

The Committee of Ministers, under the terms of Article 54 (art. 54) of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as the "Convention"),

Having regard to the judgments of the European Court of Human Rights in the Dudgeon case delivered on 22 October 1981 and 24 February 1983 and transmitted the same days to the Committee of Ministers;

Recalling that the case had its origin in the application against the United Kingdom lodged with the European Commission of Human Rights under Article 25 (art. 25) of the Convention by a United Kingdom citizen, Mr Jeffrey Dudgeon, who complained that the existence in the criminal law in force in Northern Ireland of various offences relating to male homosexual conduct and the police investigation constituted an unjustifiable interference with his right to respect for his private life alleging violation of Article 8 (art. 8) of the Convention and that he had suffered discrimination within the meaning of Article 14 (art. 14) of the Convention on the grounds of sex, sexuality and residence;

Recalling that the case had been brought before the Court by the European Commission of Human Rights;

Whereas in its judgment of 22 October 1981 the Court held:

- by fifteen votes to four that there was a breach of Article 8 (art. 8) of the Convention,
- by fourteen votes to five that it was not necessary also to examine the case under Article 14 taken in conjunction with Article 8 (art. 14+8),
- unanimously that the question of the application of Article 50 (art. 50) was not ready for decision and accordingly reserved the whole of the said question;

Whereas in its judgment of 24 February 1983, the Court unanimously declared inadmissible the claim for just satisfaction insofar as it sought an order for a declaration by the United Kingdom, held that the United Kingdom was to pay the applicant, in respect of costs and expenses incurred, the sum of three thousand three hundred and fifteen pounds sterling (£3 315), and rejected the remainder of the claim;

Having regard to the "Rules concerning the application of Article 54 (art. 54) of the Convention";

Having invited the Government of the United Kingdom to inform it of the measures which it had taken in consequence of the judgments, having regard to its obligation under Article 53 (art. 53) of the Convention to abide by the judgments;

Whereas during the examination of this case by the Committee of Ministers the Government of the United Kingdom informed the Committee of the measures taken in consequence of the judgments, which information appears at the appendix to this resolution;

Having taken note of this information and having satisfied itself that the Government of the United Kingdom has paid the costs and expenses provided for in the judgment of the Court of 24 February 1983,

Declares that it has exercised its function under Article 54 (art. 54) of the Convention in this case.

Appendix to Resolution DH (83) 13

Information provided by the Government of the United Kingdom during

the examination of the Dudgeon case by the Committee of Ministers

The provisions of the Homosexual Offences (Northern Ireland) Order 1982 amended the law of Northern Ireland by causing homosexual acts between two consenting male adults in private to cease to be a criminal offence. This change in the law came into operation on 9 December 1982.

The Government of the United Kingdom paid to the applicant on 24 March 1983 the sum ordered by the Court to be paid in respect of costs and expenses.