 93 lƥƵǴl!ƒ ǇǊ Ƨǒƺ
Ŏǁǒ Ǵdž Ĭ ǁƵ ƒ ǉk

Ǉǒùơ ǴǉǴɳdž Ŧdž ǂ ơdž!ƒ Ǌǉǒƶk DžǴơdž Ŧǒdž ʅk ƔǁƱǒ Ǉǆ ŬǊʅ5ǉ ǇƵ ƔǴ5ƥ! Ŧǒƺ ŬǅɳƙdžǁǁƒƤƧǒ"
Ǌdžǁùʅǒ ǇǊĂ ǊùƵǴ5ƥ! ƒƥƒƥƵǫ ǊǒdžǴơdž ƘƒƧǴǒƨ Ĭlǁkǒ ǇǆĂ ŬŦǒǉǴ ǂ dž Ŭƒ ǉŖǋ Ĭ ǁƵ ǇĂǉǴl!ƒ ƒ ǉǒ
ƨĂɳǒĂ . Ⅱ!Ŗ ƔǁƱ ƒŖ Ŧ ǂ Ǵ ǂ ǁ! ƘƒĂƥǊ ĬƱƶǒ ǇǊ Ǌù! ƽơǒ ƥƮl!ƒ ƒŖǋ ĬǁƵĂ .ŦǒƧʅ ƘǴdžǒǁƶk
ǇǊ ǇĂƥ Ǉù ǂ !Ă ŬǇɳʅ!ƒ ƻƱĂdž ĂǊ ŦƱƧƬ!ƒ ǇƵ ăǊƧdž ǊǒdžǴơdžĂ Džɳǉkdž!ƒ Ǉǒ Ŧǁ Ǵ ldž!ƒ Džkk ǇǊ
."Ǌǉdž ƴdžʅdž Ĭ ǁƵ ǇĂ ǂ k

ŦǒǴdžơ ŦlǁƵkdž!ƒ ƏƥǴdž!ƒ ŦƵĂdžɳdž Ǉdž 18 Ǌƥdž!ƒ Ŏ5 ƥƥƮ!ƒ ƒŖǋ Ŏ5 ýǒƮǴ5k!ƒ Ǉdž ƥǒƨdž!ƒ ƥƧǒĂ
Ŏǁǒ Ǵdž Ĭ ǁƵ ƒ ǉǒ ĭŖ!ƒ Ǉɳʅ!ƒ ĂǊ ƨǴɳkơŬƒ ýǴ ǂ ƬǊ Ǉdž ý ǂ Ƭ ĭŬ ǇĂưƧƶkǒ ǇǒŖ!ƒ ƒ ǴƤƬŬƒ ƴǒdžɳ

."Ǌƶdž ƧĂǴƬkǒ ǇǊĂ ǊǒdžǴơdž ýƮkǒ ǇǊ ǇĂɳʅdž!ƒ ĂǊ ƨɳkơdž!ƒ ƒ ƤƬǁ! ƽơǒ -1"

ƧĂǴùƬkǁ! Ŧǒ5Ǵ ǂ !ƒ ƘŭǒɳǇʅk!ƒĂ Ŏ5Ǵ ǂ !ƒ ƘƥĂ!ƒ ǇĂɳʅdž!ƒ ĂǊ ƨɳkơdž!ƒ ƒ ƤƬǁ! ƟǴkǒ -2
.ǊǒdžǴơdž ƴdž

ǊǒdžǴơdž ǉƧĂƨǒ ǇǊ Ŏ5 ǇĂɳʅdž!ƒ ĂǊ ƨɳkơdž!ƒ ƒ ƤƬ!ƒ ƽơ ƥǒǒlk ĂǊ ƻƥĂ ƨĂɳǒ Ŭ -3
ƻĂƧùƱ Ŏ5 Ŭǫ ŬŦǁdžǴ ǂ ŦǒƧʅǆĂ ŦƥƒƧdž ĂǊ ƧǒƤk ǇĂƥ ŬǊǆ ýƮkǒĂ ǊǒdžǴơdž ƧǒƬkʅǒ ǇǊ Ŏ5Ă
ăƧùƤǊ ŦƱǁʅ ĂǊ ŦǒƑǴư ƥ ŦƱǁʅ Ƨǆkƶk ǴdžƥǉƵ ŬŦǒǉĂǉǴl!ƒ ƠƒĂǁ!ƒ ĂǊ ǇĂǉǴl!ƒ ǴǋƥƥơǒŦǒƑǴǉĂkʅƒ
.DžǴƱǉ!ƒ Ǉʅ ơĂ ǇdžŬƒ Ĭ ǁƵ ŦƱ5Ǵơdžǁ! Ǌǉdž Ƨ5dž Ŭ ƒƧdžǊ Ⅱ!Ŗ

Ĭ ùǁƵ ǊùǒdžǴơdžĂ ǇĂɳùʅdž!ƒ ĂǊ ƨɳkơdž!ƒ ƒ ƤƬ!ƒ Ǉǒǆ ƘŭǆǴldž!ƒ ǇĂ ǂ k ǇǊ ƨĂɳǒ -4
.Ǌǉdž ƴdžʅdž Ĭ ǁƵ ǇĂ ǂ k ǇǊ ƨĂɳǒ Ŭ Ǉ ǂ !Ă ǇǒǉƒĂl!ƒ ŖǴ5ǉǫ Ŏ5ƱĂdž ƥơǊ Ǉdž ăǊƧdž

Ŏ5 Ǵǋǒ!ǫ ƧǴƬdž!ƒ ǊǒdžǴơdžĂ ǇĂɳʅdž!ƒ ĂǊ ƨɳkơdž!ƒ ƒ ƤƬ!ƒ Ǉǒǆ ƘŬǴƮkŬƒ ǇĂ ǂ k Ŭ -5
ŦùdžǒƧɳǆ Ŧǁ Ʈ ƘƒŖ Ǉ ǂ k Dž! Ǵdž ǇĂɳʅdž!ƒ ĂǊ ƨɳkơdž!ƒ ƒ ƤƬ!ƒ ƥư ýǒ!ƥ ǂ Ŧ!Ăǆldž Ǌƥdž!ƒ ƒŖǋ
.Ƨǆƥk ŦdžǒƧɳǆ ĂǊ lƧdžkʅdž

ǇĂɳùʅdž!ƒ ĂǊ ƨɳkơdž!ƒ ƒ ƤƬ!ƒ ǇǴdžƧơ ƨĂɳǒ Ŭ Ǌǉǋ" ƏƥǴdž!ƒ ŦƵĂdžɳdž Ǉdž 15 Ǌƥdž!ƒ ƥǒ5ǒĂ
Ŧùǉɳǁ!ƒ ƘƧ ǂ Ŗ ƥƥĂ ."DžǴǒǊ ǇƵ ƥǒƨk lƧk5! ŬǊǒdžǴơdž ĂǊ ǊkƧʅǆ ŦƮǴƤĂ ŬŎɳƧǴƤ!ƒ Dž!Ǵƶ!Ǵǆ ýǴƮkŬƒ Ǉdž
Džƨùǁǒ Ǵùdž ŖǴùƤkƒ Ǉǒùƶkǒ Ǌǉǋ 7 lƥǴdž!ƒ ǇƖƬǆ 20 DžƥƧ DžǴƶ!ƒ Ǵǋǉǒǁƶk Ŏ5 Ǵǋʅ5ǉ ǇǴʅǉŬƒ ƽĂlơǆ Ŧǒǉƶdž!ƒ
."[71] ĭƥƒƧ5ǉŬƒ ƨǴɳkơŬƒ ǇĂƥ ýĂƋơǁ!

