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Interpretation of Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms

Reply to Written question: Written question No. 641 (Doc. 13266)
Committee of Ministers

1. The Committee of Ministers informs the Honourable Parliamentarian that it cannot confirm or refute the interpretation by the European Court of Human Rights of Article 8 of the European Convention of Human Rights. However, the attention of the Honourable Parliamentarian would be drawn to the extensive case law of the Court on the matter (see, for example, judgments in the cases of *Moustaquim v. Belgium*, 18 February 1991, *Beldjoudi v. France*, 26 March 1992, *Maslov v. Austria*, Grand Chamber, 23 June 2008, *Balogun v. UK*, 10 April 2012, *Khan v. UK*, 12 January 2010, *Emre v. Switzerland*, 22 May 2008, *Husseini v. Sweden*, 13 October 2011).

2. It indicates that the Court balances the right of the individual concerned under Article 8 against the interest of having him/her expelled taking into account, *inter alia*, the seriousness of the crime committed and that this Article has not been considered to be an absolute obstacle to expulsion of aliens with permanent residence permits.

