

SEPARATE OPINION OF JUDGE LOUCAIDES

I fully agree with the judgment in this case and its reasoning. However, I cannot agree with the inclusion in the judgment (see paragraph 35) of the United States Department of State Country Report on Human Rights Practices in Eritrea as a reliable source of information on the human rights situation in that country. This is because I do not consider such reports to be credible sources of information on human rights in any part of the world¹. They are not prepared by an independent and impartial institution but by a purely political government agency which promotes and expresses the foreign policy of the United States. Therefore, they cannot by definition be relied on as a neutral and impartial exposition of the facts mentioned therein. There is always an element of suspicion that such reports are influenced by political expediency based on United States foreign policy with reference to the situation in the country concerned and that they serve a political agenda.

Therefore, I do not see how any judgment of the European Court of Human Rights can rely in any way or to any extent on any United States Department of State Country Report on Human Rights Practices in respect of any country.

¹. See, for example, the United States Department of State yearly reports on human rights practices in Cyprus – the last one being that of 28 February 2005 – which make no reference at all to the grave organised and continuing violations of human rights in Cyprus by Turkey affecting thousands of people. These violations are set out in reports of the European Commission of Human Rights and judgments of the European Court of Human Rights; both of these institutions have examined relevant complaints under the European Convention on Human Rights after giving Turkey the opportunity to plead its case: see *Cyprus v. Turkey*, nos. 6780/74 and 6950/75, Commission's report of 10 July 1976, unpublished, and no. 8007/77, Commission's report of 4 October 1983, Decisions and Reports 72; and *Loizidou v. Turkey* (merits), judgment of 18 December 1996, *Reports of Judgments and Decisions* 1996-VI, and *Cyprus v. Turkey*, no. 25781/94, ECHR 2001-IV.