Džƥ Ƶ Ŧ!Ǵơ Ŏ5 ŦǒǉǴɳdž!ƒ ŦǒǉĂǉǴl!ƒ lƥƵǴʅdž!ƒ Ǵǋǒ5 Ǵdžǆ ŬŦǒǉĂǉǴƥ lƥƵǴʅdž Ĭ ǁƵ ýĂƮơ!ƒ Ŏ5 ƽơ!ƒĂ
Ŧù!ƥŬƒĂ ŎǁƤƒƥù!ƒ DžǴùƱǉ!ƒ Ǉdž '1'(ƻ!Ǌ)42 lƥƵǴl!ƒ Ǵưǒ Ǌ Ǌǉdž ưk Ŧǒ5Ǵ ǂ !ƒ ýƒĂdžŬƒ Ǌǒ5 ǊǆkƬdž!ƒ Ⅱ ŭkdžƒ
Ŧdž ǂ ơdž! ƨǴɳkơŬƒ ƥƵƒĂƥ Ǉdž (ƻ!Ǌ)67 lƥƵǴl!ƒ ƒ ǉk Ⅱ!Ŗ Ĭ!ǫ Ŧ5Ǵư ŬǴǆ .Ǵǒ5ŭʅĂƺĂǒĂ ƒƥǉƒĂƧ Ŏkdž ǂ ơdž!
lƥƵǴʅdžǆ Ⅱ!ŖĂ ǊǒdžǴơdžǆ ƥǒƥ ĭǊ ǇĂƥǆĂ ŦǁdžǴ ǂ ŦǒƧơǆ ýƮkǒ ǇǊ ƨɳkơdž ý ǂ ! ƽơǒ" Ǌǉǋ Ĭ ǁƵ Ǵǒ5ŭʅĂƺĂǒ
Ƙŭùʅƒ Ƨdž!ƒ ƴùǒdžɳ Ćŭùǒƒ lƧĂƧư" Ĭ ǁƵ Ǵưǒ Ǌ ƒ ǉk Ǵdž ǂ "lƧĂƧư!ƒ Ƙưkƥƒ ƒŖǫ ĭĂ5Ƭ DžɳƧkdž Ǉdž
ƘŭǆǴùldž!ƒ ǇǊ ǉŖùǋ ƨǴɳkơŬƒ ƥƵƒĂƥ Ǉdž (ýƒƥ)67 lƥǴdž!ƒ Ǉǒǆk ǂ ƧǒƤǊĂ ."lƨǒdžkdž!ƒ ŦǉǴ ǂ dž!ƒ ƘŬǴƮkŬƒĂ
Ŏ5ƱĂùdž Ǉùdž ƴdžʅdž Ƨǒƺ Ĭ ǁƵ Ǉ ǂ !Ă ăǊƧdž Ĭ ǁƵ ĭƧɳk ǇǊ Ɣɳǒ ǇǒǒƧĂ5!ƒ ǇǒdžɳƧkdž!ƒĂ ŎdžǴơdž!ƒ ƴdž"

[71] .11 lƧl5!ƒ Ŭ140 Ŧơ5Ʈ!ƒ Ŭlƥơkdž!ƒ DždžŬƒ ǇƵ lƧƥǴƮ!ƒ ŦdžǴƶ!ƒ ƘǴlǒǁƶk!ƒ ŦƵĂdžɳdž

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72 (1980) A/35/40 … 16 … 131 … (1980) 29 … 16

73 (1980) 29 … R.7/28 … A/36/40 … 119 … 16

74 ACHPR, Media Rights Agenda (on behalf of Niran Malaolu) v. Nigeria, Communication No. 224/98 … 2000 … 56-55 … http://www1.umn.edu/humanrts/africa/comcases/224-98.html

75 Eur. Court HR, *Case of S. v. Switzerland, judgment of 28 November 1991, Series A, No. 220*, p. 15, para. 48; emphasis added.

76 .16 ... 48 ...

77 .49 ...

78 .Eur. Court HR, Case of John Murray v. the United Kingdom, judgment of 8 February 1996, Reports 1996-I, p. 54, para. 62

79 ...

[illegible]

[illegible] 1987 [illegible] 15 [illegible] 1988 [illegible]

[illegible]

[illegible]

[illegible]

80 .63 [illegible] 54 [illegible]

81 .64 [illegible] 55 [illegible]

82 .66 [illegible]

83 [illegible]

lĎŽƬΙΙƐ ƕĎŽƦǘĎŽ Ĭʓ 5ΘΙΙƐǋ/Ǉʂƻď ơƮ ƔơƑǋʅΙΙƐ ĂǂƳ !ǋǂĎŽΙΙƐ Ǉþ|Ĭ Ǘƈ Ĭʓ 5ΘΙΙƐ 5-6

þùư lþǀǌƬ!ƒ ĬΙΙƵ ǉƧǂŏ Ǔ ǇĎ Ŏ5" ƒ ƤƬ ýǂ ʂơ Ŏ!Ăþ!ƒ þǌƺ!ƒ Ǉď (ʂ)(3)14 lþǀď!ƒ Ǉďưk
ƒ ƤùƬ ýǂ ʂơ ĬΙΙƵ Ŧŏǂŏƨď Ūƒ ŦŏpǀʂkŬƒ Ǉď (ʂ)(2)8 lþǀď!ƒ ƒ ǉkĂ ."ƔǉƦ ƻƒƧkƵŬƒ ĬΙΙƵ ĂĎ ǋʅʂǉ
ǀǋþǀʂď Ŏk!ƒ (3)8 lþǀď!ƒ ǋkʂʂƵ Ďǂơ ĂǋĂ "ƔǉƦ!ǀ ƧƒƧpǗƒ Ŏ5 ĂĎ ǋʅʂǉ þư lþǀǌƬ!ƒ ĬΙΙƵ ǉƧǂŏ ŬĎ Ŏ5"
Ǉďùưkŏ ŬĂ ."ǋùƵĂǉ Ǉǀùǂ ǀŏĎ ǉƒƧǂǫ ǇĂþ Ƨþƭ ƒƦ Ŭǫ ǀơ!ǀƮ ǇĂǂŏ Ŭ ƔǉƦ!ǀ Ďǌkď!ƒ ƻƒƧkƵƒ" ǇĎ
ŦùŏďǋǇ Ďʅkk ƒƦǌǂ ʂơ! ŦŏΙΙʐʂ!ƒ Ŧŏǀďơ!ƒĂ . ΙΙ !Ʀ! ǋǀƬď Ďǂơ ĭĎ ŦŏĂƧĂŪƒ ŦŏpǀʂkŬƒĂ Ŏlŏƨ5Ūƒ ʂǀŏď!ƒ
ĬùΙΙƵ ƱĂʓùư!ƒ ƧǂĎ ĎƒþƤkʅǀ ǀƒƧʓǗƒ ǋɳĂĎ Ĭ!ǫ ýƮŏ ǀďþǉƵ Ŧŏ!ĂŪƒ Ƙǀlŏlơk!ƒ ăƧɳď Ŏ5 ŦƮǀƤ
16 Ŏǌŏɳ Ăùk!ƒ Ďþď!ƒ ǇĎ Ĭ!ǫ lƧǀƬǗƒ ƧþɳkĂ .ƔǉƦ!ǀ ƻƒƧkƵŬƒ ĬΙΙƵ ĎǌΙΙďơ! Ďǌŏ5 ǋkƬď!ƒ ƒ ǀƤƬŪƒ
Ďkŏ Ŏk!ƒ Ŧ!þŪƒ ĎƒþƤkʅƒ Ư5Ƨ ĎǌŏΙΙƵ Ɣɳŏ ǋǉĎ ĬΙΙƵ ƒ ǉŏ Ŧďǀʐ!ƒ Ŧǀŏǉ!ƒ Ƈǀư ƵĎ ƧĂþ ǇƬ Ə þǀď!ƒ Ǉď
[84] .ŦƵĂƧƬď Ƨŏʓ Ɣŏ!ǀʅ ǀǌŏΙΙƵ ýĂƮơ!ƒ

lþǀď!ƒ Ŏ5 ǀưŏĎ Ǉďưkď ƔǉƦ!ǀ ƻƒƧkƵŬƒ ĂĎ ǋʅʂǉ Ŧǉƒþǫ ĬΙΙƵ ƒ ƤƬ!ƒ ǉƒƧǂǫ Ďþ Ƶ Ŏ5 ʂơ!ƒĂ
Ǉùď (ʂ)(4)21Ă (ʂ)(4)20 Ǉŏkþǀùď!ƒ Ŏ5Ă Ŧŏ!Ăþ!ƒ ŦŏƑǀǉɳ!ƒ Ŧďǂơď! Ŏʅǀʅ Ūƒ ĎǀƱǉ!ƒ Ǉď (Ď)(1)55
Ŧùŏ!Ăþ!ƒ ŦŏƑǀǉɳ!ƒ Ŧďǂơď! Ŏʅǀʅ Ūƒ ĎǀƱǉ!ƒĂ ƒþǉƒĂƧ ŦƮǀƤ!ƒ Ŧŏ!Ăþ!ƒ ŦŏƑǀǉɳ!ƒ Ŧďǂơď! Ŏʅǀʅ Ūƒ ĎǀƱǉ!ƒ
.Ŧlǀʅ!ƒ ǀŏ5ǚʅĂʓĂŏ ŦƮǀƤ!ƒ

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ǀùǌŏ5 ƻƧùkƵƒ Ŏk!ƒ Ŧ!ǀơ!ƒ ǀǌǉď lþŏþƵ Ƙǀʅǀǉď Ŏ5 þǌƺ!ƒ Ǉď (ʂ)(3)14 lþǀď!ƒ Ƙǂǌkǉƒ þpĂ
Σùơ!ƒ Ŏ5 ŬƴþĂ!ƒ Ŏ5 ŬƳþĂĎ þpĂ ."ƔǉƦ!ǀ ƻƒƧkƵŬƒ ĬΙΙƵ ƔŏƦk!ƒ Ƙơk Ƨɳ Ô" ǋǉ ʒǚ!ƒ ƔơǀƮ
ĬùΙΙƵ ƴùŏpĂk!ƒ ĬùΙΙƵ ǉƧùǂÔĂ Ŧʓ!ǀ! ŦΙΙďǀʐď!ƒ ƇĂʅ! ǀʐưǀƤ" ǀǌkΙΙŏƱ Ǉǀǂ ƧǌƬĎ Ŧƛǚƛ lþď! ĭþƒƧʂǉŬƒ
ƯĂƧùʂď!ƒ ƧƱơ!ƒ ƴď ΘĂưĂ ʂ5ƒĂk Ŭ ƘŬǀơ Ŏǋ ǉƦǌǂ lƧŏƱƤ ƘŬǀơ ǇĎ Ǉŏơ ĬΙΙƵĂ [85]."ƻƒƧkƵƒ
ƔʐùƮĎ ǇĂùǂk ǇĎ Ǉùǂďŏ ăƧƤĎ ƻĂƧƱ Ŭǉǀǉþ Ǉŏkŏʅ ǀďΙΙƛď Ŭ ΙΙ ǀǉǋ ǀǋƧǂ ǋʅʂǉ! ƒ ƤƬ!ƒ Ŧǉƒþǫ ĬΙΙƵ
.Ďǌkď!ƒ ƒ ƤƬ!ƒ ǋù! ƯƧʐkŏ ĭƦ!ƒ ǉƒƧǂǗƒ ŦŏƵƧƬ Ďŏŏlk!

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Ŭ *lĎŽøƬΙΙƐ ƕĎŽƦǘĎŽ Ĭʓ 5ΘΙΙƐ* Ŭǋʅʂǉ þư lþǀǌƬ!ƒ ĬΙΙƵ ƒ ƤƬ!ƒ ǉƧǂŏ ŬĎ Ŏ5 ʂơ!ƒ ǇƵ ʂƛǉŏĂ
ǘùƮǉ Ǉďùưkk Ŭ ýŏ!þ!ƒ ƒƦǋ Ŏ5 ƧƱǉ ýơď Ŏǋ Ŏk!ƒ ƴƧŪƒ ǇǀʅǉǗƒ ʂĂlơ Ƙƒþǋǀʐď ǇĎ Ǉď ĎʓƧ!ǀ
lþǀùď!ƒ ǇĎ þùŏ .Ŧùďǂǀơď!ƒ ƘƒƇƒƧɳǫ ǀǀǉĎ ĂĎ ŦƱƧƬ!ƒ ʂǀƱǉkʅƒ ǀǀǉĎ ƇƒĂʅ ʂơ!ƒ ƒƦǋ ĬΙΙƵ ǀơŏƧƮ
ŦŏƑǀǉɳ!ƒ Ŧďǂơď!ƒĂ ƒþǉƒĂƧ ŦƮǀƤ!ƒ Ŧŏ!Ăþ!ƒ ŦŏƑǀǉɳ!ƒ Ŧďǂơď! Ŧ!þŪƒĂ ŎΙΙƤƒþ!ƒ ĎǀƱǉ!ƒ Ǉď '3'(ƻ!Ď)42
lþǀùď!ƒ Ǉďùùù Ƭǂ ǀǌǉďƬ ʂơ!ƒ ƒƦǋ Ĭ!ǫ ŦơŏƧƮ lƧǀƬǫ Ǉďưkk Ŧlǀʅ!ƒ ǀŏ5ǚʅĂʓĂŏ ŦƮǀƤ!ƒ Ŧŏ!Ăþ!ƒ
ŦùŏĂƧĂŪƒ Ŧùďǂơď!ƒ ǇƎ5 ΙΙ !Ʀ ĬΙΙƵ lĂǚƵ .Ŧŏ!Ăþ!ƒ ŦŏƑǀǉɳ!ƒ Ŧďǂơď! Ŏʅǀʅ Ūƒ ĎǀƱǉ!ƒ Ǉď (Ɣ)(2)55
:ŎΙΙŏ ǀď ýþɳΙΙ! Ŭǀɳď Ƴþŏ Ŭ ýǂƬ Ƙďkƨƒ þp ǇǀʅǉǗƒ ʂĂlơ!

84 .ǉǚƵĎ 2-6 ƳƧʂ!ƒ Ŏ5 ǀŏ5Ƨơ ǋƮǉ þƧƒĂ!ƒ 16 Ďþď!ƒ ƧƱǉƒ

85 Ŧùŏʐďɳ! Ŧŏďùʅƨ!ƒ ʂƑǀĂ!ƒ Ŭlþơkď!ƒ ĎďŪƒ ŦlŏĂ Ŭ(1985 ǋŏ!Ăŏ/ʂĂďk 17 Ŏ5 lþďkʐď!ƒ ƇƒƧŬƒ) *ΣŏƧǀǉĂǂ .ǋ* Ŭ1983/139 ĎpƧ ʒǚ!ƒ
Ŧùǉƒþǫ ƘŬǀơ Ǉď ăƧƤĎ Ŧ!ǀơ ĬΙΙƵ ƳǚƱǚ!Ă .201 ŦơʂƮ!ƒ ĬΙΙƵ 2-9 lƧlʂ!ƒ ƴď ǇƒƧkpŬǀ lƇĂƧlď 10 lƧlʂ!ƒ Ŭ202 ŦơʂƮ!ƒ ŬA/40/40 ŬŦďǀʐ!ƒ
ŦùlŏĂ Ŭ(1987 ƧɳĂùkǂĎ/ýĂŬƒ ǇŏƧƬk 27 Ŏ5 lþďkʐď!ƒ ƇƒƧŬƒ) *ĭƒĂʓĂƧĂĎ þư ŎǉĂǋŏƧǀǂ .Ƨ* Ŭ1983/159 ĎpƧ ʒǚ!ƒ ƧƱǉƒ ǀǋƧǂ ǋʅʂǉ! ƒ ƤƬ!ƒ
.190 ŦơʂƮ!ƒ Ŏ5 10 lƧlʂ!ƒ ŬA/43/40 ŬŦďǀʐ!ƒ Ŧŏʐďɳ! Ŧŏďʅƨ!ƒ ʂƑǀĂ!ƒ Ŭlþơkď!ƒ ĎďŪƒ

[illegible] .[86]

[illegible]

[illegible] 1989 [illegible] 1988 [illegible] 3 [illegible] [87] [illegible]

[illegible]

[illegible] [88] [illegible]

[illegible] [89] [illegible] [90] [illegible]

86 *Eur. Court HR, Case of John Murray v. the United Kingdom, judgment of 8 February 1996, Reports 1996-I*, p. 49, para. 45; emphasis added.

87 .20 [illegible] 38 [illegible]

88 .46 [illegible] 49 [illegible]

89 .47 [illegible]

90 [illegible]

Þʂ!ƱǻʂơƘǻȚ!ƒ Ɨǻʂǚǻ Ŏ5 ʂơ!ƒ ýǋ (ýǻƈǩ) ǇƇȽǉǕƒ ʂĂlơ! ƗőhĂƧĂǕƒ Ɨǻǂơǻ!ƒ ƧǕǉ Ɨǌ ɳĂ

Ŏ5 Ƈnjő5 ýȚʒ!ƒ Ɣɳő Ɨ!ăȽǻ 6 lƥƇǻ!ƒ Ƨ!ƇPő Ǆnjkǻ!ƒ ƒ PT!ƒ Ƙǻ Ț Ǉǻ ƥƈƣǻ!ƒ ýǕƥǩȽǕƒ ǇƇǂ ..." ǏŖù!ƒ ǇʐĂù!ƒĂ ǕýǕƥǩȽǕƒ Ƈnjő5 Ǉǂǻǻ!ƒ ƘǕƈơ!! ƗȚƇP!ƒ lƇƵƒƧǻ!ƒ ýǻ Ɨőƣl!ƒ ƧĂƧǓ Ɨ5Ƈǂ ƇĂƣ [91]."Ɨ!ƈơ!ƒ Ŏ5 ýȚăkǻ!ƒ ǉƒƧǂǕƒ ƗɳƧƥĂ ƥǋƒĂT! ƇnjǻőőlǨ Ŏ5 ƧĂƧǓ! ǁlǩ! ƗőǉƱĂ!ƒ ǄǂƈơǻǄ!ƒ ǉƧőzǩ

ăĂùȽ ǋzùȽő Ǖ ǋùǉǄ Ƙɳǩǉ ǩȽƒĂ Ɨǻǂơǻ!ƒ Ŏƣƈl! ƗơĂǉǻǻ!ƒ ƘƇƱǁȽ! ʂőpƥ!ƒ ýőǁơǩ!ƇƕƗőhĂƧĂǕƒ Ɨǻǂơǻ!ƒ ƘǻƇpĂ Ǉǁù5 ǁù!Ŗ Ǐ!ǫ Ɨ5Ƈƣ ǕƇƕ ."Ǆnjkǻ!ƒ ƒ PT!ƒ ƥƣ Ɨǻƥlǻ!ƒ ƥǋƒĂT!ƒ ƇĂƣ Ŏ5 ƇǻőǁȽ ǉƧhǩző ǏŖ!ƒ ŎlƱǉǻ!ƒ ýǕƥǩȽǕƒ" Ǉǁù5 ǃƧùőPǄĂ "ƩƧùǻő ǇǄ Ɣɳő ƇnjǉőzƕƗőƣp ƴƒƇpĂ Ǐ!ǫ ƥƇǉǩȽǕƇƕ ǕýǕƥǩȽǕƒ ǇƇǂ ƒŖ ƇǻƧőƥlǨ" Ɨǻǂơǻ!ƒ Ŏƣƈl! Ɨőùƣl!ƒ ǉŖǋ ƗőʒǁP ƇĂƣ ǏǁƵ [92]."Ɨő5ƇǉƒǩȽǕƒ Ǆǂƈơǻ!ƒ ýhp Ǉǻ Ƈnjő5 ƧǕǉ!ƒ lƥƇƵƕ ƗǉĂǋƧǻ" ƧőƥlǨ!ƒ ƗőǁǻƵ ƗȽƧƇǻǻ ǁĂǁùȽ Ǐù!ǫ ƥƇǉǩȽǕƇƕ ǚǋʂyǄǁ ýǕƥǩȽǕƒ Ǐ!ǫ ƇĂɳǁ!ƒ" ǇĂǂ ƧƇƱǻ!ƒ ƗőƇnjǉ Ŏ5 ƗőhĂƧĂǕƒ Ɨǻǂơǻ!ƒ ƘƧǂǉǄ Ǖlƥƥơǻ!ƒ ǏŖù!ƒ Ăơǉ!ƒ ǏǁƵ ƳƇʒƥ!ƒ ʂǩƇƵ Ǐ!ǫ ƇƇƵƥǕƒ ʂǩƇƵ ǏǁƵ Ǉǻ ƘƇhĂǕƒ ƇƔƵ ýĂơǩ ǇǄ ǉƧǄ Ǉǻ ǇƇǂ ăĂƵƥ!ƒ ƔơƇȚ [93]."lƇƒƧh!ƒ Ʈƒƨǩ5ƒ ǄƥhǻƧ ʂƧPő

Ŏù5 ʂùơǁ! Ƨǂ Ŗ!ƒ ƧǉǕƒ ŎhĂƧĂǕƒ Ƨőȿʒǩ!ƒ ǇƇǂ ƒŖ Ƈǻ Ɨ5Ƨzǻ ǋǉƒĂǕ ǂƥɳ ʂhƇȽ!ƒ Ǉǻ ǋǉǄ ƥőh .ƗőǻőǁpǕƒ ƥȚƧ!ƒ lʂnjɳǄ Ǉǻ ƇǋƧőƹ ĂǄ/Ă ǇƇȽǉǕƒ ʂĂlơh Ɨőǉzǻ!ƒ Ɨǉɳǁ!ƒ ǉƇǉhǩǩȽ Ƙǻ Ț!ƒ Ɨǻʂǚǻ

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ǇĴùǻ (Ɣ)(2)55 lƥƇǻ!ƒ ǇǄ ƥƥȚ!ƒ ƒŖǋ Ŏ5 Ʊơǚő *:hǚǋǫǁ hǚƢƒǻǁǁ hǚƝlƟǚǂǁ Ǐ ʂƒʂǕ !ƒƣǻǁ*
ǇǄĂ ǋhƒĂɳǩùȽƒ ýhp ǋő5 ǋhǩTǻ!ƒ Ʒǚhǫ ŎƷhǉő ǋǉǄ ǏǁƵ ƒ ǉő Ɨő!Ăƥ!ƒ ƗőƒƇǉɳ!ƒ Ɨǻǂơǻǁ! ŎȽƇȽǕƒ ǄƇƱǉ!ƒ *ƣøǐǫƟƗ Ǐøƺ ǄǻƒƇʂƟǁ Ǐƺ ƱȚǋǐ ƐƥƒƇƔƇ lǄǻTǁ ƐPǉ ǄǻǋlǏ ǄǻƇ ǄǻǋǫǕlǄǻTǁ hǚǋŖǚǄ* Ŏ5 ʂơ!ƒ ǋù! ǄƇǂơǄ ƧƇhǩƵƒ Ǉǂǻő Ǖ ǋǉǄ Ǉǉőơ ǏǁƵĂ .(ƒ ǉ!ƒ Ǐ!ǫ ƧƇƣǻ ƱőǁƺʒƱP!ƒ) *"ăƥǁǋǻȚǁ ƹʒǋǻǋǁ ǋǻƇ ƒǻPǁ*
Ǖǫ Ǖýő!ƥ!ƒ ƒŖǋ Ŏ5 Ɨơh!ƒ ƥőp ǇƇȽǉǕƒ ʂĂlơh ƗǁƵǩǻ!ƒ ƘƒƥǋƇzǻǁ! Ɨőɳơ ƒŖ ƒƧőȿʒǩ ŎȽƇȽǕƒ ǄƇƱǉ!ƒ ƒŖǋ :Ɨő!Ƈǩ!ƒ ƗǁƒȽǕƒ ƧőƛƗő Ǆnjǻǻ!ƒ ƔĂƣĂǻ!ƒ ƒŖǋĂ .ƧőhǂǂǕƒ ŎƒƇƣl!ƒ ƇnjǉʐĂ Ƈnj! ƗőǉĂǉƇp ƗlőƛĂ ýǂTő ǋǉǄ

- ❖ lƥƇùǻ!ƒ ýǻ ƇùùőTǻǩǻ ƧhǩzőǇǄ ǏƒƧĂǻ Ɨőƣp Ŏ5 ƗőhĂƧĂǕƒ Ɨǻǂơǻ!ƒ ǇƵ ƧƥƇȚ!ƒ Ǆǂơǁ! ǇǂǻőýǋÞƗő!Ăƥ!ƒ ƗőƒƇǉɳ!ƒ Ɨǻǂơǻǁ! ŎȽƇȽǕƒ ǄƇƱǉ!ƒ Ǉǻ (Ɣ)(2)55
- ❖ ƗùőǉƇǂǻǫ ǇĴùǻ ƗùőpƒĂ Ɨő5Ƈǂ ƗǉƇǻƣ Ƨ5Ăő "ƗőlƱǉǻ!ƒ ƧƇǂǕƒ" ǋőƥƊǩ ǏŖ!ƒ ƧĂƥ!ƒ ǏǁƵ ƥƇǻǩƵǕƒ ƒŖǋ ýǋÞ"ýƥz!ƒ Ǐ!ǫ lƇƇȽǕƒ
- ❖ ÞƗőƒƇǉɳ!ƒ ƘƒƇƒƧɳǕƒ Ŏ5 Ɨ!ƥǕƒ ǄőőlǨ Ŏ5 ǋǉƇǂǻ ŖPǻő Ŏǂ! ƇőƧƇǂ ƇơĂƣĂ Ơƣ ƒĂ ǄĂnjʒǻ!ƒ ƒŖǋ ýǋ
- ❖ ǄƇlǩǉǚ! ƱƧzǩő ǇǄ Ɨ5ƇPǻ ƇǕTǚ ʂƱǉő ǇǄ Ʊ5Ƨ ǋő5 ǋhǩTǻ!ƒ ǇǄ Ă! ǕýƇĂǻ!ƒ ýőǚȽ ǏǁƵ Ǖ ǂ ƥơő ƒŖǻ Þ ƒ ƇPTǕƒ Ǉǻ ǄǻǋƧőƹĂ Ɨǻnjǩ!ƒ Ŏ5 ǋù! ǇőǂƧƇTǻ!ƒ Ǉǻ

ǋhǩTǻ ǉƒƧǂǫ ƧĂƧǓ!ƒ Ǉǻ ƧƧǓ ǏǄ ýǓ Ŏ5Ă ƘƇpĂǕƒ Ǉǻ ƘpĂ ǏǄ Ŏ5 Ɣɳő Ǖ Ŏ5 Ƙǻ Ț!ƒ Ɨǻʂǚǻ ʂơ ǋő5 ǋhǩTǻǁ!Ă ÝƔǉŖ!Ƈƕ ƧƒƧǩƵǕƒ ĂǄ ǋȽʒǉ Ɨǉƒƥǫ ǏǁƵ ǋő5 .ƘƇpĂǕƒ ýőǻɳ

[91] .47 lƧlʒ!ƒ Ǖ50Ă 49 ǇƇǩơʒȚ!ƒ ǕǋȽʒǉ ýɳƧǻ!ƒ

[92] .51 Ɨơʒ Ț!ƒ Ǖ51 lƧlʒ!ƒ ǕǋȽʒǉ ýɳƧǻ!ƒ

[93] . ƒ ǉ!ƒ Ǐ!ǫ ƧƇƣǻ ƱőǁƺʒƱP!ƒĂ ǕlƧlʒ!ƒĂ Ɨơʒ Ț!ƒ Ʃʒǉ ǕǋȽʒǉ ýɳƧǻ!ƒ

[illegible] 6-6

[illegible] 20 [illegible] 7 [illegible] [94]

[illegible] 23 [illegible]

-1" [illegible]

-2 [illegible] 1 [illegible]

[illegible] 43 [illegible] .43 [illegible] .('4'43 [illegible])

[illegible]

[illegible] 7-6

[illegible] (Y)(3)14 [illegible] (Ш)(2)8 [illegible] (Y)(3)6 [illegible] (1)7 [illegible] 20 [illegible] 21 [illegible] 14 [illegible] (Y)(4)20 [illegible] .((Y)(4)21 [illegible]

94 .11 [illegible] Ü140 [illegible]

ǇǙùǚ lƧùǂǚ ȽùǃơƧǚ Ŏù5 ǸƵǁ5ƥ ƥƒƥƵŰ ǇǁƪǉǗ! ȽơǁǩǙ!ƒ Ƙŭǒnjƪǩ!ƒĂ ƘpĂ!ƒ Ĭ!ƥ ƧǁƗǩ5ŮǁǶ ƒ ƤŰǁǶ .ƘǁlǒlơƗ!ƒ

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ǁùǚ ĬùƱƵǒ ǇǙ Ŏ5 ǙnjǩǙ!ƒ ƨơ ƧǶƵǒ" ǇǁƪǉŰƒ ƨĂlơǶ Ƚǒljzǚ!ƒ Ƚljƞǃ!ƒ ǁ!ƦĬǃƵ Ƙƥƥƫ ǁǚǃǚĂ ǄƥǶǚ! Ƚǒzǒ ƱȽƞǒǩljĂ Ƚ!ƥǁz!ƒ Ƚǚǂǁƣǚ!ƒ Ǉǁǚ ư! ǁǚnjǚ ƒƧƬljƵ ǸƵǁ5ƥ ƥƒƥƵŰ Ƙŭǒnjƪǩ!ƒĂ ƘpĂ!ƒ Ǉǚ Ŏ5ǂǒ Ĭø2/ĭ ƒǙ Ĭljzǚ ǇǙ ǁưǒǙ Ƚljƞǃ!ƒ ƘơưĂǙ 14 lƥǁǚ!ƒ ǇǚƬǶ 13 ǙpƧ Ǚǁz!ƒ ƨǒǃzǩ!ƒ Ŏ5Ă [95]Θŭƪ!ƒ ƌ5ǁǂǩ ĬùǃƵ ýĂùƬơ!ƒ lűĭǸƨȽǁ ýǚƬǩ ǇǙ Ɣƞǒ Ǉǂ!Ă lƥơ ĬǃƵ Ƚǒưp ýǂ ƻĂƧƱ ĬǃƵ ƥǚǩzǒ "lƨǸǁ ǙǚǙ ǙǁùơǙ ƻùǒǃǂǩ! ȽùƬƨ5!ƒ ǁ!ƦǂĂ ǸƵǁ5ƥ ƥƒƥƵƥ Ŏ5 ǙnjǩǙ!ƒ ǁnjƞǁǩơǒ Ŏǩ!ƒ ǶǁƣŰǁ ǙǚǙ ƒljƥĭƷǸj lǁƥǚȽƨǙǁ ǇǙùǚ ȽƪƪƌǙ ĂǙ ƒ ƤƬ Ǉǚ ƔǃƱǒ ǇǙ ĂǙ ǸƪƨljǶ ǸƪƨǊ ǇǊƵ ƳǁƧƥ!ƒ ǙnjǩǙ!ƒ ƥǒƧǒ Ů ǁǚƥljƵĂ .ǸǶ ýǁƬǩŮƒĂ ǁ!ƦĬ!ƥ ȽƧǁưŰǁǶ ƱƧǩƬǒ Ǚǂơ!ƒ ƒƦǸĂ [96]"ǙǁơǚĬ!ƥ ƇĂƞǃ!ƒ Ǉǚ Ǉǂǚǒ ǇǙ Ɣƞǒ ǁ!ƦǶ ǁǚĂlǒ ǇǙ ljƧǁǒǩƤƒ Ů"ƒǙǸȽŰƒøƬȽ ǶǁƥøƨǁǸ !ƒøȽǁ !ƨƥȽΘŰǁ ƧƸĂǩ Ŏǩ!ƒ ƻĂƧƱ!ƒ Ŏ5 ǙnjǩǙ!ƒ ƒ ƤƬ!ǁǶ ŎǚǁơǙ!ƒ ýƬǩǒ ǇǙ" ǇĂƥ ȽùǩǁǙ!ƒ Ƚǒljnjǚ!ƒ ƧǒǒǁzǚǃǙ! ƸǃƸĂ ǙnjljĂǃǂĂ Ǉǚ ýǒǊǚǩĂ lƧĂƬǚ!ƒ Ƈƒƥƪƥ Ǉǚ" ǇǙǒǚǁơǚ!ƒ Ǉǂǚǩ ŎƷǶljǒĂ [97]."Ƙljǁǂ Ƚnjƞ ĭǙ Ǉǚ Ǹ! Ɣƞǚ Ů ýƤƥǩ ĂǙ ƱĂƷư ĂǙ ƧǒǙǩ ĂǙ ƥǒǒlǩ ĭǙ

Ƙŭǒnjùƪǩ!ƒĂ ƘùpĂ!ƒ ǇǙùǚ Ŏ5ǂǒ ǁǚ Ʊzǒ Ǚ! ǸǊǙ ƷŭǶ!ƒ Ɣơǁƫ ǁnjǒ5 ǙƵƨ Ŏǩ!ƒ ƘŬǁơ!ƒ Ŏ5Ă Ŏ5 ǸǊǙǚ ĭƦ!ƒ Ŏǚǁơǚ!ƒ Ʃƨlj ȽƱƪƒǶ Ƚǚǂǁƣǚ!ƒ ƇǁljǙ ýǁǚ" ýƥƒ!ƒ Ŏ5 ǸljǙ Ƚljƞǃ!ƒ ƘƲơŮ ŮǸƵǁ5ƥ ƥƒƥƵŰ ŎǚǁùơǚƒǙǇǙùǚ ŮĂ ƷŭǶ!ƒ Ɣơǁƫ Ǉǚ Ů ȽǚǂơǙ!ƒ Ĭ!ƥ ǸƞĂǒ Ǚ! ǸǊǙ ǁ!ƦĬǃƵ lĂŭƵĂ "Ŏ!ĂŰƒ Ƚơǃ!ƒ ƐƤǸǙ .[98](Ɣ)(3)14 lƥǁùǚǃ! ǁǚǙljƒ ǁljǸǙ Ʃǒ! ǁ!Ʀ ƸǁƵǶĂ "Ƴǁ5ƥ!ƒ ƥƒƥƵŰ ƘpĂ!ƒ Ǉǚ ƥǒƨǚ!ƒ ȽơǁƥƔǃƱ ǙǚƒøƬǙǁ ǶĭǙǚljŰǁ ǙǚǙ ljƳƒƷq qǁqƳŪ lűĭǸƨȽǁǸj lƨǸǁ ǙǚǙ Ĭ2/ĭ ƒǙ Ǉǁ ƞĭ !ǁ ǇǁǁǁǁƥǊ njƥĭ ƱƒƷqǁ ǙƒƗ ƒǙ . lƐƥǁƥǁŰǁ ǚĭǙǂƞ ǶǁǂȽǁ ƒǂƲȽ Ǚǁ ǶǁƒΘǁ ǇƤǇj Ĭƺ

!øƗΘǁ ƨùƱlj!ƒ ǙǩǒǇǙ ǁnjǒ5 Ǉǂǚǒ Ŏǩ!ƒ ƘŬǁơ!ƒ Ŏ5" ǸljǙ ĬǃƵ ăƧƤǙ Ƚǒơǁlj Ǉǚ Ƚljƞǃ!ƒ ƘƥƥƬĂ ƨùǃǩǚ!ƒ Ƴǁ5ƥù!ƒ ƥƒƥùƵŰ ǸǒǚǁơǚƒǙ ĂǙ ǙnjǩǙǃ! ƘpĂ!ƒ Ǉǚ Ŏ5ǂǒ ǁǚ ƠljǚƔĂƞĂ Ŏnjǒƥǂ!ƒ Ǉǚ Ǉƌ5 !ƨqƳŰǁ ýƬ5!ƒ" Ǉƌ5 ăƧƤǙ lƧǚĂ Ů"ȽǒƒưƗ!ƒ ƘƒƇƒƧƞŰƒ ýơƒƧǚ Ƚ5ǁǂ ĬǃƵ ƨǁƱljǒ ƱƧƬ!ƒ ƒƦǸj" ǇǊĂ "Ƚǚǂǁƣǚ!ǁǶ .[99]"lƥơ ĬǃƵ Ƚ!ǁơ ýǂ 2ljǩǂǩ Ŏǩ!ƒ ƻĂƧƱ!ƒ ǙǒǒlǩƔǃƱǩǒ "ƸǒƨǁǂǁǩpĂ" ýǂƬǒ ǁǚǒ5

Ƙǒƒƨ Ƚǒưp

Ƴǁ5ƥù! ǇǚǩzǚƒƒŎǚǁơǚ!ƒ ǇǙĂ" ǸƵǁ5ƥ ƥƒƥƵŰ ƘpĂ!ƒ Ǉǚ Ŏ5ǂǒ ǁǚ Ʊzǒ Ǚ! ǸǊǙ ƷŭǶ!ƒ Ɣơǁƫ ĬƵƥƒ ŮƘǒƒƨ Ƚǒưp Ŏ5 ǙĂùǒ ǇǙùǚ ýpǙ ǁǚǚǒ Ǉǁǂ" ǁ!Ʀ! ǸljǙĂ "Ƚǚǂǁƣǚ!ƒ Ǹǒ5 ƘƤǶ ĭƦ!ƒ ǙĂǒ!ƒ Ʃƨlj Ŏ5 ƘǁǚǃzǩǸǒ!ƥ ƘnjƞĂ Ƚǒư!ƒ ljƦǸj Ŏ5 ƔǶùƪǶ "ƫƧƧùlǚ Ǉǁù ǂ ǁǚ Ƚǚǂǁƣǚ!ƒ Ŏ5 ƇƥǃǙ! lƥǒƥƬ Ƙǁǂ ƱĂƷư!ƒ Ǉǂǚ" Ƚljƞǃ!ƒ Ƙǁǚƪ Ă .[100]"ǸƵǁ5ƥ ƥƒƥƵŰ ƥơƒĂ Ŏ5" Ŏǚǁơǚ!ƒ ǇǊƵ ŮƷŭǶ!ƒ Ɣơǁƫ ǁ!ƦǶ ǙǚƪǙ ǁǚǁǃǙ ŮǸljǙ "Ǹǒ5 ýƒƥƞ Ů ǁǚǚ ǇǁǂĂ lƥơǩǚ!ƒ ƘǁŮĂ!ƒ Ǉǚ ƥǸǁƫ ýĂƬĂ ýŭǚĂ "ƥơƒĂ ǙĂǒ Ǉǚ ýpǙ ăĂƪ ǁǚǚǒ Ǉǂǒ Ǚ! ǸljƸ5" ǁ!Ʀ ǁƵǶƸĂ "Ƚǚǂǁƣǚ!ƒ ƥǶǁǂ ǇǙ Ǹǒ5 ƫƧƧǚ Ǉǁǂ ĭƦ!ƒ ǙĂǒ!ƒ ΘǁƪƬ Ʃƨlj

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[95] Ƚǒǚùƪƨ!ƒ ƨƒǁĂ!ƒ Ůlƥơǚ!ƒ ǙǚŰƒ ȽlǒĂ Ů(1992 ǸǒĂǒ/ƨĂǚǩ 27 Ŏ5 lƥǁzǚ!ƒ ƇƒƧŰƒ) ǁǂǒǁǚǁƞ ƥư Ƙǒƒƨ .Ʃ Ů1989/349 ǙpƧ ƷŭǶ!ƒ 18 Ŏù5 lƥùǚzǚ!ƒ ƇƒƧŰƒ) Ůǁùǂǒǁǚǁƞ ƥùư Ʃljƒƨǁǚǁù .Ʃ Ů1996/702 ǙpƧ ƷŭǶ!ƒĂ Ý4-8 lƧlƨ!ƒ Ů315 ȽơƨƬ!ƒ ŮA/47/40 ŮȽǚǁz!ƒ Ƚǒzǚƞǃ! .10-5 lƧlƨ!ƒ Ů232 ȽơƨƬ!ƒ ŮA/52/40 Ƚǚǁz!ƒ Ƚǒzǚƞǃ! Ƚǒǚƪƨ!ƒ ƨƒǁĂ!ƒ Ůlƥơǚ!ƒ ǙǚŰƒ ȽlǒĂ Ů(1997 ǸǒĂǒ/ƨĂǚǩ

[96] .9 lƧlƨ!ƒ Ů124 ȽơƨƬ!ƒ Ůlƥơǚ!ƒ ǙǚŰƒ ǇǊ lƨƥƬ!ƒ Ƚǁz!ƒ ƘǁlǒǃzǩƗ!ƒ ȽƵĂǚƞǚ

[97] .lƧlƨ!ƒĂ ȽơƨƬ!ƒ ƩƨljĂ ŮǸƪƨlj ƔƞƧǚ!ƒ

[98] Ƚǒǚƪƨ!ƒ ƨƒǁĂ!ƒ Ůlƥơǚ!ƒ ǙǚŰƒ ȽlǒĂ Ů(1997 ýǒƧǸǙ/Ǉǁƪǒlj 2 Ŏ5 lƥǚzǚ!ƒ ƇƒƧŰƒ) Ůǁǂǒǁǚǁƞ ƥư ǇǁǚǁƥǁƗƪ .ǙǁŮ1993/528 ǙpƧ ƷŭǶ!ƒ 2-10 lƧlƨ!ƒ Ů26 ȽơƨƬ!ƒ Ů(Ŏljǁƒ!ƒ ƥǃƞǚ!ƒ) A/52/40 Ƚǚǁz!ƒ Ƚǒzǚƞǃ!

[99] Ƚǒǚùƪƨ!ƒ ƨƒǁĂ!ƒ Ůlƥơǚ!ƒ ǙǚŰƒ ȽlǒĂ Ů(1992 ǸǒĂǒ/ƨĂǚǩ 27 Ŏ5 lƥǚzǚ!ƒ ƇƒƧŰƒ) Ůǁǂǒǁǚǁƞ ƥư Ƙǒƒƨ .Ʃ Ů1989/349 ǙpƧ ƷŭǶ!ƒ .4-8 lƧlƨ!ƒ Ů315 ȽơƨƬ!ƒ ŮA/47/40 Ƚǚǁz!ƒ Ƚǒzǚƞǃ!

[100] .4-3 lƧlƨ!ƒ Ů311 ȽơƨƬ!ƒ ŮǸƪƨlj ƔƞƧǚ!ƒ

[illegible] [101] [illegible] (3)14 [illegible] [102] [illegible]

[illegible] (3)14 [illegible]

[illegible] (3)14 [illegible] [103] [illegible] [104] [illegible] [105] [illegible] (3)14 [illegible] [106]

[illegible]

[illegible] (3)14 [illegible]

101 [illegible] 315 [illegible] 316 [illegible] 4-8.

102 [illegible] 1996/702 [illegible] 18 [illegible] (1997 [illegible] A/52/40 [illegible] 232 [illegible] 5-10.

103 [illegible] 1988/282 [illegible] 31 [illegible] 1993 [illegible] A/48/40 [illegible] 35 [illegible] 4-10

104 [illegible]

105 [illegible]

106 [illegible]

(β)(3)14 ... (Y)(3)14 ... [107] ... [108]

... (Y)(3)14 ... [109] ... (Y)(3)14 ... [110] ... (Y)(3)14 ... [111]

... [112]

... (Y)(3)14 ... [113] ... (Y)(3)14

...

[107] ... (1983 ... 24 ... 1979/49 ... A/38/40 ... 148 ... 3-17 ... 149 ... 19.

[108] ... (1998 ... 30 ... 1996/676 ... A/53/40 ... 161 ... 8-7.

[109] ... 29 ... R.13/56 ... 6 ... 1979/43 ... 11 ... A/36/40 ... 188 ... (1981 ... A/38/40 ... (1983 ... 21 ... R.17/70 ... (1982 ... 1 ... 196 ... 14 ... A/37/40 ... 177-178 ... 12.

[110] ... (1985 ... 1 ... 1982/115 ... A/40/40 ... 178 ... 17.

[111] ... (1987 ... 1984/176 ... A/43/40 ... 207 ... 16.

[112] ... 20 ... 7 ... 140 ... 11.

[113] ... (1984 ... 26 ... 1983/158 ... A/40/40 ... 211 ... 5-5.

[illegible] .[114] [illegible] (2)14 [illegible] .(Y)(3)14 [illegible] [115]

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[illegible] (Ш)(2)8 [illegible] [116]

[illegible]

[illegible]

[illegible] -7

[illegible]

[114] [illegible] 1997 [illegible] 2 [illegible] 1993/526 [illegible] A/52/40 [illegible] 18 [illegible] .1-14

[115] [illegible] 1994 [illegible] 15 [illegible] 1991/451 [illegible] A/49/40 [illegible] 154 [illegible] .5-9

[116] .I-A Court HR, *Castillo Petruzzi et al. case v. Peru, judgment of May 30, 1999, Series C, No. 52*, p. 202, para. 141